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EXTRAORDINARY

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### PART I: SECTION (I)—GENERAL

#### Government Notifications

L.D.—B. 21/78

#### THE UNIVERSITIES ACT, No. 16 OF 1978

ORDINANCE made by the University Grants Commission under section 25 read with section 18 of the Universities Act, No. 16 of 1978.

W. M. A. WIJERATNA BANDA,  
Secretary,

University Grants Commission.

Colombo, 10th October, 1980.

#### Ordinance

1. This Ordinance may be cited as the Recognition of Institutions Ordinance No. 4 of 1980, and shall come into effect on 15th October, 1980.

2. (1) The chief administrative officer of an institution seeking recognition in respect of one or more than one Higher Educational Institution, under section 25 of the Act shall submit to the Secretary, an application in duplicate in respect of each such Higher Educational Institution.

(2) Every application referred to in sub-paragraph (1) shall be made in the form issued for the purpose by the Secretary.

3. (1) The Secretary shall, within fourteen days of the receipt by him of an application made under paragraph 2, forward one copy of such application to the principal executive officer of the Higher Educational Institution in respect of which recognition of the institution has been sought, for the recommendation of such Higher Educational Institution on such application.

(2) The principal executive officer of the Higher Educational Institution referred to in sub-paragraph (1) shall, within sixty days of the receipt by him of an application under that paragraph, convey in writing under his hand to the Secretary, the recommendation of such Higher Educational Institution on such application.

(3) Upon the receipt by him of the recommendation referred to in sub-paragraph (2), the Secretary shall, as soon as possible thereafter, submit to the Commission one copy of the application received by him under paragraph 2, along with the recommendation made thereon by the Higher Educational Institution under sub-paragraph (2).

4. (1) It shall be open to the Commission to conduct or to cause to be conducted such inspections and investigations, and to call for such particulars, as are deemed necessary by the Commission in order to determine whether or not to grant recognition to any institution seeking recognition under section 25 of that Act.

(2) It shall be the duty of every institution seeking such recognition to afford such facilities for such inspections and investigations and to furnish such particulars as are deemed necessary by the Commission for the purposes of sub-paragraph (1).

5. (1) For the purpose of ascertaining whether or not to grant recognition to any institution under section 25 of the Act, the Commission may give due consideration to the following minimum facilities available at such institution:—

- (a) the staff, both academic and non-academic, employed by such institution, and the minimum qualifications of each member of such academic staff;
- (b) the physical resources, including classrooms, libraries, laboratories and equipment, available in such institution; and
- (c) the staff and student amenities provided by such institution:

Provided however that no such institution shall be granted recognition by the Commission except with the concurrence of the Minister and on the recommendation of the Higher Educational Institution in respect of which recognition has been sought.

6. (1) The decision of the Commission whether or not to grant recognition to any institution under paragraph 5 shall be final, and shall be communicated to such institution in writing. Where an application for such recognition has been rejected, the Commission shall state the reasons for such rejection.

(2) Any institution whose application for recognition has been rejected under sub-paragraph (1) may, after making such other arrangements or re-organization as may be necessary having regard to the reasons stated by the Commission under sub-paragraph (1), re-submit an application for recognition under section 25 of the Act.

7. The Commission shall inform the institution to which recognition has been granted under section 25 of the Act, the conditions subject to which such recognition has been granted, and also the manner in which such conditions should be made known to the members of the staff and the students of such institution.

8. (1) The Commission may, from time to time, investigate or cause to be investigated the facilities provided by an institution recognized under section 25 of the Act (hereafter referred to as a "recognized institution") and it shall be the duty of such institution to afford every opportunity for the carrying out of such investigation.



(2) Where the Commission is of opinion, upon any investigation made under sub-paragraph (1), that there is any deficiency in the facilities provided by a recognized institution, the Commission shall inform such institution of such deficiency and direct such institution to rectify such deficiency.

(3) Where any recognized institution directed by the Commission under sub-paragraph (2) to rectify any deficiency fails without reasonable cause to do so, the Commission may, with the concurrence of the Minister, withdraw the recognition granted to such institution under section 25 of the Act.

9. (1) Subject to the provisions of sub-paragraph (2), every recognized institution shall admit, for the purpose of following courses of study approved for the examinations of any Higher Educational Institution in respect of which such recognition has been granted, only such students as have satisfied the minimum requirements specified by the Commission from time to time for admission to a University.

(2) The provisions of sections 30 and 31 of the Act shall, *mutatis mutandis*, apply to and in relation to a recognized institution.

10. Each recognized institution shall be responsible for the discipline of the students admitted thereto under paragraph 9 :

Provided however that where any student of a recognized institution has been permitted to follow approved courses of study or any part thereof in any Higher Educational Institution, such student shall, so long as he is in the precincts of such Higher Educational Institution, come under the disciplinary control of the principal executive officer of such Higher Educational Institution.

11. Every recognized institution may levy, from the students admitted to such institution under paragraph 9, such fees as it may deem appropriate :

Provided however that a recognized institution whose funds are provided wholly or in part by the Government, shall not levy any fee, except with the prior written approval of the Commission given with the concurrence of the Minister.

12. Every recognized institution shall conduct courses of study approved for the examinations of the Higher Educational Institution in respect of which recognition has been granted, in accordance with the syllabuses specified by such Higher Educational Institution for such courses of study.

13. (1) It shall be open to any recognized institution to make, with the concurrence of the Higher Educational Institution in respect of which recognition has been granted to such institution, such arrangements as are necessary for the students of such institution to follow approved courses of study or any part thereof either at that or at any other Higher Educational Institution, and

the courses of study or any part thereof followed under such arrangements shall for the purposes of this Ordinance and any other appropriate Instrument be deemed to be approved courses of study or any part thereof followed at such recognized institution.

(2) The terms and conditions, including those relating to fees, subject to which the students of a recognized institution may follow approved courses of study or any part thereof at a Higher Educational Institution under the provisions of sub-paragraph (1) shall be specified by such Higher Educational Institution from time to time, and where arrangements to follow such courses of study or any part thereof at any other Higher Educational Institution have been made, such terms and conditions shall be specified with the concurrence of such other Higher Educational Institution.

14. Every eligible student of a recognized institution shall take the appropriate examinations of the Higher Educational Institution in respect of which recognition has been granted to such institution, and such examinations shall be conducted in accordance with any appropriate Instrument providing for the same.

For the purpose of this paragraph, "eligible student of a recognized institution" shall mean a student who—

- (1) has been duly admitted to such institution under the provisions of paragraph 9 ;
- (2) has been registered as a student of such institution ; and
- (3) has thereafter followed at such institution the approved courses of study for the examination which he proposes to take during a period not less than the period specified for that examination by the Higher Educational Institution concerned.

15. In this Ordinance—

"Act" means the Universities Act, No. 16 of 1978 ;

"appropriate Instrument" shall have the same meaning as in the Act ;

"approved courses of study" includes courses of study recommended by any recognized institution and approved by the Higher Educational Institution in respect of which recognition has been granted to such institution ;

"Commission" shall have the same meaning as in the Act ;

"Higher Educational Institution" shall have the same meaning as in the Act ;

"principal executive officer" shall have the same meaning as in the Act ; and

"Secretary" means the Secretary to the University Grants Commission established under the Act.