

CHAPTER I

AN OVERVIEW OF THE UNIVERSITY SYSTEM AND ADMINISTRATIVE STRUCTURE

1. Basic Law
2. University System
3. University Grants Commission
4. Powers of the Minister
5. Higher Educational Institutions and Institutes
6. Other General Provisions

CHAPTER I

AN OVERVIEW OF THE UNIVERSITY SYSTEM AND ADMINISTRATIVE STRUCTURE

1. Basic Law

1.1 Legal basis for functioning of the university system in Sri Lanka is provided by the Universities Act No. 16 of 1978, hereinafter referred to as “the Act”, which came into force on 1st January 1979, as amended subsequently by;

- (a) Universities (Amendment) Act, No. 7 of 1985
- (b) Universities (Amendment) Act, No. 24 of 1988
- (c) Universities (Amendment) Act, No. 26 of 1988
- (d) Universities (Amendment) Act, No. 33 of 1988
- (e) Universities (Amendment) Act, No. 3 of 1989
- (f) Universities (Amendment) Act, No. 1 of 1995
- (g) Universities (Amendment) Act, No. 57 of 2009
- (h) Universities (Amendment) Act, No. 17 of 2016

1.2 Any provision of the Establishments Code published by the University Grants Commission, hereinafter referred to as “the Commission” or the circulars issued from time to time by the Commission cannot override the basic law, which has to be regarded as the primary source of authority.

1.3 Although the Act is the fundamental or principal legal instrument by which the University System is governed, the statutory provisions include the Constitution of the Democratic Socialist Republic of Sri Lanka 1978 (as amended) and various other legislative enactments passed by the Parliament of the Democratic Socialist Republic of Sri Lanka from time to time, such as the Prohibition of Ragging and other forms of violence in Educational Institutions Act No. 20 of 1998, Shop and Office Employees Act No. 19 of 1954, Finance Act No. 38 of 1971, the Employees’ Trust Fund (Special Provisions) Act No. 19 of 1993, Gratuity Act No. 12 of 1983, State Industrial Corporations Act No.49 of 1957 etc., in so far as they are relevant.

Regulatory
Framework

1.4 Subsidiary Legislation

In order to facilitate the operation of the Act, provisions have been made for a series of Appropriate Instruments providing for a wide area of subsidiary legislation in the regulatory framework. “Appropriate Instrument” means any Order, Ordinance, By-Law, Regulation or Rule made in accordance with the provisions of the Act.

Appropriate
Instruments

1.4.1 Orders: Orders are made by the Minister in charge of the subject of university education in consultation with the Commission in the exercise of powers vested in him by the Act as in the case of establishment of Universities (Section 21), Campuses (Section 22), Open University of Sri Lanka (Section 23), University Colleges (Section 24), Institutes or Centers for Higher Learning (Section 24A), recognition of Degree Awarding Institutes (Section 25A) etc.

Orders

1.4.2 Ordinances: Ordinances are made by the Commission in respect of all such matters as it may deem necessary to enable it to effectively exercise, perform and discharge its powers, duties and functions under the Act in terms of Section 18 of the Act. Admissions Committee Ordinance No. 5 of 1979, Faculty of Graduate Studies Ordinance No. 5 of 2020, Deputy Vice Chancellors Ordinance No. 4 of 1995, Universities Provident Fund Ordinance No. 01 of 2015, Open University of Sri Lanka Ordinance No. 1 of 1990 and various other Ordinances made in establishing Institutes for Higher Learning and National Centre for Advanced Studies in Humanities and Social Sciences are some examples.

Ordinances

University Services Appeals Board also can make Ordinances in respect of matters assigned to it as it may deem necessary as per Section 88 of the Act.

- 1.4.3 By-laws: Subject to the provisions of the Act and of the Orders and Ordinances made thereunder, By-laws may be made by the governing authority of a Higher Educational Institution in respect of all or any of the matters specified in Section 135 of the Act and shall come into force on such date as shall be specified therein. By-laws in respect of any matter relating to teaching or examinations of a Higher Educational Institution shall be prepared and submitted to the governing authority by the Senate or the Academic Syndicate as the case may be. By-laws
- 1.4.4 Regulations: Subject to the provisions of the Act and of the Orders, Ordinances and By-laws made thereunder, Regulations may be made by the Senate or the Academic Syndicate as the case may be, of a Higher Educational Institution in regard to any academic matter and for the amendment, variation or revocation of an existing Regulation. Regulations
- 1.4.5 Rules: Subject to the provisions of the Act and of any Appropriate Instrument, the Commission, the University Services Appeals Board, the Specified Authority or any Authority or any Other Body of a Higher Educational Institution/ Institute may make rules for; Rules
- (a) all matters which, under the provisions of the Act or of any Appropriate Instrument, are to be or may be prescribed by Rules
 - (b) all matters in respect of which under the provisions of the Act or of any Appropriate Instrument, Rules are required or authorized to be made
 - (c) all other matters solely concerning the Commission, the University Services Appeals Board, the Specified Authority or any Authority or Other Body of a

Higher Educational Institution/ Institute
and not provided by the Act or any
Appropriate Instrument

2. University System

- 2.1 The university system consists of the University Grants Commission and Universities (including the Open University of Sri Lanka), Campuses, University Colleges and Institutes or Centers for Higher Learning, which are also referred to as “Higher Educational Institutions/ Institutes”.
- 2.2 At the apex of the university system is the Minister in charge of the subject of university education who represents the central government. The Minister is responsible for the general direction of university education and the administration of the Act in terms of Section 19 of the Act. Minister in- charge
- 2.3 A Higher Educational Institution/ Institute is established by an Order made by the Minister in consultation with the Commission. In respect of a University (including the Open University of Sri Lanka), Campus and University College, the Order will specify the Faculties and Departments of Study. In respect of an Institute/ Centre for Higher Learning similar particulars are prescribed by the respective Ordinance made by the Commission. Establishment of a Higher Educational Institution/ Institute
- 2.4 The Orders made by the Minister and the Ordinances made by the Commission are required to be published in the Government Gazette and shall come into operation on the date specified therein. Published in the Government Gazette
- 2.5 The University Grants Commission and Higher Educational Institutions are statutory bodies established under the Universities Act No. 16 of 1978 as amended and are considered as public corporations within the ambit of Article 170 of the Constitution of the Democratic Socialist Republic of Sri Lanka. Public Corporation

3. University Grants Commission

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| <p>3.1 The University Grants Commission is a body corporate with perpetual succession and a common seal as well as the regulatory authority of the university system and mediates between the Central Government and the Higher Educational Institutions/ Institutes as the conduit for government policy and directions relating to university affairs with full power and authority as specified in Section 2(2) of the Act.</p> | Body Corporate |
| <p>3.2 The Commission shall consist of a Chairman, Vice Chairman and five other members all of whom shall be appointed by the President of the Democratic Socialist Republic of Sri Lanka for a term of five years.</p> | Membership |
| <p>3.3 The Objects of the Commission are;</p> <ul style="list-style-type: none"> (a) Planning and coordination of university education so as to conform to national policy (b) Apportionment of funds voted by Parliament to Higher Educational Institutions and Institutes in respect of university education and the control of expenditure by each such Higher Educational Institution/ Institute (c) Maintenance of academic standards in Higher Educational Institutions/ Institutes (d) Regulation of the administration of Higher Educational Institutions/ Institutes (e) Regulation of the admission of students to Higher Educational Institutions/ Institutes (f) Exercise, performance and discharge of such powers, duties and functions as are conferred or imposed on, or assigned to the Commission by or under the Act | Objects of the Commission |
| <p>3.4 Powers of the Commission</p> <p>3.4.1 Section 15 of the Act as amended, sets out the powers of the Commission. In addition to those powers which have been specifically enumerated in that Section and in Sections such as 71(2) and 144, the Commission derives</p> | |

several other powers by inference, for example vide Section 18; Paragraphs (v), (xv) and (xvii) of Section 45(2); Section 50; Section 63(3) read with Section 45(2); and Section 67 of the Act.

- 3.4.2 The powers of a Higher Educational Institution/ Institute as well as those of their respective governing authorities are subject to the over-riding powers, duties and functions of the Commission, vide Sections 29, 45, 55 and 63(3) read with Section 45(2) of the Act and the relevant paragraphs of the respective Ordinances under which each Institute/ Centre for Higher Learning is established.

Over-riding powers of the Commission

Therefore, any decision made by the governing authority of a Higher Educational Institution/ Institute on any matter directly concerning or connected with or incidental to the powers, duties and functions of the Commission, has no legal validity and should not be acted upon except with the prior approval or concurrence of the Commission. Such decisions are not final and must therefore be treated only as recommendations made to the Commission.

- 3.4.3 It shall be the responsibility of the Principal Executive Officer of each Higher Educational Institution/ Institute to submit or to cause the submission to the Commission of any decision of the governing authority which requires the approval or the concurrence of the Commission. In doing so, the Principal Executive Officer or the Registrar of the University/ Secretary of the University College/ authorized senior executive officer of the Campus or Institute/ Centre for Higher Learning concerned should send the relevant extract from the minutes of the governing authority along with a comprehensive memorandum setting out the circumstances and reasons which adduced to make such a recommendation.

Responsibility of the Principal Executive Officer

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| <p>3.5 Administrative Directions to Higher Educational Institutions/ Institutes by the Commission</p> <p>3.5.1 With a view to regulating the administration of Higher Educational Institutions/ Institutes and in the pursuance of the objects, powers, duties and functions of the Commission, the Commission may from time to time, issue administrative directions by way of circulars, circular letters, administrative and financial codes etc. for the guidance and compliance of the staff of the Commission Secretariat and of Higher Educational Institutions/ Institutes as are appropriate to each case.</p> | <p>Regulating the administration of Higher Educational Institutions/ Institutes</p> |
| <p>3.5.2 This document referred to as the Establishments Code of the University Grants Commission and the Higher Educational Institutions/Institutes which contains administrative directions and rules made by the Commission as mentioned in sub paragraph 3.5.1, is issued in terms of Section 137 of the Universities Act.</p> | <p>Rules issued under Section 137 of the Universities Act</p> |
| <p>3.5.3 Where Circulars and Circular Letters issued by various Ministries and Departments thereunder containing decisions and instructions binding on Government Departments, Public Corporations and Statutory Bodies deal with the management of internal affairs of the Commission and the Higher Educational Institutions/ Institutes, the provisions of the Universities Act will supersede instructions contained in such circulars and circular letters. However, it is up to the Commission to adopt and to act upon any such instructions as are not inconsistent with the provisions of the Act.</p> <p>The Commission will continue to adopt such circulars and circular letters which in its opinion ought to be adopted and to inform the Higher Educational Institutions/ Institutes.</p> | <p>Circulars issued by other Ministries and Departments</p> |

4. Powers of the Minister

The Minister shall, in terms of Section 20 of the Act as amended;

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| <p>4.1 issue to the Commission general written directions in pursuance of national policy in matters such as finance, university places and medium of instruction and the Commission shall comply with such directions.</p> | <p>Written
Directions</p> |
| <p>4.2 order all or any of the activities or the administration of Higher Educational Institutions/ Institutes to be investigated and reported upon by the Commission and direct the Commission to take such remedial action as he may consider necessary</p> | <p>Matters to be
Investigated</p> |
| <p>4.3 direct the Commission to take all such steps as he may deem necessary to bring under control any situation arising in a Higher Educational Institution/ Institute likely to endanger national security or detrimental or prejudicial to national policy and dislocate the functioning of such institution</p> | <p>Control a Crisis
Situation</p> |
| <p>4.4 take all or any of the following measures as he may deem necessary to ensure the restoration of normal conditions in any Higher Educational Institution/ Institute by Order, where work or administration has been seriously dislocated due to any strike, lockout or any other cause and the authorities of such institution have failed to restore normal conditions;</p> <p>(a) closure of such Higher Educational Institution/ Institute</p> <p>(b) appointment of any person by name or by office to be a competent authority for the purpose of exercising, performing or discharging in lieu of any Officer, Authority or other body of such Higher Educational Institution/ Institute, any power duty or function under the Act or any Appropriate Instrument</p> <p>(c) making provisions for any other matter connected with or relating to any of the matters aforesaid</p> | <p>Ensure the
restoration of
normal
conditions</p> |

5. Higher Educational Institutions and Institutes

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| <p>5.1 “Higher Educational Institution” means a University, Campus, Open University, University College or a Centre for Higher Learning established or deemed to be established under Sections 21, 22, 23, 24 and 24A of the Act respectively in terms of Section 147 of the Act.</p> | <p>Higher Educational Institution</p> |
| <p>5.2 “Higher Educational Institute” means an Institute for Higher Learning established or deemed to be established under Section 24A or 24B of the Act in terms of Section 147 of the Act as amended by Universities (Amendment) Act No. 17 of 2016.</p> | <p>Higher Educational Institute</p> |
| <p>5.3 Every University, Open University or University College is a body corporate with perpetual succession and a common seal, established for the purpose of providing, promoting and developing higher education in all such branches of learning as shall be specified in the respective Order establishing such institution [Sections 21(a), 23(a) and 24(a) of the Act]. A Center for Higher Learning established in terms of Section 24 A of the Act which is not affiliated to a university is also a body corporate with perpetual succession as specified in the respective Ordinance under which such Center for Higher Learning is established.</p> | <p>University</p> |
| <p>5.4 Campus is a campus attached to a university which is named in the Campus Order establishing such Campus [Section 22(a) of the Act].</p> | <p>Campus</p> |
| <p>5.5 A University College is affiliated to one or more universities specified in the University College Order establishing such University College [Section 24(f) of the Act].</p> | <p>University College</p> |
| <p>5.6 General administrative powers, duties and functions of a Higher Educational Institution/ Institute</p> <p style="padding-left: 20px;">5.6.1 General administrative powers, duties and functions of a University are specified in Sections 28 and 29 of the Act as amended. The powers conferred on a University,</p> | <p>Powers/ duties and functions of a University</p> |

subject to the powers, duties and functions of the Commission, shall unless otherwise expressly provided by the Act or any Appropriate Instrument be exercised by its Council [Section 28(2) of the Act].

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| 5.6.2 | General administrative powers, duties and functions of a University College are specified in Sections 54 and 55 of the Act as amended. The powers conferred on a University College, subject to the relevant University College Order and the powers, duties and functions of the Commission, shall unless otherwise expressly provided be exercised by its Board of Management. | Powers/ duties and functions of a University College |
| 5.6.3 | The Campus of a University shall be governed by the general and other administrative powers assigned to it by the University to which such Campus is attached and exercised by the Campus Board. The Campus Board may, with the approval of the Council, make Rules in respect of all matters relating or incidental to or connected with the internal administration of the Campus. | Administrative powers of a Campus |
| 5.6.4 | Powers and duties of an Institute/ Centre for Higher Learning, subject to the provisions of the Act and of any Appropriate Instrument and the powers, duties and functions of the Commission, shall be as prescribed in the Ordinance establishing such Institute. | Powers and duties of an Institute/ Centre for Higher Learning |
| 5.7 | Administrative powers of Authorities of Higher Educational Institutions/ Institutes | |
| 5.7.1 | The Council of a University of which the membership is specified in Section 44(1) of the Act shall be the Executive Body and Governing Authority of the University and subject to the generality of powers conferred upon it by Section 45(1) of the Act, perform and discharge the powers, duties and | Powers, duties and functions of the Council |

functions specified in Section 45(2) of the Act as amended. With regard to the Open University of Sri Lanka all such particulars are specified in the Open University of Sri Lanka Ordinance No. 1 of 1990.

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| 5.7.2 | A University shall have a Senate which shall be the academic authority of the University consisting of the members specified in Section 46(2) of the Act. The Senate shall have control and general direction of instruction, education, research and examination in the University in terms of Section 46(5) of the Act. Subject to the provisions of the Act and without prejudice to the generality of the powers conferred upon it by Section 46(5), the Senate shall exercise, perform and discharge the powers, duties and functions specified in Section 46(6) of the Act as amended. | Powers, duties and functions of the Senate |
| 5.7.3 | A Campus shall have a Campus Board whose composition is prescribed by the Campus Board Ordinance No. 3 of 1995 and shall be responsible for the internal administration of the Campus and making arrangements for the general well-being of and provision of amenities for persons attached to the Campus etc., as specified in Section 47(2) of the Act. | Responsibilities of the Campus Board |
| 5.7.4 | Each Faculty of a University shall have a Faculty Board which shall consist of persons as specified in Section 48(1A) of the Act as amended and subject to the provisions of the Act shall exercise, perform and discharge the powers, duties and functions specified in Section 48(3) of the Act as amended. | Powers, duties and functions of the Faculty Board |
| 5.7.5 | Faculty of Graduate Studies, if any, established under Section 48A of the Act shall have a Board of Graduate Studies which shall consist of persons specified in the Faculty of Graduate Studies Ordinance No.5 of 2020. | Faculty of Graduate Studies and the Responsibilities of the Board of |

<p>Subject to the provisions of the Act and any Appropriate Instrument and subject to the direction of the Senate, the Board shall have control and general direction of instruction, education, research, examinations, Industry-Faculty partnerships, Faculty-Community interactions and dissemination of knowledge. Without prejudice to the generality of the powers conferred upon it as stated therein, the Board shall exercise, perform and discharge the powers, duties and functions specified in the said Ordinance.</p>	<p>Graduate Studies</p>
<p>5.7.6 The Board of Management of a University College, consisting of the members specified in Section 63(1) of the Act as amended, which is similar to the Council of a University, shall subject to the provisions of the Act exercise, perform and discharge the powers, duties and functions conferred or imposed on or assigned to the Council of a University by Section 45 of the Act, as specified in Section 63(3) of the Act as amended.</p>	<p>Powers, duties and functions of the Board of Management of a University College</p>
<p>5.7.7 The Academic Syndicate which shall consist of the members specified in Section 64(1) of the Act as amended shall, subject to the provisions of the Act exercise, perform and discharge the powers, duties and functions conferred or imposed on or assigned to the Senate of a University by Section 46 of the Act, as specified in Section 64(4) of the Act as amended.</p>	<p>Powers, duties and functions of the Academic Syndicate</p>
<p>5.7.8 The Board of Management of an Institute or Centre for Higher Learning is the academic and executive body of such Institute or Center for Higher Learning and shall, subject to the provisions of the Act and any Appropriate Instrument, exercise the powers and discharge the duties and functions conferred or imposed on or assigned to the Institute or the Centre for Higher Learning by the Ordinance establishing the Institute or the</p>	<p>Academic and Executive Body of an Institute</p>

Centre for Higher Learning without prejudice to the generality of the powers conferred upon it.

5.8 Standing and other Ad-hoc Committees of the Commission and Higher Educational Institutions

5.8.1 Commission

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| (a) In terms of Section 4(2) of the Act, the Commission may from time to time appoint such Standing Committees and Ad-hoc Committees consisting of such number of members and with such powers, duties and functions as may be determined by the Commission. When such Committees are appointed the Chairman of each such committee shall be a member of the Commission. | Standing and
Ad-hoc
Committees |
| (b) In terms of Section 15 (vii) of the Act, the Commission shall have the power to select students for admission to each Higher Educational Institution in consultation with an Admissions Committee. The composition, powers, duties and functions of the Admissions Committee are prescribed in the Admissions Committee Ordinance No. 05 of 1979. | Admissions
Committee |
| (c) In terms of Section 78 of the Act, the holder of any post other than that of teacher shall be transferrable within Higher Educational Institutions, from a Higher Educational Institution/ Institute to the Commission or from the Commission to a Higher Educational Institution/ Institute. Such transfers shall be made by the Commission on the recommendation of the Transfer Board, the composition and terms of reference of which shall be prescribed by Rules. | Transfer Board |
| (d) Various other Committees such as Audit Committee, Procurement Committee, and Senior Management Committee etc. | Other
Committees |

may also be appointed by the Commission in accordance with regulations and guidelines issued from time to time by the Finance Ministry and the General Treasury, the composition, powers duties and functions of which shall be as prescribed in such regulations and guidelines.

5.8.2 Higher Educational Institutions/Institutes:

The university administration may establish Committees which are either Standing Committees or Ad-hoc Committees for the purpose of advising, coordinating and assisting the Council, the Senate and the Faculty Boards and or any authority in terms of powers vested by the Act as amended and as per the directives issued by the General Treasury and the Commission from time to time.

Standing and
Ad-hoc
Committees

(a) In terms of Section 45(2)(xiv) of the Act there shall be a Board of Welfare appointed by the Council. In terms of Section 46(6)(vii) of the Act the Senate has the power to appoint Standing Committees, Ad-hoc Committees or Boards such as; Library Committee, Admissions Committee, Research Committee, Curriculum and Evaluation Committee, Study Leave Committee, (Leave and Awards Committee), etc.

Committees to
be appointed as
provided in the
Act

(b) The Council may establish Committees such as Finance Committee, Land and Building Maintenance Committee, Internal Quality Assurance Management Committee, Strategic Planning and Monitoring Committee, Sports Advisory Board, Student Support Services and Welfare Committee, Board of Residence (Housing Committee), etc. may be on the directives issued by the Commission

Other
Committees
appointed by
the Council

from time to time or on their own initiatives.

- (c) In keeping with the directives of the Commission adopting the Treasury/ Public Enterprise Circulars or Guidelines, the Committees such as Audit Committee, Procurement Committee (Major/ Minor), Management Committee (Vice Chancellor's Advisory Committee), etc. may be established.

5.8.3 In any case the Higher Educational Institutions/ Institutes should ensure that the composition, powers, duties and functions of such Committees/ Boards shall be clearly specified by Rules and shall be subject to the provisions of the Act and powers, duties and functions of the Commission and respective Higher Educational Institution/ Institute.

Terms of
Reference of
Committees

5.9 Chairman of the Commission, Chancellor of a University and Officers of Higher Educational Institutions/ Institutes, and their responsibilities

- 5.9.1 The Chairman of the Commission shall be;
- (a) the Chief Executive Officer and the Accounting Officer of the Commission
 - (b) in control of the day-to-day administration of the affairs of the Commission and shall preside at all meetings of the Commission
 - (c) delegated with any of the powers, duties and functions conferred, imposed or assigned to the Commission under the Act; other than those under Section 15, 16 and 18
 - (d) subject to the general or special directions of the Commission in the exercise, performance and discharge of the powers, duties and functions conferred, imposed or assigned to him or delegated to him under the Act.

Responsibilities
of the Chairman
of the
Commission

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| 5.9.2 The Chancellor of a University shall be the Head of the University and when present shall preside at any convocation of the University. | Responsibilities of the Chancellor |
| 5.9.3 Officers of the University are specified in Sections 33 to 39 of the Act. They are the Vice-Chancellor; the Deputy Vice-Chancellor, if any; the Rector of each Campus attached to the University, if any; the Dean of each Faculty; the Registrar; the Librarian; the Bursar and the holder of any other Post declared by Ordinance. | Officers of Higher Educational Institutions |
| <p>(1) The Vice-Chancellor of a University shall be;</p> <ul style="list-style-type: none"> (a) a full-time officer of the University (b) the Principal Executive Officer and Principal Academic Officer of the University (c) an ex-officio member and the Chairman of both the Council and the Senate (d) entitled to convene, be present and speak at any meeting of any other Authority of the University or other body but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or other body (e) responsible to ensure that the provisions of the Act and of any Appropriate Instrument are duly observed, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Council and he shall have and may exercise all such powers as he may deem necessary for the purpose | Responsibilities of the Vice-Chancellor |

- (f) duty bound to give effect or to ensure that effect is given to the decisions of the Council and of the Senate
 - (g) the Accounting Officer of the University
 - (h) responsible for the execution of policies and measures approved by the Council in relation to the University and subject to such policies, the direction, supervision and control of the University including its administration and maintenance of discipline within the University
- (2) The Deputy Vice-Chancellor shall be;
- (a) a full-time officer of the University
 - (b) responsible for affairs relating to the students of the University in terms of the Deputy Vice-Chancellor's Ordinance No. 4 of 1995
 - (c) responsible for performing the duties of the office of the Vice-Chancellor if any vacancy occurs in the office of the Vice-Chancellor or if the Vice-Chancellor is temporarily unable to perform the duties of his office.
- (3) The Rector of a Campus shall be;
- (a) a full-time officer of the Campus
 - (b) the Academic and Administrative Head of the Campus
 - (c) the Chairman of the Campus Board
 - (d) entitled to convene, be present
- Responsibilities
of the Deputy
Vice-Chancellor
- Responsibilities
of the Rector

and maintenance of its accounts in such form and manner as may be prescribed by Rules, subject to the direction and control of the Registrar and shall have the custody of the funds of the University.

- (6) The Librarian of a University shall be;
- (a) a full-time officer of the University and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by the Act or by any Appropriate Instrument
- (b) responsible for the administration of the library or libraries of the University, subject to the direction and control of the Vice-Chancellor.
- Responsibilities of the Librarian

- (7) A Dean of a Faculty (including the Dean of a Faculty of Graduate Studies) shall be;
- (a) a full-time officer of the University
- (b) the Academic and Administrative Head of the Faculty
- Responsibilities of the Dean of a Faculty

5.9.4 Officers of a University College are specified in Sections 56 to 61 of the Act. They are; the Director, the Dean of each Faculty, the Secretary, the Librarian and the Treasurer.

Officers of a University College

- (1) The Director of a University College shall be;
- (a) a full-time officer of the University College
- (b) the Principal Executive Officer and the Principal Academic Officer of the University College
- (c) an ex-officio member and the
- Responsibilities of the Director

Chairman of both the Board of Management and the Academic Syndicate and shall convene the meetings of those two Authorities

- (d) the Accounting Officer of the University College
 - (e) responsible for the maintenance of discipline within the University College
 - (f) entitled to convene, be present and speak at any meeting of any other Authority or body of the College, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or other body
 - (g) responsible to ensure that the provisions of the Act and of any Appropriate Instrument are duly observed, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board of Management and he shall have and may exercise all such powers as he may deem necessary for the purpose
 - (h) duty bound to give effect or to ensure that effect is given to the decisions of the Board of Management and of the Academic Syndicate.
- (2) The Secretary of a University College shall be;
- (a) a full-time officer of the University College and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by the Act or by any Appropriate Instrument

Responsibilities
of the Secretary

- (b) responsible for the custody of the records and the property of the University College
 - (c) the ex-officio Secretary of both the Board of Management and the Academic Syndicate
 - (d) the Assistant Accounting Officer of the University College
 - (e) responsible for the general administration of the University College and the disciplinary control of its non-academic staff, subject to the direction and control of the Director.
- (3) The Librarian of a University College shall be;
- (a) a full-time officer of the University College and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by the Act or by any Appropriate Instrument
 - (b) responsible for the administration of the library or libraries of the University College, subject to the direction and control of the Director.
- (4) The Treasurer of a University College shall be;
- (a) a full-time officer of the University College and shall exercise, perform and discharge such powers, duties and functions as may be conferred or imposed on or assigned to him by the Act or by any Appropriate Instrument
 - (b) responsible for the administration of the finances of the University College and maintenance of its
- Responsibilities
of the Librarian
of a University
College
- Responsibilities
of the Treasurer
of a University
College

accounts in such form and manner as may be prescribed by Rules, subject to the direction and control of the Secretary and shall have the custody of the funds of the University College.

(5) The Dean of a Faculty shall be;

- (a) a full-time officer of the University College
- (b) the Academic and Administrative Head of the Faculty

Responsibilities of the Dean of a Faculty of a University College

5.9.5 The Officers of an Institute or Centre for Higher Learning are specified in the Ordinance under which such Institute or Centre for Higher Learning is established. Generally, the Director of such an Institute or Centre for Higher Learning is specified as an Officer.

Officers of an Institute/ Centre for Higher Learning

(1) The Director shall be;

- (a) a full-time officer of the Institute / Centre for Higher Learning
- (b) the Principal Executive Officer and Principal Academic Officer or Academic and Administrative Head of the Institute as may be prescribed by the Ordinance relating to the Institute / Centre for Higher Learning
- (c) an ex-officio member and the Chairman of the Board of Management, and ex-officio member of any other Authority or body of the Institute / Centre for Higher Learning as may be prescribed by the Ordinance relating to such Institute / Centre for Higher Learning
- (d) entitled to convene, be present and speak at any meeting of any Authority or body of the Institute/ Centre for Higher Learning as

Responsibilities of the Director

may be prescribed by the Ordinance relating to such Institute / Centre for Higher Learning, but shall not be entitled to vote at any such meeting unless he is a member of such Authority or body

- (e) the Accounting Officer of the Institute/Centre for Higher Learning
- (f) responsible for the maintenance of discipline within the Institute / Centre for Higher Learning
- (g) responsible to ensure that the provisions of the Act and of any Appropriate Instrument in so far as they relate to the Institute / Centre for Higher Learning are duly observed, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board of Management/ the Council of the University to which the Institute is affiliated or any other Governing Authority as may be prescribed by the Ordinance relating to the Institute / Centre for Higher Learning and he shall have and may exercise all such powers as he may deem necessary for the purpose
- (h) duty bound to give effect or to ensure that effect is given to the decisions of the Board of Management / Governing Authority or any other authority or body as may be prescribed by the Ordinance relating to such Institute / Centre for Higher Learning

- 5.10 University Services Appeals Board (USAB)
- 5.10.1 In terms of Section 80, the Act provides for the establishment of a USAB which shall consist of a Chairman, Vice Chairman and another member all of whom shall be appointed by the Minister. Membership of USAB
- 5.10.2 The USAB shall have and may exercise the following powers, duties and functions; Powers, duties and functions of USAB
- (a) Conduct investigations into irregular appointments and promotions alleged to have been made to the staff of the Commission, Higher Educational Institutions and Institutes in contravention of the Schemes of Recruitment and the Procedure for Appointment
 - (b) Consider appeals from employees of the Commission, Higher Educational Institutions and Institutes against disciplinary punishments
 - (c) Convey its decisions on the above matters to the Chairman of the Commission or to the Principal Executive Officer of the Higher Educational Institution/ Institute concerned
 - (d) Make Ordinances in respect of all such matters as it may deem necessary for effective exercise, perform and discharge of its powers, duties and functions
- 5.10.3 Decisions made by the USAB in the exercise, performance and discharge of its powers, duties and functions specified in sub-paragraph 5.10.2 above shall be final and where remedial action has to be taken in consequence of such decisions, the Commission or the Governing Authority of the Higher Educational Institution/ Institute concerned, as the case may be, shall implement such decisions. Decisions of the USAB are final & binding

6. Other General Provisions

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| 6.1 | In terms of Section 122 of the Act all members and the staff of the Commission, the Specified Authority and the University Services Appeals Board and all members of the staff of each Higher Educational Institution/ Institute shall be deemed to be public servants within the meaning and for the purposes of the Penal Code. | Applicability of Penal Code |
| 6.2 | In terms of Section 123 of the Act, the Commission, the Specified Authority, the University Services Appeals Board and each Higher Educational Institution/ Institute shall be deemed to be a scheduled institution within the meaning of the Bribery Act and the provisions of that Act shall be construed accordingly. | Bribery Act |
| 6.3 | Provisions of the Government Establishments Code shall be applicable to matters for which specific provisions have not been provided in this Establishments Code of the University Grants Commission and Higher Educational Institutions/ Institutes. | Applicability of Govt. E-code |
| 6.4 | Provisions of this revised Establishments Code shall apply to the Commission and the Higher Educational Institutions/ Institutes from 07 th September 2023 the date on which the revised Establishments Code is approved by the Commission and adopted by Commission. The existing Establishments Code is repealed and replaced accordingly by the revised Establishments Code without prejudice to anything already done under provisions of the previous Establishments Code and the subsequent circular amendments. | Effective date of the E-code |
| 6.5 | All members of the staff in the university system are required to make themselves thoroughly conversant with the provisions of the Establishments Code. | |