

By-Law No. 14 of 2014

UNIVERSITY OF MORATUWA, SRI LANKA



BY-LAW RELATED TO CONDITIONS OF
RESIDENCE AND DISCIPLINE OF STUDENT(S)

of

THE UNIVERSITY OF MORATUWA, SRI LANKA

Prepared under Sections 135 and 45 (2) (ix) of the Universities Act No. 16 of 1978, as amended.

Approved by the Council at its 406th meeting held on 05.11.2014 on the recommendation of the Senate given at its 418th meeting held on 17.09.2014

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UNIVERSITY OF MORATUWA

BY-LAW RELATED TO

CONDITIONS OF RESIDENCE AND DISCIPLINE OF STUDENT(S)

(By-Law made under Sections 135 (1) (d) and 45 (2) (ix) of the Universities Act No. 16 of 1978, as amended).

This By-Law shall be cited as the By-Law No. 14 of 2014 and shall come into force on 05.11.2014.

In terms of Section 29 (n) of the Universities Act No.16 of 1978 as amended (hereinafter referred to as the Act), subject to the powers, duties and functions of the Commission, a University shall have the power to regulate and provide for the residence, discipline and well-being of student(s) of the University.

In terms of Section 34(6)(b) of the said Act, the Vice-Chancellor shall be responsible for the maintenance of discipline within the University.

1.00 Conditions of Residence

1.1 Academic Activities

1.1.1 All student(s) shall follow the prescribed course of study to the satisfaction of the Senate, as specified in By-Law 15.

1.1.2 All student(s) shall obtain leave of absence when required, as specified in By-law 15.

1.2 Attire/dress code

1.2.1 The student(s) are required to be properly attired in a dress in a manner acceptable to the academic environment of a professional course of study programme.

1.2.2 The attire shall not be a hindrance to the identification of the student(s) during their residence in the University.

1.3 Residence within University premises

1.3.1 Any Student(s) who contacts a contagious disease shall immediately contact the University Medical Officer, and strictly follow his/her advice. If this is not possible, advice shall be obtained from a qualified Medical Officer and report to the University Medical Officer as soon as possible (see also By-Law 15).

1.3.2 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 recognised Society.

- 1.3.3 No student(s) shall entertain visitors within the University premises, unless the approval of the Chief Security Officer or prior permission from the Vice-Chancellor has been obtained.
- 1.3.4 Student(s) who are residents of the University Hostels are required to fully comply with the Rules of Residence issued by the Warden from time to time.
- (a) All student(s), except as provided for in clause 1.3.4(b) and 1.3.4(c), are required to vacate the premises of the University by 2200 hours (or at any other time notified by the Vice-Chancellor) on each day, and are not allowed to come into the premises till after 0500 hours.
 - (b) All Student(s) who are resident in a hostel within the main University premises can remain within the hostel premises after 2200 hours, but shall not leave the University premises.
 - (c) A Student(s) who is a resident of the hostel located within the main premises and who wish to gain entry to the University premises after 2200 hours should produce their University Identity Cards/Record Books and place their signature on a late arrival log book maintained by the Security Staff, together with his/her name and index number.
 - (d) The attire of all student(s) should meet with the conditions stipulated in 1.2 of this By-Law.

1.4 Identification of Student(s)

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

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

2.0 Conditions of Discipline

2.1 University Student(s) Organization

- (a) No Union or any other Association of student(s) shall operate within the University unless registered with the University, as provided for in the Universities Act No. 16 of 1978 as amended.
- (b) A University Student(s) Organization shall be governed by the provisions of the Universities Act No. 16 of 1978 as amended and By-Laws framed under same for the specified purpose.

- (c) 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 meeting

- (a) No public meeting shall be held by any student(s), University Students Organization, at the University premises except with the prior permission of the Vice-Chancellor, except as provided in clause 2.2(c). Permission shall be obtained in a manner prescribed by notice from time to time.
- (b) 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.
- (c) 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.
- (d) The holding of an unauthorised meeting shall be considered an act of indiscipline and those responsible shall be liable for punishment.
- (e) Acts of indiscipline under an unauthorised meeting include the displaying of posters, banners, cut-outs or any other media of communication connected with such meetings, conducting the meetings, and addressing of such meetings.

2.3 Collection of Funds

- (a) 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.
- (b) Any student(s) or University Student(s) Organization authorised to collect funds for purposes other than that provided for in Section 2.3(a), should within two weeks of the permitted day of collection submit to the Senior Assistant Registrar (Welfare) a Statement of Accounts and shall also immediately deposit the funds collected in an authorised Account. 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.
- (c) Any student(s) or University Student(s) Organization would be authorized by the Vice-Chancellor, subject to other terms and conditions in Section 2.3(b), for raising funds through external sources as the Vice-Chancellor shall deem fit.

2.4 Posters, newspapers and handbills

- (a) No notice, poster or other publication shall be put-up or exhibited in any place other than authorized places for such purpose.
- (b) 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:
 - with the permission of the Vice-Chancellor; or
 - by a University Student(s) Organization for the purpose of its rules; or
 - by a University Student(s) Organization in connection with an election held by it at such places as shall be authorised by the Vice-Chancellor; or
 - in a place which has been specifically provided in the University premises, for the purpose.
- (c) Date of the poster, notice or publication should be displayed along with the name of the responsible organization.
- (d) Posters belonging to a University Student(s) Organization, can be recognised as valid notices only if that Society has met legitimately and taken a majority decision at such meeting to have the poster.
- (e) No newspapers or periodicals shall be sold or distributed in the University premises except with the permission of the Vice-Chancellor.
- (f) No handbills shall be distributed within the University premises except with the permission of the Vice-Chancellor.

3.0 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 Council of the University, the University Grants Commission, any member of the University Grants Commission or any Official of the University Grants Commission.
 - b) any external Agency 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.

4.0 Offences calling for disciplinary action

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

- (b) 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.
- (c) 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 described herein.
- 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 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.

4.2 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 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.

4.3 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.

- 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 shall be punishable under this By-Law.

4.6 Offences related to Alcohol

- 4.6.1 Possession and/or transportation and/or consumption of alcohol and/or, a beverage which consist of alcohol or any other intoxicating substances.
- 4.6.2 Being present with a student(s) and/or persons engaged in consumption of alcohol.
- 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 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 Survey Camp, Field visits) 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 into the University premises 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

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

5.0 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.

6.0 Procedure for Inquiry against Reported Acts of Indiscipline

6.1 Reporting of an act of Indiscipline

6.1.1 Every person employed in the University is entitled to report to, Marshal or Chief Security Officer any act committed by any student(s) registered in the University, which has come to his knowledge, which shall be categorised as an offense which shall call for disciplinary action.

6.1.2 The Marshal or Chief Security Officer to whom such report is made is bound to transmit it immediately to the Vice-Chancellor.

6.2 Declaration of Out of Bound

6.2.1 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.

6.2.2 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.

6.2.3 The out of bounds declaration shall include such other reasonable conditions as the Vice-Chancellor shall think fit.

6.2.4 The out of bounds 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).

- 6.2.5 No student(s) shall be subjected to the out of bounds declaration unless he or she has been given an opportunity to make representations in person to the Deputy Vice-Chancellor or Marshal or Chief Security Officer 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. The Deputy Vice-Chancellor, Marshal or Chief Security Officer shall forward the written report to the Vice-Chancellor within twenty four hours of such representations for making the decision on the out of bounds declaration.
- 6.2.6 In cases of great urgency, the Vice-Chancellor shall be empowered to impose the out of bounds declaration on a student(s) with immediate effect, provided that the opportunities mentioned in this Section are given and the out of bounds declaration reviewed within five working days of such declaration.
- 6.2.7 The Vice-Chancellor shall review the out of bounds declaration every thirty calendar days and shall record the reasons if the validity period of the declaration is extended.
- 6.2.8 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.

6.3 Preliminary Investigation

- 6.3.1 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.
- 6.3.2 The Vice-Chancellor shall impose a minor punishment morefully described in the 02nd schedule hereto considering the nature and or the gravity of the offence without referring the matter to a Preliminary Investigation.
- 6.3.3 Such Committee of Inquiry shall appoint a Chairman from among its members.
- 6.3.4 The quorum of such Committee of Inquiry shall be 2/3 of its members.
- 6.3.5 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.
- 6.3.6 Preliminary investigations should be completed and the report to be furnished to the Vice-Chancellor with the least possible delay.
- 6.3.7 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.

6.3.8 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.

6.3.9 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) i.

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

6.4 Framing Charges

6.4.1 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.

6.4.2 The statement of charges 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.

6.4.3 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.

6.4.4 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.

6.5 Committee of Formal Inquiry

6.5.1 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.

6.5.2 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).

- 6.5.3 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.
- 6.5.4 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.
- 6.5.5. The Committee of Inquiry shall have the power to summon any witness required by prosecution and by the defence.
- 6.5.6 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.

6.6 Findings of the Committee for the Formal Inquiry

- 6.6.1 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).

7.0 The Board of Residence (BRD)

7.1 Constitution of the Board of Residence

- 7.1.1 A Board of Residence and Discipline, herein after referred to as the Board of Residence, 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 Senate 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.

- 7.1.2 The Chairman shall be the Deputy Vice-Chancellor or his/her nominee.

- 7.1.3 The quorum shall be 1/4 of its members.
- 7.1.4 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.

7.2 Recommendations of BRD

- 7.2.1 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.
- 7.2.2 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. The decision of the Board of Residence on the appeal by the student(s) shall be final.
- 7.2.3 The Vice-Chancellor shall communicate the decision of the Board of Residence to the appellant student(s) under registered post.
- 7.2.4 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.
- 7.2.5 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).

8.0 Procedure for summary punishment

- 8.1 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 given an opportunity of making his/her defence.

9.0 Record of Punishments

- 9.1 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.
- 9.2 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 Deputy Vice-Chancellor for reference purposes.
- 9.3 The Registrar or his/her nominee shall maintain a Register of all inquires and related matters of each incident connected with the operation of this By Law.

10.0 Special Provisions

- 10.1 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.
- 10.2 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.

11.0 General Provisions

- 11.1 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.
- 11.2 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.
- 11.3 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.
- 11.4 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.
- 11.5 Non-compliance of obligation to attend a Committee of Inquiry shall be an offence punishable under Section 16 of the First Schedule hereto.
- 11.6 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.
- 11.7 Defiance of punishment shall be an offence punishable under Section 17 of the First Schedule hereto.

12.0 Appeals Procedure

- 12.1 Any Appeal made by the student(s) against the decision to punish the student(s) shall be made in writing to the Vice-Chancellor.
- 12.2 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.
- 12.3 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.
- 12.4 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.
- 12.5 The decision of the Board of Residence shall be informed to the student(s) concerned with least possible delay.

13.0 Punishments

- 13.1 The list of minimum punishments for the different kinds of offences specified in this By-Law is given in its First Schedule.
- 13.2 The list of Minor punishment which shall not call for a Disciplinary action is given in the Second Schedule hereto.
- 13.3 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.

14.0 Warning

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.

15.0 Definitions and Interpretations

In this By-Law, unless the context otherwise requires

University (also *University of Moratuwa*) means the University of Moratuwa, Sri Lanka constituted according to the Universities Act No. 16 of 1978 as amended.

Council means the Council of the University of Moratuwa, constituted according to the Universities Act No. 16 of 1978 as amended.

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.

Senate means the Senate of the University of Moratuwa, 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 University of Moratuwa appointed under this By-Law.

Faculty means any Faculty of the University of Moratuwa.

Department means the Department of Study of the University of Moratuwa.

University Society means body of student(s) recognized by the University as a Society, and formed for a specific purpose.

Student(s) means all postgraduate, undergraduate, diploma and certificate student(s) of the University of Moratuwa.

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.

Terms in the masculine also includes the feminine.

Terms in the singular includes the plural where relevant.

16.0 Interpretations in respect of this By-Law

Any interpretations regarding this By-Law shall be referred to the Senate whose decision thereon shall be final.

17.0 Regulations and Revisions

17.1 The provisions prescribed in this By-Law are subject to revision from time to time, whenever the Board of Residence and Discipline and/or the Senate deems it necessary.

17.2 Any amendment to the By-Law shall be effective only after the approval of the Council of such submissions by the Senate.

FIRST SCHEDULE

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

	Offence	Minimum punishment on being found guilty
1.	<i>Academic Activities</i> - Offences under Section 1.1	As specified in By-Law 15
2.	<i>Residence within University premises</i> - Offences under Section 1.3	1 st Offence : Severe warning Subsequent Offence : Suspension for one week and/or loss of hostel residence
3.	<i>Non-identification of Student(s)</i> - Offences under Section 1.4 and <i>Violation of entry & Exit Rules</i> Offenses under Section 1.5	Severe warning
4.	<i>Student(s) Organizations</i> - Offences under Section 2.1	Severe warning
5.	<i>Public meetings</i> - Offences under Section 2.2	Severe warning and/or suspension for two weeks during which the University premises will be out of bounds.
6.	<i>Collection of Funds</i> - 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.
7.	<i>Posters, newspapers and handbills and other communications</i> - Offences under Section 2.4 (a) –(f) & 3.00	Severe warning and/or suspension for two weeks during which the University premises will be out of bounds.
8.	8.1 <i>Harassment</i> - Abuse, any form of ragging/ molestation, sexual harassment - Offences under Section 4.1.1, 4.1.2 & 4.1.3 8.2 Causing of any physical injury or physical harm or threatening to cause same - Offences under Section 4.1.4 8.3 Offences under 4.1.5	According to the severity of the offence; Severe warning and Suspension for two months during which the University premises will be out of bounds. 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. In case of severe physical injury or extreme harassment, expulsion for the life time as a student(s) from the University.

	8.4 Threat to kidnap, Kidnap or attempt to kidnap - Offences under Section 4.1.6	Expulsion as a student(s) from the University.
9.	Disrupting legitimate activities - Offences under Section 4.2	Suspension of two weeks during which the University will be out of bounds.
10.	Damage to University Property or property belonging to an employee or a visitor of University -Offences under Section 4.3	Severe warning and/or fine equivalent to thrice the replacement value and/or confiscation of stolen property.
11.	Disruptive behaviour in the classroom - Offences under Section 4.4	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.
12.	Disrupt healthy and safe environment Offenses under Section 4.5	Severe warning
13.	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.
14.	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
15.	Unauthorized of improper use of University/Campus computer system/network – Offences under Section 4.8	1 st Offence : Severe warning Subsequent Offence : Suspension for two weeks during which the University will be out of bounds.
16.	Discipline - Offences under Section 5.0	Suspension for one month (30 days) during which the University will be out of bounds.
17.	Non-compliance of obligation to attend Committee of Inquiry	Severe warning and/or suspension for one month (30 days) during which the University will be out of bounds.
18.	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.
19.	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 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 years 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.