



THE  
**CEYLON GOVERNMENT**  
**GAZETTE**

---

No. 8,867 — FRIDAY, FEBRUARY 20, 1942.

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*Published by Authority.*

**PART II.—LEGAL.**

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PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

## PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 2 of 1942.

L. D.—CF 43/41

**An Ordinance to make provision for raising a loan of fifty million rupees for expenditure on emergency purposes.**

A. CALDECOTT.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

- Short title. 1. This Ordinance may be cited as the Home Defence Loan Ordinance, No. 2 of 1942.
- Definition of "emergency purpose". 2. In this Ordinance, "emergency purpose" means any purpose connected with or incidental to the emergency arising out of any war in which His Majesty may be engaged.
- Authority to raise loan. 3. The Governor is hereby authorised to raise by way of loan a sum not exceeding fifty million rupees for expenditure on emergency purposes.
- Method of raising loan. Cap. 289. 4. The loan or any part of the loan authorised by this Ordinance may, subject as hereinafter provided, be raised under the Registered Stock and Securities Ordinance, at such time or times as the Governor may determine :  
Provided that the Governor may, by Order, direct that in respect of any such loan or part of a loan, the provisions of the Registered Stock and Securities Ordinance shall apply and have effect subject to such exceptions, modifications and amendments as may be specified in the Order, and every such Order shall, upon publication in the *Gazette*, be as valid and effectual as if it were herein enacted.
- Authority to raise additional sums for incidental expenses. 5. In addition to the sum specified in section 3, the Governor is hereby authorised to raise in the manner prescribed in or under section 4, such further sums as may be necessary for the purpose of defraying the expenses incurred in raising the loan or any part thereof.
- Application of moneys raised by way of loan under section 3. 6. (1) All moneys raised by way of loan under section 3 may be expended for emergency purposes, but such expenditure shall not be finally charged to any such loan or to any part of any such loan except upon a resolution in that behalf passed by the State Council and ratified by the Governor.  
(2) Where moneys have been expended out of general revenue for emergency purposes whether before or after the commencement of this Ordinance, such expenditure may, by a resolution passed by the State Council and ratified by the Governor, be declared to be charged to any loan or to any part of any loan raised under section 3.
- Power to issue Treasury Bills, &c. Cap. 287. 7. (1) In anticipation of the raising of any loan or of any part of any loan by authority of this Ordinance, the Governor may, in his discretion, from time to time cause such sums as he may deem necessary to be raised by the issue of Treasury Bills under the Local Treasury Bills Ordinance; and the provisions of that Ordinance shall apply accordingly except in so far as they are inconsistent with the provisions of this Ordinance.  
(2) Every sum raised by the issue of Treasury Bills under the authority of sub-section (1) may be applied—  
(a) for paying off at maturity any Treasury Bills issued under the authority of that sub-section and outstanding at the date on which such sum is raised; or  
(b) for emergency purposes.  
(3) Upon the raising of the loan or part of the loan in anticipation of which any sum has been raised by the issue of Treasury Bills under the authority of sub-section (1), the Governor may—  
(a) expend from such loan or part thereof such amounts as may from time to time be necessary to meet the liabilities of the Government in respect of such Treasury Bills; or  
(b) where such liabilities have been met in the first instance out of general revenue, refund to the general revenue such amounts as may have been expended therefrom for that purpose.

8. The interest payable on any registered stock, promissory notes or bearer bonds issued by authority of this Ordinance under the Registered Stock and Securities Ordinance and held by the Government of any part of His Majesty's dominions (including therein any British Protectorate or Protected State and any territory in respect of which a Mandate on behalf of the League of Nations has been accepted by His Majesty), shall be exempt from all taxes and duties leviable or payable under any written law in force in Ceylon, notwithstanding anything in any such law to the contrary.

Exemption  
from taxes  
and duties.  
Cap. 289.

Passed in Council the Thirteenth day of February, One thousand Nine hundred and Forty-two.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

Assented to by His Excellency the Governor the eighteenth day of February, One thousand Nine hundred and Forty-two.

E. R. SUDBURY,  
Secretary to the Governor.

## DRAFT ORDINANCES.

### MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to make provision for the establishment, incorporation and regulation of a University in Ceylon.

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## SECOND SCHEDULE.

L. D.—O 91/39

**An Ordinance to make provision for the establishment,  
incorporation and regulation of a University in  
Ceylon.**

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1. (1) This Ordinance may be cited as the Ceylon University Ordinance, No.      of 1942, and shall, subject as hereinafter provided, come into operation on such date as the Governor may appoint by Proclamation published in the *Gazette* :

Short title and commencement.

Provided that the Governor may, in any such Proclamation, declare that the operation of any provision of this Ordinance, or the application of any such provision to any Faculty or to any department of study, shall be suspended

Provided, further, that the operation of this Ordinance, in so far as it applies to the Ceylon Medical College and the Faculty of Medicine, shall be suspended until the Executive Committee of Health is satisfied that the degree of Bachelor of Medicine of the University of Ceylon will be recognized by the General Council constituted under the Medical Act, 1886, of the Imperial Parliament as conferring the same Professional status as the diploma as Licentiate in Medicine and Surgery conferred under the Medical Ordinance.

Cap. 90.

(2) Where the operation of any provision of this Ordinance or the application of any such provision to any Faculty or department of study has been suspended under sub-section (1), the Governor may, by Proclamation published in the *Gazette*, declare that the operation of any such provision or the application of any such provision to any such Faculty or department shall cease to be suspended with effect from such date as may be specified in the Proclamation.

2. In this Ordinance, unless the context otherwise requires—

Interpretation.

“ Act ” means any Act made in accordance with the provisions of this Ordinance or of any Statute ;

“ Authorities ” means the Authorities of the University mentioned in section 14, and includes any other Authority prescribed by Statute ;

- “ Council ” means the University Council constituted in accordance with the provisions of section 19 ;
- “ Court ” means the University Court constituted in accordance with the provisions of section 15 ;
- “ Faculty ” means a Faculty established under section 22 ;
- “ officer ” means the Vice-Chancellor, the Registrar, the Deans of the Faculties, the Librarian, and the holder of any office created by Statute .
- “ Regulation ” means any Regulation made by an Authority or officer or other body of the University in accordance with the provisions of this Ordinance or of any Statute or Act ;
- “ Statute ” means any of the Statutes contained in the Schedule and any Statute made in accordance with the provisions of this Ordinance ;
- “ teacher ” includes Professor, Reader, Lecturer, and any other person imparting instruction in the University ; and who is in receipt of an annual salary ;
- “ University radius ” means the radius prescribed under section 31.

## PART I.

*The University.*

Incorporation and general powers of the University.

3. (1) There shall be established in Ceylon, in accordance with the provisions of this Ordinance, a University, (in this Ordinance referred to as “ the University ”), with the name and style of “ The University of Ceylon ”, by which name the Chancellor, the Pro-Chancellor, the Vice-Chancellor and the members for the time being of the Court, the Council and the Senate of the University, duly nominated, appointed or elected by or in accordance with the provisions of this Ordinance, are hereby constituted a body corporate with perpetual succession, and with full power and authority by and in such name—

- (a) to sue and be sued in all courts ;
- (b) to have and use a common seal and to alter the same at its pleasure ;
- (c) for the purposes of this Ordinance, and subject to the Statutes, Acts and Regulations, to purchase any property movable or immovable, and to take, accept and hold any such property which may become vested in it by virtue of any such purchase, or by any grant, donation, lease, testamentary disposition or otherwise ;
- (d) to sell, hypothecate, lease, exchange or otherwise dispose of any such property : Provided that any sale, hypothecation, lease, exchange or other disposition of any such property shall be void if the same is made in contravention of any restriction, condition or prohibition imposed by law or by the instrument or order by which the property was vested in the University ; and
- (e) to exercise and perform, in accordance with the provisions of this Ordinance and of the Statutes, Acts and Regulations, whenever necessary, all the powers and duties conferred or imposed upon the University by any of such provisions.

(2) The powers conferred upon the University by this section shall be exercised by the Council, unless otherwise expressly provided in this Ordinance, or in the Statutes, Acts or Regulations.

Location of the University.

4. The University constituted by this Ordinance shall have its seat in or near Kandy, on the site lying within the boundaries of any land hereafter vested in the University under section 5 (hereinafter referred to as “ the University precincts ”).

Vesting of land, &c. in the University.

5. The Governor may, by Order, vest in the University, for the purposes of this Ordinance and subject to such restrictions, conditions and prohibitions, of any nature whatsoever relating to use, occupation or disposition, as may be specified in the Order, any land or building acquired for a public purpose under the provisions of any laws now or hereafter to be in force for the acquisition of private lands for public purposes, or any other Crown land.

Powers of the University.

6. The University shall, subject to the provisions of this Ordinance and of any Statute, Act or Regulation, have the powers following :—

- (a) to provide for instruction in such branches of arts, science and learning as the University may determine, and also to make provision for research and for the advancement and dissemination of knowledge ;

- (b) to hold examinations for the purpose of ascertaining the persons who have acquired proficiency in different branches of study ;
- (c) to provide postgraduate courses and for this purpose to co-operate with other Universities or authorities, in such manner and for such purposes as the University may determine ;
- (d) to grant and confer degrees, diplomas and other academic distinctions to and on persons who shall have pursued approved courses of study in the University and shall have passed the examinations of the University ;
- (e) to admit graduates of other Universities to equal or similar degrees in the University on such conditions as may be prescribed by Act made on the recommendation of the Senate, and to register them as graduates of the University ;
- (f) to confer degrees of the University on any persons who shall be employed by the University as Professors, Readers, Lecturers, or otherwise, or who shall have carried on independent research therein ;
- (g) to confer honorary degrees or other distinctions on approved persons ;
- (h) to recognise the examinations and periods of study passed by persons seeking admission to, or by students of, the University at other Universities or places of learning of University status as equivalent to such examinations and periods of study in the University, or such part thereof, as may be prescribed by Act, and to withdraw such recognition at any time ;
- (i) to institute Professorships, Readerships, Lecturerships and any other posts or offices which may be required, and to make appointments thereto ;
- (j) to erect, equip, and maintain for the purpose of the University, libraries, laboratories and other buildings whether for instructional or residential purposes ;
- (k) to institute and award Fellowships, Scholarships, Exhibitions, Bursaries, and Medals and other Prizes ;
- (l) to manage Halls of Residence, and to license lodging-houses, for the residence of students of the University ;
- (m) to regulate and provide for the residence, discipline, and moral, mental and physical well-being of officers, teachers and students of the University ;
- (n) to demand and receive such fees as may from time to time be prescribed by Act ;
- (o) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

7. The University shall be open to all persons of either sex and of whatever race, creed or class, and no test of religious belief or profession shall be adopted or imposed in order to entitle any person to be admitted as a teacher or student of the University, or to hold any appointment therein (other than that of Warden of a Hall of Residence), or to graduate thereat or to hold, enjoy or exercise any advantage or privilege thereof :

Distinctions of race, creed, class or religion prohibited ; but religious instruction permitted.

Provided that nothing in the preceding provisions of this section shall be deemed to prevent religious instruction being given in any manner which may be prescribed by Act to those willing to receive it by persons approved for that purpose by the Council.

8. (1) Where any person represents to the Governor that he is prepared to provide a place of worship within the University radius for the use of any religious community, the Governor may, after consulting the Council, lease to that person or to the representatives of that religious community, at a nominal rent, such extent of Crown land as the Governor may deem necessary for the purpose.

Places of worship.

(2) Where any land, other than Crown land, is required for the purposes of a lease under sub-section (1), that land may be acquired under the Land Acquisition Ordinance and shall, for the purposes of the application of the provisions of that Ordinance, be deemed to be land required for a public purpose.

Cap. 203.

(3) In this section, " place of worship " includes accommodation attached to a place of worship for the purpose of housing members of a religious order.

9. The authorities responsible for organising the teaching courses of the University shall be prescribed by Statute ; and the courses of study shall be prescribed by Act or Regulation.

Teaching authorities and courses of study.

## PART II.

*The Chancellor and Officers of the University.*

**The Chancellor.** 10. (1) The Governor shall be *ex officio* Chancellor of the University. He shall be the Head of the University and the President of the Court, and shall, when present, preside at meetings of the Court and at any Convocation of the University. It shall be lawful for him at any time to order an inquiry or an inspection to be made in connexion with any matter relating to the University.

(2) The Chancellor shall have such further powers as are conferred on him by this Ordinance or as may be prescribed by Statute.

**The Pro-Chancellor.** 11. The Minister for Education for the time being shall be Pro-Chancellor of the University. He shall, when present, and in the absence of the Chancellor, preside at meetings of the Court and at any Convocation of the University.

**The Vice-Chancellor.** 12. (1) The first Vice-Chancellor shall be appointed by the Governor, and subsequent appointments to the office of Vice-Chancellor shall be made by the Governor after consideration of any recommendations or representations made by the Court and the Council.

(2) The Vice-Chancellor shall be a whole-time officer of the University and shall be the principal executive and academic officer thereof. He shall be an *ex officio* member of the Court and an *ex officio* member and Chairman of the Council and of the Senate. He shall convene all meetings of the Court, the Council, and the Senate, and all Convocations, and shall, in the absence of the Chancellor and Pro-Chancellor, preside at meetings of the Court and at any Convocation of the University. He shall be entitled to convene, be present at, and speak at, any meeting of any Authority or other body of the University, but shall not be entitled to vote at such meeting unless he is a member of the Authority or body concerned.

(3) It shall be the duty of the Vice-Chancellor to see that the provisions of this Ordinance and of the Statute, Acts and Regulations are duly observed; and he shall have and may exercise all such powers as he may deem necessary for this purpose.

(4) The Vice-Chancellor shall give effect to the decisions of the Council regarding the appointment, dismissal or suspension of the officers and teachers of the University, and shall exercise general supervision over the administrative and educational arrangements of the University. He shall be responsible for the presentation to the Council of the annual accounts of the University and of all financial estimates, annual or supplementary. He shall also be responsible for the discipline of the University in accordance with this Ordinance and the Statutes, Acts and Regulations, and shall exercise and perform such other powers and duties as may be conferred or imposed upon him by this Ordinance or prescribed by Statute or Act.

(5) The Vice-Chancellor shall hold office for a term of five years:

Provided that it shall be lawful for the Governor, at the expiry of any term of office of the Vice-Chancellor, after considering any recommendations or representations made by the Court and the Council, to extend such term of office for such further term not exceeding five years as he thinks fit:

Provided, further, that if the Court so recommends, no person shall continue to hold the office of Vice-Chancellor after he has completed his sixtieth year; or, if he completes his sixtieth year in the course of an academic year, after the last day of such academic year.

(6) If any vacancy occurs in the office of Vice-Chancellor, or if the Vice-Chancellor, by reason of leave, illness, or other cause, is unable temporarily to perform the duties of his office, the Council shall, as soon as possible, subject to the approval of the Chancellor, make such arrangements as it may think fit for carrying on the office. Until such arrangements have been made, the Registrar shall carry on the routine duties of the office.

(7) In the absence of the Vice-Chancellor at any meeting of the Council, the Council shall elect a Chairman for the purposes of the meeting from among the members present.

**The Registrar and the Librarian.**

13. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Council subject to the approval of the Chancellor. He shall exercise and perform such powers and duties as may be conferred or imposed upon him by this Ordinance or prescribed by Statute, Act or Regulation.



(2) The Librarian shall be a whole-time officer of the University and shall be appointed by the Council subject to the approval of the Chancellor. He shall exercise and perform such powers and duties as may be prescribed by Statute, Act or Regulation.

## PART III.

*The University Authorities.*

14. The Authorities of the University shall be the Court, the Council, the Senate, the Faculties, the General Board of Studies and Research, and such other bodies as may be prescribed by Statute as Authorities of the University. Authorities of the University.

15. (1) The University Court, in this Ordinance referred to as "the Court", shall consist of the following persons:— The Court.

*(a) Ex officio members—*

- (i) The Chancellor.
- (ii) The Pro-Chancellor.
- (iii) The Vice-Chancellor.
- (iv) The Professors.
- (v) Readers and Lecturers in independent charge of Departments of Study.
- (vi) Such other members as may be prescribed by Statute.

*(b) Life members—*

- (i) Persons appointed by the Chancellor to be life members for distinguished services rendered to the University or to education generally. Provided that the number of life members so appointed shall not at any time exceed five.
- (ii) Individual donors of not less than Rs. 100,000 to the University for a purpose approved by the Council, who may be appointed by the Chancellor to be life members.

*(c) Other members—*

- (i) One member of each Faculty to be elected by the Faculty.
- (ii) Members to be elected by the registered graduates from among their own body.
- (iii) Members to be elected from among their own body by the teachers of the University other than the Professors, and the Readers and Lecturers in independent charge of Departments of Study.
- (iv) Members to be elected by the members of the State Council of Ceylon from among their own body.
- (v) Members other than life members to be appointed by the Chancellor.
- (vi) Members to be elected from among their own bodies by the Council of Legal Education and the Ceylon Medical Council.
- (vii) Members to be elected from among their own bodies by such Councils, Boards, Associations, or other bodies, or groups of bodies, as the Council shall from time to time, subject to the approval of the Chancellor, determine.

(2) Except as otherwise provided by this Ordinance, the number of members to be elected or appointed under the respective paragraphs of sub-section (1) (c) and their term of membership shall be prescribed by Statute, and the mode of election of members to be elected under sub-section (1) (c) (i), (ii) and (iii) shall be prescribed by Act.

(3) The total number of members of the Court shall not at any time exceed one hundred. The quorum for a meeting of the Court shall be prescribed by Statute.

16. (1) The Court shall meet once in each year, on a date to be fixed by the Vice-Chancellor, at a meeting to be called the Annual Meeting of the Court. Meetings of the Court.

(2) The Vice-Chancellor may whenever he thinks fit, and shall upon a requisition in writing signed by not less than twenty members of the Court, convene a special meeting of the Court.

Powers and duties of the Court.

17. Subject to the provisions of this Ordinance and of the Statutes, Acts and Regulations, the Court shall have and perform the following powers and duties :—

- (a) to make Statutes, and by Statute to amend, add to or repeal the same : Provided that no Statute made by the Court shall be repugnant to the laws of Ceylon or to any provision of this Ordinance ;
- (b) to consider, amend, or cancel Acts made by the Council ;
- (c) to consider, amend, or adopt the annual report, the annual accounts, and the financial estimates of the university : Provided that no such amendment shall be made unless the opinion of the Council thereon has first been obtained ;
- (d) to do any other act or to perform any other duty authorised or imposed upon the Court by this Ordinance or by Statute.

The Council.

18. The University Council, in this Ordinance referred to as "the Council", shall be the executive body of the University.

Constitution of the Council.

19. (1) The Council shall consist of the following persons :—

(a) *Ex officio members*—

- (i) The Vice-Chancellor.
- (ii) The Legal Secretary.
- (iii) The Financial Secretary.
- (iv) The Director of Public Works.
- (v) The Director of Medical and Sanitary Services.
- (vi) The Director of Education.
- (vii) The Director of Agriculture.
- (viii) The Deans of the Faculties.

(b) *Other members*—

- (i) Five members appointed by the Chancellor.
- (ii) Three members elected by the Court from among its own body, not being salaried officers of the University.
- (iii) Two members elected by the Senate from among its own body.
- (iv) One Warden elected by the Wardens of the Halls of Residence from among their own number : Provided that if, in the opinion of the Council, the Wardens of the Halls of Residence have not made such an election within a reasonable time, it shall be lawful for the Council to nominate one of the Wardens to represent them and any persons so nominated by the Council shall be deemed to have been duly elected for the purpose of this paragraph.

(2) Members of the Council other than *ex officio* members shall hold office for a period of three years :

Provided that members elected under the provisions of sub-section (1) (b) (ii) and (iii) shall retain their membership so long only within the said period of three years as they continue to be members of the body which elected them, and that the member elected or nominated under the provisions of sub-section (1) (b) (iv) shall retain his membership so long only within the said period of three years as he retains his position of Warden of a Hall of Residence.

(3) The mode of election of members to be elected under sub-section (1) (b) (iv) shall be prescribed by Act.

(4) Seven members of the Council shall form a quorum.

Powers and duties of the Council.

20. Subject to the provisions of this Ordinance and of the Statutes, Acts and Regulations, the Council shall have and perform the following powers and duties :—

- (a) to hold, control, and administer the property and funds of the University ;
- (b) to select a Coat of Arms for the University, subject to the approval of the Court and the Chancellor, and to determine the form, provide for the custody and direct the use, of the common seal of the University ;
- (c) to regulate and determine all matters concerning the University in accordance with this Ordinance, the Statutes, Acts and Regulations ;

- (d) after consideration of the recommendations of the Senate, and subject to ratification by the Court, but without prejudice to anything done by the Council before such ratification—
- (i) to institute, abolish, or suspend Professorships, Readerships, Lecturerships, and other teaching posts, and
  - (ii) to determine the qualifications and emoluments of teachers ;
- (e) subject to the approval of the Chancellor, to appoint officers whose appointment is not otherwise provided for, and to suspend or dismiss on the grounds of incapacity or conduct which in the opinion of not less than two-thirds of the members of the Council renders him unfit to be an officer or teacher of the University any officer, or any teacher appointed under the provisions of section 34 or section 35 ;
- (f) to appoint, and to suspend, dismiss or otherwise punish persons in the employ of the University other than officers and teachers ;
- (g) to administer any funds placed at the disposal of the University for specific purposes ;
- (h) to receive and accept bequests, donations and grants of any property to the University : Provided that all such bequests, donations and grants shall be reported to the Court at its next meeting ;
- (i) to consider the annual report, the annual accounts, and the financial estimates of the University, and to submit such report, accounts, and estimates to the Court ;
- (j) to draft Statutes as and when it sees fit and to submit the same to the Court ; and to make Acts for any matters in respect of which Acts are authorised to be made ; and to make such Regulations as are not provided to be made by any other Authority ;
- (k) to provide the buildings, premises, furniture and apparatus, and other material needed for carrying on the work of the University ;
- (l) to appoint examiners, whether from the staff of the University or from elsewhere, after consideration of the recommendations of the Senate, and to determine any fees which may be paid to such examiners ;
- (m) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting their health and general welfare ;
- (n) to institute, maintain, and manage Halls of Residence, and, subject to the approval of the Chancellor, to appoint Wardens thereto ;
- (o) to enter into, vary, carry out, or cancel contracts on behalf of the University, and to invest any moneys belonging to the University, including any unapplied income, in any security in which, under the provisions of section 20 of the Trusts Ordinance or of any other written law, it is lawful to invest trust moneys ; or, with the sanction of the Governor, to invest any such moneys in the purchase of immovable property in Ceylon or vary such investments ; or to place on fixed deposit in any bank approved in this behalf by the Governor any portion of such moneys not required for immediate expenditure ;
- (p) to determine by Regulation, after consulting the Senate, the dates for the commencement and the termination of the academic year ;
- (q) to determine, after consulting the Senate, the academic dress of the Chancellor, Pro-Chancellor, officers, graduates and students of the University ;
- (r) to exercise all other powers of the University, the exercise of which is not otherwise provided for by this Ordinance or by Statute : Provided that the exercise of such powers shall be subject to ratification by the Court, but without prejudice to anything done by the Council before such ratification .

Cap. 72.

Provided that no resolution shall be passed by the Council in relation to any academic matter unless the Senate has first been given the opportunity of recording and transmitting to the Council its opinion thereon.

In this section, "academic matter" includes any matter which is subject to the control and general direction of the Senate under section 21.

21. The Senate of the University, in this Ordinance referred to as "the Senate", shall be the academic body of the University, and, subject to the provisions of this Ordinance

The Senate.

and of the Statutes, Acts and Regulations, shall have the control and general direction of instruction, education, and examinations within the University, and shall exercise and perform such other powers and duties as shall be conferred or imposed upon it by any of such provisions. The constitution of the Senate, its powers and duties, and the term of membership of the members thereof, other than the *ex officio* members, shall be prescribed by Statute.

Faculties and  
Deans of  
Faculties.

22. (1) The University shall have power to establish Faculties of Oriental Studies, Arts, Science, Law, Medicine, Agriculture, and Engineering, and such other Faculties (whether formed by the addition of Faculties or by the subdivision or combination of an existing Faculty or of existing Faculties, or otherwise) as may be prescribed by Statute.

(2) The constitution and the powers and duties, of the Faculties, and the term of membership of the members thereof, other than the *ex officio* members, shall be prescribed by Statute.

(3) The Departments of Study to be comprised in each of the Faculties shall be prescribed by Act.

(4) There shall be a Dean of each Faculty who shall be a Professor elected by the Faculty from among the Heads of Departments of Study in the Faculty and shall hold office as Dean for such term, and exercise and perform such powers and duties, as may be prescribed by Statute. For the purposes of this sub-section, the Professor of each such Department, or the Reader or Lecturer if there is no Professor, shall be deemed to be the Head of the Department. If more than one Professor or more than one Reader or Lecturer is attached to any such Department, the Vice-Chancellor shall appoint such Professor or Reader or Lecturer as he thinks fit to be Head of the Department, and such Professor or Reader or Lecturer shall be responsible to the Dean for the organization of the teaching in that Department :

Provided that if, through his absence on leave or for any other reason, the Dean is prevented from performing the duties of his office, it shall be lawful for the Vice-Chancellor to appoint a Professor from among the Professors of the Faculty to perform such duties.

General Board  
of Studies  
and Research.

23. There shall be a General Board of Studies and Research. The constitution and the powers and duties of this Board, and the term of membership of the members thereof, other than the *ex officio* members, shall be prescribed by Statute.

Other  
Authorities.

24. The constitution, powers, and duties, and the term of membership of members other than *ex officio* members of such other bodies as shall be declared by Statute to be Authorities of the University shall be prescribed by Statute.

#### PART IV.

##### *Convocation.*

Holding of  
Convocation.

25. (1) A Convocation of the University for the purpose of conferring degrees shall be held once in every year on such date as may be approved by the Chancellor: Provided that a special Convocation may be held at such other time as the Chancellor may direct.

(2) The procedure of any such Convocation shall be prescribed by Act.

#### PART V.

##### *Statutes, Acts and Regulations.*

Statutes.

26. (1) Subject to the provisions of this Ordinance, Statutes may be made providing for all or any of the following matters :—

- (a) the constitution, powers, and duties, and the term of membership of members other than *ex officio* members of the Authorities of the University, of the Boards of Studies, of the Board of Residence and Discipline, and of the Board for the Training of Teachers, where such matters have not been determined by this Ordinance ;
- (b) the filling of vacancies on, and the convening of, any Authority or other body of the University, where not otherwise provided for ;
- (c) the conditions of appointment, and emoluments, of the officers and teachers of the University, and their powers and duties ;
- (d) the creation of offices in the University other than those provided for in this Ordinance, and the abolition of such offices ;

- (e) the admission of students to the University ;
- (f) the maintenance of a register of registered graduates ;
- (g) the determination of the degrees, diplomas, and other academic distinctions to be conferred by the University ;
- (h) the conferment of honorary degrees ;
- (i) the conditions of residence and the discipline of students, and the appointment of Wardens of Halls of Residence ;
- (j) the institution and award of Fellowships, Scholarships, Exhibitions, Bursaries, and Medals and other Prizes for which funds or property may in any manner whatsoever be provided, and the making of Regulations respecting the same and the tenure thereof ;
- (k) the interpretation of the Statutes, Acts, and Regulations ;
- (l) all matters which under the provisions of this Ordinance are to be or may be prescribed by Statute.

(2) The Statutes contained in the First Schedule shall be the first Statutes of the University, and shall be deemed to have been made by the Court under this Ordinance and may be amended, added to or repealed by Statutes made in accordance with the provisions of this Ordinance.

27. (1) Save as otherwise provided in sub-section (2), no Statute shall be made by the Court until the Court has consulted the Council and obtained the opinion of the Council on the terms of the proposed Statute.

Powers of Court, Council and Chancellor in relation to Statutes.

(2) The Council may propose to the Court the draft of any Statute to be made by the Court. Such draft shall be considered by the Court at its next meeting. The Court may approve such draft and make the Statute, or may amend the draft, or may reject it, or may return it to the Council for reconsideration, either in whole or in part, together with any amendment which the Court may suggest.

(3) The Court shall not initiate, and the Council shall not propose to the Court the draft of, any Statute, whereby the status, powers, or constitution of any Authority of the University will be affected until such Authority has been given an opportunity of expressing an opinion thereon. Such opinion shall be in writing and shall be considered by the Court and shall, if the Statute is made by the Court, be submitted to the Chancellor.

(4) Every Statute which has been made by the Court shall be submitted to the Chancellor, who may refer the Statute back to the Court for further consideration, or may assent thereto, or withhold his assent.

(5) Statutes dealing with matters referred to in paragraphs (a), (c), (e) and (i) of sub-section (1) of section 26, and Statutes relating to the institution and award of Fellowships, Scholarships, Exhibitions and Bursaries provided wholly or partly out of moneys voted by the State Council or out of general University funds, shall, if assented to by the Chancellor, be laid by the Minister for Education before the State Council.

(6) The State Council may, by resolution passed at any one of the three meetings of the Council next following the date on which any Statute was laid before the Council under sub-section (5) disallow such Statute. No Statute which is so disallowed shall be published in the *Gazette*.

(7) Every Statute which is not disallowed by the State Council under sub-section (6) shall be published in the *Gazette* and shall come into force on the date of such publication.

(8) Every Statute other than a Statute required to be laid before the State Council under sub-section (5) shall, if assented to by the Chancellor, be published in the *Gazette* and shall come into force on the date of such publication.

28. Subject to the provisions of this Ordinance, and of the Statutes, Acts may be made providing for all or any of the following matters :—

Acts.

- (a) the courses of study to be prescribed for all degrees and diplomas of the University ;
- (b) the conditions under which students shall be admitted to the degree or diploma courses and to the University examinations, and be eligible for degrees and diplomas ;
- (c) the conditions of residence of the students of the University ;
- (d) the fees to be charged for courses of study in the University, for residence, for admission to the examinations, for degrees and diplomas, and for the registration of graduates ;
- (e) the formation of Departments of Study in the Faculties ;
- (f) the constitution, powers, and duties of any Board, Committee or other body of the University, where such matters have not been otherwise determined ;

- (g) the conditions and mode of appointment, duties, and emoluments, of examiners, and the conduct and standard of examinations ;
- (h) the numbers, qualifications, and emoluments of persons in the employ of the University other than officers and teachers ;
- (i) such other emoluments and allowances as are not otherwise provided for ;
- (j) all matters which under the provisions of this Ordinance or of the Statutes are to be or may be prescribed by Act.

Powers of  
Court, Council  
and Chancellor  
in relation to  
Acts.

29. (1) Subject to the proviso to sub-section (2), Acts shall be made by the Council :

Provided that no Act shall be made under any of the paragraphs (a), (b), (e) and (g) of section 28 unless a draft of such Act has been proposed by the Senate.

(2) The Council shall not have power to amend any draft proposed by the Senate under sub-section (1), but may reject it or return it to the Senate for reconsideration, either in whole or in part, together with any amendments which the Council may suggest :

Provided that if the Council rejects the draft of any Act proposed by the Senate, it shall be lawful for the Senate to appeal to the Chancellor who, after obtaining the views of the Council in writing and considering them, may, if he approves the draft, make the Act, and that an Act made under this proviso shall cease to have effect from the date of the next meeting of the Court unless confirmed at such meeting but without prejudice to anything already done thereunder.

(3) All Acts made by the Council shall be forthwith submitted to the Chancellor and shall be subject to his veto ; and no such Act shall come into force until it has received the assent of the Chancellor.

(4) All Acts made by the Council which have received the assent of the Chancellor shall be submitted to the Court at its next meeting, and the Court shall have power, by a resolution passed by a majority consisting of not less than two-thirds of the members present at such meeting, to amend or cancel any such Act, but without prejudice to anything already done thereunder :

Provided that—

- (a) no such amendment of an Act shall be made until the Court has first taken the opinion of the Council ;
- (b) no such amendment shall come into force until it has received the assent of the Chancellor ;
- (c) any Act cancelled by the Court shall, upon such cancellation, be null and void :

Provided, further, that it shall be lawful for the Vice-Chancellor to make such order as he may think fit with regard to any case of difficulty which may arise owing to the amendment or cancellation by the Court of any Act so submitted to the Court ; and such order shall have effect accordingly.

(5) It shall be lawful for the Council by Act to add to, amend, alter or repeal any Act for the time being in force.

Regulations.

30. (1) Subject to the provisions of this Ordinance and of the Statutes and Acts, the Authorities and the other bodies of the University may make Regulations providing—

- (a) for all matters of procedure at the meetings of such Authorities and bodies, for the holding of their meetings, for the keeping of their records, and generally for all other matters relating to their business ;
- (b) for all matters which under the provisions of this Ordinance or of the Statutes or Acts are to be or may be prescribed by Regulation, and for all other matters solely concerning such Authorities and bodies and not provided for by this Ordinance or by Statute or Act.

(2) It shall be lawful by Regulation to add to, amend, alter or repeal any Regulation for the time being in force.

(3) The Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section, and the Authority or other body to which the direction is given shall comply therewith :

Provided that any Authority or other body of the University which is dissatisfied with any such direction may appeal to the Chancellor who, after obtaining the views of the Council in writing and considering them, may make such order as he thinks fit.

## PART VI.

*Residence.*

31. (1) Every undergraduate member of the University shall reside within such radius from the Convocation Hall of the University as shall from time to time be prescribed by Act, (in this Ordinance referred to as "the University radius"), in a Hall of Residence or under such conditions of residence as may from time to time be prescribed by Statute or Act.

Conditions of residence and administration of Statutes and Acts relating thereto.

(2) The Statutes and Acts relating to conditions of residence shall be administered by the Board of Residence and Discipline.

## PART VII.

*Examinations, Admission to the University and to Courses of Study and Graduation.*

32. All examinations held by the University shall be conducted in such manner as shall be prescribed by Statutes, Acts and Regulations.

Examinations.

33. (1) Subject to the provisions of the Statutes, Acts and Regulations, admission to the University shall be controlled by a Board of Admission which shall consist of—

Admission and periods of study for graduation.

- (a) The Vice-Chancellor.
- (b) The Deans of the Faculties.
- (c) Such other officers or teachers of the University as the Council shall from time to time determine.

(2) No person shall be eligible for admission to a course of study for a degree unless he has attained such age as shall be prescribed by Statute and has passed an Entrance Examination of the University or an examination recognised by the University as equivalent thereto; and unless he possesses such further qualifications, if any, as may be prescribed by Act or Regulation in relation to such course of study.

(3) Subject to the provisions of the Statutes, Acts and Regulations relating to residence, the period of resident study necessary to qualify any student for graduation shall not be less than three academic years of three terms each, the whole of which period shall be subsequent to the date on which the student has been admitted to the University.

Provided that students who have already obtained degrees at other Universities, the examinations of which are recognised as equivalent to the examinations of the University, shall be permitted to qualify for graduation under such conditions as regards resident study as may be prescribed by Act :

Provided, further, that, where the Vice-Chancellor certifies that for a specific period a student has been engaged on full-time study at the Ceylon University College or the Ceylon Medical College or the University before its establishment in the University precincts, such period shall be deemed to be part of the period of resident study for the purposes of this sub-section.

## PART VIII.

*Appointment of Teachers, &c.*

34. (1) Every appointment to a post of Professor, Reader or Lecturer in the University shall be made by the Council upon the recommendation of a Board of Selection, the members of which shall be—

Appointment of Professors, &c.

- (i) the Vice-Chancellor.
- (ii) The Dean of the Faculty to which the post belongs.
- (iii) Two members appointed by the Council from among its own body.
- (iv) Two members who have knowledge of the subject of study concerned appointed by the Senate from among its own body.
- (v) Two members who shall not be officers or teachers of the University, appointed by the Court from among its own body.

(2) The Board of Selection shall make its recommendation to the Council, and the Council, if it accepts the recommendation of the Board of Selection, shall make the appointment to the post accordingly. If the Council does not accept the recommendation of the Board of Selection, it shall refer the case to the Chancellor, who shall make such appointment as he thinks fit :

Provided that no appointment to any Professorship or Readership made under the preceding provisions of this sub-section shall be valid unless and until such appointment has been confirmed by the Chancellor.

- Appointment of other teachers.** 35. Every appointment to a post of teacher other than that of Professor, Reader or Lecturer shall be made by the Council after considering the recommendation of a Selection Committee constituted in such manner as may be prescribed by Statute.
- Agreements.** 36. (1) Every appointment of a teacher made under the provisions of section 34 or section 35, or of a Registrar or Librarian, shall be upon an agreement in writing between the University and such teacher, Registrar or Librarian. Such agreement shall be—
- (a) in the case of experienced persons who have already gained distinction in their subjects, for such period and on such terms as the Council may resolve; and
  - (b) in other cases, for a probationary period of three years which may be extended by the Council by resolution for a further period of one year, if the Council thinks fit.
- (2) In the case of agreements entered into by the University under sub-section (1) (b), any renewal thereof upon the expiration of the probationary period shall be expressed to be and remain in force, subject to the reservations hereinafter referred to, until the teacher, Registrar or Librarian appointed thereby has completed his fifty-fifth year, or, if he completes his fifty-fifth year in the course of an academic year, until the last day of such academic year, and in any such agreement there shall be expressly reserved—
- (a) a right for the University to annul the agreement on any ground on which it shall be lawful for the Council, under the provisions of section 20 (e), to dismiss a teacher, Registrar or Librarian;
  - (b) an option for the University to renew the agreement so that it may continue and remain in force until the teacher, Registrar or Librarian has completed his sixtieth year; and
  - (c) a right for the teacher, Registrar or Librarian to terminate the agreement at any time upon three months' notice in writing to the Vice-Chancellor.
- Leave.** 37. Every full-time officer and teacher of the University shall be entitled to leave on such terms as shall be prescribed by Act.

## PART IX.

*The Ceylon University Provident Fund.*

- Interpretation of Part IX.** 38. In this Part—
- “contributor” means any officer, teacher, clerk or servant who is a contributor to the Provident Fund;
  - “Provident Fund” means the Ceylon University Provident Fund established under section 39;
  - “Registrar” includes any other person appointed by the Council under section 47 for the purposes of that section;
  - “salary” means the emoluments of the substantive post or appointment held by any contributor and includes any such allowances as may by Statute or Act be declared to constitute part of the salary of a contributor.
- Establishment of Provident Fund.** 39. The University shall establish a fund to be called and known as the Ceylon University Provident Fund.
- Acts for regulation of Provident Fund.** 40. The Council may make Acts for the regulation, administration and management of the Provident Fund and for all matters incidental to or connected with the Provident Fund for which no express provision is made in this Ordinance.
- Contributions to the Provident Fund.** 41. (1) Every officer, teacher, clerk and servant employed by the University, except in such cases as may be prescribed by Act, shall from the date of his employment contribute to the Provident Fund, by means of equal monthly deductions from his salary, an amount equal to one-twentieth of his salary; and the University shall, in addition, out of the University Fund, at the same time contribute to the Provident Fund in respect of every contributor a sum equal to one-tenth of the salary of that contributor.
- (2) The Registrar shall open and keep a general account for the Provident Fund and a separate account in respect of each contributor to that Fund. All contributions made by a contributor to the Provident Fund and all contributions made by the University to the Provident Fund in respect of that contributor shall be placed to the credit of the separate account of that contributor in the Provident Fund.
- (3) The amount lying to the credit of the account of a contributor shall, subject to the provisions of any Act made by the Council in that behalf, accumulate at compound



interest at the rate of four per centum per annum until the day on which that contributor completes his fifty-fifth year ; and the account of that contributor shall be closed on that day.

42. (1) Where the account of any contributor is closed as provided in section 41, the Registrar shall, subject to the provisions of section 43, pay to that contributor the full amount lying to the credit of his account in the Provident Fund.

Payments  
out of the  
Provident  
Fund.

(2) Where a contributor, before he has completed his fifty-fifth year, ceases to be employed by the University either on account of ill-health or incapacity or on account of the abolition of the post in which he is employed, or voluntarily retires from the service of the University, the Registrar shall, subject to the provisions of section 43, pay to that contributor the full amount which has accumulated to the credit of his account in the Provident Fund at the date on which he has ceased to be employed, or on which he retired, as the case may be.

(3) Where a contributor, before he has completed his fifty-fifth year, is dismissed on account of conduct which, in the opinion of the Council, renders him unfit to be further employed by the University, the Registrar shall, subject to the provisions of section 43, pay to that contributor the amount contributed by him to the Provident Fund, together with the accumulated interest thereon up to the date of his dismissal.

(4) Where a contributor dies while in the service of the University, the Registrar shall, subject to the provisions of section 43, pay the full amount which has accumulated to the credit of the account of that contributor in the Provident Fund to the estate of the deceased contributor or to the person lawfully entitled to such amount.

43. Notwithstanding anything in the preceding provisions of this Part and without prejudice to any other right, or remedy, the amount of any loss or damage sustained by the University by reason of the dishonesty or negligence of a contributor at any time during the period of his employment by the University shall be a first charge upon the amount lying to the credit of the account of that contributor in the Provident Fund ; and such amount may be deducted at the time any payment is made in accordance with the provisions of section 42.

Deductions  
prior to  
payment from  
Provident  
Fund.

## PART X.

### *Financial Provisions.*

44. The financial year of the University shall commence on the first day of October in any year and end on the thirtieth day of September in the succeeding year.

Financial  
year.

45. There shall be a fund, to be called the University Fund, into which shall be paid—

University  
Fund.

- (a) fees paid to the University in accordance with the provisions of Acts made under section 28 (d) ;
- (b) income from endowments ;
- (c) moneys provided by the State Council as grants in aid of the University ;
- (d) all other moneys belonging to the University from whatsoever source derived

46. (1) The Financial Secretary shall, as soon as may be after the commencement of each financial year, pay to the University such moneys as may be provided by the State Council under the annual Appropriation Ordinance as a grant in aid of the University.

Grants in aid  
of the  
University.

(2) The Financial Secretary shall, from time to time, pay to the University such moneys as may be provided by the State Council, by way of a supplementary vote or otherwise, as a grant in aid of the University.

(3) All moneys paid to the University under the preceding sub-sections shall be applied, or expended by the University for all or any of the purposes authorised by or under this Ordinance.

47. It shall be the duty of the Registrar, or of any other person who may be appointed for the purposes of this section by the Council in accordance with the Statutes—

Registrar  
to keep  
accounts, &c.

- (a) to keep the accounts of the University in such form as the Council shall from time to time direct ;
- (b) to receive all moneys paid into the University Fund and to credit such moneys to the proper heads of account ;
- (c) to make all authorised payments ;
- (d) to prepare for the consideration of the Vice-Chancellor the annual financial estimates for the ensuing financial year, and any supplementary estimates under section 53 :

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

**Audit.** 48. The accounts of the University shall be audited by the Auditor-General from time to time in accordance with the directions of the Governor.

**Publication of accounts in Gazette.** 49. The accounts of the University for each financial year shall, when audited, be published in the *Gazette*.

**Annual estimates to be considered by the Council.** 50. The annual financial estimates prepared under the provisions of section 47 (d) shall be considered by the Council before the fifteenth day of January in each year. The Council may make such alterations in such financial estimates as it thinks fit and shall transmit them to the Court together with the accounts of the University for the last completed financial year.

**Annual accounts and estimates to be considered by the Court.** 51. The annual accounts of the University and the annual financial estimates shall be considered by the Court at its Annual Meeting, and it shall be lawful for the Court subject to the provisions of section 17 (c), by resolution to adopt the said accounts and to adopt or amend the said estimates, as it thinks fit.

**Chancellor's assent to estimates.** 52. The Court shall return the annual financial estimates to the Council together with any resolutions passed under the provisions of section 51; and the Council shall thereupon accept the decisions of the Court and transmit the said estimates as adopted or amended by the Court to the Chancellor; and it shall be lawful for the Chancellor to assent thereto, or to refer back the said estimates to the Council and Court for further consideration:

Provided that the said financial estimates shall not be deemed to have been passed until they have received the assent of the Chancellor:

Provided, further, that—

- (a) subject to the provisions of section 46 (3), the Council may, unless the Court otherwise directs, transfer moneys assigned under one head of expenditure in the passed estimates to any other head;
- (b) every such transfer shall be reported to the Court at the next Annual Meeting of the Court.

**Supplementary estimates.** 53. In case of necessity and in order to meet unforeseen expenditure, it shall at any time be lawful for the Registrar or other person appointed for the purposes of section 47 to prepare supplementary estimates of expenditure and for the Council to pass such estimates. Such estimates, if passed by the Council, shall be transmitted by the Council direct to the Chancellor, and upon their being so transmitted the provisions of section 52 shall, so far as relevant, become applicable to them:

Provided that such supplementary estimates shall be submitted to the Court at its next Annual Meeting together with the annual financial estimates for the ensuing year.

## PART XI.

### *General Provisions.*

**Gifts, bonuses, &c.** 54. The University shall not grant any bonus or make any gift or division of money to or between any of its members otherwise than in accordance with Statutes made under the provisions of section 26 (1) (j).

**Deprivation of degree, &c., on account of misconduct.** 55. If any member of any of the Authorities or other bodies of the University, or any graduate of the University, or any person who has received a diploma or other academic distinction from the University, or any person upon whom an honorary degree has been conferred by the University, is convicted of any crime or offence involving moral turpitude, or is in the opinion of the Council guilty of scandalous conduct, it shall be lawful for the Chancellor, on the recommendation of not less than two-thirds of the members of the Council, to do any or all of the following:—

- (a) to remove his name from the membership-roll of such Authority or other body;
- (b) to remove his name from the register of registered graduates;
- (c) to deprive him of any degree, diploma or other academic distinction conferred upon him by the University;
- (d) to deprive him of all privileges of the University which he enjoys.

56. If any question arises whether any person has been duly elected, appointed, nominated or co-opted as, or whether any person is entitled to be, a member of any Authority or other body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final

Question as to validity of elections and appointments.

57. No resolution or proceeding of any Authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or of vacancies among its members.

Vacancies not to invalidate resolutions or proceedings.

58. (1) All courses of study, and all degrees, diplomas and other academic distinctions of the University shall be open to women.

Rights of women.

(2) No person shall, by reason of sex, be debarred from any office in the University or from membership of any of its Authorities or other bodies.

59. Notwithstanding anything in any written law other than this Ordinance, the salary or allowances of any officer, teacher, clerk or servant of the University and moneys lying to the credit of any such officer, teacher, clerk, or servant in the Ceylon University Provident Fund shall not at any time be attached, sequestered or seized in execution of the decree or process of any court.

Salaries, &c. of officers, &c., exempt from seizure in execution.

## PART XII.

### *Special Provisions.*

60. (1) It shall be lawful for the Vice-Chancellor, with the consent of the Council, by writing under his hand served on any person who has been convicted of an offence under the provisions of section 365 or section 365A of the Penal Code or of section 2 of the Brothels Ordinance, to prohibit such person from entering or remaining within the University radius or within such part thereof as may be specified in such writing. Such prohibition shall be and remain in force until revoked by the Vice-Chancellor with the like consent.

Prohibition of persons convicted of certain offences from entering University radius.

Cap. 15.

Cap. 25.

(2) A certificate under the hand of the Vice-Chancellor to the effect that any person named in the certificate has been prohibited, in accordance with the provisions of sub-section (1), from entering or remaining within the University radius or any specified part thereof, shall be received and accepted by a court as evidence of the facts stated in such certificate until the contrary is proved.

(3) A document purporting to be a certificate issued by the Vice-Chancellor and to be signed by him, shall be received in evidence, and shall, until the contrary is proved, be deemed to be a certificate issued by the Vice-Chancellor under sub-section (1).

61. Any person prohibited under the provisions of section 60 from entering or remaining within the University radius or part thereof who enters or remains within such radius or part thereof in contravention of such prohibition shall be guilty of an offence, and shall, on conviction after summary trial before a Magistrate, be liable to a fine of one hundred rupees in respect of each day upon which he has entered or during which he has remained within such radius or part thereof.

Penalty for offence of disobeying prohibition.

62. All offences under section 61 shall be cognizable and bailable within the meaning of those terms as defined in the Criminal Procedure Code.

Offences under Section 61 to be cognizable and bailable.

Cap. 16.

## PART XIII.

63. (1) Notwithstanding anything in the Housing and Town Improvement Ordinance, it shall be lawful for the Governor, if he deems it expedient to do so in order to preserve the amenities of the University precincts, to declare, by notification published in the *Gazette*, that Chapter I. of Part II. of that Ordinance shall apply, subject to the modifications specified in sub-section (2) of this section, to any area of land in proximity to the University precincts to which the said Ordinance does not otherwise apply, as if such area were an area comprised within the administrative limits of a local authority.

Application of Chapter 199 to areas in proximity to the University precincts.

Cap. 199.

(2) Upon the publication of any such notification, the said Chapter shall apply accordingly, subject to the following modifications therein —

(a) The word "Vice-Chancellor" shall be substituted for the word "Chairman", wherever the latter word occurs therein.

(b) The following section shall be substituted for section 7 thereof :—

7. The Vice-Chancellor shall not refuse—

- (1) to approve any plan, drawing or specification of any building ; or
  - (2) to consent to any alteration in any building, unless the building or the alteration of the building is of such a nature as to be likely, in his opinion, to injure the amenities of the University precincts, or unless the applicant for such approval or consent fails to comply with any requirement made under section 8.
- (c) In section 8 (a) thereof, the words " by local by-laws, or in the absence of such by-laws " shall be omitted.
- (d) In section 8 (b) thereof, the words " so as to bring it into accordance with such form or so as to contain any of such particulars " shall be substituted for the words " so as to bring it into accordance with law ".
- (e) In section 8 (e) thereof, the word " Chapter " shall be substituted for the word " Ordinance ".
- (f) In section 13 (1) (c) thereof, the words " this Chapter " shall be substituted for the words " this Ordinance or of any local by-law ".
- (g) In section 13 (2) thereof, the words " so as not to injure the amenities of the University precincts " shall be substituted for the words " in such a way as to bring it into accordance with law ", and the words " and any expenses thereby incurred shall be recoverable upon an order made by the Magistrate in the same manner as a fine imposed by him, and upon recovery shall be paid to the Vice-Chancellor " shall be substituted for the words " and to recover the expenses thereby incurred in the same manner and by the same process as a rate ".
- (h) In section 15 (1) thereof, the words " does not injure the amenities of the University precincts " shall be substituted for the words " is in accordance with law ".
- (i) The reference to the Tribunal of Appeal in section 16 thereof shall be deemed to be a reference to the District Court having jurisdiction in the district in which the said area is situated.

(3) The exercise of any of the powers conferred upon the Vice-Chancellor under the provisions of this section shall be subject to the consent of the Council, and if the Vice-Chancellor refuses to approve any plan, drawing or specification of any building or to consent to any alteration in any building within the said area on the ground that it will injure the amenities of the University precincts, the University shall make compensation to any person for any loss or damage he may sustain in consequence of such refusal ; and any person aggrieved by the failure of the University to make such compensation or to make adequate compensation, may appeal to the District Court having jurisdiction in which such area is situated and the decision of the District Court on any such appeal shall be final.

#### PART XIV.

##### *Transitory Provisions.*

64. The first Vice-Chancellor may be appointed at any time after the enactment of this Ordinance and prior to the date on which this Ordinance or any provision thereof is brought into operation ; and it shall be lawful for any person so appointed, subject to the previous approval of the Chancellor and to the existence of financial provision therefor, to make such appointments and to take such action as he may think necessary, consistent; so far as may be, with the provisions of this Ordinance and of the Statutes contained in the Schedule, for the purpose of bringing the University into being or for the purpose of the issue of any Proclamation under section 1 ; and, for such purposes, he may exercise any power which, by this Ordinance or by the Statutes aforesaid, is or may be conferred on the University or on any officer or Authority thereof.

65. In the case of the first appointments, elections or co-optations to any University Authority, one-half of the total number of members appointed, elected or co-opted in any category, or, in the event of there being an odd number of members in any category, one-half such number less one, shall retain their membership of such Authority for a term of two years only and shall then retire from such membership. The members who shall so retire shall be chosen by lot :

Provided that any member retiring after a term of two years only under the provisions of this section shall be eligible for re-appointment or re-election, or to be again co-opted, for a full three years term of membership.

Appointment of, and preliminary action by, first Vice-Chancellor.

Rotation of membership of University Authorities.

66. (1) For the purposes of this section, "the transitional period" means the period between the date on which this Ordinance comes into operation and the thirtieth day of September next following.

Transitional period.

(2) For the purposes of Part X of this Ordinance, the first financial year of the University shall begin at the end of the transitional period.

(3) The Vice-Chancellor shall prepare the financial estimates for the transitional period and shall transmit them to the Chancellor, who may assent to them or refer them back to the Vice-Chancellor for further consideration. The said financial estimates, when assented to by the Chancellor, shall be deemed to be the financial estimates of the University for the purposes of this Ordinance.

(4) There shall be paid to the University out of moneys provided by the State Council in accordance with the provisions of section 46 a grant in aid of the University to meet the expenses of the University during the transitional period.

(5) Until the grant in aid under the last preceding sub-section shall have been paid, it shall be lawful for the Financial Secretary to advance to the University such sums as he may think necessary to meet the current expenses of the University:

Provided that such sums shall be deemed to be part of the grant in aid under the last preceding sub-section.

(6) If under section 64 the Vice-Chancellor is appointed before this Ordinance comes into operation, it shall be lawful for the Financial Secretary to pay, out of moneys voted by the State Council for the expenses of the Ceylon University College, and until this Ordinance comes into operation, the salary of the Vice-Chancellor under this Ordinance and such expenses as the Vice-Chancellor may incur with the consent of the Financial Secretary for the purposes of section 64.

(7) For the purposes of section 41, the date of the employment of the first Vice-Chancellor shall be the date on which he is appointed under section 64, notwithstanding that this Ordinance may not then be otherwise in operation.

67. (1) Save as otherwise provided in sub-section (4), every teacher, officer, servant or other person holding an appointment under the Government of Ceylon and employed in the Ceylon University College or the Ceylon Medical College immediately before the date on which this Ordinance comes into operation shall, on that date, be transferred to the employ of the University.

Transfer of officers.

(2) In this Part of this Ordinance, persons transferred under the last preceding sub-section are referred to as "transferred officers".

(3) A transferred officer shall be employed by the University with as nearly as may be the same status and, subject to this Ordinance, on the same terms, including terms relating to salary or wages, the termination of his employment, allowances and overseas passages for himself and his family, as he had or enjoyed in the service of the Government of Ceylon immediately before the date on which this Ordinance came into operation. Any dispute between the University and a transferred officer as to the application of this section shall be decided by the Governor whose decision shall be final.

(4) The preceding provisions of this section shall not apply to the Principal of the Ceylon University College.

68. (1) Every transferred officer who, immediately before the date on which this Ordinance came into operation, held a post declared to be pensionable under the Minutes on Pensions issued by the Governor (hereinafter referred to as a "pensionable officer"), shall be deemed, for the purposes of those Minutes, to continue to hold such a post so long as he is in the employ of the University, and shall be eligible for the grant of a pension as though his service under the University were service under the Government; and the Governor may grant such pension in accordance with the terms of the said Minutes.

Pensionable officers transferred to University.

(2) Notwithstanding anything in the Widows' and Orphans' Pension Fund Ordinance, any transferred officer who, immediately before the date on which this Ordinance came into operation, was subject to the provisions of that Ordinance shall, so long as he remains in the employ of the University, be deemed to be a public officer within the meaning of that Ordinance and for the purpose of the application of the provisions thereof.

Cap. 296.

69. (1) The University shall, in respect of every pensionable officer in its employ, contribute out of the University Fund to the general revenue of the Island in respect of every complete month during which the said officer is in its employ, such sum not exceeding fifteen per centum of the highest monthly salary received by such officer in his substantive post under the Government or the University as the Governor

Contributions by University in respect of transferred officers.

may from time to time determine. All contributions under this section shall be paid annually into the Treasury on or before such date as may be fixed by the Financial Secretary.

(2) In this section, "salary" means the emoluments of the pensionable appointment held by the officer exclusive of allowances other than personal allowance.

Non-pensionable transferred officers.

70. (1) In respect of every transferred officer who is not a pensionable officer there shall be paid to the University out of moneys provided by the State Council a sum equal to one-tenth of the officer's salary during each month of his service under Government, accumulated during the period of such service up to the date of payment at compound interest at the rate of four per centum per annum.

(2) The sum so received by the University shall be placed to the credit of the account of the transferred officer in the Provident Fund established under section 39 and shall, for the purposes of the application of the provisions of Part IX. of the Ordinance, be deemed to be a contribution made by the University in respect of that officer under section 41 (1).

Pensionable officers entitled to benefits of Article 88 of the Order in Council prior to their transfer to service of the University.

71. Every pensionable officer who, immediately before the date on which this Ordinance came into operation, belonged to the class of public officers described in paragraph (a) of clause (1) of Article 88 of the Ceylon (State Council) Order in Council, 1931, shall be entitled to retire from the service of the University in the same circumstances, under the same conditions, and with the same benefits and consequences, as though his service under the University were service under the Government and as though he were a public officer of that class on the date of his retirement from the service of the University.

Rights of other pensionable officers.

72. Any pensionable officer to whom section 71 does not apply shall be entitled, within a period of five years from the date on which this Ordinance comes into operation, to retire from the service of the University and may then be granted, under the Pension Minutes issued by the Governor, such compensation as might have been granted if he had been, on the date of his retirement, an officer in the public service and had been retired on account of the abolition of his office; and, for the purposes of the grant of such compensation, the service of every such pensionable officer under the University shall be deemed to be service under the Government.

Transfer to University of fixtures and movable property of University College and Medical College.

73. The Governor may, by Order, transfer to the University such fixtures and movable property belonging to the Crown and used by the Ceylon University College or the Ceylon Medical College as may be specified in the Order; and any fixtures or movable property specified in any such Order shall, with effect from such date as may be appointed thereby, vest in and be the property of the University.

Construction of deeds, &c.

74. (1) Where under any deed, will, or other written instrument or under any agreement, trust or *fidei commissum*, the Crown has acquired or would but for this section have acquired any right, power or privilege, or has become bound or would but for this section have become bound to the performance of any duty or obligation, such right, power, privilege, duty or obligation being in respect of and for the purposes of the Ceylon University College or the Ceylon Medical College, the right, power, or privilege shall vest in, or the duty or obligation shall be binding on, the University.

(2) Any question whether under the preceding provisions of this section any right, power or privilege has become vested in the University or any duty or obligation has become binding on the University shall be referred to the Governor; and the decision of the Governor thereon shall be final.

(3) Any reference in any document to the Government of Ceylon on behalf of the Ceylon University College or the Ceylon Medical College, or to the Ceylon University College or the Ceylon Medical College, or to the Principal of the Ceylon University College, shall be construed as a reference to the University, or to the Council, or to the Vice-Chancellor, as the case may be.

Repeals, &c. Cap. 90.

75. The provisions of the Medical Ordinance specified in the first column of the Second Schedule are hereby amended in the manner and to the extent set out in the corresponding entries in the second column of that Schedule.

#### FIRST SCHEDULE.

##### THE STATUTES.

##### I.—*Interpretation.* (Section 26 (k)).

1. (1) In the Statutes, Acts and Regulations, unless the context otherwise requires—

(a) "the Ordinance" means the Ceylon University Ordinance, 1941; and

(b) any reference to a section by number shall be construed as a reference to the section of that number in the Ordinance.

(2) In the Statutes, any reference to a clause by number shall be construed as a reference to the clause of that number in the Statute in which the reference occurs.

2. The Statutes, Acts and Regulations shall be interpreted in such manner as not to conflict with the Ordinance.

3. Words defined in the Ordinance shall have the same meaning in the Statutes, Acts and Regulations, unless the context otherwise requires.

II.—*Constitution, &c., of the Court.* (Section 15 (1), (2) ).

1. The following shall be *ex officio* members of the Court :—

- (i) The Chief Justice
- (ii) The Chief Secretary.
- (iii) The Legal Secretary.
- (iv) The Financial Secretary.
- (v) The Minister for Home Affairs
- (vi) The Minister for Agriculture and Lands.
- (vii) The Minister for Local Administration.
- (viii) The Minister for Labour, Industry and Commerce.
- (ix) The Minister for Health.
- (x) The Minister for Communications and Works.
- (xi) The Members of the Executive Committee of Education.
- (xii) The Deans of the Faculties.
- (xiii) Members of the University Council.

2. The number of graduates to be elected by the registered graduates from among their own body under the provisions of section 15 (1) (c) (ii) shall be five.

3. The number of members to be elected from among their own body by the teachers of the University other than Professors and Readers under the provisions of section 15 (1) (c) (iii) shall be two.

4. The number of members to be elected from among their own body by the members of the State Council under the provisions of section 15 (1) (c) (iv) shall be five.

5. The number of members other than life members to be appointed by the Chancellor under the provisions of section 15 (1) (c) (v) shall be five.

6. The number of members to be elected under the provisions of section 15 (1) (c) (vi) from the Councils named therein shall be respectively—

The Council of Legal Education	two
The Ceylon Medical Council	two

7. The total number of persons to be elected under the provisions of section 15 (1) (c) (vii) by the Councils, Boards, Associations or other bodies or groups of bodies referred to therein shall not at any time exceed ten.

8. The term of membership of every member of the Court other than the *ex officio* or life members shall be three years, beginning on the first day of January next after his election or appointment :

Provided that a member of the Court elected under the provisions of section 15 (1) (c) (i), (ii), (iii), (iv), (v) or (vi) shall retain his membership for so long only within the said term of three years as he retains the status or membership in virtue of which he was eligible for election as a member of the Court :

Provided, also, that where a member is elected or appointed before the first day of January next after the date on which this Ordinance comes into operation, he shall become a member immediately, but the period of his membership shall be calculated from the first day of January next following.

9. An appointed or elected member of the Court who retires shall, subject to the proviso to clause 8, be eligible for reappointment or re-election, as the case may be.

10. Where any member of the Court appointed or elected under section 15 (1) (c) resigns or dies, or is incapacitated, or is likely to be absent from the Island for more than nine months, there shall be a casual vacancy which shall be filled on the first day of January next following, and the person appointed or elected to fill it shall serve for the remainder of the term of office of his predecessor.

11. If, on the expiration of the term of membership of any member of the Court appointed or elected under the provisions of section 15 (1) (c), the person or body who or which appointed or elected such member has not appointed or elected a successor, such member shall remain a member of the Court till the appointment or election of a successor or till the expiration of three months from the date on which his term of membership terminated under the provisions of clause 8, whichever shall first happen.

12. Twenty members of the Court shall form a quorum.

III.—*Constitution, &c., of the Senate.* (Section 21).

1. The members of the Senate shall be—

(a) *Ex officio* members—

- (i) The Vice-Chancellor.
- (ii) The Deans of the Faculties.
- (iii) The Professors.
- (iv) The Readers or Lecturers in independent charge of the Departments of Study.
- (v) The Librarian.

(b) *Other members—*

- (i) Two members elected from among their own body by the teachers of the University other than Professors and Readers.
- (ii) Not more than two members, not being salaried officers or teachers of the University, appointed by the Council from Principals of schools or graduate teachers actively engaged in their profession.
- (iii) Two members of the Council appointed by the Council from among its own body.
- (iv) Not more than two members, not engaged in teaching in any educational institution, appointed by the Chancellor on account of their possessing expert knowledge in some subject which forms or may in due course form a subject of study in the University.
- (v) One member appointed by the Vice-Chancellor from among the Wardens of the Halls of Residence.

2. The Senate as constituted under clause 1 may, subject to the assent of the Vice-Chancellor in each case, co-opt as members teachers of the University to a number not exceeding one-tenth of its membership as so constituted.

3. The term of membership of every member of the Senate other than the *ex officio* members shall be three years :

Provided that a member of the Senate appointed, elected or co-opted under the provisions of clause 1 (b) (i), (ii), (iii) or (v) or of clause 2 shall retain his membership for so long only within the said term of three years as he continues to perform the functions of the post or retains the membership in virtue of which he was eligible for appointment, election or co-optation as a member of the Senate.

4. An appointed, elected, or co-opted member of the Senate who retires shall, subject to the proviso to clause 3, be eligible for re-appointment or re-election or to be again co-opted, as the case may be.

5. The Vice-Chancellor may depute a Dean of a Faculty to preside at any meeting of the Senate at which he is unable for any reason to preside himself.

6. Nine members of the Senate shall form a quorum.

IV.—*Powers of the Senate.* \* (Section 21).

Subject to the provisions of the Ordinance and of the Statutes, Acts and Regulations, it shall be lawful for the Senate—

- (a) to make, after report from the Faculties, the General Board of Studies and Research, or the Boards of Studies concerned, all Regulations necessary to give effect to the Statutes and Acts relating to courses of study ;
- (b) to recommend to the Council the names of persons suitable for appointment as examiners, after report from the Faculties concerned ;
- (c) to recommend to the Council the institution, abolition or suspension of Professorships, Readerships, Lecturerships and other teaching posts, and the qualifications and emoluments of teachers, of the University ;
- (d) to report to the Council, after report from the General Board of Studies and Research or the Boards of Studies concerned, on all Acts relating to courses of study ;
- (e) to report on any matter referred or delegated to it by the Court or the Council, and to advise the Council on all academic matters ;
- (f) to formulate schemes for the organisation of new Faculties or for the modification or revision of the organisation of existing Faculties, and to assign to such Faculties their respective subjects of study ; and to recommend teachers to the Council for appointment as members of the Faculties ;
- (g) to fix the times and mode and conditions of competition for Fellowships, Scholarships, Exhibitions, Bursaries, and Medals and other Prizes and to award the same, subject to any conditions attached to the foundation thereof and accepted by the Council ;
- (h) to regulate the admission of persons to courses of study in the University ;
- (i) to appoint a Library Committee and to approve, amend or reject Regulations submitted by such Committee for the guidance of the Librarian in the administration of the University Library or Libraries ;
- (j) to discuss, and submit recommendations to the Council on, any matter whatsoever relating to the University.

V.—*Constitution, &c., of the Faculties.* (Section 22 (2) ).

1. Each Faculty shall consist of—

*Ex officio members—*

- (a) The Professors, Readers and Lecturers of the Departments of Study comprised in the Faculty, and such other persons as may be specially declared by Statute to be *ex officio* members of any particular Faculty.



*Other members—*

- (b) Such teachers of the University as may be appointed to the Faculty by the Council on the recommendation of the Senate.
- (c) Such other persons as may be appointed by the Council on the recommendation of the Senate or specially declared by Statute to be members of, or to be included in, any particular Faculty.
2. The total number of members of each Faculty shall not in the case of the Faculties of Arts and Science exceed thirty, and in the case of any other Faculty fifteen, except with the sanction of the Chancellor given on the request of the Senate or unless it shall be otherwise prescribed in the Statutes in respect of any Faculty.
3. Nothing contained in this Statute shall prevent any officer of the University or other person from being a member of two or more Faculties at any one time :  
Provided that no person shall at any one time be the Dean of more than one Faculty.
4. The Vice-Chancellor shall be an *ex officio* member of all Faculties.
5. The Director of Public Works shall be an *ex officio* member of the Faculty of Engineering, if and when a Faculty of Engineering is established.
6. The Director of Agriculture shall be an *ex officio* member of the Faculty of Agriculture, if and when a Faculty of Agriculture is established.
7. The Archaeological Commissioner shall be an *ex officio* member of the Faculty of Arts.
8. The Faculty of Medicine shall include the Director of Medical and Sanitary Services and three members of the Ceylon Medical Council nominated from time to time by the said Council.
9. The Faculty of Law shall include three members of the Council of Legal Education nominated from time to time by the said Council.
10. The term of membership of every member of a Faculty other than the *ex officio* members shall be three years :  
Provided that a member of a Faculty appointed or nominated under the provisions of clauses 1 (b), 8 or 9 shall retain his membership for so long only within the said term of three years as he continues to perform the functions of the post or retains the membership in virtue of which he was eligible for appointment or nomination as a member of such Faculty.
11. An appointed or nominated member of a Faculty who retires shall, subject to the proviso to clause 10, be eligible for re-appointment or re-nomination, as the case may be.
12. The Dean of the Faculty shall preside at all meetings of the Faculty :  
Provided that in the absence of the Dean the members present shall elect a Chairman from among themselves.
13. The proceedings of every meeting of a Faculty shall be communicated by the Registrar to the Senate.
14. Five members of a Faculty shall form a quorum.

VI.—*Powers of the Faculties.* (Section 22 (2) ).

Subject to the provisions of the Ordinance and of the Statutes, every Faculty shall have the following powers:—

- (a) to consider and report on any matter referred to it by the Senate ;
- (b) subject to the control of the Senate, to regulate the teaching and research in the Department of Study assigned to such Faculty ;
- (c) to present recommendations and reports to the Senate upon all matters connected with the courses and subjects of study comprised in such Faculty ;
- (d) to nominate departmental committees, which may include members of other Faculties, for the purpose of considering and reporting on any special subject or combination of subjects ;
- (e) to recommend to the Senate persons suitable for appointment as examiners ;
- (f) to remit any matter to one or more of the Boards of Studies comprised in the several Faculties for consideration and report :

Provided that if any Faculty so remits any matter to one or more of the Boards of Studies, it shall be lawful for such Faculty to instruct such Board or Boards of Studies to communicate its or their report directly to the Senate and to transmit a copy thereof to the Faculty :

Provided also that it shall be lawful for the Dean of a Faculty in his discretion to remit any matter referred to such Faculty by the Senate to a Board or Boards of Studies without laying such matter before a meeting of the Faculty and to transmit the report of such Board or Boards of Studies to the Senate without laying such report before a meeting of the Faculty.

VII.—*General Board of Studies and Research.* (Section 23).  
Constitution.

1. The General Board of Studies and Research shall consist of the following persons:—

*Ex officio members—*

- (a) The Vice-Chancellor, who shall be the Chairman of the Board.
- (b) The Deans of the Faculties.

*Other members—*

- (a) Two members of the Court appointed by the Court.
- (b) Two members of the Council appointed by the Council.
- (c) Members of the Senate, two such members being appointed by each Faculty established under section 22 of the Ordinance :

Provided that the representatives of a Department of Study which is included in more than one Faculty shall not vote in more than one Faculty for the purposes of this clause.

2. The term of membership of every member of the General Board of Studies and Research other than *ex officio* members shall be three years :

Provided that a member of the General Board of Studies and Research appointed under the provisions of clause 1 shall retain his membership for so long only within the said term of three years as he retains the membership in virtue of which he was eligible for appointment.

3. An appointed member of the General Board of Studies and Research who retires shall, subject to the proviso to clause 2, be eligible for re-appointment.

**Powers.**

4. The General Board of Studies and Research shall have power to consider any matters concerning teaching and courses of study and research which affect the University as a whole and to report thereon to the Senate and, at its discretion, to the Council, and similarly to consider and report upon any matters referred to it by the Senate.

**VIII.—Boards of Studies. (Section 26 (1) (a), (b) ).****Constitution.**

1. Boards of Studies shall from time to time be appointed by the Council on the recommendation of the Senate to deal with matters pertaining to the several Departments of Study comprised in the Faculties or to any two or more of such Departments of Study.

2. The Vice-Chancellor, the Dean of the Faculty concerned and the Head or Heads of the Department or Departments of Study shall be *ex officio* members of every such Board of Studies.

3. Every Board of Studies shall consist of the *ex officio* members named in clause 2 and of such other members of the Faculty and such Professors, Readers or Lecturers of the University as the Council may from time to time appoint, after considering the report of the Senate, made after the Senate has consulted the Faculty :

Provided that the Council, after considering the report of the Senate, made after the Senate has consulted the Faculty, may appoint as members of any Board of Studies such other persons, not being teachers of the University, as it thinks fit :

Provided, further, that the number of such other persons shall in no case exceed one-fifth of the total number of the members of such Board.

4. The Council shall appoint one of the members of every Board of Studies to be a Convener thereof. Such convener shall preside at the meetings of such Board and shall have an original vote, and where the voting is equal, a casting vote in addition. In the absence of the Convener, a Board of Studies shall appoint its own Chairman from among the members present.

5. The term of membership of every member of a Board of Studies other than the *ex officio* members shall be three years :

Provided that a member of a Board of Studies appointed in his capacity of member of a Faculty or of Professor, Reader or Lecturer of the University shall retain his membership for so long only within the said term of three years as he retains the membership or continues to perform the functions of the post in virtue of which he was eligible for appointment as a member of such Board of Studies.

6. An appointed member of a Board of Studies who retires shall, subject to the proviso to clause 5, be eligible for re-appointment.

**Powers and Duties.**

7. The respective Boards of Studies shall report through the appropriate Faculties, or directly if so instructed by the Faculties, to the Senate upon any matter relating to courses and syllabuses of study, prescribed books, examinations, or research or on any matters specially referred to them by the Senate or the Faculties or the General Board of Studies and Research.

8. Every Board of Studies shall have power to recommend to the Faculty concerned persons suitable to be examiners in the subjects with which it deals.

**IX.—Board of Residence and Discipline. (Section 26 (1) (a) ).**

1. There shall be a Board of Residence and Discipline, which shall consist of—

- (a) The Vice-Chancellor.
- (b) The Wardens of the Halls of Residence.
- (c) Such other members as may be appointed by the Council.

2. The powers and duties of the Board of Residence and Discipline shall be prescribed by Act.

3. The members of the Board of Residence and Discipline appointed under clause 1 (c) shall retain their membership for three years and shall be eligible for re-appointment.

X.—*Board for the Training of Teachers.* (Section 26 (1) (a)).

1. There shall be a Board for the Training of Teachers, which shall consist of—

- (a) The Vice-Chancellor.
- (b) The Director of Education.
- (c) The Principal of the Government Training College, Colombo.
- (d) The Professor of Education.
- (e) The Reader in Psychology.
- (f) Two members appointed by the Senate.

2. The powers and duties of the Board for the Training of Teachers shall be prescribed by Act.

3. The term of membership of every member of the Board for the Training of Teachers appointed under clause 1 (f) shall be three years.

4. An appointed member of the Board for the Training of Teachers who retires shall be eligible for re-appoint.

XI.—*Selection Committee.* (Section 35).

The Selection Committee referred to in section 35 shall be constituted as follows:—

- (a) The Vice-Chancellor.
- (b) The Dean of the Faculty concerned.
- (c) The Head of the Department of Study concerned.

XII.—*The Registrar.* (Section 13 (1)).

1. The duties of the Registrar shall be—

- (a) to be custodian of the records, documents, common seal and such other property of the University as may be determined from time to time by the Vice-Chancellor;
- (b) to act as Secretary to all University Authorities and to keep the minutes of the meetings of such Authorities: Provided that it shall be lawful for him to depute the Assistant Registrar, if such officer is appointed, to attend and keep the minutes of such meetings of Authorities as he cannot himself conveniently attend;
- (c) to arrange for the examinations conducted by the University;
- (d) to perform such other functions as may be necessary for the due discharge of the duties imposed upon him by the Ordinance and by the Statutes, Acts and Regulations.

2. It shall be lawful for the Registrar, subject to the previous approval of the Vice-Chancellor, to appoint and to suspend, dismiss or otherwise punish members of the staff of the University in receipt of emoluments amounting to less than one hundred rupees per mensem:

Provided that all action taken in the exercise of such powers in respect of the clerical staff shall be reported to the Council for its confirmation.

XIII.—*Deans of Faculties.* (Section 22 (4)).

1. The Dean of every Faculty shall be the executive officer thereof

2. He shall hold office for three years and shall be eligible for re-election.

3. He shall be responsible for the conduct of teaching in the Faculty and for the issue of the lecture lists of the Departments of Study comprised therein.

4. He shall have the right to be present and to speak at any meeting of any departmental committee of the Faculty, but shall not have the right to vote thereat unless he is a member of such committee.

XIV.—*The Librarian.* (Section 13 (2)).

Subject to the provisions of Statute IV. (1), the Librarian shall be responsible for the administration and care of the University Library or Librarian.

XV.—*Age of Admission.* (Section 33 (2)).

No person shall be admitted to the University under the provisions of section 33 unless and until he has completed his seventeenth year.

XVI.—*Residence.* (Sections 26 (1) (i), 31).

1. No undergraduate member of the University shall be deemed to be resident in the University unless he resides in a Hall of Residence within the University radius:

Provided that the Council may, on the recommendation of the Board of Residence and Discipline—

- (i) authorise any undergraduate member for reasons of abnormality, physical or temperamental, to reside in a lodging-house licensed under clause 2 within the University radius;
- (ii) authorise any undergraduate member who is leading a religious life as a member of a religious order or profession to reside in the premises occupied by the said order or profession if situated within the University radius;
- (iii) in the interests of discipline require any undergraduate member to reside in a lodging-house licensed under clause 2 within the University radius:

(iv) in the event of accommodation in the Halls of Residence proving at any time insufficient, require any undergraduate member who has completed two years of residence in a Hall of Residence to reside in a lodging-house licensed under clause 2 within the University radius.

2. It shall be lawful for the Board of Residence and Discipline to license any lodging-house situated within the University radius for the residence of undergraduate members of the University on such conditions as may from time to time be prescribed by Act; and upon proof of any infringement of such conditions to cancel such licence.

3. The persons appointed as Wardens of Halls of Residence shall include one representative of each of the principal religious denominations in Ceylon to which a substantial number of undergraduate members belong.

4. The Wardens appointed as representatives of religious denominations shall be appointed after consultation with such authorities or representatives of the religious denominations concerned as the Council thinks fit; and the number of such Wardens shall be determined by the Council subject to the approval of the Chancellor.

5. If the authorities or representatives of a religious denomination in Ceylon which is not represented by a Warden apply to the Council for the appointment of a Warden representing such denomination, the Council shall transmit such application to the Chancellor together with its recommendation as to the action, if any, to be taken thereon, and the Chancellor shall assent thereto or withhold his assent as he thinks fit.

6. The Wardens of Halls of Residence other than those appointed as representatives of religious denominations shall be appointed without regard to denominational considerations.

7. No person shall by reason of membership of or adherence to any religious denomination be disqualified from admission to any Hall of Residence of the University.

8. (1) For the purpose of allocating for any academic year the places in any Hall of Residence presided over by a Warden appointed as representative of a religious denomination, a number of places amounting to one-quarter of the total accommodation in such Hall of Residence shall be reserved up to a day twenty-eight days before the commencement of that year for occupation during the year by persons belonging to a religious denomination other than that of the Warden: Provided that if application for the said number of places or any of them (other than those which will be filled by undergraduate members already residing in the Hall) are not received from such persons before the said day, the places for which such applications have not been received may be filled by persons belonging to the same religious denomination as the Warden.

(2) In the case of casual vacancies occurring in any such Hall of Residence during the course of an academic year among the places allocated to persons belonging to religious denominations other than that of the Warden, preference shall be given to applications received from such persons.

9. Subject to the provisions of clause 8, every undergraduate member shall, so far as is practicable, be allocated to the Hall of Residence which he selects in his application for admission.

10. Subject to the provisions of the Ordinance and Statutes, the conditions to be observed in administering the Halls of Residence shall be prescribed by Act.

#### XVII.—Degrees, Diplomas and Academic Distinctions

(Section 26 (1) (g) ).

1. The University may confer any of the following degrees:—

- (a) Bachelor of Arts (B.A.).
- (b) Master of Arts (M.A.).
- (c) Doctor of Letters (D. Litt.).
- (d) Bachelor of Science (B.Sc.).
- (e) Master of Science (M.Sc.).
- (f) Doctor of Science (D.Sc.).
- (g) Bachelor of Laws (LL.B.).
- (h) Master of Laws (LL.M.).
- (i) Doctor of Laws (LL.D.).
- (j) Bachelor of Medicine (M.B.).
- (k) Master of Surgery (M.Ch.).
- (l) Doctor of Medicine (M.D.).
- (m) Doctor of Philosophy (Ph.D.).

2. No new degree or diploma shall be established, or other academic distinction adopted, without the concurrence of the Senate.

#### XVIII.—Honorary Degrees. (Section 26 (1) (h) ).

All proposals for the conferment of honorary degrees shall be made by the Senate for the approval of the Council, and shall be submitted by the Council to the Chancellor for confirmation.

#### XIX.—Registered Graduates. Section 26 (1) (f) ).

(a) Every graduate of the University, provided that two years or more have elapsed since the date of his graduation;

- (b) every graduate of another University who has been admitted to a degree of the University under the provisions of section 6 (e), provided that two years or more have elapsed since the date of his graduation at such other University; and
- (c) every person who is certified by the Vice-Chancellor to have graduated as an external student of the University of London after a course of instruction at the Ceylon University College or the Ceylon Medical College extending over at least three years, provided that two years or more have elapsed since the date of his graduation,

shall, on payment of such fees and subject to such conditions as may be prescribed by Act, be entitled to have his name enrolled in the register of registered graduates and to enjoy the privileges of registration.

XX.—*Salary of the Vice-Chancellor* (Section 26 (1) (c)).

The salary of the Vice-Chancellor for the first five years, or, if his term of office is extended, for the period of such extension, shall be at the rate of Rs. 30,000 per annum. The salary after such period shall be determined by Statute.

XXI.—*Salaries of Officers and Teachers.* (Section 26 (1) (c)).

The scales of salaries set forth below shall apply in all cases of new appointments to the full-time offices and teaching posts indicated:—

(i) *Officers—*

- (a) The Registrar . . . Rs. 9,600 by five annual increments of Rs. 480 and two of Rs. 600 to Rs. 13,200
- (b) The Librarian . . . Rs. 6,000 by eight annual increments of Rs. 300 to Rs. 8,400

(ii) *Teachers—*

- (a) Professors . . . Rs. 9,600 by five annual increments of Rs. 480 and two of Rs. 600 to Rs. 13,200
- (b) Readers . . . Rs. 7,200 by six annual increments of Rs. 300 to Rs. 9,000
- (c) Lecturers . . . Rs. 6,000 by eight annual increments of Rs. 300 to Rs. 8,400
- (d) Assistant Lecturers . . . Rs. 3,600 by five annual increments of Rs. 240 and two of Rs. 300 to Rs. 5,400.

Provided that in any special case it shall be lawful for the Council to submit a recommendation to the Chancellor that the appointment to any one of the offices or teaching posts mentioned in this Statute shall be made at a higher or lower rate of salary, whether as regards the minimum or the maximum, than that provided in this Statute, and that it shall be lawful for the Chancellor if he thinks fit to approve such recommendation.

XXII.—*Rent Allowances and Deductions.* (Section 26 (1) (c)).

The allowances, if any, to be made in lieu of residence to the officers, teachers, clerks and servants of the University, and the deductions to be made in respect of rent from their salaries shall be prescribed by Act.

SECOND SCHEDULE

(Section 75.)

*Amendment of the Medical Ordinance.*

I.	II.
Provisions of the Medical Ordinance	Nature and extent of amendment.
Section 6	There shall be added at the end of section 6, the following:— “In this section, “property” shall not include any property transferred to the ownership or control of the University of Ceylon by or under the Ceylon University Ordinance; and “affairs” shall not include any affairs of the University of Ceylon.”
Section 8	(1) In paragraphs (d), (e), (f), (g), (h) and (i) of sub-section (1) of section 8, there shall be substituted, for the words “the College” wherever they occur in those paragraphs, the words “the University of Ceylon”. (2) In paragraphs (j) and (k) of sub-section (1) of section 8, there shall be substituted, for the words “University College” wherever they occur in those paragraphs, the words “University of Ceylon”.
Section 10	In paragraph (a) of section 10, the words “in medicine and surgery or” shall be omitted.
Section 15	In paragraph (b) of sub-section (1) of section 15, there shall be substituted, for the words “lecturers of the College”, the words “teachers of the Faculty of Medicine of the University of Ceylon”.

I.	II.
Provisions of the Medical Ordinance	Nature and extent of amendment.
Section 32 ..	Sub-section (1) of section 32 shall be amended as follows :—
	(1) by the substitution, in paragraph (b) of that sub-section, for the words "College Council.", of the words "College Council; or"; and
	(2) by the addition, immediately after paragraph (b) of that sub-section, of the following new paragraph :—
	" (c) holds the degree of Bachelor of Medicine of the University of Ceylon."

*Objects and Reasons.*

The policy of establishing the Ceylon University at the earliest possible date has been re-affirmed on several occasions. The University College was created in 1921 with the intention that it should be amalgamated with the Ceylon Medical College to form the nucleus of the University of Ceylon. In 1924 the Legislative Council voted funds for the University buildings and in 1927 the University Site Committee recommended that the University should be unitary and residential and should be located near Kandy—*vide* Sessional Paper V. of 1927. In 1929 the University Commission reported on the details of the University organization and recommended a draft Constitution—*vide* Sessional Paper IV. of 1929. A Bill to give effect to these recommendations was introduced in the Legislative Council in 1930 and passed the Second Reading, but before it could pass the Third Reading the Council had to be dissolved to permit of the introduction of Constitutional Reforms. During the ensuing period the site question was revived and a final decision was eventually reached and the Peradeniya site acquired in 1938. Engineering operations preliminary to building have already been commenced on this site. It is the intention to transfer the University to Peradeniya as soon as the necessary buildings are completed. Meanwhile various circumstances make necessary the immediate establishment of the University in Colombo with a view to its subsequent transfer to Peradeniya. The University College has continued to teach for London degrees on syllabuses which are irrelevant and inapplicable to Ceylon conditions. Higher education has suffered in consequence as well as secondary education in as much as an alien orientation has been given to school curricula. Some time must, however, elapse before the change over from London syllabuses to syllabuses suitable to Ceylon can be completed. It is desirable that this change should take place before the transfer to Peradeniya. Besides, as the physical transfer to Peradeniya and the establishment of a residential system to which staff and students are alike unaccustomed involve a process of considerable magnitude it is the considered opinion of the College Authorities that the change to University status should precede the transfer by a few years. Finally, it is necessary that the University Authorities, should be in existence in order that appropriate advice may be given to the Public Works Department as to the accommodation and equipment required at Peradeniya. For all these reasons the early creation of the University in Colombo is essential.

2. An even more irresistible argument for the immediate changeover to University status is the extreme difficulty in maintaining connection with the London University in respect of its examinations owing to war conditions. The risk of destruction or loss of question papers and answer scripts in transit has increased with the outbreak of hostilities in the East. The considerable delay experienced during the past year or two in the receipt of examination results has had very harmful effects on the careers of students. Besides, examinations have to be held during such inconvenient times as July and August entailing the students in work without interruption for a period of 18 months. The requirement of the London Matriculation for entry to the University College subjects the secondary schools to the same consequences of uncertainty, risk and delay.

3. The present Bill is founded upon that of 1930, and therefore on the draft Constitution produced by the University Commission, though the modifications necessitated by the changed Constitution of Ceylon have been made. The main lines of the University Constitution have not required much amendment, because they were drawn from the standard Constitution favoured in Great Britain and the Dominions since 1900 and in India since the report of the Calcutta University Commission in 1919. In other words, the proposed Constitution for the University follows the generally accepted model which has proved to work well in many parts of the

world. It is that of a unitary, residential University in or near Kandy (the Peradeniya site is just outside the Kandy Municipal limits), though part of the teaching may be conducted elsewhere, for instance in the buildings now occupied by the Ceylon Medical College. The residential provisions must, however, be suspended until the transfer to Peradeniya can be effected. Power is therefore given to the Governor by clause 1 to declare that the operation of any provision of the Ordinance, or the application of any provision of the Ordinance to any Faculty or Department of study shall be temporarily suspended. It is also necessary to make certain that the medical degree of the University will secure the same recognition from the General Medical Council as the license now conferred by the Ceylon Medical College Council, and accordingly the operation of the Ordinance in so far as it affects the Medical College is suspended until the Executive Committee of Health is satisfied on this point. Thus, the Ordinance will take effect (subject to the suspension of certain residential provisions) immediately in relation to the Faculties of Arts and Science, and will take effect in relation to the Faculty of Medicine when the necessary assurances have been received. The following provisions will be suspended as to all Faculties until they are transferred to Peradeniya.—

Clause 4 (seat in or near Kandy),

Clause 19 (1) (b) (iv) (representation in the Council of wardens of Halls of Residence),

Clauses 31 and 33 (3) and Statutes IX and XVI (residence); Statute III, 1 (b) (iv) (representation on the Senate of wardens of the Halls of Residence); and

Statute X (Board for the Training of Teachers)

The suspension would be removed as each Faculty is transferred to Peradeniya. The Faculty of Medicine could not be transferred unless the State Council so decided and provided the necessary additional land and a hospital.

4. The University to be constituted by the Bill is a public corporation of a type familiar in most democratic countries. Accordingly clause 3 provides for its incorporation and for the conferment of the necessary attributes of a corporation. Under clause 5 land may be vested in it, and its general powers as a University are set out in clause 6. These are the ordinary powers of Universities in respect of teaching, examinations, degrees, &c.

5. Clause 7 provides that the University shall be open to all persons of either sex and of any race, creed or class whatever, and no test of religious belief or profession shall be adopted or imposed in the selection of any person to be a teacher or to hold any appointment therein (other than an appointment as a Warden of a Hall of Residence), or to graduate thereat or to hold, enjoy or exercise any advantage or privilege thereof. Nothing in this clause is to prevent religious instruction from being given in any manner which may be prescribed by Act to those willing to receive it by persons approved for that purpose by the Council. The exception as to Wardens of Halls of Residence must be read with Statute XVI.

6. No provision is made for places of worship on the University site, there being in fact no land available under the present plan, but authority is given under clause 8 for the leasing at a nominal rent of Crown land, and power is given for the compulsory acquisition of land for this purpose. Though the Council of the University will be consulted, the power is vested in the Governor. A vote of the State Council would of course be necessary where the land had to be acquired.

7. The principal officers and authorities of the University will be the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Court, the Council, the Senate and the Faculties. The Governor is ex-officio Chancellor under clause 10. Clause 12 deals with the appointment and duties of the Vice-Chancellor who will be the principal executive officer of the University.

8. Subject to the powers of the State Council, the general control of the University will be vested in the Court. Section 15, which deals with the composition of the Court, must be read with Statute II. The latter may be amended by decision of the Court laid before the State Council. Combining the two, the composition is as follows:—

- (a) The Chancellor, the Pro-Chancellor, and the Vice-Chancellor;
- (b) The Chief Justice;
- (c) The Officers of State and the members of the Board of Ministers;
- (d) The members of the Executive Committee of Education and five other members elected by the members of the State Council;

- (e) The members of the Council not already mentioned namely, the Director of Public Works, the Director, of Medical and Sanitary Services, the Director of Education, the Director of Agriculture, the Deans of the Faculties, five members appointed by the Chancellor, two members of the Senate, and one warden;
- (f) The professors and others in charge of Departments, one member from each Faculty, and two representatives of other teachers;
- (g) Life members, donors, and not more than five other persons appointed by the Chancellor;
- (h) Five registered graduates elected by the registered graduates;
- (i) Two representatives of the Council of Legal Education two representatives of the Ceylon Medical Council, and not more than ten persons elected by other bodies.

The Council is thus a large body which will be representative not only of the academic elements of the University itself but also of the various sections of the population. The number is, however, limited to one hundred, and twenty will be the quorum.

9. Under clause 16 the Court must meet once a year and may meet more frequently. The main powers of the Court are set out in clause 17. They include the Legislative power of making Statutes and of controlling Acts made by the Council and the general financial control of the University through the consideration of accounts and estimates.

10. The ordinary day to day administration of the University will be carried on by the Council, which is declared by clause 18 to be the executive body of the University. It will consist of the Vice-Chancellor, the Legal Secretary, the Financial Secretary, the Director of Public Works, the Director of Medical and Sanitary Services, the Director of Education, the Director of Agriculture, the Deans of the Faculties, five members appointed by the Chancellor, three members elected by the Court from among its own body, two members elected by the Senate from among its own body, and one warden.

11. The general administrative powers of the Council are set out in clause 20. It will be seen that in academic matters the Council will act after report from the Senate. The Senate is by clause 21 the academic body of the University and has general control (subject to the Council and the Court) of instruction, education and examinations. Its constitution is determined by Statute III, under which it will consist of the Vice-Chancellor, the Deans of the Faculties, the professors and others in charge of Departments, two members elected by the other teachers, two Principals of schools or graduate teachers appointed by the Council, two members of the Council, two members appointed by the Chancellor from among experts in some branch of knowledge, and one warden. Other teachers may be co-opted. The powers of the Senate are set out in Statute IV.

12. In matters relating to the particular branches of learning, the Senate will act on the advice of the Faculties. Power is given in clause 22 for the establishment of Faculties of Oriental Studies, Arts, Science, Law, Medicine, Agriculture, and Engineering, though not all of these are likely to be created immediately. The membership of the Faculties is set out in Statute V. The professors, readers and lecturers of the Departments comprised in the Faculty will be members, and certain other persons will become members *ex officio*. In addition, the Council on the recommendation of the Senate may add other persons. The maximum number will be thirty in the Faculties of Arts and Science and fifteen in others. Each Faculty will have a Dean elected by the Faculty, and he will be chairman of the Faculty and have other functions.

13. Clause 23 provides for a General Board of Studies and Research with the composition and powers set out in Statute VII.

14. The University will exercise its delegated powers through three kinds of instruments, Statutes, Acts and Regulations. Statutes will be made by the Court and Acts by the Council, while Regulations may be made by any University Authority where an express power is conferred, and by the Council in other cases.

15. Clauses 26-27 define and prescribe the various matters for which Statutes may be made and the procedure for making the same. The Statutes will be made by the Court after consulting the Council, and the Council has power of initiation, though where the status, powers or constitution of any Authority is affected, that Authority must under clause 27 be consulted. In some cases a Statute when made by the



Court takes effect when it has been assented to by the Chancellor and published in the *Gazette*. In other cases, the draft Statute must be laid before the State Council after it receives the assent of the Chancellor, and the State Council may by resolution disallow the draft Statute.

16. Under clause 29, Acts may be made by the Council, though in academic matters the proposal will come from the Senate. The Chancellor will have a veto over any Act, and any Act may be revoked by the Court by a two-thirds majority. The matters which may be dealt with by Act are set out in clause 28. Under clause 30, Regulations may be made by the appropriately authorised body, but they may be amended by the Council.

17. Clause 31 provides that every undergraduate member of the University shall reside within the "University radius" measured from the Convocation Hall, as prescribed by Act, and in a Hall or Residence or under such conditions of residence as may be prescribed by Statute or Act. The detailed rules are set out in Statute XVI. The Statutes and Acts will be administered by the Board of Residence and Discipline, consisting of the Vice-Chancellor, the wardens and other persons appointed by the Council (see Statute IX). These provisions must be suspended so long as the University is in Colombo.

18. Admission to the University will be controlled by a Board of Admission under clause 33. The minimum age is fixed at 17 years by Statute XV. Provision is made in clause 33 for the admission of graduates from other Universities. The degrees which the University may confer are listed in Statute XVII, and provision is made for honorary degrees by Statute XVIII.

19. Under clause 34, appointments of senior teachers will be made by the Council on the recommendation of a Board of Selection composed of the Vice-Chancellor, the Dean of the Faculty, two members of the Council, two specialist members of the Senate, and two members of the Court. Apart from the representation of the Court, this follows the practice generally adopted in Universities other than Oxford, Cambridge and London, where the appointment is made by officers and teachers alone. Junior appointments will be filled by the Council on the recommendation of a Selection Committee composed, in accordance with Statute XI, of the Vice-Chancellor, the Dean of the Faculty, and the Head of the Department. The terms of appointment are dealt with by clause 36, and the salary scales for new appointees (which are the same as those now adopted for the University College and the Medical College) are set out in Statute XXI.

20. Officers, teachers, clerks and servants (subject to exceptions prescribed by Act) will be brought within a Provident Fund established under Part IX. Under clause 41 the University will pay to the Fund ten per cent. of the employee's salary and will deduct five per cent. from that salary, the total being accumulated at four per cent. compound interest and dealt with in accordance with clauses 42 and 43.

21. In accordance with clause 44, and in order to bring the University in line with the Ceylon Government, the University financial year will be the same as that of Government. Under clause 45, the University will have a Fund into which all income will be paid. The payment of an annual grant-in-aid by the Financial Secretary is provided for by clause 46, the amount being determined by the State Council in the Appropriation Ordinance or by supplementary vote. Under clause 50, the annual estimates will be considered by the Council before the 15th January in each year and the Council will submit them to the annual meeting of the Court together with the accounts of the previous year. Under clause 51, the Court may adopt the estimates or amend them by resolution. In accordance with clause 52, the estimates and the resolutions will be returned to the Council, which must accept the decisions of the Court and transmit the estimates to the Chancellor. The Chancellor may assent to them or refer them back to the Council and the Court for further consideration. They will not be deemed to have been passed until they have received the assent of the Chancellor. Supplementary estimates may be produced by the Council and assented to by the Chancellor under clause 53; but they must be reported to the Court at the next annual meeting. The accounts of the University will be audited by the Auditor-General under clause 48, and must be published in the *Gazette* under clause 49.

22. Part XII confers special legal powers upon the Vice-Chancellor, with the approval of the Council, in order to protect the morals of the students at Peradeniya. These must be suspended so long as the University is in Colombo. Clause 63 amends the Housing and Town Improvement Ordinance in order to protect the amenities of the University site at Peradeniya.

23. Part XIV contains the transitory provisions necessary to enable the transfer of the property and officers of both the Government Departments, the University and Medical Colleges, to the University. Clause 64 enables the Vice-Chancellor to take the preliminary steps necessary for the constitution of the University authorities and generally for bringing the University into existence. Clause 66 provides for the financial arrangements during the period before the beginning of the first financial year.

24. Clause 68 provides for the conservation of the rights and privileges of "transferred" officers under the Government Pension Minute and the Widows' and Orphans' Pension Fund Ordinance (Cap. 296). Clauses 69 and 70 prescribe the financial arrangements between the University and the Government consequent on the decision to conserve these rights.

25. The right of officers under Article 88 of the Ceylon (State Council) Order in Council, 1931, to retire at any time on pension is protected by clause 71. Any other pensionable officer may retire in accordance with clause 72 within five years of the establishment of the University, and may then be given pension as if he had retired on abolition of office.

26. Clause 75 provides for the repeal of certain provisions of the Medical Ordinance (Cap. 90) specified in the Second Schedule necessitated by the incorporation of the Medical College in the University.

27. The University provided for by the Ordinance is thus an autonomous body, with its own legal personality, property and finance. It will however be subject to the general control of the State Council, in several ways. First, it will be subject to the general legislative power of the Council and will require to go to the State Council for any amendment of the Ordinance. Secondly, the more important Statutes must be laid before the State Council and may be disallowed by resolution of that body. Thirdly, the University will be largely dependent upon the State Council for its finance, and the amount of the grant in aid will be determined by the State Council every year. In the course of the debates on that vote, any defects in University administration or policy will no doubt be brought to the attention of the University. Fourthly, all the members of the Board of Ministers, all the members of the Executive Committee of Education, and five other members of the State Council, will be members of the Court, which will be the controlling body of the University. In other words, nearly one-third of the members of the State Council will be members of the Court. Fifthly, the Minister for Education will be Pro-Chancellor of the University and (in the absence of the Chancellor) will preside over the Court. Finally a number of important powers, including the power of appointing the Vice-Chancellor, will be vested in the Governor as such, and are therefore exercisable by him in accordance with the Constitution of Ceylon.

C. W. W. KANNANGARA,  
Colombo, February 17, 1942. Minister for Education.

#### NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Honourable the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Central Province, will be holden at the Court-house at Kandy, on Tuesday, March 10, 1942, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Kandy, February 13, 1942.

E. T. DYSON,  
Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Anuradhapura will be holden at the Court-house at Kandy, on Tuesday, March 10, 1942, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Anuradhapura, February 9, 1942.

R. ALUWIHARE,  
Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Badulla will be holden at the Court-house at Kandy, on Tuesday, March 10, 1942, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Badulla, February 10, 1942.

P. M. ANDRADO,  
for Fiscal.

#### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of W. Wilfred Case No. 5,195. Peirus of 11, 18th lane, Bambalapitiya in Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at a sitting of this court on March 13, 1942, at 10 45 A.M. to appoint an auditor and to approve of the scheme of distribution of the money lying in deposit in the above case.

February 13, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

No. 5,609 In the matter of the insolvency of P. Francis de Livera of Lunawa.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at a sitting of this court on March 13, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

February 13, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of George Walter Jurisdiction. Davy of 65/34, Kanatta road in Colombo, insolvent. No. 5,614.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at a sitting of this court on March 6, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

February 10, 1942.

By order of court, C. EMMANUEL,  
Secretary.

## In the District Court of Kandy.

No I. 104. In the matter of the insolvency of Navaratne Mudiyanselege Wekumburegedera Mudiyanse of Morape in Pallepone korale, Kolmale.

WHEREAS N. M. W. Mudiyanse has filed a declaration of insolvency, and a petition for the sequestration of the estate has also been filed by Panchi Banda Aviruppola of Tispone under the Ordinance No. 7 of 1933, notice is hereby given that the said court has adjudged the said N. M. W. Mudiyanse insolvent accordingly; and that two public sittings of the court to wit, on March 13, 1942, and on April 17, 1942, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance of which creditors are hereby required to take notice

February 17, 1942 By order of court, R. B. RATNAIKE. Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

## In the District Court of Colombo.

(1) Haputantrige Don John Singho of Mampe, (2) Haputantrige Don Solomon of Tumbowla (dead); Abeysinatchige Dona Somawathie Hammo in place of 2nd plaintiff deceased . . . . . Substituted Plaintiffs.

No. 2,421. Vs.

Thewahettige Thomis Appu of Siddamulla presently an inmate of the Asylum, Hendala . . . . . Defendant.

NOTICE is hereby given that on Monday, March 16, 1942, will be sold by public auction at the respective premises, the following property mortgaged with the plaintiffs by bond No. 4446 dated April 3, 1925, and attested by D. B. Jayasinghe, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 18, 1941, for the recovery of the sum of Rs. 2,000, together with interest thereon at 9 per cent. per annum from January 28, 1935, till payment in full, and costs of suit, viz. :—

At 3 p.m.—(1) All that undivided 17/20 parts or shares from and out of all that land called Alubogahawatta and of the trees and plantations standing thereon, situated at Siddamulla in the Udugaha pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by the portion allotted from this land to Elwitigalage Alhs Appu, on the east by high road, on the south by the lands of Thewahettige Thomis Appu and others, and on the west by the field; containing in extent about 3 acres.

At 3 30 p.m.—(2) All that undivided 1/4 part or share from and out of all that land called Alubogahawatta alias Delgahawatta and of the trees and plantations standing thereon, situated at Siddamulla aforesaid; and bounded on the north-west and north by Crown lands and the lands of H. Bastian Peris and others, on the north-east by the land of V. Hendrick Appu, on the east by High road, on the south by the land described in plan No. 129,541, and on the west by a portion of this land and lands of H. Bastian Peris and others, containing in extent 1 acre 2 roods and 31 75/100 perches, (A 1 R 2 P. 31 75/100).

At 3 45 p.m.—(3) All that undivided 1/4 part or share from and out of all that land called Heneganwilakumbura, situated at Siddamulla aforesaid; and bounded on the north by the field of Welhwattage Anoris Perera, on the east by the land of Katugampolage Don Juwanis, Police Vidane, and Withanagekumbura, on the south by the land called Omattagekele and on the west by Depawella; containing in extent about seven bushels of paddy sowing.

At 4 45 p.m.—(4) All that undivided 1/4 part or share from and out of the land called Batadombagahakumbura, situated at Pelenwatta in the Palie pattu of Salpiti korale in the District of Colombo aforesaid, and bounded on the north by the field of Welhwattage Anoris Perera, on the east by Depawella, on the south by a portion of Batadombagahakumbura and on the west by the land of Rupasingheathige people; containing in extent about three bushels of paddy sowing.

Prior Registration N 32/287, 32/3, 18/10, M 256/92.

Fiscal's Office, H. C. WIJESINHA,  
Colombo, February 17, 1942. Deputy Fiscal.

## In the District Court of Colombo.

Guruttebilage Leesamma Fernando of Hunupitiya . . . . . Plaintiff.

No. 12,199/M. B. Vs.

(1) Bulathwelage Louisamma Fernando of Hunupitiya, (2) Hikkaduwege Singhom Fernando; wife and husband, both of Hunupitiya . . . . . Defendants

NOTICE is hereby given that on Friday, March 13, 1942, at 4 p.m., will be sold by public auction at the premises, the following property mortgaged with the plaintiff by bond No. 3191 dated May 7, 1931, attested by M. R. Akbar, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated January 6/8, 1942, for the recovery of the sum of Rs. 1,000, together with legal interest thereon from October 25, 1940, till payment in full and costs of suit, viz. :—

All that allotment of land marked lot D in plan No. 3,093 dated February 15, 1920, made by J. H. W. Smith, Licensed Surveyor, out of the land called Ehelagahawatta, situated at Hunupitiya in the Adicari pattu of Siyane korale, in the District of Colombo, Western Province; the said allotment of land marked lot D being bounded on the north by the garden of Annakkarage Themanis Peris, on the east by the field called Wilakolawila and the owita land of Bulathwelage Simeon Rodrigo, on the south by the garden of Ranepuradewage Aron Fernando and Ranemukadewage Aron

Fernando, and on the west by garden of Kaluwadawage Louis Fernando the and of Charles Fernando, and lots A, B and C; containing in extent about 1 acre 1 rood and 31.4 perches

Prior Registration C 185/21, Colombo

Fiscal's Office, H. C. WIJESINHA,  
Colombo, February 17, 1942. Deputy Fiscal.

## In the District Court of Kalutara.

The Public Trustee of Ceylon . . . . . Plaintiff.

No. 19,388. Vs.

Don Barnes Francis Karunaratna of Panadura . . . . . Defendant.

NOTICE is hereby given that on Saturday, March 14, 1942, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant, in the following property for the recovery of Rs. 1,960, plus Rs. 561.70 plus Rs. 207.50 being costs, viz. :—

An undivided 1/2 share of the soil, house, and trees of the land called Dematagahaowitawatta and Mahahaddeowitawatta, bearing assessment No. 329, situated at Pattiya north within the town of Panadura in Panadura badde of the Panadura totamino in the District of Kalutara, Western Province; and bounded on the north by water-course and ela and the property which belonged to Don Dolton Abeysekera at present belonging to the Crown, on the east by the property which belonged to Don Dolton Abeysekera at present belonging to the Crown, thenew main road and the property of K. D. Pablis Appuhamy at present belonging to the Crown and the land belonging to the heirs of D. R. P. Woerasinghe, or the south by the land belonging to the heirs of D. M. P. Woerasingha and the cat road, and on the west by premises bearing assessment No. 321 of W. P. H. Lias and a water-course; and containing in extent 1 acre 2 roods and 7 perches as depicted in plan No. 12,232 made by B. M. F. Caldera, Surveyor.

Deputy Fiscal's Office, P. D. WEERAMAN,  
Kalutara, February 17, 1942. Deputy Fiscal.

## Central Province.

## In the District Court of Kandy.

Kanapathy Palle Arumagan Palle of Illukwatta in Medapalata of Yatinuwera . . . . . Plaintiff.

No. M. B 51. Vs.

Abeysinmudiyanselege Dingiri Banda of Arambogama in Medapalata of Yatinuwera . . . . . Defendant.

NOTICE is hereby given that on Saturday, March 14, 1942, commencing 2 p.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property mortgaged upon bond No. 2,859 dated August 27, 1928, and attested by Mr. F. P. Senaratne, Notary Public, and declared bound and executable under the decree in the above case for the recovery of the sum of Rs. 1,500, with interest thereon at the rate of 9 per cent. per annum from December 19, 1938, till payment in full and costs of this action and poundage, viz. :—

(1) All that land called Rankondegedorawatta of 8 kurunies in paddy sowing extent, situate at Arambogama in Medapalata of Yatinuwera in the District of Kandy, Central Province; and bounded on the east by Arookmullakumbura, south by Kotakumburegederawatta, west by Malwatta, and north by garden of Panchraie, together with the tea plantations thereon, and registered in B 102/300.

2. All that land called Hitnagedorawatta of 6 polas paddy sowing in extent, situate at Arambogama aforesaid, and bounded on the east by ditch and fence, south and west by road to Alagalla, and north by ditch together with everything thereon (save and except however therefrom the eastern 1 amunam sold), registered in B 103/1.

Valuation Rs. 1,609.

Fiscal's Office, CHARLES DE SILVA,  
Kandy, February 17, 1942. Deputy Fiscal.

## Northern Province.

## In the District Court of Jaffna.

Arunasalam Somasundaram of Changanai west, presently of Balangoda . . . . . Plaintiff.

No. 14,058. Vs.

(1) Arunasalam Vathilingam of Moolai road, Chundikkuliy, as representative of the estate of the late Arunasalam Markandu of Changanai, (?) Valliammarpillai, widow of Markandu of Changanai, personally, and as representative of the estate of the late Arunasalam Markandu . . . . . Defendants.

NOTICE is hereby given that on Tuesday, March 17, 1942, at 10 30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 3,900, with interest thereon at the rate of 9 per cent. per annum from March 3, 1939, until payment in full and costs Rs. 251.77, and poundage and charges, less Rs. 2,510, viz. :—

All that piece of land situated at Changanai in Changanai parish, Vakkamam west division of the Jaffna District, Northern Province, called Karanthar, in extent 11 lachams varagu culture and 2 kulies with well, share of well lying in the land or the north-eastern side belonging to Sellamuttu, wife of Sabapathy, "thoorvai" way water-course, and bounded on the east by Sangarappillai Vathilingam, and others, north by Kammany, wife of Nagesu, west by water-channel, and South by Nagammah, wife of Poologam and others.

Fiscal's Office, P. THAMBIAH,  
Jaffna, February 17, 1942. Additional Deputy Fiscal.

## Province of Sabaragamuwa.

In the Requests Court of Ratnapura.

T. Wallooppilla, Proctor, Ratnapura . . . . . Plaintiff  
No. 873 . . . . . Vs.

W K B. John Fernando, 260, Main street, Balangoda . . . . . Defendant.

NOTICE is hereby given that on Friday, March 13, 1942, at 10 o'clock in the forenoon, will be sold by public auction at the premises bearing 260, Main street, Balangoda, the right, title, and interest of the said defendant, in the following movable property viz. —

No. of Item (1) Almira's, glass framed, 2, (2) one set wireless, No. 822, Marcom, 1, (3) Show cases, 1; (4) Counter, 1, (5) table, lakwood, 1; (6) chairs, G. O. H., 2; (7) stand, Vimto, 1; (8) hat stand, 1; (9) screens, glass framed, 2; (10) screens, ordinary, 2; (11) chairs, common, 35; (12) tables, common, 13, (13) meat safe, 1; (14) side boards, 1; (15) picture frames, 9; (16) frame for certificates, 1; (17) boiler, 1; (18) basin, 1, (19) jugs, tea, 2; (20) jugs, tea, small, 1. (21) spoons, 2; (22) cups and saucers, pairs, 15; (23) jug, 1; (24) sauce-pan, 1; (25) sauce-pan, small, 1. (26) boards, 6, (27) lamps, petrol, 3; (28) lamps, No. 15, 1; (29) lanterns, 3; (30) balance, 1, (31) spoons, 13; (32) tumblers, glass, 24; (33) flower pots, 6, (34) stove, 1, (35) barrels for water, 4, (36) Bread basket, 1; (37) dish, 1; (38) dishes, 2, (39) dishes, 3; (40) soup plates, 7; (41) plates, 12, (42) plates, 14; (43) plates, cheese, 6; (44) curry dishes, 62, (45) wotnot, 1; (46) office bells, 1; (47) glass bottles, 13; (48) jug, milk, 1; (49) clock, 1; (50) boards, 1; (51) cauldrons, 1.

For the recovery of the sum of Rs. 220 25 and poundage, and Fiscal's charges.

Fiscal's Office, A B KARALLADE,  
Ratnapura, February 13, 1942. Additional Deputy Fiscal.

## NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mrs. J. D. Jurisdiction A. Perera of Arbuthnot street, Berolla, deceased, No. 9,892.

J. D. A. Perera of 23, Arbuthnot street, Berolla . . . . . Petitioner  
Mrs C. M. Karunatilake of High street, Wellawatta . . . . . Respondent.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Colombo, on November 24, 1941, in the presence of Mr. J. H. R. Joseph, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated November 17, 1941, having been read.

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the deceased above named, to have letters of administration to the estate issued to him accordingly, unless the respondent above named or some other person or persons interested shall, on or before January 22, 1942, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1941. WEEERATNE,  
District Judge

Time for showing cause is extended to February 26, 1942

February 16, 1942. JAMES JOSEPH,  
District Judge

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Intestate Estate of R. Krishna- Jurisdiction sarny Reddiar of Municipality, Nanguneri taluk, No. 9,942. Timovevly District in South India, deceased

Rona Kona Suppa Reddiar of 130, Wolfendhal street in Colombo . . . . . Petitioner.

(1) Vongummal, (2) Pappammal, wife of R. K. Suppa Reddiar, (3) Ramanathian, (4) Perumal, (5) Thavasu, and (6) Paravathy, all of Municipality of South India . . . . . Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on January 30, 1942, in the presence of Mr. C. Sevaprakasam, Proctor, on the part of the petitioner above named, and (1) affidavit of the petitioner dated January 27, 1942, (2) the power of attorney dated November 1, 1941, and (3) the order of the Supreme Court dated January 19, 1942, having been read.

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 4th, 5th and 6th respondents, to represent them for all the purposes of this action and that the petitioner above named be and he is hereby declared entitled, as the attorney of the widow of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before February 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

February 12, 1942. JAMES JOSEPH,  
District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Ida Sultana Frostick of Colombo, in the Island of No. 9,944. Ceylon, widow, deceased.

THIS matter coming on for final determination before James Joseph, Esq., Additional District Judge of Colombo, on February 3, 1942, in the presence of Messrs. Julius & Creasy of Colombo, Proctors, on the part of the petitioners, James Bleakley and Charles George Hartwell, both of Colombo; and the affidavit of the said petitioners

dated January 29, 1942, an affidavit as to the due execution of the will, original will, and certificate of death of the above-named deceased, having been read. It is ordered that the will of the said deceased dated September 27, 1941, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioners are the executors named in the said will and that they are entitled to have probate of the said will issued to them on their paying estate duty and taking oath of office and filing security bond.

February 3, 1942. JAMES JOSEPH  
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction Agampodi James Silva of Ratmalana Colombo, No. 9,945. deceased

Jasenthu Mahadurage Mary Eugina Fernando of Station road, Wattala . . . . . Petitioner.

Vs.

(1) Boniface Michael Silva, (2) Mary Margaret Graco Fernando, (3) Walter Silva, (4) Lawrence Silva, (5) Calistus Anthony Ignatius Silva, (6) Ernest Rufus Silva, (7) Mary Anathasia Princy Silva, all of Wattala, the 3rd to 7th respondents are all minors appearing by their guardian *ad litem*, the 1st respondent above-named, Boniface Michael Silva . . . . . Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on February 4, 1942, in the presence of Mr. J. J. David, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 3, 1942, having been read:

It is ordered that the 1st respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 3rd, 4th, 5th, 6th, and 7th respondents to represent them for all the purposes of this action and that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before February 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

February 4, 1942. JAMES JOSEPH,  
District Judge

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Elyatamby Sellayah of Cotta road, Colombo, No. 9,946. deceased

Walter Mahesa Sellayah of Dorudra, 109, Inner Flower road, Colpetty . . . . . Petitioner.

(1) Thangamma Sellayah, and (2) Doris Saraswathy Sellayah, both of Inner Flower road, Colombo . . . . . Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on February 5, 1942, in the presence of Mr. N. S. O. Mendis, Proctor, on the part of the petitioner above named, and (1) the affidavit of the petitioner dated February 2, 1942, (2) the affidavit of the attesting notary, dated January 20, 1942, and (3) the affidavit of the witness dated January 22, 1942, having been read:

It is ordered that the last will and testament of Elyatamby Sellayah, deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and that the petitioner above named is the executor named in the said will and he is hereby declared entitled, to have probate thereof issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before March 5, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* of the minor, the 2nd respondent, to represent her for all the purposes of this action.

February 9, 1942. JAMES JOSEPH,  
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Walter Charles Howard Tripp of Simonstown, No. 9,947. Cape Division, South Africa, deceased.

THIS matter coming on for disposal before James Joseph Esq., District Judge of Colombo, on February 6, 1942, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Leigh Matthews of Colombo; and (1) the affidavit of the said petitioner dated February 3, 1942, (2) the power of attorney dated September 26, 1941, and (3) the order of the Supreme Court dated January 29, 1942, having been read. It is ordered that the will of the said Walter Charles Howard Tripp, deceased, dated March 31, 1938, a certified copy of which under the seal of the Master of the Supreme Court of South Africa, Cape of Good Hope, has been produced and is now deposited in this court; be and, the same is hereby declared proved; and it is further declared that the said Leigh Matthews is the attorney in Ceylon of the sole executrix named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before March 5, 1942, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 1942. JAMES JOSEPH,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Kathrippillai Kumaraiah of Vannarponnai East, deceased. No 943.

Ponnamma, widow of Kathrippillai Kumaraiah of Vannarponnai East . . . . . Petitioner  
Vs.

(1) Kathrippillai Kulandaivelu of Vannarponnai East, (2) Achchunattu, wife of Sinnappah Vallipuram of ditto, (3) Sinnappa Vallipuram of ditto, (4) Murugar Vallipuram, and wife, (5) Sinnathangam of Telippalai East. . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge of Jaffna, on October 23, 1940, in the presence of Mr V. S. Somasuntharam, Proctor, on the part of the petitioner and the affidavit of the petitioner having been read It is ordered that the petitioner be declared entitled, to have letters of administration to the estate of the said intestate, unless respondents shall, appear before this court on November 27, 1940, and state objections or show cause to the contrary.

November 13, 1940.

C. COOMARASWAMY,  
District Judge.

Time to show cause extended to February 25, 1942.

C. COOMARASWAMY,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Ponniah Cumaraswamy of Kalvayal in Chavakachcheri, deceased. No. 1,114.

Sivayogam, widow of P. Cumaraswamy of Chavakachcheri . . . . . Petitioner  
Vs.

(1) Coomaraswamy Natesan, (2) Coomaraswamy Arulnathy, (3) Coomaraswamy Sivakumaran, (4) Pillaiyinar Ponniah, all of Chavakachcheri . . . . . Respondents.

This matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on January 27, 1942, in the presence

of Messrs. Aboobucker and Sultan, Proctors, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above named 4th respondent be and he is hereby appointed guardian *ad litem* over the minors 1st to 3rd respondents, for the purpose of protecting and watching their interest in these testamentary proceedings, and that letters of administration to the estate of the above-named deceased, be issued to the above named petitioner as his lawful widow, unless the respondents or any other persons interested shall, appear before this court on March 6, 1942, at 10 A.M., and show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1942.

C. COOMARASWAMY,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of Tolkarayalage Kirihatana of Bemniwatta, deceased. No. 1,650.

Jasinpuradowayalage Ranees of Bemniwatta . . . . . Petitioner.  
Vs.

(1) Tolkarayalage Ranso, (2) ditto Lapaya, (3) ditto Ukku Anna, (4) Punchina, all of Bemniwatta, the 2nd to 4th respondents being minors by their guardian *ad litem*, the 1st respondent . . . . . Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on January 29, 1942, in the presence of Mr. A. A. Wickramasinghe, Proctor, on the part of the petitioner; and her affidavit and petition dated January 26 and 29, 1942, respectively having been read:

It is ordered that the petitioner be and she is hereby declared, as widow of the above-named deceased to have letters of administration to his estate issued to her unless the respondents or any person or persons shall, on or before March 11, 1942, show sufficient cause to the satisfaction of the court to the contrary:

And it is further ordered that the above-named 1st respondent be and she is hereby appointed guardian *ad litem* of 2nd to 4th minor respondents for the purpose of this action unless the respondents or any person or persons shall, on or before March 11, 1942, show sufficient cause to the satisfaction of the court to the contrary.

January 29, 1942.

R. R. SELVADURAI,  
District Judge.