

ORDINANCE

1. This Ordinance may be cited as the Postgraduate Institute of Humanities and Social Sciences Ordinance No. 02 of 2013 and shall come into operation with effect from 02.12.2013.

2. This Ordinance shall apply to the Postgraduate Institute of Humanities and Social Sciences (hereinafter referred to as the "Institute") established by Order made by the Minister under Section 24A of the Universities Act, No. 16 of 1978 and published in Gazette Extraordinary No. 1843/45 of 2014.01.03.

3. The Institute shall be attached to the University of Peradeniya, Sri Lanka (hereinafter referred to as the "University").

4. Every Postgraduate Degree Programme in the field of Humanities and Social Sciences including the Postgraduate Programmes currently conducted by the Faculty of Arts shall be deemed to have been conducted by the Institute on the date of coming into operation of this Ordinance.

5. The rules and regulations governing the Higher Degree Programmes of the Institute on the date of coming into operation of this Ordinance, shall be the same as those governing the Higher Degrees of the Faculty of Arts, unless otherwise stated, changed or amended by the Institute with the concurrence of the Senate and the Council of the University.

6. Subject to the provisions of the Act and of any appropriate instrument and the powers, duties and functions of the University, Grants Commission (hereinafter referred to as the "Commission"), the institute shall have the power to :-

- (a) admit students ;
- (b) provide postgraduate instructions, training and research in the fields of Humanities and Social Sciences, as may be approved by the Commission upon the recommendation of the Institute and the University ;
- (c) determine with the approval of the University and with the concurrence of the Commission the postgraduate degrees, diplomas, certificates and other academic distinctions to be awarded in the several branches of Humanities and Social Sciences ;
- (d) conduct with the approval of the University, Postgraduate examination for the purposes of ascertaining the persons who have acquired proficiency as required by the programmes of study in Humanities and social sciences, and to recommend to the University, persons, who, having passed such examination, and having satisfied such other conditions as the University may prescribe by By-law are eligible for the award of postgraduate degrees, diplomas, certificates and other academic distinctions of the University ;
- (e) co-operate, by way of exchange of teachers, students and scholars or otherwise, with Universities or Institutions in Sri Lanka or abroad, having objects similar or substantially similar to those of the Institute ;
- (f) recognize examinations passed, and the period of learning or study pursued by students seeking admission to, or by students of the Institute at Universities and places of similar status, as being equivalent to such examinations and periods of learning or study in the Institute, or such part thereof, as may be prescribed by, By-law and to withdraw such recognition at any time ;
- (g) build, equip and maintain for the purpose of the Institute libraries, computer centres and other buildings, for instructional, training, research and administrative purposes ;
- (h) recommend to the University the creation, abolition or suspension of Professorships, Associate Professorships, Senior Lectureships, Lectureships and other posts as may be required for the purposes of the Institute ;
- (i) establish and award fellowships, scholarships, exhibitions, bursaries, stipends, medals and other prizes in consultation with the University ;

- (j) make arrangements for conducting research and courses or parts of such courses of study in places outside the Institute in accordance with any By-law providing for the same ;
- (k) recognize with the concurrence of the University such persons as may be approved by the Institute, as teachers and examiners thereof ;
- (l) demand and receive fees in accordance with any rule providing for the same ; and
- (m) undertake all such other acts whether incidental to or consequent upon the powers, duties and functions aforesaid in order to further the objects of the Institute.

7. The Institute shall have the following officers :-

- (i) The Director ; and
- (ii) The holder of any other post declared by the Ordinance to be a post, the holder of which is an officer for the purpose of this paragraph.

8. (1) The first Director of the Institute shall be appointed by the Commission from among the teachers of the University upon the recommendation of the University.

(2) Every subsequent Director shall be appointed by the Commission from a panel of three teachers confirmed in the post of University recommended by the Board of Management of the institute with the concurrence of the University.

(3) Where a member of the staff of a Higher Educational Institution is appointed Director, such Institution shall release such member of the staff so appointed to accept the post of Director. The University shall release every such subsequent teacher nominated to accept the post of Director.

(4) a Director shall, unless he vacates office earlier or is removed from office under sub-paragraph (5), hold office for a period of three years reckoned from the date of his appointment or until he completes his sixty-fifth year, whichever occurs earlier.

(5) The Director shall be removed from office by the Chairman of the Commission for reasons assigned on a vote of censure passed by not less than two-thirds of the total membership of the Board of Management (hereinafter referred to as the "Board") at a special meeting convened for the purpose. The members present shall elect from among themselves a person, other than the Director, to preside at such special meeting.

(6) a Director who resigns or is removed from office or completes his tenure may, revert to his substantive post in such Higher Educational Institution, provided that he has not reached the age of retirement.

(7) Where the Director, by reason of leave, illness, absence from Sri Lanka or other cause is temporarily unable to perform the duties of his office, the Commission shall, within seven days of the occurrence of such inability make such arrangements as it may think fit for carrying out the duties of the office. Until such arrangements are made, the Dean of the Faculty of Arts of the University shall carry on the routine duties of the office.

(8) If any vacancy occurs in the office of Director, the Commission shall within seven days of the occurrence of such vacancy, make such arrangements as it may think fit, for carrying on the duties of the office until a permanent appointment is made under sub-paragraph (2). Until such arrangements are made, the Dean of the Faculty of Arts of the University shall carry on the routine duties of the office.

9. (1) The Director shall be a full-time officer of the Institute, and the principal executive officer and the principal academic officer and the Accounting officer thereof.

(2) The Director shall be an ex-officio member of the Board and ex-officio member of each Board of study of the Institute. He shall be entitled to be present and participate at any meeting of the Board or any other Authority or body of the Institute, but shall not be entitled to vote at any such meeting unless he is a member of such other Authority or body ; In the absence of the Director from any meeting of the Board, the members shall elect any member present to preside at such meeting .

(3) It shall be the duty of the Director, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board to ensure that the provisions of the ordinance, the Act or any other appropriate instrument in so far as they relate to the Institute, are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.

(4) It shall be the duty of the Director to give effect, or to ensure that effect is given, to the decisions of the Board and of each Board of study ; and

(5) The Director shall be responsible for the maintenance of discipline, law and order of the Institute.

10. The Institute shall comprise of the following :-

- (a) The Board ;
- (b) The Board or the Boards of study ; and
- (c) Such other bodies as may be prescribed by ordinance to be such Authorities.

11. The Board shall be the academic and executive body of the Institute, and shall consist of :-

(1) the following ex-officio members namely -

- (i) The Director of the Institute who shall be the Chairman of Board ;
- (ii) The Dean, Faculty of Arts, University of Peradeniya ;
- (iii) The Dean, Faculty of Science, University of Peradeniya ;
- (iv) The Dean, Faculty of Agriculture, University of Peradeniya ;
- (v) The Director of Research, University of Peradeniya ;
- (vi) The Secretary to the Ministry of the Minister in charge of the subject of Higher Education or his nominee ;
- (vii) The Secretary to the Ministry of the Minister in charge of the subject of Finance or his nominee ;
- (viii) The Director of the National Centre for Advanced Studies in Humanities and Social Sciences or his nominee ;
- (ix) Head of each Department of Study of the Faculty of Arts of the University ; and
- (x) Chairperson of each Board of study.

(2) the following other members, namely -

- (i) One member appointed by the Commission ; and
- (ii) Three members appointed by the Board from among persons who have rendered outstanding contribution to Humanities or Social Sciences ;

12. (1) Any elected or appointed member of the Board shall, unless he vacates office earlier, hold office for a term of three consecutive years, reckoned from the date of his appointment and shall unless removed from office, be eligible for re-election or reappointment.
- (2) (a) where any elected or appointed member vacates office prior to the expiry of his term, the successor shall, unless he vacates office earlier, hold office for the unexpired portion of the term of office of his predecessor ;
- (b) an elected member shall hold office so long as he retains the status or membership by virtue of which he was eligible for election as a member of the Board.
- (3) Any elected member of the Board may resign from office by a written request addressed to the Director.
- (4) Any appointed or elected member of the Board who without leave of absence fails to attend three consecutive meetings of the Board shall be deemed to have vacated his office as a member of the Board, and the Commission shall appoint a fit person to fill such vacancy.
- (5) The quorum of any meeting of the Board shall be one third of its total membership.
- (6) The Board shall meet whenever necessary, so but not less than six occasions in each year.
- (7) The Director shall, whenever he deems necessary or within one week upon the receipt by him of a written request from not less than one-third of the total membership of the Board, convene a special meeting.
13. (1) Subject to the provisions of Act, and of any appropriate instrument, the Board shall exercise, perform or discharge the following powers, duties and functions :-
 - (a) to hold, control and administer the movable and immovable property and funds of the Institute ;
 - (b) to regulate and determine all matters concerning the Institute in accordance with the provisions of the Act and of any other appropriate instrument ;
 - (c) to administer and control the funds made available to the Institute for its general administration and management and any other specific purposes ;
 - (d) to receive and accept with the concurrence of the commission bequests, donations and grants of property movable or immovable made to the Institute ;
 - (e) to evaluate the annual report and the audited accounts of the Institute and to submit such reports and such accounts to the University and the Commission ;
 - (f) to recommend to the University in consultation with the Board or Boards of study concerned the postgraduate degrees, diplomas, certificates and other academic distinctions which shall be awarded to the several disciplines of the Humanities and Social Sciences and the courses of study and training to be followed, the examinations to be passed, and the other conditions to be satisfied by students who wish to qualify for such degrees, diplomas, certificates and other academic distinctions ;
 - (g) to make By-laws or Rules for any matter in respect of which By-laws or Rules are authorized to be made and to submit such By-laws or Rules to the Council or the Senate of the University for enactment ;

Provided however, that no By-law or Rule relating to courses of study and examinations shall be made except after consideration of reports from the Board or Boards of studies concerned ;

 - (h) to provide the buildings, premises, furniture, equipment and other material needed for carrying on the work of the Institute ;

- (i) to recommend to the Commission in consultation with the University -
 - (i) the creation of such posts inclusive of teaching and administrative posts as may be required for the purposes of the Institute and the abolition or suspension of such posts ;
 - (ii) the qualification required of teachers, officers and other employees to be appointed to the Institute ; and
 - (iii) persons who are eligible for appointment as teachers and examiners of the Institute.
- (j) recommend to the University to suspend, dismiss or otherwise take disciplinary action with regard to the employees and the students of the Institute ;
- (k) to recommend to the Commission, after consideration of reports from the Board or Boards of studies concerned and which are approved by the University :-
 - (a) schemes for the re-organization of existing Boards of studies and the organisation of new Boards of studies ; and
 - (b) the assignment of disciplines of the Humanities and Social Sciences to the respective Boards of study.
- (l) to appoint such number of standing committees or ad-hoc committees as it may deem fit ; and to specify their terms of reference ; to consider the reports of such committees and to approve such reports, with or without modification, or to reject such reports ;
- (m) to recommend to the Commission in consultation with the Board or Boards of studies and with the concurrence of the University, the criteria for the selection and admission of students to courses of study ;
- (n) to invest any monies belonging to the Institute including any unapplied income, in any security in terms of the provisions of section 20 of the Trusts Ordinance or any other written law ; with the approval of the Commission, to invest any such monies in the purchase of immovable property in Sri Lanka or vary such investments, or to place in fixed deposits in any bank approved by the Commission any portion of such monies not required for immediate expenditure ;
- (o) to exercise all other powers of the Institute, which are incidental to or consequential upon the powers of the Institute as provided for in this Ordinance or any other appropriate Instrument.

(2) No resolution shall be passed by the Board in relation to any academic matter unless the appropriate Board of Study has first been given an opportunity of recording and conveying its opinion thereon to the Board :

Provided that no resolution so passed shall be acted upon except with the concurrence of the University.

In this paragraph "academic matter" means any matter which is subject to the control and general direction of the appropriate board of study.

14. The institute shall establish a Board of Study for each cluster of the following disciplines of the Humanities and Social Sciences and for any other disciplines in the same field :-

- (1) Board of study for Social Sciences.

Geography
Sociology
Political Science
History
Archaeology
International Relations
Law

(2) Board of Study for Languages and Literature Studies

Sinhala
Tamil
Arabic
English

(3) Board of Study for Economics and Management

Management
Accountancy
Economics
Statistics

(4) Board of Study for Psychology, Philosophy and Education

Psychology
Philosophy
Education

(5) Board of Study for Religious and Cultural Studies

Pali
Sanskrit
Western Classical Culture
Buddhist Studies
Fine Arts
Comparative Religion
Islamic Civilization
Hindu Civilization

15. (1) Each Board of study shall consist of the following persons :-

- (a) the Director who shall be an ex-officio member ;
- (b) Head of the relevant Department of the Faculty of Arts, University of Peradeniya ;
- (c) four members specialized in the relevant field to study, nominated by the Faculty of Arts of the University from among the teachers of the University ; and
- (d) three members nominated by the Board from among persons of eminence in the appropriate disciplines of the Humanities and Social Sciences.

(2) Any Board of Study may with the concurrence of the Board co-opt one person for a specific purpose and for a specified period, but no person so co-opted shall have the right to stand for election or to vote at any meeting of such Board of study.

(3) Each Board of Study shall have a Chairperson who shall be elected by that Board of Study from among its members.

(4) Each Board of Study shall have a Secretary who shall be elected by that Board of Study from among its members.

(5) The quorum for any meeting of a Board of Study shall be four members, including co-opted members, if any.

(6) Each Board of Study shall meet whenever necessary, so however that it meets on not less than six occasions each year.

16. (1) Subject to the provisions of the Act and of any appropriate instrument each Board of Study shall have control and general direction over instruction, education, research and examinations in the relevant disciplines of the Humanities and Social Sciences.

(2) Without prejudice to the generality of the powers conferred upon it by sub paragraph (1) each Board of study shall exercise, perform and discharge the following powers, duties and functions to :-

- (a) consider and report on any matter referred to it by the Board ;
- (b) present recommendations and reports to the Board on all matters concerned with the courses of study, teaching programmes or training programmes, and examinations in the disciplines of Humanities and Social Sciences ;
- (c) appoint committees, which may include persons other than members of the Board of Study for purpose of the considering and reporting on any special subject or subjects ;
- (d) recommend to the Board requirements for the admission of students to courses of study and examinations ;
- (e) draft regulations relating to courses of study and examinations in the disciplines of the Humanities and Social Sciences and to submit such drafts to the Board ;
- (f) recommend to the Board such persons as are suitable for recognition as teachers and examiners ;
- (g) recommend to the Board persons, who, having passed the prescribed examinations in the disciplines of the Humanities and Social Sciences and having satisfied other prescribed conditions, are eligible for the award of postgraduate degrees, diplomas, certificates, and other academic distinctions in such disciplines ;
- (h) recommend to the Board the mode and conditions of competition for fellowships, exhibitions, bursaries, stipends, medals and other prizes ;
- (i) recommend to the Board the names of persons suitable for the award of fellowships, scholarships, exhibitions, bursaries, stipends, medals and other prizes ; and
- (j) recommend to the Board -
 - (i) schemes for the re-organisation of existing Boards of Study and the organisation of new Boards of Study ; and
 - (ii) the assignment of disciplines of the Humanities and Social Sciences to the respective Boards and Study.

17. The financial year of the Institute shall be the calendar year.

18. (1) The Institute shall have a fund to be called the Postgraduate Institute of the Humanities and Social Sciences Fund (hereinafter referred to as the "Fund") into which shall be paid -

- (a) fees to be paid to the Institute in accordance with the provisions of any appropriate Instrument ;
- (b) income derived from endowments ;
- (c) money voted by Parliament and disbursed by the Commission as grants to the Institute ; and
- (d) such other monies accruing to the Institute from any source whatsoever.

(2) A summary of all sums of money paid into the Fund within the course of a particular month classified under the appropriate heads of revenue shall, before the next ensuing month be submitted by the Director to the Commission for its information.

19. It shall be the duty of the Director to :

- (a) keep the accounts of the Institute in such form and manner as may be specified by the Board ;
- (b) receive all monies paid into the Fund and to credit such monies to the proper heads of accounts ;
- (c) make all authorised payments ; and
- (d) prepare for the Board such triennial estimates as are required by the Commission and the annual financial appropriations for the ensuing year :

Provided however, that income derived from, grants made for specific purposes or endowments for specific objects shall be separately accounted for in the accounts of the Institute, and that no payment shall be made from such income for the general purposes of the Institute or for any purpose or object other than that for which such grants or endowments were respectively made.

20. (1) The Institute shall prepare an annual statement of accounts and statistics relating to its activities in such form and manner and containing such particulars as the Commission may from time to time specify.

(2) The books of accounts of the Institute shall be kept in the office of the Institute.

21. Such provisions of Part XIII of the Act as are relevant to the auditing of the accounts of a Higher Education Institution shall *mutatis mutandis*, apply to and in relation to the auditing of the accounts of the Institute.

22. (1) The staff of the Institute shall consist of such officers, teachers and other employees as it may with the concurrence of the University and the approval of the Commission deem necessary for the efficient exercise, performance and discharge of the powers, duties and functions of the Institute.

(2) The staff of the Institute shall be provided on release by the University from its own staff, or be appointed by the commission, as the case may be. The provisions of Part X of the Act shall, *mutatis mutandis*, apply to and in relation to appointments to the staff of the Institute.

(3) Where an officer, teacher or other employee of the University has been released for service to the Institute on a full time basis he shall be paid the salary and the allowances of his substantive post in the University. In any other case the Institute may pay the officer, teacher or other employee concerned, such allowances as it may determine in consultation with the University and as approved by the Commission.

(4) The staff and students of the Institute shall be subject to the direction and the disciplinary control of the Director. The Council of the University shall be the disciplinary authority of the Institute.

23. If any question arises as to whether any person has been duly elected, appointed, nominated or co-opted or as to whether any person is entitled to be a member of any authority or other body of the Institute, such question shall be referred to the Commission, whose decision thereof shall be final.

24. No act, resolution or proceeding of the Institute shall be invalid merely by reason of the existence of a vacancy among its members or of any defect or defects in the appointment of such member.

25. In this Ordinance -

"Faculty of Arts" means Faculty of Arts of the University of Peradeniya ;

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

"Higher Educational Institution" means a University, Campus, Open University, University College or Centre for Higher Learning established or deemed to be established under the Act.