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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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**PART IV (A) — PROVINCIAL COUNCILS**

**Provincial Councils Notifications**

**NORTH CENTRAL PROVINCE PROVINCIAL COUNCIL**

**Education Statute No. 02 of 1990**

THE aforesaid passed by the North Central Provincial Council of Sri Lanka Democratic Socialist Republic & the assent by the Hon. Governor on 10th April 1990 is hereby, there, published by me for information.

P. K. PREMASIRI,  
Secretary,  
North Central Provincial Council.

North Central Provincial Council,  
12th June 2015.

**EDUCATION STATUTE No. 02 OF 1990**

**Statute of Educational Affairs in the North Central Provincial Council**

(Attested on 10th April 1990)

A Statute provide for the establishment of the Department of Education in the North Central Province of Sri Lanka in accordance with the functions delegated in terms of the sub-section III list I and Appendix III of the schedule 9 of the 13th Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka.

Be it passed by the North Central Provincial Council of Sri Lanka as follows :-

1. This Statute may be cited as the Education Statute No. 02 of 1990 of the North Central Provincial Council and shall come into operation from the date of the Governor's assent.

2. For the purpose of this statute, there shall be established a Department of Education, comprising a Director of Education and other officers who shall be appointed from time to time.



- 3.(i) The Director and other officers shall act subject of orders and administration of the Minister of Education and the power of exercising the provisions of this statute and regulations enacted under such provisions shall be delegated to the Director and other departmental officers, subject of the above condition.
- (ii) In exercising the powers delegated to the Director under this Statute or regulations enacted under this Statute, it may be legitimate to cancel or alter by the Minister, otherwise an appeal, the decisions taken by the Director or directions issued by him. The decision of the Minister shall be final, and the Director and relevant other all the persons are bound to accept such decision.

PART - I

Establishment of Education Advisory Committee, Divisional Education Advisory Committees and school advisory Committees in the North Central Province.

04. I. There shall be established, with the concurrence of the Chief Minister, an Education Advisory Committee comprising not less than seven persons.
- II. The Secretary to the Ministry shall be appointed as the Chairman of this Committee by the Minister.
- III. A departmental officer appointed by the Minister shall function as the Secretary of the Committee.
- IV. The task of the Advisory Committee is to advise the Minister regarding the every matter pertaining of the Education referred to the committee by the Minister and every matter that committee thinks that it is necessary is advice by the committee.
- V. The Minister, with the approval of the provincial council shall provide for the convening of the Advisory Committee and for the conduction of meetings as well, and for the procedure to be adopted during Committee Meeting.
- VI. The Minister shall have the power of removing any member from the Committee at any time, and any member of the Committee can resign from his post by informing the Minister in writing.
- VII. Every Advisory Committee Member, who has not been resigned from his membership, or has not been vacated his membership, shall hold his post for the period of two years, from his date of appointment.
05. I. There shall be appointed Divisional Advisory Committee by the Minister to advise the Director regarding various matters pertaining to Education and Educational Requirements of the Divisions belong to the Province.
- II. Every Divisional Advisory Committee shall consist of following persons.
- (a) Director of Education in charge of the Division.
- (b) Mayor of the Municipal Council, Chairman of the Town Council and the Chairman of the Pradeshiya Sabhas of the Division.
- (c) Commissioner of the Municipal Council, Secretary of the Town Council and all the Divisional Secretaries within the Education Division.
- (d) Three Principals serving within the Education Division, nominated by the Provincial Director.
- (e) Number of prefects not more than five, selected from the schools situated in the Division, nominated by the Director in charge of the Division.
- III. The Director of Education in charge of the Division of Education shall function as the Chairman of the Divisional Education Advisory Committee.

IV. There shall be appointed a secretary among committee members at the first meeting of the Divisional Advisory Committee.

V. Every matter referred to the consideration of the Divisional Advisory Committee by the Director shall be discussed, solved and finalized at the Divisional Advisory Committee Meeting summons at the due time and the formal manner.

VI. No executive or administrative powers or duties have been entrusted with the Divisional Advisory Committee established in respect of any Division under the Statute. Also, no functions, other than providing resigned instructions or recommendation relevant to the education and requirements of Education, shall be entrusted with the Divisional Advisory Committee, to be considered by the Director.

06. i. There shall be established School Advisory Committee in respect of every school situated in the Division in the Province.

ii. The functions of the School Advisory Committee is to advise the school administrators regarding all the matters relevant to School Administration, Organization, Development and Implementation of college activities, as referred by the Director or when committee thinks it is necessary to do so.

iii. No administrative or executive powers, or administrative or executive functions have been entrusted with the School Advisory Committees with regard to function whatsoever.

iv. The School Advisory Committee shall comprise following. The Principal and pre out of the staff (Number of the Staff).

v. The Chairman of the School Advisory Committee shall be the principal of the School.

vi. Five members therein, nominated by the School Development Society.

vii. The power of implementing whatever function of the Provincial Education Advisory Committee under the guidance and the administrator of the Provincial Advisory Committee and appointing Sub-committees for special fields of education shall remain with the Provincial Advisory Committee. There is provision for appointment of other sub-committees for special fields, to the Sub-committee so appointed.

07. Admission to any school by any candidate may not be rejected on the grounds of his or one his parent's religion, race caste, social status or language.

08. The Provincial Council has the power of acquiring any private lands in accordance with the prevailing law of the province where land is situated, for the purpose of construction or expansion of School Buildings, Official Quarters, Offices, or School premises and also for the establishment of school gardens and play grounds or for any purpose of the statute.

09. i. No fee whatsoever should be charged for the admission of children to any school comes under the purview of the Authority of Provincial Ministry.

ii. In addition to what is stated in sub-section I, there is provision under this Statute to enact regulations for delegation of required power for charging a fee or fees from the statutes of any school on behalf of the expenditure incurred for provisions of facilities for sports, physical exercises, or educational, recreation or health activities.

10. It is legitimate to enter any school and inspect the activities of properties there-in- by the Minister, or by the Director or by any supervisory officer of the Ministry or the Department or a person empowered by the Minister or by the Director.

11. There shall be established a Provincial Education fund for assisting, developing, and improving, talents etc. of the school children of the Province and the required regulations for the administration of such fund shall be enacted by the Minister.

PART - II

POWERS OF THE MINISTER FOR THE ENACTMENT OF REGULATIONS

12. 1. The Minister has the ability to enact regulations for the implementation of the provisions and the policies stated in this statute, and such regulations shall be cited as written laws.
2. The Minister shall enact regulations especially with regard to the following matters.
- I. Provision of necessary facilities for all the schools in the province except for the National Schools, Special Schools for the officers of the security forces, and schools reserved for special development programme,
  - II. Monitoring administration of all the other schools and pre-schools in the Province except special schools stated under 12 (2) 1 above.
  - III. Recruitment of personals for the Teachers service and for the other services connected there-in, of the Department of Education.
  - IV. Appointment of Principals for all the school in the Province not belong to categories 1A, B and C.
  - V. Transfers and Disciplinary control of all the persons relevant to the field of Education.
  - VI. Preparation and Implementation of Provincial Education Development Plan and Divisional Education Development Plan.
  - VII. Implementation of Annual Education Development Plan.
  - VIII. Evaluation of Performance of Principals, Teachers and every other officers relevant to Education.
  - IX. Implementation of In-service Training Programmes.
  - X. Conduct of Divisional Examination approved by the Commissioner of Examination.
  - XI. Implementation of Informal Education Programmes.
  - XII. Registration and Supervision of Pre-Schools.
  - XIII. Obtaining approval of the National Institute of Education for effecting divisional level changes in the selected subjects of the preliminary curricular and secondary curricular.
  - XIV. Construction and Maintenance of Educational Buildings, Libraries and Play-grounds.
  - XV. Procurement and Distribution of Teaching aids, Visual-aids and audio-visual-aids.
  - XVI. Procurement and Distribution of Scientific Equipment.
  - XVII. Produce and Distribution of School books obtaining approval of the Ministry.
  - XVIII. Organization and Development of School Libraries according to the guidance of the National Library Service Board.
  - XIX. Determining limits of any Divisional Education Office situated in the Province.
  - XX. Recruitments to colleges in the Province, Courses and Educational Programmes and Supplementary Reading Books, equipment to be used.
  - XXI. Determining days, terms and periods of conducting classes of all the schools in the province or any school nominated or any particular class of a school and also of holidays.
  - XXII. Students welfare activities including medical tests or treatments for school children, Student's health, free meals and free books.
  - XXIII. Grading, Promoting and categorizing and opening of new schools in the Province according to the policies and standards followed by the National Ministry.
  - XXIV. Preparation and Implementation of Plans connected to the Adult Education in the Province.
  - XXV. Preparation of Provincial Budget and Financial Administration, Projecting the smooth maintenance of Educational Requirements of the Province.
  - XXVI. Any other important matter described by the Minister for enactment of regulations.

3. Every regulations prepared under this statute shall be valid after receiving the approval of the Provincial Council.

PART - III

GENERAL

13. 1. In this Statute, under the context otherwise requires,

'Governor' means the Governor of the North Central Province,

'Chief Minister' means the Chief Minister of the North Central Province.

'Minister', means the Minister in charge of the Subject of Education.

'Secretary' means the Secretary to the Ministry of Education.

'Director' means the Director of Education of the North Central Province or any Head of Department empowered by the Director to exercise powers and duties of the Director of Education of the North Central Province or under the Statute,

'Department' means the Department of Education of the North Central Province.

'Provincial Advisory Committee' means the Provincial Advisory Committee established in accordance with the para 4 (1).

'Divisional Advisory Committee' means the Committee stated in para 5 (1).

'School Advisory Committee' means in a board stated in para 6 (1).

'Educational Requirements' means facilities required for the Sufficient Educational and Technical Training according to the Publication of Regulations.

2. Unless it is proved that it is not so, it will be considered that actual guardian of the child as the resident of the place where any child generally stay.