



The Universities Act No. 16 of 1978 as amended

Given below are the By-Laws made by the Council of the University of Vavuniya under Section 29 (n) read with Section 135(1) (d) of the Universities Act No.16 of 1978 as amended

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STUDENT DISCIPLINE

By-Laws – 03/2022

PART I - GENERAL

- 1.1 These By-Laws may be cited as the "By-Laws No. 03 of 2022 relating to Students Discipline" and shall come into operation on 01.08.2022. These By-Laws supersede any other By-Laws or Regulations that may have been issued to students earlier.
- 1.2 Notwithstanding anything to the contrary in any of the provisions of these By-laws, the Vice-Chancellor shall take appropriate action he deems necessary to maintain discipline at the University, and nothing in these By-Laws shall be construed in a manner to detract from the powers, duties, and functions conferred on or imposed upon the Vice-Chancellor by the Universities Act No. 16 of 1978 as amended [hereinafter referred to as the "Act"] or by any other instrument.
- 1.3 Board of Discipline
 - i. upon the coming into operation of these By-Laws There shall be established a Board of Discipline [Hereinafter referred to as the "Board"] constituted as provided in Sub-Paragraph
 - ii. The Board of Discipline shall consist of the following members, who shall hold office for a period of 03 (three) years with effect from the date of appointment.
 - (a) The Dean of each Faculty;
 - (b) Proctor or a Deputy Proctor nominated by the Proctor;
 - (c) Chief Marshal or Deputy Chief Marshal or Marshal nominated by Vice-Chancellor
 - (d) Two Wardens (Male & Female) nominated by the Vice-chancellor;
 - (e) Two members of the Council nominated by the Council from among its appointed members;
 - iii. The Registrar or his/her nominee shall be the ex-officio Secretary of the Board.
 - iv. The Chairman of the Board shall be elected by the members from among the Deans and he shall preside at all meetings of the Board. If the Chairman is unable to preside at a meeting the members shall elect another Dean to preside at such meeting.
 - v. The Chairman shall hold office for a period of one year reckoned from the date of his election so long as he retains the status of membership by virtue of which he was eligible for election as the Chairman of the Board. He / She is eligible for re-election.
 - vi. The quorum for the meeting of the Board shall be half of the members.

1.4 Subject to the provisions of the Act and of any other appropriate Instrument, the Board shall have the following powers, duties, and functions: -

- i. To regulate and determine all matters concerning the maintenance of student discipline within the University;
- ii. To make Rules pertaining to student discipline within the University;
- iii. The Vice-Chancellor shall appoint an inquiry officer/Committee of Inquiry to inquire into an incident where he/she thinks it appropriate in the circumstances and the Board of Discipline shall consider such reports made by such Committee and recommend to the Vice-Chancellor appropriate action within the scope of Schedule II of these By-Laws.
- iv. To recommend appropriate penalties or punishments as per Schedule II of these By-Laws 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 offense under these By-Laws or, of acting in contravention of the provisions of these By-Laws or the rules made by the Board.
- v. To do all such other acts incidental to the powers aforesaid, as may be required in order to further the objectives of these By-Laws.

1.5 Powers conferred upon the Deans

- i. 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.
- ii. To exercise the powers conferred upon the Dean, he/she may issue from time-to-time instructions as he/she deems necessary for the maintenance of discipline in such Faculty.
- iii. Where the Dean of a Faculty of the University is satisfied that there is a likelihood of the breakdown of the smooth functioning of his/her faculty due to the disorderly behavior or conduct on the part of a student or students, the Dean may take immediate remedial measures with the assistance of the Proctor, his/ her Deputies, and Chief Marshal or Marshal to prevent a breakdown of the functioning of the faculty by;
 - a) Reprimanding such student or students for disorderly behavior, or
 - b) Suspension of such student or students from the University or from attending lectures/courses etc. **for a period not exceeding two weeks.**
 - c) Reporting to the Vice-Chancellor for the action of such behavior of a student or students where a dean thinks that the incident is of such nature that it requires the intervention of the University authorities for appropriate action under the By-Laws of the University.
- iv. The Dean shall report to the Vice-Chancellor and the Proctor any disciplinary action taken by the Dean under these By-Laws.
- v. The Dean of a Faculty shall impose discipline among the students of the faculty and shall act in consultation with the Proctor, Deputy Proctor of the Faculty, and

the Chief Marshal or Marshal regarding matters pertaining to student discipline in his/her Faculty.

- vi. The Dean of a Faculty shall inquire into complaints of breach of discipline and take appropriate action by himself/herself 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) **Issuing a written warning.**
- vii. In every case in which a Dean acts under the above provisions, he/she shall submit a report to Vice-Chancellor or the Proctor.
- viii. Any student who is aggrieved by the punishments imposed by a Dean of a Faculty shall have the right to appeal to the Vice-Chancellor who may review the punishment and/or order the conduct of a formal inquiry where he considers it desirable, depending on the nature of the incident.

1.6 Proctor

- i. The Vice-Chancellor may appoint a senior academic member as the Proctor of the University and he/she shall act on behalf of the Vice-Chancellor in matters of student discipline within the University. The Vice-Chancellor may delegate any of his powers and duties regarding student discipline within the University to the Proctor.
- ii. Subject to the provisions of the Universities Act and other Statutes of the University, the Proctor shall be the authority in charge of the maintenance of discipline among the students of the University
- iii. In discharging the above duties, he/she shall act in consultation with the Vice-Chancellor and with the assistance of the Deputy Proctors and Chief Marshal or Marshals.
- iv. The Proctor shall inquire into complaints of breach of discipline in the University and take appropriate action
- v. Where the incident of indiscipline is of such a nature that it can be adequately dealt with by the imposition of the following punishments, he/she may act by himself/herself;
 - a) **Suspension from the university for a period not exceeding 05 weeks;**
 - b) **Issuing a written warning.**
- vi. In every case in which the Proctor acts under these provisions, he/she shall submit a report to the Vice-Chancellor.
- vii. Any student who is aggrieved by the punishment imposed by the Proctor shall have the right to appeal to the Vice-Chancellor forthwith and the Vice-chancellor may review the punishment and/or order a formal inquiry where he/ she considers it desirable.
- viii. In cases in which incidents of indiscipline are reported, the Proctor shall conduct a preliminary inquiry and submit his/her observations to the Vice-Chancellor for appropriate action under these By-Laws.

- ix. Proctor will have the following Powers;
 - a) To call upon any student of the University to produce his/her Identity Card or Student's Record Book.
 - b) Request a student to make a statement at his/her office regarding a matter about student discipline.
 - c) Request any student to leave the University premises. (This shall be reported to the Vice-Chancellor with immediate effect).

1.7 Deputy Proctor

- i. The Vice-Chancellor may, in consultation with the Dean and the Proctor, appoint a member of the academic staff of each Faculty as the Deputy Proctor for each Faculty.
- ii. A Deputy Proctor of a Faculty shall assist the Dean of the Faculty to maintain and impose discipline among students of the faculty and shall report to the Dean regarding such matters.
- iii. A Deputy Proctor shall also assist the Proctor in the Maintenance of discipline among the students of the University
- iv. Deputy Proctor will have the following Powers;
 - a) To call upon any student of the faculty to produce his/her Identity Card or Student's Record Book.
 - b) Request a student to make a statement at his/her office regarding a matter about student discipline.
 - c) Make a recommendation to the Proctor to request any student to leave the University premises. (This shall be reported to the Vice-Chancellor by the Proctor with immediate effect).

1.8 Warden will have the following Powers

- i. It would be the duty of a Warden of a Hall of Residence to impose discipline among the students of the Hall of Residence and act in consultation with the Proctor regarding matters about student discipline in the Hall of Residence.
- ii. A warden of a Hall of Residence shall inquire into complaints of breach of discipline and take appropriate action by himself where the act of indiscipline is not serious and may impose any of the following punishments:
 - (a) Suspension from the Hall of Residence for a period not exceeding two weeks;**
 - (b) Issuing a written warning.**
- iii. In every case in which a Warden acts under the above provisions, he /she shall submit a report to the Proctor and shall act in consultation with the Proctor. Where the Proctor is of the view that the breach of discipline is of such nature that it calls for his / her intervention, he/she may act in the manner laid down in these By-laws.
- iv. Any student, who is aggrieved by the punishment imposed by a Warden, shall have the right to appeal to the Vice-Chancellor forthwith, and the Vice-Chancellor shall instruct the Proctor to conduct a formal inquiry where he/ she considers it desirable, depending on the nature of the incident.

1.8 Marshal

- i. The Marshal of the University shall be accountable to the Registrar and shall act in accordance with the advice and orders given by the Vice-Chancellor and the Registrar.
- ii. To call upon any student of the University to produce his/her Identity Card or Student's Record Book.
- iii. Request a student to make a statement at his/her office regarding a matter about student discipline.
- iv. To report to the Vice-Chancellor or Proctor if he/ she considered any student to have deemed to have violated the provisions of these By-Laws
- v. Every person employed in the University is entitled to report to, Chief Marshal or Marshal any act committed by any student(s) registered in the University, which has come to his knowledge, which shall be categorized as an offense which shall call for disciplinary action.
- vi. The Marshal will assist the Deans of the Faculties and Proctor to maintain and impose discipline among students of the University.

Part II - Student's Conduct & Academic Ethics Code Violations

1. Academic Code violations

UOV considers the following as Academic Code violations.

- (1) Plagiarism
- (2) Cheating on examinations
- (3) Improper use of the internet
- (4) Improper use of electronic devices for or during examinations
- (5) Unauthorized collaboration
- (6) Alteration of graded assignment
- (7) Forgery and falsification
- (8) Lying
- (9) Facilitating academic dishonesty
- (10) Unfair competition
- (11) Infringement on the rights of others
- (12) Assault
- (13) Destruction or defacement of property
- (14) Theft
- (15) Disruption or obstruction of events such as classes, meetings and organized social events
- (16) Violation of any rules and regulations of the UOV (e.g., as outlined in course syllabus, catalogue, academic program manuals, website)
- (17) Ragging & Harassments.

2. Definitions & Examples of Honor Code Violations

2.1 Plagiarism

- 2.1.1 Submission of the same or substantially similar work of another person without acknowledgement.
- 2.1.2 Taking someone else's work or idea and passing them off as one's own.
- 2.1.3 Improper documentation of quotations, words, ideas, or paraphrased passages taken from published or unpublished sources.
- 2.1.4 Use of the results of another student's work (e.g., exam, papers, lab data, patient care plan or other patient evaluation documentation) while representing it as one's own.
- 2.1.5 Unauthorized submission of a paper as original work in one course when the paper has received credit in another course.

2.2 Cheating on Examinations

- 2.2.1 Use of unauthorized materials (e.g., devices, notes, books) during an in-class or take-home examination.
- 2.2.2 Consultation of unauthorized materials while being excused (e.g., on a bathroom break) from an examination room.
- 2.2.3 Copying answers from another student or allowing another student to copy your answers.
- 2.2.4 Unauthorized discussion of an exam's content during its administration
- 2.2.5 Obtaining an examination or answers to an examination prior to its administration.
- 2.2.6 Studying from an old exam whose circulation was prohibited by the instructor.
- 2.2.7 Failing to comply with designated time limits for an academic evaluation prior to its administration.
- 2.2.8 Acting as a substitute for another or utilizing another as a substitute during an academic evaluation of any type.
- 2.2.9 Making unauthorized photocopies of examinations.

2.3 Improper Use of Internet

- 2.3.1 Plagiarism from a published or unpublished Internet source.
- 2.3.2 Improper or lack of documentation of an Internet source.

- 2.3.3 Use of paper writing services or paper databases on the Internet.
- 2.3.4 Posting of patient/client data or photographs.
- 2.3.5 Accessing Internet during an examination without prior approval.

2.4 Improper Use of Electronic Devices

- 2.4.1 Consultation of unauthorized electronic devices (e.g., calculators, cellular phones, smartphones, computers) during examinations.
- 2.4.2 Use of electronic devices to communicate within or outside an examination room (e.g., use of cellular phones is not permitted during an exam).
- 2.4.3 Storage of test answers, class notes, and other references in electronic devices for use during the examination.
- 2.4.4 Improper use during an examination of email, text paging, and instant messaging.
- 2.4.5 Transmittal of patient/client data or photographs.
- 2.4.6 Use of electronic devices to record examination questions.

2.5 Unauthorized Collaboration

- 2.5.1 with other students without the knowledge or consent of the lecturer or instructor impedes the lecturer's ability to accurately evaluate individual learnings. (This applies to in-class or take-home tests, papers, labs, or homework assignments.)

2.6 Alteration of Graded Assignments

- 2.6.1 Submission of an examination or assignment for re-grading after making changes to the original answers.

2.7 Forgery and Falsification

- 2.7.1 Falsification or invention of data in laboratory experiments, data analysis, or patient evaluation.
- 2.7.2 Citation of non-existent sources or creation of false information in an assignment.
- 2.7.3 Attributing to a source idea or information not included in the source
- 2.7.4 Forgery of institute documents, such as academic transcripts or letters of reference.

2.8 Lying

- 3.8.1 Request for special consideration from faculty or institute officials based upon false information or deception.

- 3.8.2 Fabrication of a medical or emergency excuse as a reason for needing an extension on an assignment or for missing an examination.
- 3.8.3 Claiming falsely to have completed and/or turned in an assignment.
- 3.8.4 Falsely reporting an ethics violation by another student.

2.9 Facilitating Academic Dishonesty

- 2.9.1 Intentionally or knowingly aiding another student to commit a violation of academic conduct.
- 2.9.2 Allowing another student to copy from one's examination during the administration of the exam.
- 2.9.3 Providing copies of course material whose circulation was prohibited (e.g., exams or assignments) to students enrolled in or planning to take that course.
- 2.9.4 Taking an examination or completing an assignment for another, or permitting one to do so.
- 2.9.5 Providing specific information about an exam to a student who has not yet taken the exam.

2.10 Unfair Competition

- 2.10.1 Willfully damaging the academic efforts of other students.
- 2.10.2 Stealing another student's academic materials (e.g., book, notes, assignments, USB flash drives, etc.)
- 2.10.3 Denying another student's needed resources in a deliberate manner, such as hiding library materials or stealing lab equipment.

2.11 Infringement on the Rights of Others

- 2.11.1 Using behavior that jeopardizes the rights or safety of members of the institute community, or jeopardizes the orderly functioning of the institute-related activities.

2.12 Assault

- 2.12.1 The threat of or commission of physical or psychological harm against any member of the institute community or any person present on institute property.

2.13 Destruction or Defacement of Property

- 2.13.1 Willful or otherwise unwarranted destruction or damage of property belonging to the institute or sites used by the institute for other educational or business purposes.

2.14 Theft

2.14.1 Theft of any item or property or knowing possession of stolen property belonging to the institute, any member of the institute community, or any site used in conjunction with institute educational purposes.

2.15 Disruption or Obstruction of Events

2.15.1 Use of abusive, violent, obscene, or irresponsible behavior on institute property or during Institute-sponsored events.

2.16 Violation of any of the Rules and Regulations of the Institute

2.16.1 Examples include but are not limited to illegal use of drugs, firearms, and sexual harassment

2.16.2 permanent or temporary structures or monuments within the University premises cannot be erected by the student without the approval of the council.

2.17 Ragging / Harassment

2.17.1 Abuse/harassment (including any form of ragging/molestation) sexual harassment and/or intimidation whether physical or mental of any student of the University, VC, any official member of the academic or administrative staff, any other employee, or any other person authorized to be within or outside the premises of the University or at an event organized by the University.

Part III - Student Registration and identity

- 3.1 Without prejudice to the generality of the powers duties and functions conferred upon or imposed on the Council by the Act or any other Instrument, the Council shall be responsible for the administration and implementation of these By-Laws.
- 3.2 (i) These By-Laws shall apply to every Registered Student of the University of Vavuniya of Sri Lanka [hereinafter referred to as the "University"]
- (ii) (a) For the purpose of these By-Laws "Registered Student" means any student who had already been duly admitted and registered at the University for any academic year or any student who is duly admitted and registered from time to time in respect of any Academic year or another period of study.
- (b) "Academic Year" for the purpose of these Bylaws, shall be construed to mean the academic year as decided by the Senate from time to time.
- (iii) (a) Every student of the University shall be of good behavior and shall at all times conduct himself in an orderly manner befitting the status of an undergraduate.
- (b) Students of the University shall at all times endeavor to safeguard the dignity, good name, and reputation of the University.
- 3.3 Students are admitted and registered as undergraduates of the University, subject to their good behavior and the observance of strict discipline.
- 3.4 Each student duly registered as a student of the University, shall be issued with a copy of these By-Laws, the provisions of which will be binding on him in conformity with the declaration made by him.
- 3.5 Upon the receipt of an application on the prescribed form for registration as a student of the University together with such documents as may be necessary for this purpose the Registrar or such other officer as may be nominated by him/ her for this purpose shall register the such student and shall issue the student so registered an Identity Card and a Student Record Book bearing a recent photograph of the student concerned, duly embossed with the seal of the University which shall be final and conclusive evidence pertaining to the identity of the student and also to the accuracy of the particulars stated therein.
- 3.6 Every registered student of the University shall have in his/her possession either such Identity Card or Student Record Book which he/she shall produce when called upon to do so by a member of the academic staff or by any officer authorized by the Vice-Chancellor or Registrar for this purpose.
- 3.7 If any registered student shall fail to produce or willfully refuses to produce or neglects to produce such Identity Card or Student Record Book when called upon to do so by an authorized officer of the University, such student shall be deemed to be guilty of an offense punishable under these By-Laws.

- 3.8 In the event of the failure or the refusal to produce such Identity Card or Student Record Book to any member of the academic staff or an authorized officer, such officer shall have the power to take such student into custody and to produce him/her before the Dean of the respective Faculty or Warden of the respective Hall of Residence of such student if he/she claims to be residing in a Hall of Residence for identification. In the event of such student not being a resident of a Hall of Residence, such student may be produced before the Marshal, who shall report him/ her to the Proctor for appropriate action.
- i. Any member of the academic or administrative staff or any officer authorized by the Vice-Chancellor including Marshals and Security Officers has the right to request/view and record the identity card details by necessary means for later actions.
 - ii. If a student fails to produce the identity card the staff member has the right to take a portrait picture of the student for the same record and purpose.
- 3.9 The particulars stated in the Identity Card or Student Record Book shall be deemed to contain prima facie evidence of the status of the student.
- 3.10 Upon the coming into operation of these By-Laws the University shall have full power and authority to consider and assess the conduct of each student in determining the eligibility of such student for the conferment on him/her of the degree, diploma, certificate, or other academic distinctions.
- 3.11 Every Registered student shall be bound to protect and safeguard the property of the University. "Property" for this purpose includes buildings, libraries, lecture halls, furniture, equipment, and all other movable and immovable assets of the University.
- 3.12 If in the event of any student being found guilty of damaging or destroying or attempting to damage or destroy the property of the University, he/she shall be deemed to have committed an offense and shall be dealt with in accordance with the provisions of these By-Laws.
- 3.13 Every student shall endeavor to foster a corporate and community spirit of life and shall always respect the liberty, freedom, and personality of fellow students.
- 3.14 No Students shall engage in anti-social actions or in any act calculated to humiliate, ridicule, hurt or harass a fellow student or any other person within the University or engage in any other anti-social conduct which may bring the University to disrepute.
- 3.15 No student shall incite, provoke or aid and abet any other student in the commission of any of the acts specified herein before.
- 3.16 Any student who acts in violation of paragraphs 3.2 (iii) (a) & (b) and 3.14 to 3.15 of these By-Laws shall be guilty of an offense punishable under the provisions of these By-Laws.
- 3.17
- 3.17.1 No meeting may be held within the University premises by any student or students, students' union or society, or other association of students of the

University except with the written approval of the Vice-Chancellor/Proctor. The Dean of the Faculty may permit the holding of a meeting of the faculty students, Faculty Unit, or Society where it is restricted to the students of such Faculty.

3.17.2 Where the approval of the Vice-Chancellor/Dean/ Proctor/Chief Marshal as the case may be has been so granted subject to such terms and conditions relating to the venue and date of such meeting and its duration and any other matter as may be deemed to be necessary for the circumstances, the meeting must be held in conformity with all such terms and conditions.

3.17.3 Any student who summonses or causes the holding of a meeting other than in the manner prescribed in the foregoing paragraph or aids and abets any other person to summon or hold such meeting shall be guilty of an offense and shall be liable for punishment, under the provisions of these By-Laws.

3.17.4 (a) Unless the prior written consent of the Vice-chancellor has been obtained, no subscription or currency may be collected from among the students, staff of the University, or the general public by any union, society, or association.

(b) Provided, however, that the provision of this paragraph shall not apply to a subscription collected by a registered union, society, or association in accordance with its Constitution or any By-Laws made in terms of section 115 (2) of the Act.

3.18

3.18.1 No notice, pamphlet, publication, or other printed material detrimental to the good name and discipline of the University, words defamatory of any member of the staff or student of the University, may be published and/or distributed, circulated, or exhibited in any Hall of Residence, Lecture Hall/Room, Laboratory on any other building or any other property standing on the premises of the University within its territorial boundaries. Provided, however, that the provision of this paragraph shall not apply to notices, pamphlets, publications, and printed material relating to the activities of any registered Students' Union, Society, or other Association established and recognized under Section 115 of the Act and intended solely for the furthering of academic or social objectives. Provided that such materia¹ shall not be detrimental to the good name and discipline of the University, or any member of the staff or student of the University.

3.18.2 Any note, pamphlet, or bulletin published should contain the signature of the President or the Secretary of such Organization

3.19 The Board of Discipline may for any breach of these By-laws or for an offense punishable under the provisions of these By-Laws by any registered student, recommend to the Vice-Chancellor the imposing on him/ her of any one or more of the punishments as per the Schedule II of these By-Laws.

3.20

3.20.1 Upon the declaration of an order of closure or out of bound declaration by the University authorities/ Vice-Chancellor, every student of the University shall be bound to act in accordance with this order and shall leave the University premises before the stipulated time specified in such order.

3.20.2 Any student who acts in contravention of the provisions of the foregoing paragraph shall be deemed to have committed an offense and shall be liable to be punished in accordance with the provisions of these By-Laws.

Part IV - Disciplinary Procedure

4.1 Reporting of an act of Indiscipline

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

4.1.2 The Chief Marshal or Marshal to whom such report is made is bound to transmit it immediately to the Vice-Chancellor or Proctor.

4.2 Disciplinary Procedure

4.2.1 Any charge of misconduct/indiscipline against a student shall in the first instance be reported to the Vice-Chancellor.

4.2.2 Where the Vice-Chancellor receives information relating to any misconduct/indiscipline and considers that 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 with immediate effect.

4.2.3 Where the Vice-Chancellor is satisfied with the availability of evidence relating to misconduct/indiscipline shall appoint;

(i) One or more members of the academic staff of the University or

(ii) Any other suitable external person or committee comprising of external parties

(iii) Depending on the gravity of the incident & evidence the Vice-Chancellor has the power to suspend a student without inquiry until the inquiry process is over to maintain the discipline.

to investigate the facts and submit their conclusions and recommendations in writing to the Vice-Chancellor.

4.2.4 The officer/committee mentioned in 4.2.3 shall submit their conclusions in writing to the Vice-Chancellor. These recommendations shall be the punishments as appropriate or conducting a formal inquiry.

The procedure to be followed has been set out in Schedule I.

4.2.5 On receipt of the recommendations under 4.2.4 above, the Vice-chancellor shall,

(i) Issue a warning letter / acquit the student

(ii) Refer the same to the Board of Discipline to recommend the punishments within the scope of Schedule II and place the recommendation of BOD before the Council for ratification.

If the inquiry officer/committee has recommended conducting a formal inquiry it shall be done in accordance with Schedule I of these By-Laws.

4.2.6 Any inquiry officer/committee appointed by the Vice-chancellor shall have the power to summon any student of the University/Campus/Institute as the case may be to render whatever assistance needed to conduct inquiries on matters pertaining to provisions of any By-Law. A student who does not so comply shall be guilty of a punishable offense.

4.2.7 The provisions of the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act No. 20 of 1998 will also be considered by the inquiry committee if any student has committed an offense falling under this Act as per **Attachment 1**.

COMMISSION CIRCULAR - 946

Schedule I

1. At a preliminary inquiry into misconduct/indiscipline, the complainant/s, accused student/s, and the witnesses shall be questioned.
2. It is not compulsory to follow court procedures.
3. The details of the misconduct/indiscipline including the nature of the misconduct/indiscipline, venue and time, and the person/s property involved shall be notified to the accused student.
4. The factors that caused the complaint against the student shall be informed to the accused student and he/ she should be given the opportunity to explain the same.
5. At the time of the preliminary inquiry, an accused student shall not be allowed to be present with a representative and shall be denied the opportunity to question or cross-question the complainant regarding the complaint made or any witness relating to the evidence given by the witness.
6. After finalizing its recommendations, the preliminary inquiry officer/committee shall submit its report to the Vice-Chancellor giving reasons for such findings and verdict. These recommendations shall be the punishments as appropriate or conducting a formal inquiry.
7. However, in case of great urgency, the Vice-Chancellor considering the seriousness of the infringement of discipline committed by the students, shall be empowered to impose the appropriate punishment subject to receiving the recommendations of the formal inquiry. The Vice-Chancellor shall report the matter to the Council for endorsement subsequently.

Formal Inquiry

1. The Vice-Chancellor shall on receipt of the recommendation for conducting a formal inquiry, cause charges to be framed in writing and sent under registered post, where possible handover to the student or in the case of more than one student to individual students alleged to have committed the offenses.
2. The charge sheet shall contain specific charges. The Vice-Chancellor shall serve the student respondent/s the charge sheet individually requesting to send the reply to the Vice-Chancellor in writing within the period granted.
3. If the student respondent/s plead/s guilty to the charge sheet or does not reply within the time specified, the Vice-Chancellor shall proceed to impose on the student any of the punishments as recommended by the Board of Discipline within the scope of the Schedule II and ratified by the Council.
4. The Vice-Chancellor shall appoint a committee of up to three members of academic staff or any other suitable external members to hold a formal inquiry and submit the report.

5. At the inquiry, the student respondent/s shall be informed of the evidence and have the right to defend him/her. He/ She may make his/her own defense and call any witnesses for the defense.

The Disciplinary Committee may, considering the special circumstances of the situation deny a student charged with an offense, the opportunity to question the complainant regarding the complaint made or any witness relating to the written or verbal evidence given by the witness.

Provided that in such a situation, the student charged with the offense shall have the right to seek in writing, through the Disciplinary Committee, clarification on specific issues relating to the complaint or evidence from the complainant or witness as the case may be. Upon the Disciplinary Committee directing such request to the complainant or the witness, he or she shall give his or her clarifications in writing to the student charged with the offense within the time stipulated by the Disciplinary Committee.

6. The Committee of Inquiry shall have the power to summon any witness required by the prosecution and by the defense.
7. Any Committee of Inquiry appointed by the Vice-Chancellor shall have the power to summon any student of the University to render whatever assistance is needed to conduct inquiries on matters pertaining to provisions of any By-Law. A student who does not so comply shall be guilty of a punishable offense.
8. At a Committee of Inquiry, a student shall be provided with relevant documents or extracts from the same, which have been used to frame charges against the student.

Provided that in such a situation, considering the special circumstances of the situation, deny a student charged with an offense, providing relevant documents or extracts from the same, which have been used to frame charges against the student.
9. The Committee of Inquiry after finalizing its recommendations shall submit its report to the Vice-Chancellor giving reasons for such findings and the verdict.
10. If the student/s had been found guilty of the charges the Vice-Chancellor shall refer the same to the Board of Discipline (BOD) to determine the punishment within the scope of the Schedule II.
11. On receipt of the determination of the punishments by the BOD, the Vice-chancellor shall immediately place it before the Council for ratification.
12. Thereafter, the decision shall be conveyed to the student/s under registered post and where possible shall be hand-delivered.
13. Any appeal made by the student/s against the decision to punish the student/s shall be made to the Vice-Chancellor within 14 days from the receipt of the decision.

Appeals Procedure

1. Any appeal made by the student/s against the decision to punish the student/s shall be made to the Vice-Chancellor.
2. The Vice-Chancellor shall place such appeal/s before the next immediate meeting of the Council.
3. The Council shall appoint an Appeals Committee consisting of 3 of its members for this purpose. The Appeals Committee shall elect its Chairman. The Registrar shall be the Secretary to the Appeals Committee.
4. The Appeals Committee of the Council shall consider all appeals and submit a report to the Council within two weeks from the receipt of the appeal by the Committee.
5. The members of the Disciplinary Committee relating to the appeal in question, shall not participate in the proceedings of the Council (if they are members of the Council) when it considers the report of the Appeals Committee.
6. The Council shall have the power to vary the decision taken on the disciplinary action against the student/s based on the recommendation of the Appeals Committee. The decision of the Council on the appeal by the student shall be final.
7. The Vice-Chancellor shall communicate the decision of the Council to the appellant student/s a under registered post. The decision so communicated shall be final and conclusive.

Schedule II

Offences	Recommended Maximum Punishment
<p>i. Refuses or neglects to produce the Student Identity Card when called upon to do so by the VC, DVC/Rector any other officer, any member of the Academic Staff or Administrative Staff or Security Staff or any other authorized by the VC/Rector.</p> <p>Explanation Any student who refuses to produce the student identity card on request shall be deemed to be a trespasser and may also be dealt with in accordance with the normal Laws of the land.</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension from the University/Campus for a period not exceeding one calendar year depending on the gravity of the offence and withholding of examination results or certificate as appropriate. Or b. severe warning by the VC/Rector with a record of same in the personal file of the student
<p>ii. Violates the By-Laws on University/Campus Residence Facility (RF).</p>	<p>Recovery of cost incurred by the University/Campus as a result of violating, any by-laws, and considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension from the University/Campus for a period not exceeding one calendar year and withholding of examination results or certificates as appropriate and /or b. denial of RF in the future or c. Severe warning by the VC/Rector with a record of same in the personal file of the student. <p>The above punishments may be in addition to any other punishments that may be imposed for violation of any other By-Laws of the University.</p>
<p>iii. Destroys, damages, defaces, alienates, misuses or unlawfully appropriates to himself any property of the University/Campus or any property in the custody of the University/Campus or held temporarily by the University/Campus.</p>	<p>A fine equivalent to 3 times of the replacement value or cost of misuse plus 25% of such value or cost, and considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. expulsion from the University/Campus or b. suspension from the University/Campus for a period of two calendar years and withholding of examination as appropriate
<p>iv. Contravenes any By-Law, Regulation or Rule</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension from the University/Campus for a period not exceeding one calendar year depending on the gravity of the offence and withholding of examinations as appropriate or b. Severe warning by the VC/Rector with a record of same in the personal file of the student.

<p>v. Refuses to carry out any lawful order issued by the VC, DVC/Rector, any other officer, a member of the Academic or Administrative or Security Staff or any other employee or any other person authorizes by the VC/Rector</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension from the University/Campus up to a period not exceeding one calendar year depending on the gravity of the offence and withholding of examination results or certificate as appropriate or b. Severe warning by the VC/Rector with a record of same in the personal file of the student.
<p>vi. Furnishes the University/Campus with false information in relation to any matter in respect of which the University/Campus is entitled to true particulars which in the opinion of the VC/Rector, is calculated to mislead the authorities of the University/Campus</p>	<ul style="list-style-type: none"> a. Expulsion from the University/Campus for falsification of documents or b. Suspension from the University/Campus for a period of one calendar year and withholding of examination results or certificate as appropriate, In other instances. or c. Severe warning by the VC/Rector with a record of same in the personal file of the student.
<p>vii. Smelling of liquor or under the influence of or in possession of intoxicant, liquor, narcotic or other addictive drug, consuming or supplying liquor, narcotic, addictive drug or gambling within the precincts of the University/Campus.</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension from the University/Campus for a period not exceeding two calendar years and/or withholding of examination results or certificate as appropriate or b. Severe warning by the VC/Rector with a record of same in the personal file of the student.
<p>viii. Possessing or storing or carrying or using arms, weapons and/or any other substance with the intention of causing harm to persons or property within the precincts of the University/Campus.</p>	<ul style="list-style-type: none"> a. Expulsion from the University/Campus for being in possession or storing or using arms and weapons within the precincts of the University/Campus or b. Suspension for three calendar years and/ or withholding of examination results or certificates as appropriate for being in possession or storing or carrying any other substance with the intention of causing harm to persons or property.
<p>ix. Engages in such activities as are likely to disrupt the conduct of registration, teaching study, research or examinations in the University/Campus or in the administration of the University/Campus or obstructs an event organized by the University/Campus within or outside its premises or obstructs or disrupts any other authorized event held within the University/Campus premises.</p>	<p>Suspension up to one calendar year and /or withholding of examination results or certificates as appropriate and recovery of monetary damages as a result of obstruction or disruption</p>

<p>x. Obstructs or harasses any officer member of the academic or administrative staff, any other employee of the University/Campus or any other authorized person in the performance of his duties.</p>	<p>Suspension for two calendar years and withholding of examination results or certificates as appropriate.</p>
<p>xi. Prevents or obstructs any student in carrying out his studies or research or disrupts any legitimate activities of a recognized student society/association/union</p>	<p>Suspension for one calendar year and withholding of examination results or certificates as appropriate</p>
<p>xii. Occupies or uses any property of the University/Campus otherwise that in accordance with rules or other provisions made by the University/Campus from time to time, or without the authority of the VC/Rector or the relevant member of staff.</p>	<p>Suspension for one calendar year and withholding of examination results or certificates as appropriate</p>
<p>xiii. Conducts himself in a manner which, in the opinion of the VC/Rector, is detrimental to the good name of the University/Campus or to the maintenance or order and discipline within the University/Campus.</p>	<p>Considering the gravity of the offence,</p> <ol style="list-style-type: none"> a. suspension from the University/Campus for a period not exceeding two calendar years depending on the gravity of the offence and withholding of examination results or certificate as appropriate or b. severe warning by the VC/Rector with a record of same in the personal file of the student
<p>xiv. a. Abuse/harassment (including any form of ragging/molestation) sexual harassment and/or intimidation whether physical or mental of any student of the University, VC, DVC/Rector, any other officer member of the academic or administrative staff, any other employee or any other person authorized to be within or outside the premises of the University/Campus or at an event organized by the University/Campus.</p>	<p>Considering the gravity of the offence,</p> <ol style="list-style-type: none"> a. Expulsion from the University/Rector or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. severe warning by the VC/Rector with a record of same in student's personal file
<p>b. Display of posters in the University/ Campus premises by any student or students, which are intimidating or defamatory of the University, VC, DVC/Rector, other officer, member of the Academic or Administrative staff or any other employee of the University/Campus</p>	<p>Considering the gravity of the offence,</p> <ol style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or

	<ul style="list-style-type: none"> d. severe warning by the VC/Rector with a record of same in student's personal file
<p>xv. Causing of physical injury or physical harm or threatens to cause same to any student of the University/Campus, VC/Rector, any other officer, member of the academic or administrative staff, any other employee of the University/Campus or any other person authorized to be in the premises of the University/Campus or at an event organized by the University/Campus</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. severe warning by the VC/Rector with a record of same in student's personal file
<p>xvi. Kidnapping, Hostage taking attempt to kidnap, or threatening to take hostage or kidnap VC, DVC/Rector, other Officer, member of the academic or administrative staff, any student of the University/Campus, an employee, or any other person authorized to be in the premises of the University/Campus or at an event organized with the authority of the University/Campus within or outside its premises.</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. Or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. Severe warning by the VC/Rector with a record of same in student's personal file.
<p>xvii. Inciting of students to disrupt legitimate activities of the University/Campus</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. severe warning by the VC/Rector with a record of same in student's personal file
<p>xviii. Any student who has stolen or attempted the theft of property within the University/Campus premises or has retained stolen property belonging to the University/Campus or has caused willful damage to University/Campus property or to</p>	

<p>property of an officer, member, of the academic or administrative staff, an employee or a student of the University/Campus of any other person authorized to be in the premises of the University/Campus or at an event organized with the authority of the University/Campus within or outside its premises.</p>	
<p>(1). Theft.</p>	<p>Considering the gravity of the offence, a fine equivalent to the replacement value plus 25% of such value and,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. Severe warning by the VC/Rector with a record of same in student’s personal file.
<p>(2). Willful damage</p>	<p>Considering the gravity of the offence, a fine equivalent to the replacement value plus 25% of such value and,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or d. Severe warning by the VC/Rector with a record of same in student’s personal file.
<p>(3). Attempted theft</p>	<p>Fine to be recommended by the committee to impose punishments and</p> <ul style="list-style-type: none"> a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or b. Severe warning by the VC/Rector with a record of same in student’s personal file.
<p>(4). Retaining stolen property</p>	<p>Return the property and a fine to be recommended by the committee to impose punishments</p>

<p>xix. Violation of time limits for staying within the University/Campus premises or seeks entry to the University/Campus without authorization of the VC/Rector or any other relevant member of staff authorized by the VC/Rector, before or after the designated times or as specially notified by the VC/Rector.</p>	<p>Severe warning by the VC/Rector with a record of same in student's personal file.</p>
<p>xx. Offers any gratification to any employee of the University/Campus as inducement or reward for that University employee's performing or abstaining from performing any official act, or expediting, hindering or preventing the performance of any official act by that University/Campus employee or by any other University/Campus employee.</p>	<p>Considering the gravity of the offence, a. Expulsion from the University/Campus or b. suspension for a period not less than six months and not exceeding two calendar years and withholding of examination results or certificate as appropriate</p>
<p>xxi. Convening of meeting/s of a group of students, any society or association or union which has not been recognized by the University/Campus or without prior approval of the University/Campus or displaying or distributing publications/posters at the University/Campus without authorization of the VC/Rector or any other person authorized by the VC/Rector</p>	<p>Considering the gravity of the offence, a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or severe warning by the VC/Rector with a record of same in student's personal file</p>
<p>xxii. Establishing or assisting in establishing any society or association or union except as provided for in the relevant Section of the Universities Act No 16 of 1978 as amended and/or without following the authorized procedure in that regard.</p>	<p>Considering the gravity of the offence, a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or b. severe warning by the VC/Rector with a record of same in student's personal file</p>
<p>xxiii. Failure to comply with the rules and regulations made by the University/Campus on the conduct of affairs of any society/association/union.</p>	<p>Considering the gravity of the offence, a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or b. severe warning by the VC/Rector with a record of same in student's personal file</p>
<p>xxiv. Convening any meeting or participating in any meeting of students in the precincts of the University contrary to the constitution of the relevant society/association/union.</p>	<p>Considering the gravity of the offence, a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or b. severe warning by the VC/Rector with a record of same in student's personal file</p>
<p>xxv. Distributing and/or displaying and/or publishing materials using print/audio/video/electronic media/ any other</p>	<p>Considering the gravity of the offence,</p>

<p>mode of communication, which are defamatory and/or abusive of any recognized society/association/union or VC, Deputy VC/Rector any officer/member of the academic or administrative staff, an employee, student of the University or any other person 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.</p>	<ul style="list-style-type: none"> a. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or b. suspension for a period not exceeding one calendar year and withholding of examination results or certificate as appropriate or c. severe warning by the VC/Rector with a record of same in student's personal file
<p>xxvi. Defacing or mutilating property belonging to the VC, Deputy VC/Rector any other officer, member of the academic or administrative staff, an employee, student of the University/Campus or any other person authorized to be present within the premises of the University/Campus or at an event organized with the authority of the University/Campus within or outside its premises</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholding of examination results or certificate as appropriate or d. severe warning by the VC/Rector with a record of same in student's personal file
<p>xxvii. Inviting from outside the University/Campus, as a student of or on behalf of or at the request of students of the University/Campus, any speaker to address students, or any outside person for any purpose within the University/Campus, without the prior approval in writing of the VC/Rector or other teacher or officer designated for this purpose by the VC/Rector.</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or b. Severe warning by the VC/Rector with a record of same in student's personal file.
<p>xxviii. Arranging or organizing any collection of money or goods in the name of the University/Campus in the precincts or outside the University/Campus without the prior approval in writing of the VC/Rector or other teacher or officer designated for this purpose by the VC/Rector.</p>	<p>Considering the gravity of the offence,</p> <ul style="list-style-type: none"> a. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or b. suspension for a period not exceeding one calendar year and withholdings of examination results or certificate as appropriate or c. Severe warning by the VC/Rector with a record of same in student's personal file.
<p>xxix. A student who has received three warnings within a period of 12 calendar months.</p>	<p>Suspension for a period of 12 months from the date of the last warning.</p>
<p>xxx. Failure to adhere to the severe warning</p>	<p>Suspension for one academic year</p>

xxx. A student under suspension committing a further offence	Expulsion or a further period of suspension depending on the gravity of the offence
xxxii. Publication of notice, posters within the University/Campus premises without the permission of authorities	Suspension for three calendar months
xxxiii. Selling of Newspapers/periodicals or distributing of handbills within the University premises without approval of the VC/Rector.	Suspension for three calendar months
xxxiv. Communicating with higher authorities without going through the VC/Rector.	Suspension for one academic year.
xxxvi. A student who has received three warnings within a period of 12 calendar months	Suspension for a period of 12 months from the date of the last warning
xxxvii. Failure to adhere to the warning	Suspension for one academic year.
xxxix. Unauthorized or improper use of University/Campus computer system/network	Considering the gravity of the offence, a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholding of examination results or certificate as appropriate or d. severe warning by the VC/Rector with a record of same in student's personal file
xl. any other offence or act of indiscipline not explicitly stated in the Schedule II	Considering the gravity of the offence, a. Expulsion from the University/Campus or b. Suspension for two calendar years and withholding of examination results or certificates as appropriate. or c. suspension for a period not exceeding one calendar year and withholding of examination results or certificate as appropriate or d. Severe warning by the VC/Rector with a record of same in student's personal file.

**Prohibition of Ragging and Other Forms of Violence in
Educational Institutions Act, No.20 Of 1998**



**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF
SRI LANKA**

**PROHIBITION OF RAGGING AND OTHER FORMS OF VIOLENCE IN
EDUCATIONAL INSTITUTIONS ACT, No.20 OF 1998**

[Certified on 29th April, 1998]

Printed on the Order of Government

**Published as a Supplement to Part II of the Gazette of the
Democratic Socialist**

Republic of Sri Lanka of April 30, 1998

**PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING,
SRI LANKA**

**TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS
BUREAU. COLOMBO I**

Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

[Certified on 29th April. 1998]

L.D.— 0.7198.

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: -

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

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 an educational institution (in this section referred to as "the victim ") or to the person, reputation or

2. Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

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.

3. Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

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 be 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 institutions.

Bail.

9. (1) A person suspected or accused 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.

4. Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

- (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,

Offences under this Act deemed to be cognizable offences.

by or before any court of any offence under subsection (2) of section 2 or section 4 of this Act.

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 1919, notwithstanding anything contained in the First Schedule to that Act.

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 a 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

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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
 - (b) 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 the Penal Code Ste

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.

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 hearing of any appeal from the conviction of any person for any such offence and any sentence imposed on such conviction.

Sinhala text to prevail in case of inconsistency

16. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Interpretation

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;

6. Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

“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 Bhikkhu University. established by the Buddha Sravaka Bhikkhu ‘Universities 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. 28 of 1985:
- (j) a College of Education established by the Colleges of Education Act. No.30 of 1986. Or a Government Training College;

7. Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998

(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-chancellor, 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;

