

UNIVERSITY OF MORATUWA, SRI LANKA



**BY-LAW**  
**FOR THE**  
**RESIDENCE AND DISCIPLINE OF STUDENTS**

AT THE

**INSTITUTE OF TECHNOLOGY, UNIVERSITY OF MORATUWA**

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Prepared under Section 135(1) (d) of the Universities Act, No. 16 of 1978 as amended by Universities Act, No. 07 of 1985.

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# INSTITUTE OF TECHNOLOGY UNIVERSITY OF MORATUWA

## BY-LAW FOR RESIDENCE AND DISCIPLINE OF STUDENTS

[Prepared under Section 135(1) (d) of the Universities Act, No. 16 of 1978 as amended by Universities Act, No. 07 of 1985]

### Definitions and Interpretations

The following definitions and interpretations are given to reduce ambiguities in implementing this By-Law.

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

*Institute* means the Institute of Technology, 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.

*Deputy Registrar* means the Deputy Registrar of the Institute or an appointee.

*Chief Security Officer* means the Chief Security Officer or Officer-in-Charge of the Security Staff on duty on his/her behalf.

*Board of Residence and Discipline* (also *BRD*) means the Board of Residence and Discipline of the Institute appointed under this By-Law.

*Division* means the Division of Study of the Institute.

*Academic Year* means the academic year decided by the Board of Studies from time to time.

*Institute Student Organization* means a group of student(s)/ a student body recognized by the Institute as a society, and formed for a specific purpose (club, Union, association etc.).

*Student(s)* means a person who has been registered, admitted or accepted to in any programme, activity or a course offered by the Institute

*Visitor* means any person other than an employee, a member of a statutory body, or a legitimate student(s) of the Institute, or any other person carrying out his/her legitimate business within the Institute premises.

*Residence* means residing within the Institute premises during any part of the day whether it is for the purpose of study in a prescribed course, use of the Library and/or any other facility, and/or occupying the institute hostel as a legitimate student.

The terms in the masculine also includes the feminine.

The terms in the singular form includes the plural form where relevant.

## **1.0 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 Board of Management, as prescribed by By-Law No. ITUM/01.
- 1.1.2 All student(s) shall obtain leave of absence for compelling reasons, as specified in the Performance Criteria of the Institute.

### **1.2 Attire/dress code**

- 1.2.1 The student(s) are required to be properly attired 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 identification of the student(s) during their residence in the Institute.

### **1.3 Residence within Institute premises**

- 1.3.1 Any Student(s) who contacts a contagious disease shall immediately contact the Institute Medical Officer, and strictly follow his/her advice. Unless otherwise, advice shall be obtained from a qualified Medical Officer and report to the Institute Medical Officer as soon as possible (see also Performance Criteria of the Institute).
- 1.3.2 Student(s) who are residents of the Institute hostel are required to fully adhere to the Rules of Residence issued by the Warden from time to time.
  - (a) All student(s), except as provided for in clause 1.3.2(b) and 1.3.2(c) mentioned below, are required to vacate the premises of the Institute by 2200 hours (or at any other time notified by the Director), and are not allowed to enter the premises till after 0500 hours.
  - (b) All Students who are residents in a hostel within the Institute premises can remain within the hostel premises even after 2200 hours, but shall not leave the Institute premises or enter unauthorized areas for students in the Institute premises designated by the Institute administration.
  - (c) A Student(s) who is a resident of the Institute hostel and who wishes to gain access to the hostel after 2200 hours should produce his/her Institute Identity Card/Record Book and place his/her signature against his/her name and the registration number in a late arrival log book maintained by the Security Staff.
- 1.3.3 The Student(s) shall obtain prior approval from the Director to engage in a specific activity within the authorized areas in the Institute premises after 2200 hours for a specified duration, with the recommendation of the Head of Division or the Chief Student Counselor.
- 1.3.4 No student(s) shall enter unauthorized areas of the Institute designated by the administration including the staff housing area or use facilities or equipment or property of the Institute unless prior approval has been taken.
- 1.3.5 No student(s) shall entertain visitors within the Institute premises, unless approval of the Chief Security Officer or prior permission from the Director has been obtained. Resident students are accountable for any and all violations of any rule stipulated for residents by the Institute, their visitors may commit while visiting them.

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

The Student(s) shall produce the Student(s) Identity Card/ 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 respective Head of Division or the Director.

## **1.5 Entry and Exit to and from the Institute**

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

## **2.0 Conditions of Discipline**

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

- (a) No Club, Union, or any other Association of student(s) shall operate within the Institute unless such student body is registered with the Institute, as provided for, in the Universities Act, No. 16 of 1978 as amended by the Universities (Amendment) Act, No. 07 of 1985.
- (b) An Institute Student(s) Organization shall be governed by the provisions of the Universities Act, No. 16 of 1978 as amended by the Act, No. 07 of 1985 and the By-Laws framed under the same for the specified purpose.
- (c) An Institute Student(s) Organization shall comply with the rules and regulations made by the Institute on the conduct of affairs of any society/association/union.

### **2.2 Public meeting**

For the purpose of this section a public meeting may be a gathering of five or more students with or without a fee being charged.

- (a) No public meeting shall be held by any student(s), Institute Students Organization in the Institute premises except with the prior permission of the Director, except as provided in clause 2.2(c) below. Permission shall be obtained in a manner prescribed by a notice from time to time.
- (b) The Director shall designate the place and the 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 Director.
- (c) Conducting meetings of academic nature shall be permitted by the Director through delegation of authority to the respective Head of Division.
- (d) Conducting, addressing or participating unauthorized meetings, displaying posters, banners, cut-outs or any other medium of communication in connection with such meetings, shall be considered an act of indiscipline and those responsible shall be liable for punishment.

## **2.3 Collection of funds**

- (a) Unless prior approval of the Director has been obtained, no subscriptions shall be collected from among the student(s) of the Institute by any student(s), any Institute Student(s) Organization provided that this regulation shall not apply to a subscription collected by an Institute Student(s) Organization in accordance with and for the purpose of its rules.
- (b) Any student(s) or Institute Student(s) Organization authorized to collect funds for purposes other than that provided for in Section 2.3(a) above, should within two weeks of the permitted day of collection submit to the Deputy Registrar a Statement of Accounts and shall also immediately deposit the funds collected in an authorized Account. Failure to comply with the above requirement shall be considered a punishable offence under Section 07 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 collection of funds by the student(s) through the sale of raffle tickets, flags and or any other object, using electronic media or any other similar way.
- (c) Any student(s) or Institute Student(s) Organization that is authorized by the Director, is subjected to the other terms and conditions in Section 2.3(b), when raising funds through external sources as the Director shall deem fit.

## **2.4 Posters, newspapers and handbills**

- (a) No notice, poster or other publication shall be displayed in any place other than the authorized places in the Institute for such purpose.
- (b) No notice, poster or publication shall be displayed elsewhere in the Institute by any student(s), Institute Student(s) Organization except as follows:
  - when the permission has been granted by the Director; or
  - when an Institute Student(s) Organization collects funds for the purpose of its rules; or
  - by an Institute Student(s) Organization in connection with an election held by it at such places as shall be authorized by the Director; or
  - in a place which has been specifically provided in the Institute premises, for the purpose.
- (c) The date and the name of the responsible Organization should be notified when a poster, a notice or a publication is displayed/ circulated.
- (d) Posters belonging to an Institute Student(s) Organization, can be recognized as valid notices only if that Society has met legitimately and taken a majority decision at a meeting to have the poster.
- (e) No newspaper or periodical shall be sold or distributed on the Institute premises except with the written permission of the Director.
- (f) No handbill shall be distributed on the Institute premises except with the written permission of the Director.

### **3.0 Communication**

3.1 No communication shall be made or addressed by a student(s) or an Institute Student(s) Organization except through the Director, to:

- (a) the Board of Management or any member of the Board of Management,
- (b) the Vice-Chancellor,
- (c) 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.
- (d) any University Authority or any member of such an authority, in respect of the functions of that Authority; or
- (e) any officer or authority or member of an authority of the Government of Sri Lanka, in respect of any matter affecting the Institute.
- (f) any external Agency

on matters relating to the Official activities of the Institute.

3.2 No communication shall be made to any external Agency, Press, or any electronic Media, which shall bring the Institute into disrepute by any student(s), an Institute Student(s) Organization or any other Association, as coming from the Institute 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) 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, committed or attempted to commit by student(s) or Student(s) Organization within the Institute premises or otherwise shall be considered acts of indiscipline.

#### **4.1 Harassment**

4.1.1 Abusing, including any form of ragging or molestation, sexual, physical, mental, verbal, written or any other harassment, by act(s) or omission(s) including those using any form of electronic mode or social or mass media to any student(s) of the Institute, any officer, any member of the academic or the administrative staff, any other employee(s) or any other person(s) authorized to be within or outside the premises of the Institute or at an event organized by the Institute or any attempt to do such act morefully described herein and or intimidation of student(s).

4.1.2 Forcing, a student(s) to wear a specific type of clothing, compelling a student to change physical appearance or forcing to consume alcohol or any other intoxicating substance.

4.1.3 Obstructing any officer, any member of the academic, or the administrative staff, any other employee of the Institute or any other authorized person 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 the right to proceed in the performance of his/her duties or any attempt to do such act morefully described herein.

- 4.1.4 Intimidation shall also include displaying posters, notices or circulating publications in the Institute premises by any student(s) and calling for boycotting lectures or strike action.
- 4.1.5 Causing physical injury, or threatening to cause same or threatening to life of any fellow student(s) of the Institute, any officer(s), member(s) of the academic or the administrative staff, any other employee(s) of the Institute or any other person(s) authorized to be in the premises of the Institute at an event organized by the Institute or attempting to do such act morefully described herein.
- 4.1.6 Possessing or storing or carrying or using arms, weapons and or any other injurious substance, and inflicting injury and or threatening or vandalizing property within the premises of the Institute or any attempt to do such act morefully described herein.
- 4.1.7 Kidnapping, attempting to kidnap, taking Hostage, or threatening to take hostage or kidnapping any Officer, any member of the academic or the administrative staff, any student(s) of the Institute, an employee, or any other person authorized to be in the premises of the Institute or at an event organized with the authority of the Institute 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 Institute constitutes a grave act of indiscipline.
- 4.2.2 Engaging in such activities that are likely to disrupt conduct of registration, teaching, study, research or examinations in the Institute or in the administration of the Institute or obstructing an event organized by the Institute within or outside its premises or obstructing or disrupting any other authorized event held on Institute premises.
- 4.2.3 Preventing or obstructing any student(s) in carrying out his/her studies or research or disrupting any legitimate activity of a recognized Institute Student(s) Organization.
- 4.2.4 Violating the right of mobility of any student(s) or an employee(s) within the premises of the Institute.
- 4.2.5 Driving, riding or parking a vehicle(s) within the Institute premises in a manner that prevent, obstruct or violate the freedom of movement of any student(s) or an employee(s) within the premises of the Institute.

## **4.3 Damage to property of the Institute**

- 4.3.1 Stealing or attempting to steal property of the Institute or being in possession of stolen property belonging to the Institute or causing willful damage to Institute property or to property of an officer, a member of the academic or administrative staff, an employee or a student(s) of the Institute or any other person authorized to be in the premises of the Institute or at an event organized with the authority of the Institute within or outside its premises.
- 4.3.2 Destroying, damaging, defacing, alienating, misusing or unlawfully appropriating to herself/himself any property of the Institute or any property in the custody of the Institute or held temporarily by the Institute.
- 4.3.3 Occupying or retention or being in possession or using any property of the Institute other than in accordance with the rules or the other provisions made by the Institute from time to time, or without the authority of the Director or the relevant member of staff.



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

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

4.4.1 No student(s) shall disrupt an academic staff member(s) of the Institute in carrying out his/her legitimate teaching duties which shall cause to suspend any student(s) from a lecture, a practical session, a demonstration, a tutorial class or a test, but shall in every such case report such action to the respective Head of the Division who shall then report same to the Director immediately.

4.4.2 The Director shall at his/her own discretion shall take disciplinary action 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) affecting healthy and safe working environment at all sites and facilities shall be punishable under this By-Law.

#### **4.6 Offences related to alcohol, tobacco or any other intoxicating substance and gambling**

4.6.1 Smelling of alcohol and/or being under the influence of and/or being in possession and/or transportation and/or consumption of alcohol, tobacco and/or, any beverage which consists of alcohol or any other intoxicating substance within the precincts of the Institute.

4.6.2 Being present with a student(s) and/or persons under the consumption of alcohol, tobacco and/or any beverage which consists of alcohol or any other intoxicating substance.

4.6.3 Transporting, being in possession and consumption of alcohol, tobacco and/or any beverage which consists of alcohol and/or any other intoxicating substance within the Institute 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 offence.

4.6.4 Presence within the Institute premises, or any place where an official function of the Institute is conducted or at an event sponsored by the Institute (such as a Survey Camp, Field visits) or while commuting for such activity while being under the influence of alcohol or any other intoxicating substance is a serious offence.

4.6.5 Gambling is strictly prohibited within the Institute premises

#### **4.7 Degradation of environment**

4.7.1 Any student(s) who brings animals to the Institute premises and/or assists or facilitates animals entering the Institute premises shall be guilty of a punishable offense.

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

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

4.7.4 Generating loud or disturbing sounds such as but not limited to yelling, stereos, television, video games, basses, musical instruments, etc., which interfere with others ability to sleep, study or work is considered a serious offence.

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

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

#### **5.0 Discipline**

5.1 Failure to obey 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 Director is a punishable offence.

5.2 Furnishing the Institute with inaccurate information, written documents with forged signatures and fake seals, concealing information including self-identification and misleading the authorities of the Institute is a punishable offence.

#### **6.0 Procedure for conducting an inquiry against reported acts of indiscipline**

##### **6.1 Reporting an act of indiscipline**

6.1.1 Any person employed in the Institute or any student is entitled to report to the Marshal or Chief Security Officer any act committed by any registered student(s) of the Institute, which has come to his/her knowledge and which shall be categorized as an offense liable to 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 Director.

##### **6.2 Out of Bound Declaration**

6.2.1 The Director in accordance with the provisions in this section, shall declare the Institute premises out of bounds to a student(s) who is reported to have violated any of the provisions of this By-Law or against whom a disciplinary inquiry or a criminal case is pending or who is a subject of a Police investigation for a prescribed period of time.

6.2.2 Declaration of the Institute out of bounds to a student(s) (hereinafter called 'OUT OF BOUND DECLARATION') under this section(s) shall mean suspension from attending lectures or accessing the Institute premises and participation in any activity in the Institute provided however that the Director shall at his discretion considering a written request permit such a student(s) to enter the Institute for a specific purpose. Such a student should be under the observation of a security officer while he/she in the precinct of Institute.

6.2.3 The out of bounds declaration shall include other reasonable conditions as the Director deems fit.

6.2.4 The out of bounds declaration under this clause shall not be considered a punishment. The purpose of this declaration under the provisions of this clause is to protect the members of the

Institute Community in general or a particular member or members, and this power shall be used only when the Director is of the opinion that it is necessary to take such action. Written reasons for the decision shall be 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 Marshal or Chief Security Officer, or Security Inspector or a person appointed as deem fit by the Director, in the presence of the Deputy Registrar. Where for any reason it appears to the Director 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 Marshal or Chief Security Officer shall forward the written report to the Director 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 Director 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 shall be reviewed within five working days of such declaration.
- 6.2.7 The Director 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 The student(s) who have been issued the Out of Bound declaration under this Section shall be given the opportunity to sit for any internal examination conducted by the Institute under protest with the approval of the Director.

### **6.3 Preliminary Investigation**

- 6.3.1 The Director shall appoint a Committee of Inquiry to carry out a preliminary investigation which consists such number of members as decided by the Director (including any person outside the Institute 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 Director shall impose a minor punishment morefully described in the second schedule hereto considering the nature and or the gravity of the offence without referring the matter to a Preliminary Investigation.
- 6.3.3 The Director shall appoint a chairperson from amongst the members of committee of inquiry.
- 6.3.4 The quorum of such Committee of Inquiry shall be two thirds of its members.
- 6.3.5 A preliminary investigation is merely a fact finding process. It shall involve the recording of statements from witnesses and a search for any information or evidence.
- 6.3.6 Preliminary investigations should be completed and the report to be furnished to the Director 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 Institute from holding a domestic inquiry against them.
- 6.3.8 Any Committee of Inquiry appointed for the preliminary investigation by the Director shall have power to summon any student(s) of the Institute to render whatever assistance needed to inquire on the matters pertaining to the provisions of the By-Law. Any student(s) who act in contravention 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 the preliminary investigation which have been used to frame charges against the student(s).

6.3.10 The Director 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 Director as the case shall be, will furnish him/her with a Charge sheet and call upon him/her to show cause why he/she should not be punished.

6.4.2 If the suspect student(s) admits that he/she is guilty, the findings of the preliminary investigation shall be immediately reported to the Board of Residence and Discipline by the Director for the recommendation of appropriate punishment and the Director under the direction of the Vice Chancellor shall thereafter impose same on the guilty student(s).

6.4.2 The Charge sheet need not take a format. All that is required is a clear and simple statement of the acts or omissions committed by the offenders. 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 Director and shall be served on the student(s) respondent/s individually requesting to send a reply to the Director in writing within the period specified therein.

6.4.4 The period specified shall be fourteen days from the date of issuing the Charge sheet. In exceptional circumstances as decided by the Director shall be given more than fourteen days but less than twenty one days.

#### **6.5 Committee of Formal Inquiry**

6.5.1 Each student(s) who has been served with a charge sheet and reported to have violated any provision of this By-Law shall be given an opportunity to be heard before a Committee of Formal Inquiry appointed by the Director. The said Committee shall consist of the same members who conducted the Preliminary Inquiry unless the Director appoints a different committee to that of the Preliminary Investigation committee at his/her discretion.

6.5.2 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 Director in writing within two working days of the completion of the hearing. However, the Director shall extend the above time period as necessary in exceptional situations.

6.5.3 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 defense and call any witnesses for the defense with the consent of the Chairperson of the Committee.

6.5.4 The Committee of Inquiry shall have the power to summon any witness required by the plaintiff and by the defendant.

6.5.5 Any Committee of Inquiry appointed by the Director shall have power to summon any student(s), any staff of the Institute as the case shall be to render whatever assistance needed to conduct inquiries on matters pertaining to the 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 and Discipline by the Director for the recommendation appropriate punishments for those who found guilty, and the Director under the direction of the Vice Chancellor shall thereafter impose the same on the guilty student(s).

## **7.0 The Board of Residence and Discipline (BRD)**

### **7.1 Constitution of the Board of Residence and Discipline**

- 7.1.1 A Board of Residence and Discipline, appointed by the Director shall be constituted to deal with the matters pertaining to the conditions of residence and discipline. This Board shall consist of the following members:

All Heads of Divisions of ITUM  
Chief Student Counsellor  
Two members nominated by the Vice-Chancellor  
Hostel Warden  
Institute Medical Officer  
Marshal  
Deputy Registrar who shall serve as the Secretary and Convener of the Board.

- 7.1.2 The Director shall nominate the Chairperson of the board.
- 7.1.3 The Director may appoint any external person to the BRD at the request of the Chairman of the BRD
- 7.1.4 The quorum shall be two thirds of its members.
- 7.1.5 Any of the above members of the BRD who have been appointed to serve in a Committee of Inquiry as per Section 6.5.1 shall not be present at that particular meeting, in which 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 Director under the direction of 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 BRD shall have the power to vary the recommendation taken on the disciplinary action against the student(s) made by the Committee of Inquiry.
- 7.2.3 The BRD shall have power to vary the decision taken on the disciplinary action against the student(s) on the basis of the recommendation of the Appeals Committee (Section 12.3). The decision of the BRD on the appeal by the student(s) shall be final.
- 7.2.4 The Director under the direction of the Vice Chancellor shall communicate the decision of the BRD to the appellant student(s) under the registered post.
- 7.2.5 Notwithstanding any of the preceding provisions of the By-Law, the Director shall take whatever action that he/she considers necessary, but shall report such actions to the BRD which shall recommend further action as shall be necessary.

## **8.0 Procedure for summary punishment**

8.1 Where upon consideration of the Report of the Preliminary Inquiry, if the Director deems fit he/she shall impose a minor punishment for an offence which does not warrant a punishment more severe than those listed under the minimum in the First Schedule of this chapter, provided that the accused student(s) shall know the case against him/her and shall be given an opportunity of making his/her defense.

## **9.0 Record of punishments**

9.1 The Deputy Registrar of ITUM shall maintain a register of all inquiries and related matters of each incident in connection with the operation of this By-Law.

## **10.0 Special provisions**

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

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

## **11.0 General provisions**

11.1 Notwithstanding any provisions in the preceding Sections of this By-Law, any Rule, Regulation, Statute, Order, Ordinance, 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 Director under the direction of the Vice Chancellor may take action against any act of indiscipline which is not stipulated in this By-Law to maintain discipline in the Institute.

11.3 The Director shall order the withhold of either examination results or and issuing of the transcript or Diploma certificate and/or participation in the Award Ceremony or any other event of a suspect student if the inquiry against him/her is pending, however the investigation shall be reviewed, extended or withdrawn monthly as the case shall be.

11.4 When an act or omission is done by a group of 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 First Schedule hereto.

11.6 Disruption or interference with the orderly conduct during an investigation or inquiry process shall be an offence punishable under the First Schedule hereto.

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

11.8 Defiance of punishments shall be an offence punishable under the First Schedule hereto.

11.9 Acting in a manner that is or may be detrimental to reputation, dignity, interest, or welfare of the institute shall be punishable under 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 through the Director.

12.2 The Director under the direction of Vice Chancellor shall place such an 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 three 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 Director shall place such appeals before the same Committee of Inquiry appointed by him/her.

12.4 The Committee of Inquiry referred above shall submit the Report of such Appeal to the Director within the least possible delay. The Director shall cause the said Report be placed before the next immediate meeting of the BRD.

12.5 The decision of the BRD shall be informed to the Director, subsequently the Director with the direction of the Vice Chancellor shall inform the same to the student(s) concerned with the least possible delay.

## **13.0 Punishments**

13.1 The list of minimum and maximum punishments for 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 disciplinary action is given in the Second Schedule hereto.

## **14.0 Warning**

Notwithstanding the provisions in any preceding section, the Director 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 in the event of failure to submit an acceptable reply, the Director shall impose a punishment without recourse to a Committee of Inquiry or reference to the BRD.

## **15.0 Regulations and revisions**

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

15.2 Any amendment to the By-Law shall be in operation only after approval for such submissions by the Board of Management is granted by the Council.

## **16.0 Interpretations in respect of this By-Law**

Any interpretations regarding this By-Law shall be effective only after approval for such submissions by the Board of Residence and Discipline is granted by the Board of Management whose decision thereon shall be final.

## FIRST SCHEDULE

The list of offences and the corresponding minimum and maximum punishment for the same is given in the following schedule.

	Offence	Minimum	Maximum
		Considering the gravity of the offence	
1.	Section 1.1 Academic Activities Offences under	<i>Academic by-law</i>	
2.	Section 1.2 Attire/dress code	Issuance of a reprimand	Suspension from the Institute for a period not exceeding one month.
3.	Section 1.3 Residence within Institute premises	<p>1<sup>st</sup> offence: Issuance of a reprimand</p> <p>Subsequent offence:</p> <ol style="list-style-type: none"> <li>1. Suspension for one week and/or withdrawal from hostel residence (Sec. 1.3.2 (a)).</li> <li>2. withdrawal hostel residence (Sec. 1.3.2 (b) and (c)).</li> </ol>	<p>Suspension from the Institute for a period not exceeding one academic semester and withholding examination results or issuing certificates as appropriate and /or denial of residence facility in the future</p> <p>The above punishments may be in addition to any other punishments that may be imposed for violation of any other By-Law of the Institute.</p>
4	Section 1.4 Non-identification of Student(s) Section 1.5 Violation of entry & Exit Rules	Issuance of a reprimand	Suspension from the Institute for a period not exceeding one month.
5	Section 2.1 Student(s) Organizations	Issuance of a reprimand	Suspension from the Institute for a period not exceeding one academic year and withholding examination results or issuing certificates as appropriate
6	Section 2.2 Public meetings	Issuance of a reprimand or suspension for two weeks during which Institute will be out of bounds	Considering the gravity of the offence, suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds



7	Section 2.3 <i>Collection of Funds</i>	Issuance of a reprimand or suspension for two weeks during which Institute will be out of bounds and confiscation of the unofficially collected funds by the Institute.	Considering the gravity of the offence, suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds and confiscation of the unofficially collected funds by the Institute.
8	Section 2.4 (a) –(f) & Section 3.00 Posters, newspapers and handbills and other <i>communications</i> -	Issuance of a reprimand or suspension for two weeks during which Institute will be out of bounds	Suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds and withholding examination results or issuing certificates as appropriate.
9	Section 4.1.1, 4.1.2, 4.1.3 and 4.1.4 <i>Harassment</i> - Abuse, any form of ragging/ molestation, sexual harassment	Issuance of a reprimand and/ or suspension for two months during which Institute will be out of bounds.	In case of severe harassment and/or severe intimidation, suspension for the remaining part of the academic year plus one additional academic year during which the Institute premises will be out of bounds, and withholding examination results or issuing certificates as appropriate
10	Section 4.1.5 Causing of any physical injury or physical harm or threatening to cause same	Suspension for the remaining part of the academic year plus one additional academic year during which the Institute premises will be out of bounds, and withholding examination results or issuing certificates as appropriate	In case of severe physical injury or extreme harassment or any other severe harassment, expulsion for the life time as a student(s) from the Institute.
11	Section 4.1.6 and 4.1.7	expulsion for the life time as a student(s) from the Institute.	
12	Section 4.2 Disrupting legitimate activities	Issuance of a reprimand or Suspension for one week	Considering the gravity of the offence, Suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds and withholding examination results or issuing certificates as appropriate

13	Section 4.3 Damage to properties	Issuance of a reprimand and/or Fine equivalent to twice the replacement value	Confiscation of stolen property and issue of severe warning. or Fine equivalent to thrice the replacement value and issue of severe warning.
14	Section 4.4 Disruptive behaviour in the classroom	Suspension of student(s) from a lecture, a practical session/ a demonstration, a tutorial class or a test by teacher and report to Director through head of Division for further necessary action.	
15	Section 4.5 Disrupt healthy and safe environment	Issuance of a reprimand	
16	Section 4.6 Possession, transport and/or consumption of Liquor or other Intoxicating substance	Issuance of a reprimand and/or attend sessions of professional advice against abuse/addiction liquor or any other intoxicating substance and provision of such evidence.	suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds and withholding examination results or issuing certificates as appropriate and /or attend sessions of professional advice against abuse/addiction liquor or any other intoxicating substance and provision of such evidence.
17	Section 4.7 Degradation of Environment -	Issuance of a reprimand	social work for two weeks (14 days) in a relevant designated institute under supervision
18	Section 4.8 Unauthorized or improper use of Institute/Institute computer system/network	Issuance of a reprimand	suspension from the Institute for a period not exceeding one academic year, during which the Institute will be out of bounds and withholding examination results or issuing certificates as appropriate or Expulsion from the Institute
19	Section 5.0 Discipline - Offences under	Issuance of a reprimand and /or Suspension for one month	suspension not exceeding one academic year, during which the Institute will be out of bounds and withholding examination or examination results or certificate as appropriate

20	Section 11.5 Non-compliance of obligation to attend Committee of Inquiry	Issuance of a reprimand	suspension not exceeding one academic year, during which the Institute will be out of bounds and withholding examination or examination results or certificate as appropriate
21	Section 11.6 and 11.7 Disruption or interference, Defying of warnings pertaining to acts of indiscipline conveyed in writing by the Director	Issuance of a reprimand	Suspension not exceeding one academic year, during which the Institute will be out of bounds and withholding examination or examination results or certificate as appropriate
22	Section 11.8 Defiance of punishment	Issuance of a reprimand	Suspension not exceeding one academic year, during which the Institute will be out of bounds and withholding examination or examination results or certificate as appropriate
23	Section 11.9 Acting against the Good name of the institute	Issuance of a reprimand	Suspension not exceeding one academic year, during which the Institute will be out of bounds and withholding examination or examination results or certificate as appropriate or Expulsion from the Institute.

## SECOND SCHEDULE

### List of minor punishments

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