



**By-Law for the  
Residence and Disciplines of  
Ocean University of Sri Lanka**

This ***By-Law for the Residence and Disciplines of Ocean University of Sri Lanka*** was:

- Recommended by the Policy, Procedure and By-Law Committee, Ocean University of Sri Lanka on 08<sup>th</sup> July 2020.
- Recommended by the Academic Council of the Ocean University of Sri Lanka at its 30<sup>th</sup> meeting held on 8<sup>th</sup> August 2020.
- Approved by the Board of Governors at its 45<sup>th</sup> meeting held on 30<sup>th</sup> September 2020.

This ***By-Law for the Residence and Disciplines of Ocean University of Sri Lanka*** shall be cited as the ***By-Law No: 02 of 2020 of Ocean University of Sri Lanka*** and shall supersede all previous Disciplinary By-Laws of the Ocean University of Sri Lanka after coming into force on 30<sup>th</sup> September 2020.

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## **By-Law related to Conditions of Residence and Discipline of the Ocean University of Sri Lanka**

Sources for this By-law are based from University Grant Commission and other government University publications related to student disciplines.

This by-law was prepared under Sections 64 (1) and 65 (1) (a) and (b) of the Ocean university of Sri Lanka Act, No 31 of 2014.

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## CHAPTER 01

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# Condition of Residence

### 1.1. Academic Activities

1.1.1. All students shall follow the prescribed course of study to the satisfaction of the Academic Council. Any Student who keeps away from the course continuously for a period of one academic semester without authorized leave of absence will be deemed to have left the Course.

1.1.2. All students shall register for their respective semesters by submitting an application form.

1.1.3. All student(s) shall obtain leave of absence when required, as specified in By-Law no. 01 (Academic Procedures) and 03 (Examination By-Laws).

### 1.2. Dress Code

1.2.1. The student(s) are required to be properly attired in a dress appropriate to the academic and professional environment.

1.2.2. The Students identity shall not be hindered by the attire during his/her residence in the university.

### 1.3. Residence within University Premises

1.3.1. In case of a contagious disease, student shall immediately contact the University Medical Officer/Assistant Registrar -Student Affairs and follow his /her advices. If such action is not possible, the student shall obtain medical advice immediately from a registered Medical Practitioner and report to the University Medical Officer/Assistant Registrar.

1.3.2 Student(s) who are residents of the University Hostels are required to fully comply with the Rules and guidelines issued by the University from time to time.

(a) All Students, (except as stipulated in clause 1.3.4(b) and 1.3.4(c)) are not allowed to remain within the main university premises from 22.00 hours to 05.00 hrs. (or at any other time notified by the Vice Chancellor) on each day.

(d) All Student(s) who are residents in a hostel within the main University premises can remain within the hostel premises after 2200 hours; however, they are not allowed to leave the university premises after 2200 hours. In a case of emergency, residents can leave the university premises upon the authorization of the Warden/ Security Officer In Charge under a written request.

(c) If a student who is a resident of the hostel located within the main premises wish to gain entry to the University premises after 2200 hours; he/she should produce their University Identity Cards/Record Books and place their signature together with his/her name and Index Number on a Late Arrival Log Book maintained by the Security Staff.

(d) If a student who is a resident of a university hostel outside of the main premises wishes to gain entry to the hostel premises after 2200 hours, he/she should produce their University Identity Cards/Record Books and place their signature together with his/her name and Index Number on a Late Arrival Log Book maintained by the Security Staff.

(e) All student(s) should be properly attired to meet with the conditions stipulated in clause 1.2 of this By-Law.

1.3.3. The Student(s) shall obtain prior approval from the Vice Chancellor to be engaged in a specific activity within the University premises after 2200 hours for a specified duration, with the recommendation of the Head of Department or the Senior treasurer of a recognized Society.

1.3.4. Students receiving visitors who are not persons of the University are required to report of same to the Chief Security Officer or the Officer-in-Charge of the Security Staff on duty.

#### **1.4 Identification of Student(s)**

1.4.1. The Student(s) shall produce the Student(s) Identity Card/University Record Book, when called upon to do so by any officer, any member of the Academic Staff or Administrative Staff or Security Staff or any other person authorized by the Vice -Chancellor.

#### **1.5. Entry and Exit to and from the University**

1.5.1. The Student(s) are required to enter into and exit only from the designated points of entry and exit of the University premises.



# Conditions of Discipline

### **2.1 University Student(s) Organization**

2.1.1. Students are not allowed to form any registered union or organization other than a union or society, or organization formed under the provisions of Ocean University of Sri Lanka Act no. 31 of 2014 PART XI and relevant By-Laws (By-Law no. 06 - Student Unions) and conditions pertaining to Students Organization as specified in the annex II.

2.1.2. A University Student(s) Organization shall be governed by the provisions of the Ocean Universities Act No. 31 of 2014 and By-Laws framed under same for the specified purpose.

2.1.3. A University Student(s) Organization shall comply with the rules and regulations made by the University on the conduct of affairs of any Society/Association/Union.

### **2.2. Public Meetings**

2.2.1. No public meeting shall be held by any student(s), University Student`s Organization, at the University premises without the prior permission of the Vice Chancellor, except as provided in clause 2.2.3. Permission shall be obtained in a manner prescribed by notice from time to time.

2.2.2. The Vice Chancellor shall designate the place and time of meeting when granting approval and the meeting shall not be held elsewhere or at any other time without the prior concurrence of the Vice Chancellor.

2.2.3. The holding of meetings of academic nature shall be permitted by the Vice Chancellor through delegation to the Dean of a Faculty or Head of Department.

2.2.4. The holding of an unauthorized meeting shall be considered as an act of indiscipline and those responsible shall be liable for punishment.

2.2.5. Acts of indiscipline under an unauthorized meeting include the publishing, or writing anything, displaying of posters, banners, cut-outs or any other media of communication connected with such meetings, conducting the meetings, and addressing of such meetings.

2.2.6. No Student shall disrupt meetings, seminars, functions, processions or social functions and obstruct by shouting and entering without permission to societies formed under (2.1.1.).

### **2.3. Collection and Managing of Funds**

2.3.1. Any student(s) or University Student(s) Organization would be authorized by the Vice Chancellor, subject to other terms and conditions in 2.3.2 for raising funds through external sources as the Vice Chancellor shall deem fit.

2.3.2. Unless the prior consent of the Vice Chancellor has been obtained, no subscriptions shall be collected from among student(s) of the University by any student(s), University Student(s) Organization or other Association provided that this regulation shall not apply to a subscription collected by a University Society in accordance with and for purpose of its rules.

2.3.3. Any student organization or society shall create an authorized bank account in a state sector bank with compulsory signatories of Senior Treasurer, Treasurer and Secretary or President of the society.

2.3.4. Any student(s) or University Student(s) Organization authorized to collect funds for purposes other than that provided for in 2.3.2. should submit a Statement of Accounts within two weeks of the permitted day of collection to the Senior Assistant Registrar/Assistant Registrar (Student Affairs) and shall also immediately deposit the funds collected in an authorized bank to the credit of the society/organization. Failure to comply with such requirement shall be considered a punishable offence under Section 06 of the First Schedule hereto. In this connection, the student(s) under whose name(s) the application for permission was sought will be held responsible and made liable for punishment. This also includes the collection of funds by the student(s) through the sale of raffle tickets, flags and through electronic media or any other similar way.

2.3.5. The society/organization shall cause proper accounts to be kept of its income and expenditure, assets, and liabilities and all other transaction of the society or organization.

2.3.6. The accounts of the society / organization shall be audited by the Internal Auditor of the University annually.

2.3.7. The society/ organization shall prepare a report of the activities of the society/organization for each financial year and submit such report together

with audited statement of accounts to the Vice- Chancellor. (in line with the conditions pertaining to Students Organization as specified in the annex II)

#### **2.4. Posters, Newspapers and Handbills**

2.4.1. To produce drawn, printed and digital publications harmful to the good name of the university and are threat to its peace is considered as a misconduct and a breach of discipline.

2.4.2. No notice, poster or other publication shall be put-up or exhibited in any place other than authorized places for such purpose.

2.4.3. No notice, poster or publication shall be displayed or exhibited elsewhere in the University by any student(s), University Student(s) Organization except as follows:

(a) with the permission of the Vice Chancellor; or

(b) by a University Student(s) Organization for the purpose of its rules;

(c) or by a University Student(s) Organization in connection with an election held by it at such places as shall be authorized by the Vice Chancellor; or

(d) in a place which has been specifically provided in the University premises, for the purpose.

2.4.4. Date of the poster, notice or publication should be displayed along with the name of the responsible organization.

2.4.5 Posters belonging to a University Student(s) Organization can be recognized as valid notices only if that Society has met legitimately and taken a majority decision at such meeting to have the poster.

2.4.6. No newspapers or periodicals shall be sold or distributed in the University premises except with the permission of the Vice Chancellor.

2.4.7. No handbills shall be distributed within the University premises except with the permission of the Vice Chancellor.

#### **2.5. Use of University/Faculty/Department Name and University Logo**

2.5.1. University name and logo cannot be used in any material produced by university student(s), or by a university student(s) organization without the prior approval of the Vice Chancellor.

2.5.2. Name of a university Faculty or a Department cannot be used in any material produced by the university student(s), or by a university student(s) organization without the prior approval of the Vice Chancellor or through delegation to the Dean of a Faculty or Head of Department.

2.5.3 Name of the University, a University Faculty or a Department or the University Logo cannot be used in any website or any page in social media without the prior approval of the Vice Chancellor.

## Communication

3.1. No communication shall be made or addressed by a student(s) or a University Student(s) Organization except through the Vice Chancellor, to:

a) the Chancellor, any member of the Academic Council of the University, any members of the Board of Governors, any Official of the line ministry or any other ministry.

b) any external Agency (either government or non-government) on matters relating to the Official Activities of the University.

3.2. No communication shall be made to any external Agency, Press, or any Electronic Media, which shall bring the University into disrepute by any student(s), a University Student(s) Organization or other Associations, as coming from the University, on any matter whatsoever.

3.3 Impersonation of the University, a University Faculty, a University Department, or any University Student(s) organization stipulated under section 2.1 of this By-Law, in social media or in the world wide web is considered as a misconduct and a breach of discipline.

3.4 Material and content published by the authorized official webpages and social media pages of the university student(s) organizations must acquire prior approval for such by the respective Academic Advisor of respective organization.

# Offences Calling for Disciplinary Action

The following offences save and except those that are mentioned above, shall be called “Offences calling for disciplinary action”.

The seriousness of an offence should be judged not only in relation to the nature of the act or omission which constitutes the offence, but also in relation to all the circumstances surrounding the Commission of the offence.

The following act(s) or any other act(s) described in this By-Law, done by student(s) or Student(s) Organization within the University premises or otherwise shall be considered as acts of indiscipline.

### **4.1 Harassment**

4.1.1 Abuse, including any form of ragging or molestation, sexual or any other harassment whether physically, mentally, verbally, in writing, by act(s) or omission(s) including those using any form of electronic mode to any student(s) of the University, any officer, member of the academic or administrative staff, any other employee(s) or any other person(s) authorized to be within or outside the premises of the University or at an event organized by the University or any attempt to do such act morefully described herein and or intimidation of student(s).

4.1.2. Obstruction or harassment of any officer, member of the academic or administrative staff, any other employee of the University or any other authorized person in the performance of his/her duties or any attempt to do such act morefully.

4.1.3. Intimidation shall also include the display of posters, notice or publication in the University premises by any student(s) which are not properties of a University Student(s) Organization, calling for the boycott of lectures or strike action.

4.1.4 Causing of physical injury or physical harm or threatening to cause same or threat to life of any student(s) of the University, any officer(s), member(s)

of the academic or administrative staff, any other employee(s) of the University or any other person(s) authorized to be in the premises of the University or at an event organized by the University or any attempt to do such act morefully described herein.

4.1.5 Possessing or storing or carrying or using arms, weapons and or any other injurious substance, injury and or threatening to persons or property within the premises of the University and general public or any attempt to do such act morefully described herein.

4.1.6 Kidnapping, attempt to kidnap, hostage taking, or threatening to take hostage or kidnap any Officer, member of the academic or administrative staff, any student(s) of the University, an employee, or any other person authorized to be in the premises of the University or at an event organized with the authority of the University within or outside its premises or any attempt to do such act morefully described herein.

4.1.7. In addition to above, engage in ragging or any act causing any other form of Psychological, Physical and/or Mental distress to a student or a person within or outside the University in contravention of the provision of the Institutions Act No 20 of 1998 on Prohibition of Ragging and other form of violence in Educational Institutions (Certified on 19 April 1998. Please see annex III).

4.1.8. Creating a hostile environment, Sexual or Gender-based Harassment and Sexual Violence as described in the Fourth schedule.

## **4.2. Disrupting Legitimate Activities**

4.2.1. Inciting of student(s) to disrupt legitimate activities of the University constitutes a grave act of indiscipline.

4.2.2 Engaging in such activities as are likely to disrupt the conduct of registration, teaching, study, research or examinations in the University or in the administration of the University or obstructing an event, organized by the University, official duties of the academic or non-academic staff within or outside its premises or obstructing or disrupting any other authorized event held within the University premises.

4.2.3 Preventing or obstructing any student(s) in carrying out his studies or research or disrupts any legitimate activities of a recognized University Student(s) Organization or association or union.

4.2.4 Preventing, obstructing or violating the right of mobility of any student(s) or an employee(s) within the premises of the University.

4.2.5 Driving, riding or parking a vehicle within the University premises in a manner that would prevent, obstruct or violate the right of mobility of any student(s) or an employee(s) within the premises of the University.

4.2.6. To damage the privacy and independence of any student, teacher, officer or any other employee of the University or cause loss to them or instigate others to do so.

4.2.7 Entering to classrooms, laboratories, examination halls, administrative offices, and any other restricted places inside the university without permission of the person in charge of such premises.

4.2.8. To become a convict for a criminal offence under the criminal procedure of the Republic of Sri Lanka.

### **4.3 Damage to University Property**

4.3.1. Stealing or attempted theft of property within the University premises or in possession of stolen property belonging to the University or causing wilful damage to University property or to property of an officer, member of the academic or administrative staff, an employee or a student(s) of the University or any other person authorized to be in the premises of the University or at an event organized with the authority of the University within or outside its premises.

4.3.2 Destroying, damaging, defacing, alienating, misusing or unlawfully appropriating to herself/himself any property of the University or any property in the custody of the University or held temporarily by the University.

4.3.3 Occupying or retention or possession or using any property of the University other than in accordance with rules or other provisions made by the University from time to time, or without the authority of the Vice Chancellor or the relevant member of staff.

4.3.4 Defacing or mutilating property belonging to any officer(s), member(s) of the academic or administrative staff, an employee(s), a student(s) of the University or any other person(s) authorized to be present within the premises of the University or at an event organized with the authority of the University within or outside its premises.



#### **4.4 Disruptive behaviour in the classroom**

4.4.1 No student(s) shall disrupt a teacher(s) of the University in carrying out his/her legitimate teaching duties. Such teacher(s) shall suspend any student(s) from a lecture, practical, demonstration, tutorial or test held by him/her, but shall in every such case report such action to the Head of the Department who shall then report same to the Vice Chancellor through Dean of the Faculty.

4.4.2 The Vice Chancellor shall at his/her own discretion shall decide the action that would be taken under this By-Law considering the severity of the behaviour of such student(s).

#### **4.5 Healthy and safe environment**

4.5.1 Any student(s) who shall cause hazard(s) that would affect the healthy and safe working environment at all sites and facilities of the university shall be punishable under this By-Law.

#### **4.6 Offences related to Alcohol and/or any other intoxicants**

4.6.1 Possession and/or transportation and/or consumption of alcohol and/or, a beverage which consist of alcohol and or any other intoxicating substances.

4.6.2 Being present with a student(s) and/or person engaged in consumption of alcohol and/or any other intoxicating substances.

4.6.3 All forms of liquor and consumption of alcohol and/or a beverage which consist of alcohol and any other intoxicating substances are strictly prohibited within the University premises.

4.6.4 Transport, possession and consumption of alcohol and/or a beverage which consist of alcohol and/or any other intoxicating substances within the University premises, and aiding and/or abetting to transport, possess and/or consume Alcohol and/or a beverage which consist of alcohol and/or any other intoxicating substances are considered as serious offences.

4.6.5 Presence within the University premises, or any place where an official function of the University is conducted or at any University sponsored activity (such as a Field visits, Sea voyages) or while commuting for such activity while being under the influence of Alcohol or any other intoxicating substances is a serious offence.

#### **4.7. Degradation of Environment**

4.7.1 Any student(s) who brings animals/ pets into the University premises without permission and/or assists or facilitates animals entering the University premises shall be guilty of a punishable offense.

4.7.2 Any student(s) caught performing an act resulting in the degradation of the University environment, such as indiscriminate disposal of food and garbage intended feeding animals shall be guilty of a punishable offence.

4.7.3 Any student(s) who changes the structural elements and/or landscaping of the University shall be guilty of a punishable offence. Such changes in the structural elements and landscaping shall only be done by the Authorities of the University.

#### **4.8. Offences related to computer systems**

4.8.1. Unauthorized or improper use of University computer system/network by any student(s) shall be a punishable offense.

# Discipline

5.1 Student(s) disobeying a lawful order issued by any officer, a member of the Academic or Administrative or Security Staff or any other employee or any other person authorized by the Vice Chancellor.

5.2 Furnishing the University with false information, the non-disclosure of information including self-identification and misleading the authorities of the University, is a punishable offence.

# Rules and regulations to be followed by residential students (Hostels)

6.1. Residential students should occupy the rooms assigned to them and should not change rooms without the permission of the authorized officer.

6.2. Special permit issued to occupy the relevant room of the hostels should be kept safely and produced whenever necessary.

6.3. Every student before taking over the room, should check the goods in the room and sign the register. Before signing they should check whether the glasses of the windows or louvers are broken and make an entry in the register. All students occupying the rooms will be jointly responsible for the contents of rooms. Occupants of the room are liable for any unreported damage observed later during inspections and such damages will be considered as caused by them.

6.4. Any goods handed over should not be removed from the hostel. Further the permitted goods and no other goods belonging to the University should be brought into the room.

6.5. Furniture, equipment, lamps, wires, walls, doors and windows in the rooms should not be damaged or defaced. If any damage is made by improper use of the item, thrice the value of replacing cost will be charged by the University.

6.6. Keys of the rooms and other goods should be personally handed over to the authorized officer during vacation or when leaving the hostels or at a sudden closure and noted to that effect. At the time of the closure of the hostels, all personal belongings should be removed and all almirahs and cupboards should be kept unlocked. University will not be liable for any unattended personal belongings of residents.

6.7. All equipment fixed at common places of the hostels should be kept safely and it is the responsibility of the residents to preserve such items. Damages for common facilities and equipment available for common use will be

recovered from all residents occupying and using respective facilities in form of a fine thrice the value of replacing cost.

6.8. It is compulsory to use a bed sheet or the mat (bed cover) always.

6.9. All resident students should live without disturbance to others and maintain silence within the hostels.

6.10. All resident students should be appropriately dressed whenever they are in common areas of the hostel and visiting the offices.

6.11. Identity Cards issued by the University should be kept in their possession and produce it whenever necessary.

### **Special Rules.**

#### *a) Electrical appliances*

It is strictly prohibited to use any electrical appliances other than those supplied by the University or those allowed by the Hostel/Dormitory rules. Residents are not permitted to shift any electrical appliances that are owned by the University. It is dangerous to touch electrical appliances, plugs, switches and wires and the University will not be held responsible for any dangers caused by an act of negligence.

#### *b) Cleanliness*

Every residential student should keep the room assigned to them tidily. They should always use the dustbins provided and should not litter in other places. It is prohibited to hang clothes on windows, doors and balconies. It is their responsibility to keep the bathrooms and lavatories clean.

#### *c) Late attendance*

Resident students when leaving the hostel for purposes other than attending lectures or using the library should sign the register kept for this purpose. Students should include the time of departure and return. All students should return to hostels before 10.00 p.m. A resident student who needs to leave the hostel for personal reasons should fill the printed form kept for the purpose and obtain formal approval from the Vice Chancellor /Registrar/ Authorized officer.

*e) Liquor and Gambling*

It is strictly prohibited for students to consume liquor, counter banned drugs or any form of intoxicants at the hostels or come to the hostels after consuming liquor, counter banned drugs, or any form of intoxicants. It is also prohibited for students to engage in gambling.

*f) Visitors*

It is strictly prohibited to entertain visitors in their rooms without the permission of the authorized officer. Students who have not been provided with hostel facilities will be considered as visitors. All resident students are bound to inform the authorized officer when visitors are found in their rooms. Visitors are permitted to enter the hostel between 0700 hrs. and 1700 hrs. is strictly prohibited to entertain visitors at other times. All visitors must identify themselves to the security officer or the administrative officer in charge before entering to the hostel premises. University will not be liable for thefts or loss of personal belongings occurred due to entertaining visitors. Any damages caused to the university property by the visitor(s) will be recovered from the resident(s) who entertained respective visitor(s).

*g) Checking of Rooms*

An authorized officer can check the rooms at any time at their discretion. To object to such checking will be considered as a breach of discipline. Any unauthorized material, products or equipment found during checking will be immediately confiscated and will not be returned to the resident(s).

*h) Conduct of meetings within hostel premises.*

It is strictly prohibited to organize the establishment of unions or societies or organize discussions or meetings within the hostel premises without the prior approval of the Vice- Chancellor. If such permission is obtained the authorized officer should be kept informed.

*i). Medical Treatment*

Whenever a resident student needs to obtain medical treatment from a hospital, a vehicle pass will be issued to a sick student or representative on receipt of a written request. When such a request is made, the Identity Card of the sick student should be produced. The issue of vehicle passes to obtain medical treatment rest with the authorized officer of the hostels, Chief Security officer and the Resident Assistant Registrar of the University. The

resident student receiving outpatient treatment should enter the details in the register kept in the hostels. When a patient is taken to hospital, only two others in addition to the patient will be allowed to accompany the patient in the ambulance.

The Authorized Officer will be responsible in implementing these rules.

# Procedure for Inquiry against Reported Acts of Indiscipline

### **7.1. Reporting of an act of Indiscipline**

7.1.1. Every person employed / Student in the University is entitled to report any act committed by any student(s) registered in the University, in the first instance to Vice Chancellor/ Deans/ SAR/ Security Staff which shall be categorized as an offense to the best of their knowledge.

7.1.2. The Dean/SAR/Security Staff who received such report should immediately transmit it to the Vice Chancellor.

7.1.3. The VC, after receiving such complain, further particulars should be obtained, may request a member of the staff to proceed to the place in question and to report on the same within 24 hours.

### **7.2 Declaration of Out of Bound**

7.2.1. The Vice Chancellor shall subject to the provisions in this section, declare the University out of bounds to a student(s) who is reported as having violated any of the provisions of this By-Law or against whom a disciplinary inquiry or a criminal case is pending or who is the subject of Police investigation, for a prescribed period of time.

7.2.2. Declaration of the University out of bounds to a student(s) (hereinafter called 'Out of Bound Declaration') under this section(s) shall mean a total prohibition on attendance at or access to the University and participation in any University premises activities provided however that the Vice Chancellor shall at his discretion permit such a student(s) to enter the University for a specific purpose.

7.2.3. The Out of Bound Declaration shall include such other reasonable conditions as the Vice Chancellor shall think fit.

7.2.4. The Out of Bound Declaration under this clause shall not be considered as a punishment. The purpose of this declaration under the provisions of this



clause is to protect the members of the University Community in general or a particular member or members, and the power shall be used only when the Vice Chancellor is of the opinion that it is necessary to take such action. Written reasons for the decision shall be recorded and made available to the student(s).

7.2.5. No student(s) shall be subjected to the Out of Bound Declaration unless he or she has been given an opportunity to make representations in person to the Dean/SAR in the presence of an appointee of the Vice Chancellor as deem necessary. Where for any reason it appears to the Vice Chancellor that it is not possible for the student(s) to attend in person, he or she shall be entitled to make the above representations in writing. Deans/SAR shall forward the written report to the Vice Chancellor within twenty-four hours of such representations for making the decision on the Out of Bound Declaration.

7.2.6. In cases of great urgency, the Vice Chancellor shall be empowered to impose the Out of Bound Declaration on a student(s) with immediate effect, provided that the opportunities mentioned in this Section are given and the Out of Bound Declaration reviewed within five working days of such declaration.

7.2.7. The Vice Chancellor shall review the Out of Bound Declaration every thirty calendar days and shall record the reasons if the validity period of the declaration is extended.

7.2.8. Those student(s) who have been issued Out of Bound Declaration under this Section shall be given opportunity to sit for any internal examination of the University under protest with the approval of the Vice Chancellor.

### **7.3. Preliminary Investigation**

7.3.1. The Vice Chancellor shall appoint a Committee of Inquiry to carry out a Preliminary Investigation which consists such number of members as decided by the Vice Chancellor (including any person outside the University as the case may be) to investigate into the search for material that shall disclose a student(s) guilt or provide *Prima-facie evidence* for any charges that shall be framed against the said student(s) suspected of the offence.

7.3.2. The Vice Chancellor shall impose a minor punishment morefully described in the 02<sup>nd</sup> Schedule hereto considering the nature and or the gravity of the offence without referring the matter to a Preliminary Investigation.

7.3.3. Such Committee of Inquiry shall appoint a Chairman from among its members.

7.3.4. The quorum of such Committee of Inquiry shall be 2/3 of its members.

7.3.5. A Preliminary Investigation is merely a fact-finding process. It shall involve the recording of statements of witnesses, and a search for an examination of documents.

7.3.6. Preliminary Investigations should be completed and the report to be furnished to the Vice Chancellor with the least possible delay.

7.3.7. Where it is disclosed in the course of a Preliminary Investigation that the student(s) is a party/witness to a Case filed in a Court of Law, that mere fact would not prohibit the University from holding a domestic inquiry against them.

7.3.8. Any Committee of Inquiry appointed for the Preliminary Investigation by the Vice Chancellor shall have the power to summon any student(s) of the University to render whatever assistance needed to conduct inquiries on matters pertaining to provisions of the By-Law. A student(s) who does not so comply shall be guilty of a punishable offence.

7.3.9. At an investigation by a Committee of Inquiry, a student(s) shall be provided relevant documents or extracts from same, which have been used to frame charges against the student(s).

7.3.10. The Vice Chancellor at his own discretion shall request the *Preliminary Investigating Committee* to submit an Interim Report on the progress of the investigation.

#### **7.4. Framing Charges**

7.4.1. If the Preliminary Investigation discloses prima-facie case against the suspect student(s), the Vice- Chancellor as the case shall be, will furnish him/her with a Statement of Charges against him/her and call upon him/her to show cause why he should not be punished.

7.4.2. The Statement of Charges (Charge Sheet) need not take a format. All that is required is a clear and simple statement of the acts or omissions for which it is intended to punish him/her. It is not necessary to fit the offence into one of the definitions of offences given in this By-Law.

7.4.3. The Charge Sheet shall be signed by the Vice Chancellor or an assignee on behalf of the Vice Chancellor and shall be served on the student(s)

respondent/s individually requesting to send the reply to the Vice Chancellor in writing within the period specified therein.

7.4.4. The period specified shall be 14 days of the date of the Charge Sheet. In exceptional circumstances as decided by the Vice Chancellor shall be given more than 14 days but less than 21 days.

## **7.5. Committee of Formal Inquiry**

7.5.1 Each student(s) who has been served with a Charge Sheet and reported as having violated any of the provisions of this By-Law shall be given an opportunity to be heard before a *Committee of Formal Inquiry* appointed by the Vice Chancellor. The said Committee shall consist of the same members who served at the Preliminary Inquiry. The Vice Chancellor shall appoint a different Committee from that of the Preliminary Investigation as he thinks fit.

7.5.2 The findings of the Committee shall be reported to the *Board of Residence* (the constitution shall be defined below) by the Vice Chancellor for the recommendation of the appropriate punishments for those found guilty, and the Vice- Chancellor shall thereafter impose same on the guilty student(s).

7.5.3 The *Committee of Formal Inquiry* shall hear the case within twenty working days of its referral to the Committee and report its findings and/or recommendations to the Vice Chancellor in writing within two working days of the completion of the hearing. However, the Vice Chancellor shall extend the above time periods as necessary in exceptional situations.

7.5.4 At the Formal Inquiry, the student(s) is required to give evidence and have the right to defend him/her. He/ She shall make his/her own defence and call any witnesses for the defence with the consent of the Chairman of the Committee.

7.5.5. The Committee of Inquiry shall have the power to summon any witness required by prosecution and by the defence.

7.5.6 Any Committee of Inquiry appointed by the Vice Chancellor with the consent of the Vice Chancellor shall have the power to summon any student(s), staff of the University as the case shall be to render whatever assistance needed to conduct Inquiries on matters pertaining to provision of any By-Law. A student(s) who does not so comply shall be guilty of a punishable offence.

## **7.6 Findings of the Committee for the Formal Inquiry**

7.6.1 The findings of the Committee shall be reported to the *Board of Residence* by the Vice Chancellor for the recommendation of the appropriate punishments for those found guilty, and the Vice- Chancellor shall thereafter impose same on the guilty student(s).

## CHAPTER 08

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# The Board of Residence (BRD)

### 8.1 Constitution of the Board of Residence

8.1.1 A Board of Residence and Discipline, herein after referred to as the Board of Residence (BRD), appointed by the Vice Chancellor shall be constituted to deal with matters pertaining to conditions of residence and discipline. This Board shall consist of the following members:

- All members of the Academic Council except the Vice Chancellor.
- Any others appointed by the Vice Chancellor for specific purposes.
- Registrar or nominee who shall serve as Secretary and Convenor of the Board.
- Any external person on the request of the Chairman of the BRD.

8.1.2. The Chairman of the BRD shall be nominated by the Vice- Chancellor.

8.1.3 The quorum shall be 1/4 of its members.

8.1.4. The BRD shall meet at least once in every three months.

8.1.5. Any of the above members of the BRD who have been appointed to serve in a Committee of Inquiry as per Section 7.1.1 shall be present at that particular meeting of the Board where the findings of such Committee are being considered, unless otherwise requested by the Chairman of the BRD.

### 8.2 Recommendations of BRD

8.2.1 The Vice Chancellor shall impose appropriate punishments upon the recommendation of the Board of Residence to any person who commits any offence coming within the provisions of this By-Law.

8.2.2 The Board of Residence shall have the power to vary the decision taken on the disciplinary action against the student(s) on the basis of the recommendation of the Appeals Committee assigned by Vice Chancellor with the consent of the Academic Council. The decision of the Board of Residence on the appeal by the student(s) shall be final.

8.2.3 The Vice Chancellor shall communicate the decision of the Board of Residence to the appellant student(s) under Registered Post.

8.2.4 Notwithstanding any of the preceding provisions of the By-Law, the Vice Chancellor shall take whatever action that he considers necessary, but shall report such actions to the BRD which shall recommend further action as shall be necessary.

8.2.5. On the recommendation of BRD, the Vice Chancellor shall have the power to consider the removal of records of punishment, having considered the gravity of the offence and the good/exemplary behaviour of the student(s) concerned and requests made by respective student(s).

### **8.3. Powers of BRD**

Subject to the provisions of the Act, and of any other appropriate instrument, the BRD shall have the following powers, duties and functions:

8.3.1. To regulate and determine all matters concerning the maintenance of student discipline within the University;

8.3.2. To make Rules pertaining to Student Discipline within the University;

8.3.3. To review the report of the Committee of Formal Inquiry and recommend to the Vice Chancellor either of the following:

a). To impose appropriate penalties or punishments, on any student or students who have been found guilty of any acts of indiscipline or misconduct or who have been found guilty of an offence or acting in contravention of the provisions of these By-Laws or the Rules made by the BRD;

b). If the BRD requires further clarification on any point, the Board may refer the matter back to the Committee of Formal Inquiry, or for further inquiry as necessary. If circumstances justify, the BRD may recommend to quash any inquiry proceeding and request the Vice Chancellor to hold a fresh inquiry;

8.3.4. To invite any person to the BRD proceedings, if the Board requires further clarification on any point;

8.3.5. To do all other acts incidental to the powers aforesaid, as may be required in order to further the objectives of these By-Laws.

8.3.6. The BRD may recommend to the Vice Chancellor any one or more of the following punishments to any Registered Student for any breach of these By-Law or for any offense punishable under the provisions of these By-Laws.

- a). A written warning or a severe reprimand.
- b). Suspension from the University for a Specific Period; when a student has already been suspended pending disciplinary proceedings, such period may be considered to be part of the punishment.
- c). Withdrawal of residential facilities and accommodation.
- d). Withdrawal, cancellation or suspension of any benefits, assistance or aware under any endowed Scholarship Scheme.
- e). Disqualification from sitting any University Examination for a specific Period.
- f). Suspension of the release of the results of any University Examination for a specific period.
- g). Withhold/withdraw conferment of the degree, diploma, certificate or other academic distinctions.
- h). Expulsion from the University.

## CHAPTER 09

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# Procedure for summary punishment

09.1 Where upon consideration of the Report of the Preliminary Inquiry, if the Vice Chancellor shall deems fit impose a minor punishment in connection with an offence which does not warrant a punishment more severe than one of the punishments listed in First Schedule of this chapter, provided that the accused student(s) shall know the case against him/her and shall give an opportunity of making his/her defence.



## CHAPTER 10

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# Record of Punishments

10.1. All punishments and any disciplinary action taken shall be recorded in the Student(s)' Personal File and shall be reflected in any testimonial issued and the Student(s) Record Book.

10.2. A record of the names of the student(s), Registration Number, Faculty, Department/Division and the punishment imposed shall also be kept at the Office of the Vice Chancellor for reference purposes.

10.3 The Registrar or his/her nominee shall maintain a Register of all inquiries and related matters of each incident connected with the operation of this By-Law.

## CHAPTER 11

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# Special Provisions

11.1 The Chief Security Officer or the Officer-in-Charge of the Security Staff on any shift, shall act in the removal of offensive or intimidatory posters, and also in the verification of the University Identity Cards/Record Books of student(s), and shall report such action to the Vice Chancellor.

11.2 The Chief Security Officer or the Officer-in-Charge of the Security Staff on any shift shall act in cautioning any student(s) or student(s) contravening or attempting to contravene any provisions of this By-Law.

## CHAPTER 12

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# General Provisions

12.1 Notwithstanding any provisions in the preceding Sections of this By-Law, any Rules, Regulations, Statutes, Orders, Ordinances, and other Agreements pertaining to residence and discipline and which are in force at any time shall apply in addition to the provisions of this By-Law.

12.2 Notwithstanding any provisions in the preceding Sections of this By-Law, the Vice Chancellor shall at his own discretion take action against any act of indiscipline which is not stipulated in this By-Law, to maintain discipline in the University.

12.3 The Vice Chancellor shall also order the withholding of either the Examination Results or Transcript or Degree Certificate or participation in the General Convocation or any other event or any combination of those punishments of a student(s) pending the inquiry or investigation which shall be reviewed, extended or withdrawn monthly as the case shall be.

12.4 When an act or omission is done by several student(s) in furtherance of the common intention of all, each of such student(s) is liable for that act in the same manner as if it were done by him/her alone.

12.5 Non-compliance of obligation to attend a Committee of Inquiry (Preliminary/Formal) shall be an offence punishable under Section 16 of the First Schedule hereto.

12.6 Defying of obligation to attend to a Committee of Inquiry (Preliminary/Formal) shall be an offence punishable under Section 16 of the First Schedule hereto.

12.7 Defiance of punishment shall be an offence punishable under Section 17 of the First Schedule hereto.

## CHAPTER 13

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# Appeals Procedure

13.1 Any Appeal made by the student(s) against the decision to punish the student(s) shall be made in writing to the Vice Chancellor.

13.2. The Vice Chancellor shall place such Appeal before the next immediate Meeting of the BRD which shall decide whether to consider such appeal based on the following grounds;

- a) where Prima-facie evidence is available in error-in-facts
- b) where the punishment exceeds 3 months of suspension of the academic years and if the student(s) has already served a 50% of the same based on the evidence of good behaviour of him/her.

13.3 The Vice Chancellor shall place such appeals before the same Committee of Inquiry or to a different Committee of Inquiry (members shall be decided by the Vice Chancellor) appointed by the Vice Chancellor as appropriate.

13.4 The Committee of Inquiry referred above shall submit the Report of such Appeal to the Vice Chancellor within least possible delay. The Vice Chancellor shall cause the said Report be placed before the next immediate meeting of the *Board of Residence*.

13.5 The decision of the *Board of Residence* shall be informed to the student(s) concerned with least possible delay.

## CHAPTER 14

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# Punishments

14.1 The list of Minimum Punishments for the different kinds of offences specified in this By-Law is given in its First Schedule.

14.2 The list of Minor Punishment which shall not call for a Disciplinary action is given in the Second Schedule hereto.

14.3 Additional punishments in Third Schedule shall be imposed by the Vice Chancellor whenever he/she shall deem necessary. The advice of the Board of Residence shall be sought by the Vice Chancellor.

## CHAPTER 15

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# Warning

15.1. Notwithstanding the provisions in any preceding section, the Vice Chancellor shall impose the punishment of warning against an act of indiscipline in writing to any student(s) and such warning has been subsequently defied by the student(s) then he/she shall be required to show cause why disciplinary action should not be taken against him/her, and on failure to submit an acceptable reply shall be imposed a punishment by the Vice Chancellor without recourse to a Committee of Inquiry or reference to the Board of Residence.

# Powers of Vice Chancellor, Proctor, Dean, Deputy Proctor, Warden and Marshals in Student Discipline

### 16.1. Vice- chancellor

16.1.1. Notwithstanding anything to the contrary in any of the provisions of these By-Laws, the Vice Chancellor shall take appropriate actions he deems necessary to maintain discipline at the University.

16.1.2. The Vice Chancellor is the authority in maintaining the discipline among the University Students. Such authority may be exercised by the Vice Chancellor through the (a) Board of Discipline (c) Proctor (d) Dean (e) Warden and (f) Chief Marshal as the case may be.

16.1.3. In the event the Vice Chancellor receives a complaint or becomes aware of a breach of discipline, he may take one or more of the following actions;

16.1.4. The Vice Chancellor may direct the Proctor to carry out a Preliminary Inquiry on the incident and report to him.

16.1.5. After perusing the report of such a Preliminary Inquiry, the Vice Chancellor may take any one of the following actions:

16.1.6. If the Vice Chancellor is of the view that the offence committed is not of a serious nature the matter can be directed to the Proctor for appropriate action.

16.1.7. If the Vice Chancellor is of the view that the offence committed is of a serious nature, he may forthwith charge sheet the student/s concerned.

16.1.8. If the Vice Chancellor is not satisfied with the explanation/s submitted by the student/s he may appoint a *Committee of Inquiry* comprising of 03 senior academic staff members or an Inquiring Officer approved by the Council to inquire into the incident.

16.1.9. Forward the report of the *Committee of Inquiry* to the BRD.

16.1.10. Upon receiving the recommendations from the BRD the Vice-Chancellor may carry out such recommendations.

16.1.11. If the breach of discipline is of serious nature and if the Vice Chancellor is fully satisfied that the presence of any student is detrimental to the investigation/disciplinary proceedings to be commenced or detrimental to the smooth functioning and harmonious atmosphere of the University, the Vice Chancellor may temporarily suspend the student/s from the University until the conclusion of the inquiry or until a final decision is reached with regard to the findings of the inquiry.

16.1.12. The Vice Chancellor shall entertain all the appeals from the student/s aggrieved by the punishment imposed and shall direct them to the Appeals Board for a final recommendation.

16.1.13. The Vice Chancellor shall communicate to the student the decision after receiving the recommendation of the Appeals Board by varying, amending, cancelling or affirming his earlier decision. Such decision made by the Vice Chancellor in the exercise, performance and discharge of his powers, duties and function as aforesaid shall be final and conclusive.

16.1.14. The decision of the Appeals Board once communicated by the Vice Chancellor shall be final and conclusive.

## **16.2. Proctor**

16.2.1. The Vice Chancellor may appoint a senior academic member as the Proctor of the University and he shall act on behalf of the Vice Chancellor in matters of student discipline within the University.

16.2.2. Powers vested with Proctor

i). Subject to the provisions of the of this By-Law and any other instruments applicable to the University, the Proctor shall be the in-charge of the maintenance of discipline among students of the University.

ii). In discharging the duties, the Proctor shall act under the instructions of the Vice Chancellor and with the assistance of the Deputy Proctors and Marshals.



iii). The Proctor shall conduct a Preliminary Inquiry into complaints of breach of discipline in the University and take appropriate action under the instructions of the Vice Chancellor.

iv). Where the incident of indiscipline is of such a nature that it can be adequately dealt with by the imposition of one of the following punishments, the Proctor may act by himself:

a). Suspension from the University for a period not exceeding four (4) weeks.

b). A written warning

v). In every case in which the Proctor acts under these provisions, he shall submit a report to the Vice Chancellor for his concurrence.

vi). In the event the investigation conducted by the Proctor reveals incidents of serious indiscipline which cannot be adequately dealt with by imposing the above punishments, the Proctor shall conduct or cause to conduct a *Preliminary Inquiry* and submit his findings together with the recommendations to the Vice Chancellor for appropriate action under these By-Laws.

vii). If the Proctor is of the view that allowing a particular student/s involved in a misconduct to stay within the University premises will be detrimental to the smooth functioning and harmonious atmosphere of the University or to the conduct of the inquiry, the Proctor may, with the concurrence of the Vice Chancellor, suspend the student/s from the University premises pending *Preliminary Inquiry* and/or *Formal Inquires*. In every case in which the Proctor acts under these provisions, he shall submit a report to the Vice Chancellor.

### **16.3. Dean**

16.3.1. The Dean of each Faculty of the University shall have full power and authority to exercise supervisory control over the discipline of all students within the Faculty.

16.3.2. For the purpose of exercising the powers conferred upon the Dean by the preceding paragraphs the Dean may issue, from time to time instructions as he deems necessary for the maintenance of discipline in such Faculty.

16.3.3. The Dean of a Faculty shall impose discipline among the students of the Faculty and may act in consultation with the Proctor and Deputy

Proctor/s and Marshals of the Faculty regarding matters pertaining to students' discipline in his Faculty.

16.3.4. The Dean of a Faculty shall hold a Summary/Preliminary Inquiry into complaints of breach discipline and take appropriate action by himself where the act of indiscipline is of such a nature that it could be adequately dealt with by imposing any of the following punishments.

a. Suspension from academic activities for a period not exceeding two weeks.

b. A written warning.

16.3.5. All written warnings/punishments copies should be sent to the Personal File of the accused student.

16.3.6. In every case in which a Dean acts under the above provisions, he shall submit a report to the Vice Chancellor for his concurrence with a copy to the Proctor.

16.3.7. In the event the investigation conducted by the Dean reveals incidents of serious indiscipline which cannot be adequately dealt with by imposing the above punishments, the Dean shall forward the matter to the Proctor for appropriate action under these By-Laws.

16.3.8. If the Dean is of the view that allowing a particular student/s involved in undisciplined behaviour to stay within the University premises will be detrimental to the smooth functioning and harmonious atmosphere of the Faculty or to the University, the Dean shall report the same to the Vice Chancellor for appropriate action.

#### **16.4. Deputy Proctor.**

16.4.1. The Vice Chancellor may, on the recommendation of the Dean appoint a senior member of the academic staff of a Faculty as the Deputy Proctor.

16.4.2. In circumstances where single Deputy Proctor is not sufficient to maintain the discipline in a Faculty, the Vice Chancellor in consultation with the Dean and the Proctor may appoint an additional Deputy Proctor/s to the same Faculty.

16.4.3 The Deputy Proctor/s shall hold the office for a period of one year, and the appointment may be renewed by the Vice Chancellor.

16.4.4. The Deputy Proctor shall assist the Proctor and the Dean of the relevant Faculty in the maintenance of discipline among the students of the Faculty. Deputy Proctor shall report to the Proctor and Dean regarding such indiscipline. He shall inquire into complaints of a breach of discipline within the Faculty and should report to the Dean of the Faculty and/or Proctor for appropriate action.

16.4.5. The Deputy Proctor shall investigate complaints of breach of discipline in the respective Faculty and take appropriate action with the assistance of the Marshals.

16.4.6. Where the incident of indiscipline is of such a nature that it can be adequately dealt with by the imposition of a punishment, the Deputy Proctor shall recommend to the Dean the following punishments:

- a. Suspension from academic activities for a period not exceeding two weeks.
- b. A written warning

16.4.7. In every case in which a Deputy Proctor acts under the above provisions, he shall submit a report to the Dean with a copy to the Proctor.

16.4.8. In the event the investigation conducted by the Deputy Proctor reveals incidents of serious indiscipline which cannot be adequately dealt with by imposing the above punishments by the Dean, the Deputy Proctor, in consultation with the Dean of the Faculty shall forward the matter to the Proctor for appropriate action under these By-Laws.

## **16.5. Warden**

16.5.1. The Warden is responsible for maintaining the discipline of all students within the Hall of Residence within its perimeter with the assistance of the Sub-wardens of the respective Hall of Residence and the Marshals.

It would be the duty of a Warden of Halls of Residence to;

16.5.2. Maintain discipline among student/s of the Hall of Residence and act in consultation with the Vice Chancellor, Proctor, Deputy Proctor and Marshals regarding matters pertaining to student discipline in the Halls of Residence;

16.5.3. Conduct a Preliminary Inquiry into complaints of breach of discipline and take appropriate action by himself where the act of indiscipline is not of a serious nature and may impose any of the following punishments.

- i. Suspension from Halls of Residence for a period not exceeding two weeks
- ii. A written warning
- iii. submit a report to the Vice Chancellor for his concurrence with a copy to the Proctor in every case in which a Warden acts under the above provision;
- iv. A copy of such letter imposing the punishment should be sent to the Dean/s of the relevant Faculty of the punished student/s to be recorded in the personal file of the student/s.

16.5.4. In the event the investigation conducted by the Warden reveals incidents of serious indiscipline which cannot be adequately dealt with by imposing the above punishments, the Warden shall forward the matter to the Proctor to conduct or cause to conduct a Preliminary Inquiry and submit his findings together with the recommendations to the Vice Chancellor for appropriate action under these By-Laws.

16.5.5. If the Warden is of the view that allowing a particular student/s involved in undisciplined behaviour to stay within the University premises will be detrimental to the smooth functioning and harmonious atmosphere of the Hall of Residence or the University, the Warden shall report the same to the Vice Chancellor for appropriate action.

## **16.6. Marshal**

16.6.1. A Marshal of the University shall have supervisory control over the discipline of all students within the University. For the purpose of maintaining the smooth functioning and harmonious environment of the University the Marshal shall work in consultation with the Prescribed Authority and recommend preventive measures to the Administration.

The Marshal shall be responsible to:

16.6.2. Assist the University Administration in the maintenance of discipline among the students of the University.

16.6.3. Report to the Proctor regarding such acts of indiscipline.

16.6.4. Report to the Prescribed authority, if an offence against the By-Laws or the Laws of the country has been committed by any student

16.6.5. Investigate into complaints of a breach of discipline within the University and shall report to the Proctor for appropriate action.

16.6.6. Assist the police in concurrence with the prescribed authority in maintaining public order within the University

16.6.7. Take appropriate measures to prevent the occurrence of any students unrest, ragging, etc. that will disrupt University activities.

16.6.8. Be vigilant and monitor all student activities within and also outside the University premises where necessary.

16.6.9. Act as liaison officers between the authorities and the students in instances of student unrest

16.6.10. In situations where a breach of discipline is noted, assist the Dean, Proctor, Warden and the Deputy Proctor to conduct inquiries.

16.6.11. In instances where a major offence is noted, prepare report in liaison with the Proctor, Deputy Proctor and/or Warden and report to the Vice Chancellor for further action

Powers vested with Marshal

16.6.12. The Marshal shall have the following powers in order to carry out his duties:

i). Request from students for evidence of identity such as student record book, identity card, if and when necessary.

ii.) Request for written statements and/or record statements from any person including the students and the staff of the University, for investigation purposes, for offences against these By-Laws or the Laws of the country within the University premises, against the property of the University or a person.

iii). Take into custody any student who fails to abide by the instructions, and to deliver him to the prescribed authority forthwith.

iv). Any other power he may think necessary to exercise in maintaining student discipline, harmony and interpersonal relations among students and between students and authorities. Any such action taken should be reported to the prescribed authority forthwith.

# Definitions and Interpretations

In this By-Law, unless the context otherwise requires;

- University means the Ocean University of Sri Lanka constituted according to the Ocean University Act No. 31 of 2014
- Registrar means the Registrar of the university or an appointee
- Chief Security Officer means Chief Security Officer, or the Officer-in-Charge of the Security Staff on duty on his/her behalf.
- Academic Council means the Academic council of the Ocean University of Sri Lanka, constituted according to the Universities Act No. 16 of 1978 as amended.
- Board of Residence (also BRD) means the Board of Residence and Discipline of the Ocean University of Sri Lanka appointed under this By-Law.
- Faculty means any Faculty of the Ocean University of Sri Lanka.
- Department means the Department of Study of the Ocean University of Sri Lanka formed for a specific purpose.
- Student(s) means any student who registered in the Ocean University of Sri Lanka to follow any Degree/Study/Training Program conducted by the University.
- Public Meeting means a gathering of five or more student(s) with or without fees being charged, other than for scheduled academic activities
- Visitor means any person other than an employee, a member of a statutory body or a legitimate student(s) of the University, or other person carrying out his/her legitimate business within the University premises
- Residence means the stay during any day of a student(s) within the Campus premises whether it be for purpose of study in a prescribed course, or for the use of the Library and/or any other facility, and/or the stay as a legitimate resident of the University Hostel.
- 'Hostile Environment' exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits or deprives an individual from participating in or benefiting from the university's educational, employment, and/or campus-residential experience when viewed through both a subjective and objective

standard. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe.

- ‘Sexual or Gender-Based Harassment’ includes, in the case of sexual harassment, any unwelcome sexually determined conduct (physical, verbal, gestural, visual or written) that inflicts physical, psychological, or other harm or annoyance on the person subjected to such conduct, and in the case of gender-based harassment, any harassment based on gender, sex-stereotyping, sexual orientation, gender identity or gender expression, which may include acts of threatening, coercion, aggression, intimidation or hostility, whether verbal or non-verbal, graphic, physical or otherwise, but not involving conduct of a sexual nature, when such harassment leads to a hostile environment.
- ‘Sexual Violence’ includes assaults and violence of a physical nature, such as rape, sexual battery, molestation, domestic violence or attempts to commit such acts as well as intentional physical conduct which is sexual in nature.
- ‘Retaliation’ includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of conduct prohibited under this Policy or participation in the investigation, report, remedial, or disciplinary processes provided for in this Policy.
- Intoxicating substances - any substance, whether legal or illegal, that may have an intoxicating or mind-altering affect when ingested, snorted, smoked or otherwise introduced into the body
- Terms in the masculine also includes the feminine.
- Terms in the singular includes the plural where relevant.

## ANNEXURES

### Annex I - Schedules

#### FIRST SCHEDULE

The list of offences and the corresponding minimum punishment for same.

	<b>Offence</b>	<b>Minimum punishment on being found guilty</b>
01	Academic Activities 1.1 Dress Code 1.2	As specified in By-Law 01 & 03 Severe warning
02	Residence within University premises - Offences under Section 1.3	<ul style="list-style-type: none"> <li>• 1st Offence: Severe warning</li> <li>• Subsequent Offence:</li> <li>• 1<sup>st</sup> offense – one week suspension-subsequent - Suspension for one week and/or loss of hostel residence</li> </ul>
03	Non-identification of Student(s) - Offences under Section 1.4 and Violation of entry & Exit Rules Offences under Section 1.5	1 <sup>st</sup> Offense - Severe warning Subsequent offense – One week to one month suspension
04	Student(s) Organizations - Offences under Section 2.1	1 <sup>st</sup> Severe warning and banning the organization Subsequent – One month of suspension for the students involves and loss of hostel facilities
05	Public meetings - Offences under Section 2.2	Severe warning and/or suspension for two weeks during which the University premises will be out of bounds.
06	Collection of Funds - Offences under Section 2.3	Severe warning and/or suspension for two weeks during which the University premises will be out of bounds and confiscation of the unofficially collected funds by the university.
07	Posters, newspapers and handbills and other communications - Offences under Section 2.4	Severe warning and/or suspension for two weeks during which the University premises will be out of bounds.
08	Use of University/Faculty/Department	1 <sup>st</sup> - Severe warning /Cancellation of registration of the organization/ in case of



	Name and University Logo – Offences under Section 2.5	individuals one week of suspension
09	Communication – Offences under section 3.1 to 3.4	Severe warning / suspension for two weeks/ cancellation of registration of the student organization
10	<p>10.1 Harassment - Abuse, any form of ragging/ molestation, sexual harassment - Offences under Section 4.1.1, 4.1.2 &amp; 4.1.3</p> <p>10.2 Causing of any physical injury or physical harm or threatening to cause same - Offences under Section 4.1.4</p> <p>10.3 Possessing/ storing/ carrying/ using arms, weapons and/or any injurious substances - Offences under 4.1.5</p> <p>10.4 Threat to kidnap, Kidnap or attempt to kidnap - Offences under Section 4.1.6</p> <p>10.5 Sexual or Gender-based Harassment and Sexual Violence 4.1.7</p>	<p>According to the severity of the offence one or more of the following punishments can be given;</p> <p>Severe warning and Suspension for two months during which the University premises will be out of bounds.</p> <p>In case of severe harassment and/or severe intimidation suspension for the remaining part of the academic year plus up to two additional academic years during which the University premises will be out of bounds.</p> <p>In case of severe physical injury or extreme harassment, expulsion for the life time as a student(s) from the University.</p>
11	Disrupting legitimate activities - Offences under Section 4.2	Suspension of two weeks during which the University will be out of bounds.
12	Damage to University Property or property belonging to an employee or a visitor of University -Offences under Section 4.3	Severe warning and social work for two weeks and/or fine equivalent to thrice the replacement value and/or confiscation of stolen property.
13	Disruptive behaviour in the classroom -Offences under Section 4.4	Severe warning and social work for two weeks. Suspension of student(s) from a lecture, practical/ demonstration, tutorial or test by teacher and report to Vice Chancellor through head of

		Department for further necessary action.
14	Disrupt healthy and safe environment Offences under Section 4.5	Severe warning and social work for two weeks
15	Possession, transport and/or consumption of Liquor or other Intoxicating substance - Offences under Section 4.6	Suspension for one month (30 days) during which the University will be out of bounds and/or attend sessions of professional advice against abuse/addiction liquor or any other intoxicating substance and provision of such evidence.
16	Degradation of Environment - Offences under Section 4.7	Severe Warning and/or social work for two weeks (14 days) in a relevant designated institute under supervision
17	Unauthorized or improper use of University/Campus computer system/network – Offences under Section 4.8	1st Offence: Severe warning/Social works for two weeks Subsequent Offence: Suspension for two weeks during which the University will be out of bounds.
18	Discipline - Offences under Section 5.0	Severe Warning and/or Suspension for one month (30 days) during which the University will be out of bound
19	Offenses related to hostel residence – Chapter 6.0	Severe warning and/or cancelation of hostel facilities.  In case of any intentional damage caused – a fine (of thrice the value of replacing cost) will be charged.
20	Non-compliance of obligation to attend Committee of Inquiry	suspension from one week to one month (30 days) during which the University will be out of bounds.
21	Defying of warnings pertaining to acts of indiscipline conveyed in writing by the Vice Chancellor	Suspension of one month (30 days) during which the University will be out of bounds.
22	Defiance of punishment	Suspension for one year during which the University will be out of bounds

**\*\* Note:** In case the period of punishment exceeds the normal completion period of a study programme, conditions in Clause 4 of the 03rd Schedule shall apply corresponding to cover the declared punishment.

## **SECOND SCHEDULE**

### **List of minor punishments**

1. Severe warning.
2. Social work for two weeks (14 days) in the University or any other designated Institution under supervision.
3. Pecuniary punishment (03 times of the value of property involved) surcharged on the student(s).

### **THIRD SCHEDULE**

Additional punishments which can be included considering the nature and the gravity of the offence and for repeated offences,

1. Payment of the damages done to the property of the University and or private property (3 times the amount).
2. Confiscation of stolen property.
3. Suspension of student(s) from a lecture, practical/demonstration, tutorial or test by teacher and report to Vice Chancellor through Head of Department for further necessary action.
4. Withholding of either the examination results or transcript or Degree certificate or any combination of any one or more of those punishments
5. Loss of university facilities (ex. Hostel facilities)
6. Suspension for three months (90 days) during which the University will be out of bounds.
7. Suspension for the remaining part of the academic year during which the University will be out of bounds.
8. Suspension for one academic year during which the University will be out of bounds.
9. Suspension for the remaining part of the academic year plus one additional academic year during which the University will be out of bounds.
10. Suspension for the remaining part of the academic year plus two additional academic years during which the University will be out of bounds.
11. Expulsion as a student(s) from the University in grave act of indiscipline as the Vice Chancellor shall deem appropriate.

#### **FOURTH SCHEDULE**

Acts of sexual harassment, gender-based harassment, sexual violence, and retaliation include but are not limited to;

- a) Unwelcome sexual advances and unwanted sexually oriented comments in the form of verbal, non-verbal, or physical conduct, in writing, via the telephone, electronic mail or other forms of communication over the worldwide web, social media, etc. particularly when they are of a repetitive nature;
- b) Recording, photographing, transmitting, showing, viewing, streaming, or distributing nude, intimate or sexual images without the prior knowledge and consent of all parties involved;
- c) Requests for sexual favours;
- d) Requests or demands for sexual favours accompanied by explicit or implicit promised rewards, threats, or retaliation;
- e) Touching or groping an intimate body part, unclothed or clothed;
- f) Rape, sexual assault, or molestation or attempts/threats to commit such acts;
- g) Assault, threats, harassment, physical abuse or violence within the university premises by a current or former spouse or intimate partner that intentionally, or recklessly, causes mental or bodily injury or places the complainant in reasonable fear of serious bodily injury;
- h) Any harassment based on gender, sex-stereotyping, sexual orientation, gender identity or gender expression, which may include acts of threatening, coercion, aggression, intimidation or hostility, whether verbal or non-verbal, graphic, physical or otherwise, but not involving conduct of a sexual nature, when such harassment leads to a hostile environment.
- i) False allegations of any of the above (see 3.7 for difference between false allegation and inability to prove a complaint).
- j) Acts of intimidation related to Complaints including penalizing or threatening to penalize with regard to grades, classes, conferment of degree, work allocation and recruitment decisions.

## **ANNEX II – Instructions to follow when forming a Student Organization**

1. Every Student Organization of the University should be registered with the University. The application for this purpose can be obtained from Student Affairs division of the University.
2. Every Student Organization should have a Constitution drafted in accordance with the guidelines given by the University.
3. The Constitution should have following outline;
  - a. Section 1: Vision, Mission, goals and objectives of the Society
  - b. Section 2: Membership
  - c. Section 3: Office Bearers
  - d. Section 4: Duties of the committee members
  - e. Section 5: Finances
  - f. Section 6: Meetings
  - g. Section 7: Activities
  - h. Section 8: Dissolution of the Society
4. In the membership section of the constitution it should be clearly mentioned the conditions of the membership, membership fees and the privileges for the members.
5. If it is a faculty society, a Senior Lecturer of the University must act as its Patron. If the society is open to students of the entire University, the Vice Chancellor must be its Patron.
6. The executive committee of the student society must select a permanent member of the academic staff of the university (a lecturer) as the Senior Treasurer.
7. The selection of office bearers for a student society must be done annually by election under the supervision of the patron.
8. The Secretary of the Society should notify the students of the dates and the place of such election by placing a notice in the notice board.
9. The committee of a student society should comprise the following officers;
  - a. The President
  - b. The Vice-President
  - c. The Secretary
  - d. The Assistant-secretary
  - e. The Junior treasurer
  - f. The Editor (if any)
  - g. Committee Members
10. Elected office bearers of a student society will remain in office for one academic year
11. With the prior approval from the Vice Chancellor a Student Organization can collect money from its members for specific purposes.
12. Every Student Organization should have an official bank account in a state bank (either Bank of Ceylon or Peoples Bank)

13. All the finances received in terms of membership fees, collections, donations, etc. should be deposited in the official account within two weeks.
14. Withdrawals from the bank will only be valid if the Senior Treasurer and either the President or the Junior Treasurer signed.
15. No office bearer can enter in to a transaction with a person or organization on behalf of the student society, prior to obtaining the approval of its Senior Treasurer and the committee.
16. In the annual general meeting, the annual financial report of the society should be presented to the Organization by the Junior Treasurer. A copy of such report should be given to the Internal Auditor of the University.
17. In case of organizing an event by a society, a detailed proposal of the event should be presented to the Vice Chancellor/Dean with the recommendations of the Senior Treasurer and approval should be obtained one week before the event.
18. Once such event is conducted, the Junior Treasurer should prepare a detail budget report of the event and present it to the Internal Auditor through the Senior treasurer
19. The Internal Auditor of the University must examine all financial documents belonging to the society.
20. The Society may be dissolved at a General Meeting provided that at least fifteen (15) days written notice of the intention to dissolve the Society has been given to the members.
21. At least two thirds of those present and voting at the General Meeting must vote in favour of the motion for dissolution for it to be effective



# **Annex III - Institutions Act No 20 of 1998 on prohibition of ragging and other form of violence in Educational institutions**

## **Prohibition of Ragging and Other Forms of Violence in Educational Institutions**

### **AN ACT TO ELIMINATE RAGGING AND OTHER FORMS OF VIOLENCE, AND CRUEL, INHUMAN AND DEGRADING TREATMENT, FROM EDUCATIONAL INSTITUTIONS**

BE it enacted by the Parliament of the Democratic, Socialist Republic of Sri Lanka as follows: -

**[29th April  
, 1998 ]**

**Short title.** 1. This Act may be cited as the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act, No. 20 of 1998.

**Ragging** 2.  
(1) Any person who commits, or participates in; ragging, within or outside an educational institution, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable, to rigorous imprisonment for a term not exceeding two years and may also be ordered to pay compensation of an amount determined by court, to the person in respect of whom the offence was committed for the injuries caused to such person.  
(2) A person who, whilst committing ragging causes sexual harassment or grievous hurt to any student or a member of the staff, of an educational institution shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding ten years and may -also be ordered to pay compensation of an amount determined by court, to the person in respect of whom the offence was committed for the injuries caused to such person.

**Criminal intimidation,** 3. Any person who, within or outside an educational institution, threatens, verbally or in writing, to cause injury to the person, reputation or property of any student or a member of the staff, of all educational institution (in this section referred to as “the victim”) or to the person, reputation or property of some other person in whom the victim is interested, with the intention of causing fear in the victim or of compelling the victim to do any act

which the victim is not legally required to do, or to omit to do any act which the victim is entitled to do, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to rigorous imprisonment for a term not exceeding five years.

**Hostage taking.**

4. Any person who does any act by which the personal liberty and the freedom of movement of any student or a member of the staff of an educational institution or other person within such educational institution or any premises under the management and control of such educational institution, is restrained without lawful justification and for the purpose of forcing such student, member of the staff or person to take a particular course of action, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate, be liable to rigorous imprisonment for a term not exceeding seven years.

**Wrongful restraint.**

5. Any person who unlawfully obstructs any student or a member of the staff of an educational institution, in such a manner as to prevent such student or member of the staff from proceeding in any direction in which such student or member of the staff, has a right to proceed, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to rigorous imprisonment for a term not exceeding seven years.

**Unlawful confinement.**

6. Any person who unlawfully restrains any student or a member of the staff of an educational institution in such a manner as to prevent such student or member of the staff from proceeding beyond certain circumscribing limits, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding seven years

**Forcible occupation and damage to property of an educational institution.**

7.  
(1) Any person who, without lawful excuse, occupies, by force, any premises of, or under the management or control of, an educational institution shall be guilty of an offence under this Act, and shall on conviction after summary trial before a Magistrate be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding ten thousand rupees or to both such imprisonment and fine.

(2) Any person who causes mischief in respect of any property of, or under the management or control of, an educational institution shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate he liable to

imprisonment for a term to not exceeding twenty years and a fine of five thousand rupees or three times the amount of the loss or damage caused to such property, whichever amount is higher.

**Orders of expulsion or dismissal.**

8. Where a person is convicted of an offence under this Act, the court may, having regard to the gravity of the 'offence'

(a) in any case where the person convicted is a student of an educational institution, order that such person be expelled from such institution;

(b) in any case where the person convicted is a member of the staff of an educational institution, order that such person be dismissed from such educational institution.

**Bail.**

9.

(1) A person suspected or accused of committing an offence under subsection (2) of section 2 or section 4 of this Act shall not be released on bail except by the judge of a High Court established by Article 154P of the Constitution. In exercising his discretion to grant bail such Judge shall have regard to the provisions of section 14 of the Bail Act, No. 30 of 1997.

(2) Where a person is convicted of an offence under subsection (2) of section 2 or section 4 of this Act, and an appeal is preferred against such conviction, the Court convicting such person may, taking into consideration the gravity of the offence and the antecedents of the person convicted, either release or refuse to release, such person on bail.

**Certain Provisions of the Code of Criminal Procedure Act not to apply to persons convicted or found guilty of an offence under this Act.**

10. Notwithstanding anything in the Code of Criminal Procedure Act, No, 15 of 1979"

(a) the provisions of section 303 of that Act shall not apply in the case of any person who is convicted,

(b) the provisions of section 306 of that Act shall not apply in the case of any person who pleads or is found guilty, by or before any court of any offence under subsection (2) of section 2 or section 4 of this Act.

**Offences under this Act deemed to be**

11. All offences under this Act shall be deemed to be cognizable Offences for the purposes of the application of the provisions of the Code of Criminal Procedure Act, No. 15 of 1979, notwithstanding anything contained in the First Schedule to that Act.

**cognizable offences**

**Certificate**

**12.** Where in any prosecution for an offence under this Act, a question arises whether any person is a student or a member of the staff of an educational institution or whether any premises or property is the property of, or is under the management and control of, an educational institution a certificate purporting to be under the hand of the head or other officer of such educational institution to the effect that the person named therein is a student or a member of the staff of such educational institution, or that the premises or property specified therein is the property of, or is under the management and control of, such educational institution, shall be admissible in evidence without proof of signature and shall be prima facie evidence of the facts stated therein.

**Admissibility of statement in evidence.**

**13.**

(1) If in the course, of a trial for an offence under this Act, any witness shall on any material point contradict either expressly or by necessary implication a statement previously given by him in the course of any investigation into such offence, it shall be lawful for the Magistrate if, after due inquiry into the circumstances in which the statement was made, he considers it safe and just "

(a) to act upon the statement given by the witness in the course of the investigation, if such statement is corroborated in material particulars by evidence from an independent source; and

c) to have such witness at the conclusion of such trial, tried before such court upon a charge for intentionally giving false evidence in a stage of a judicial proceeding,

(2) At any trial under paragraph (b) of subsection (1) it shall be sufficient to prove that the accused made the contradictory statements alleged in the charge and it shall not be necessary to prove which of such statements is false.

**Provisions of this Act to be in addition to and not in derogation of the provisions of**

**14.** The provisions of this Act shall be in addition to and not in derogation of, the provisions of the Penal Code, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act, No. 22 of 1994 or any other law.

**the Penal Code**

**Priority for trials and appeals under this Act**      15. Every Court shall give priority to the trial of any person charged with any offence under this Act and to the bearing of any appeal from the conviction of any person for appeals under any such offence and any sentence imposed on such conviction.

**Sinhala text to Prevail in case of inconsistency**      17. In this Act unless the context otherwise requires, “criminal force”, “fear”, “force”, “grievous hurt”, “hurt” and “mischief shall have the respective meanings assigned to them in the Penal Code;

“educational institution” means –

- (a) a Higher Educational Institution;
- (b) any other Institution recognized under Chapter IV of the Universities Act, No, 16 of 1978;
- (c) the Buddhist and Pali University established by the Buddhist and Pali University of Sri Lanka Act, No. 74 of 1981;
- (d) the Buddha Sravaka Bhikku University, established by the Buddha Sravaka Bhikku University Act, No. 26 of 1996;
- (e) any Institute registered under section 14 of the Tertiary and Vocational Education Act, No. 20 of 1990;
- (f) any Advanced Technical Institute established under the Sri Lanka Institute- of Technical Education Act, No. 29 of 1995;
- (g) a Pirivena registered under the Pirivena Education Act, No. 64 of 1979 and receiving grants from State funds and includes a Pirivena Training Institute established under that Act;
- (h) the Sri Lanka Law College;
- (i) the National Institute of Education established; by the National Institute of Education Act, No.
- (j) the College of Education established by the: Colleges of Education Act, No. 30 of 1986, or a Training College;
- (k) a Government school or an assisted school or an unaided school, within the meaning of the Education Ordinance (Chapter 185); and includes any other institution established for the purpose of providing education, instruction or training;

“head of an educational institution” means the Vice- Cancellor, Mahopadyaya, Director, President, Principal or any other person

howsoever designated charged with the administration and management of the affairs of such educational institution;

“Higher Educational institution” has the meaning assigned to it in the Universities Act, No. 16 of 1978;

“ragging” means any act which causes or is likely to cause physical or psychological injury or mental pain or : fear to a student or a member of the staff of an educational institution;

“student” means a student of an educational institution;

“sexual harassment” means the use of criminal force, words or actions to cause sexual annoyance or harassment to a student or a member of the staff, of an educational institution;