



# The Sindh Government Gazette

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## PART-I

**SINDH INSTITUTE OF OPHTHALMOLOGY  
AND VISUAL SCIENCES**

Hyderabad dated the 20<sup>th</sup> September, 2021.

### **NOTIFICATION**

**No. 3396/SIOVS/(Reg.)2021:-** In exercise of the powers conferred by section 24 of the Sindh Institute of Ophthalmology and Visual Sciences Act, 2013 (**as amended from time to time**), the Board of Directors of the Institute with the approval of Government of Sindh, are pleased to make the following Regulations, namely:-

1. **Short title.-** These regulations may be called the Sindh Institute of Ophthalmology and Visual Sciences (Student's Examination Conduct and Discipline) Regulations 2021.
2. **Date of Commencement and application.-** (1) The regulations shall come into force at once.  
(2) These Regulations shall apply to the students of Sindh Institute of Ophthalmology and Visual Sciences Hyderabad.
3. **Definitions.-** (1) In these regulations, unless the context otherwise requires -
  - (a) "Board" shall mean the Board of Directors of the Institute;
  - (b) "candidate" means an intending examinee, an examinee taking any examination in a particular semester and wherever the context so permits, every student on the rolls of a Institute Teaching Department or a College affiliated to the Institute;
  - (c) "Controller of Examination" and "Secrecy Officer" means Controller of Examination and Secrecy Officer of the Institute;
  - (d) "disqualification" means the disqualification from appearing in any examination of the Institute and will be treated as failure in the examination and all consequences of failure will follow;
  - (e) "examination" means an examination conducted by or at the instance of the Institute and shall include an examination;
  - (f) "Examination Discipline Committee" means the Examination Discipline Committee appointed by the Board or Executive Director to deal with the cases of alleged use of unfair means

and misconduct in or in relation to the Institute Examination';

- (g) "Inspectors" means the inspectors appointed by the Executive Director to visit and inspect the examination center;
- (h) "Institute" means the Sindh Institute of Ophthalmology and Visual Sciences, Hyderabad;
- (i) "staff" means the person or persons engaged for the conduct of examinations at an examination center; and
- (j) "use of unfair means" means plagiarism or other form of academic dishonesty or misconduct, may be defined as any attempt by a student to gain an unfair advantage in any assessment as -
- (i) it may be demonstrated by using or attempting to use, whether successfully or not, any one or more of the following (note that absence of a particular form of unfair means from this list does not mean that it will not be treated as such);
  - (ii) **Aiding and Abetting:** a student in any form of dishonest practice;
  - (iii) **Bribery:** paying or offering inducements or coercing another person to obtain an advance copy of an unseen examination or test paper or to obtain a copy of a coursework assignment in advance of its distribution to the students concerned;
  - (iv) **Commissioning:** another person to complete an assignment which is then submitted as your own work. Posting an assignment brief on a commissioning website will be interpreted as attempting to use unfair means in assessment and will be dealt with accordingly;
  - (v) **Computer Fraud:** the use of the material of another person stored on a hard disk as if it were your own;
  - (vi) **Duplication:** the inclusion in coursework of any material which is identical or similar to material which has already been submitted for any other assessment within the Institute or elsewhere e.g. submitting the same piece of coursework for two different modules;
  - (vii) **False Declarations:** in order to receive special consideration by Assessment Boards;
  - (viii) **Falsification of Data:** the presentation of data in projects, laboratory reports, etc. based on work purported to have been carried out by the student which have been invented by the student or altered or copied or obtained by other unfair means.
  - (ix) Semester of disqualification shall be taken to extend from commencement of the examination in which the candidate is detected to have terminated one day before commencement of the next Semester examination as the case may be.

(2) All other expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

4. **Examination Discipline Committee.** The Executive Director shall appoint an Examination Discipline Committee consisting of five persons as follows:-

- (i) Director Academics;
- (ii) One Senior Professor;
- (iii) Two Principals/Directors of affiliated Medical College/ Institute, one being lady to be appointed by the Board.

(iv) The Controller of Examination.

5. **Function and Powers of the Committee.** The functions of the Examination Discipline Committee shall be -

- (i) to deal with and scrutinize the cases of the alleged use of unfair means by the candidate appearing at any Institute examination;
- (ii) to deal with all other matters affecting the discipline of the candidates at Institute examination;
- (iii) to award punishment, subject to the approval of the Executive Director, to candidates who adopt malpractice and create indiscipline at the examination;

(2) The member of the Examination Discipline Committee other than Ex-officio member shall hold office for two years.

(3) The quorum for a meeting of the Examinations Discipline Committee shall be three members.

6. **Offences.** The following shall be the unfair means and misconduct in examinations or tests on the part of the candidate:-

- (i) having at the examination desk any unauthorized notes or other unauthorized material (whether or not concealed in any manner) or;
- (ii) the candidate is being in possession in the examination hall, of papers, books, notes or writing on any part of the candidate's clothes or any writing on his body or table or desk or on a foot rule and/or instruments like set squares, protractors, slide rules or any other material with notes or hints written thereon or any such material accessible to him which may be, or intended to be of possible help to the candidate in the examination; or
- (iii) presenting to the examiner a practical or class work note book not prepared by him; or
- (iv) leaving the examination hall without delivering to the supervisor concerned, the answer book or any part thereof or taking away the same or tearing it or otherwise disposing it of or tearing the answer-book of other candidate or otherwise disposing it of; or
- (v) leaving the examination or test venue to refer to concealed notes or other unauthorized material; or
- (vi) refusing to obey the legitimate orders of the Invigilator and/or any other member of the Supervisory Staff; or
- (vii) changing the seat without the permission of the supervisory staff or occupying the seat not allotted to him; or
- (viii) coming to the examination hall under the influence of alcoholic drink or drugs; or
- (ix) having at the examination desk an unauthorized computer disk or other storage medium containing pre-coded data, pre-programmable calculator, watch, organizer, cell phone, pager, tape recorder, CD or DVD player, or any other electrical or electronic device; (whether or not concealed in any manner); or
- (x) the use of an unauthorized dictionary; or
- (xi) the use of unauthorized material obtained via a pre-programmable calculator, watch, organizer, cell phone, pager, tape recorder, CD or DVD player, or any other electrical or electronic device; or

- (xii) obtaining an advance copy of an "unseen" written examination or test paper; or
- (xiii) communicating or trying to communicate in any unauthorized way (oral, written, electronic, non-verbal) with another person during an examination or test except where the examination rubric permits this e.g. group assessments; or
- (xiv) copying or attempting to copy from another student sitting on the same examination or test; or
- (xv) copying or attempting to copy from the objectionable material found in his possession; or
- (xvi) copying or attempting to copy from another candidate; or
- (xvii) assisting another candidate to copy from the objectionable material in his possession or from his answer-book; or
- (xviii) receiving help or attempting to receive help for answering the question paper from any source in any manner, inside or outside the examination hall; or
- (xix) swallowing or attempting to swallow a note or paper or running away with it or causing its disappearance or destroying it in any manner;
- (xx) writing on any piece of paper or blotting paper or on any other material any question or a part thereof set in the question paper or anything connected with it or a solution thereof; or
- (xxi) passing or attempting to pass on to any one a copy of the question set in the question paper or the question itself, or a part thereof, or a solution to a question set in the question paper; or
- (xxii) possessing a solution to a question set in the question paper with or without the connivance of any person including a member of the supervisory staff; or
- (xxiii) smuggling an answer book of a continuation sheet or any part thereof in or outside the place of examination; or
- (xxiv) replacing or getting replaced answer books or any of its leaves or a continuation sheet during or after the examination; or
- (xxv) misbehaving towards the Invigilator or any other member of the Supervisory staff or any member of the inspection team or the flying squad, or with another candidate inside the examination hall or outside, before, during or after the examination: or
- (xxvi) creating disturbance in the examination hall or in its vicinity; or
- (xxvii) organizing a walk out; or instigating others to walk out; or misconducting oneself in any manner in or outside the examination hall; or
- (xxviii) disturbing or disrupting the examination in any manner whatsoever; or
- (xxix) carrying into the examination hall fire-arms or any other weapon; or
- (xxx) deliberately disclosing one's identity or making any distinctive mark in the answer book for that purpose; or

- (xxxix) using abusive or obscene language in the answer book; or
- (xxxii) forging another person's signature on admission form or using a forged document knowing it to be forged with the view to seeking admission to a College or to an Institute examination; or
- (xxxiii) obtaining admission to an examination on a false representation made in the admission form or any document or suppressing material information relating to the candidate's eligibility and/or obtaining admission to a course in an affiliated college to eventually appear in an Institute examination and such admission has been found to have been obtained on the basis of the false representation; or
- (xxxiv) getting oneself impersonated by someone in the examination or impersonating another candidate; or
- (xxxv) communicating or attempting to communicate, directly or through person, with an examiner with the object of influencing him in the award of marks; or
- (xxxvi) making an appeal to the examiner in the answer book; or
- (xxxvii) knowingly writing another person's Roll Number on one's answer book and/or;
- (xxxviii) engaging in any other act or omission or commission which amounts to use of unfair means or misconduct or has the tendency to disrupt the orderly conduct of the examination; or
- (xxxix) being party to impersonation where another person sits an examination or test in the place of the actual student or a student is knowingly impersonated by another; or
- (xl) taking rough notes, stationery, scripts or examination or test papers, which indicate that they are not to be removed, away from the examination or test venue; or
- (xli) Provision or assistance in the provision of false evidence or knowledge or understanding in examination or tests; or
- (xlii) disruptive behavior; and
- (xlili) Theft, destruction or forgery.

7. **Plagiarism.**- Plagiarism as per Higher Education Commission Policy is defined as the representation of another person's work, without acknowledgement of the source, as the student's own for the purposes of satisfying formal assessment requirements. Examples of plagiarism are -

- (a) the use in a student's own work of normally more than a single phrase from another person's work without the use of quotation marks and/or indentation, or other conventionally accepted form of identification and acknowledgement of the source, normally including at least the name of the author, date of publication and page number where the quotation is to be found;
- (b) the summarizing of another person's work by simply changing a few words or altering the order of presentation, without acknowledgement; or

- (c) the use of ideas or intellectual data of another person without acknowledgement of the source, or the submission or presentation of work as if it were the student's own, which are substantially the ideas or intellectual data of another person;
- (d) copying the work of another person;
- (e) collusion, where two or more students collaborate to produce a piece of work which is then submitted as though it was an individual student's own work; where students in a class are instructed or encouraged to work together in the pursuit of an assignment, such a group activity is regarded as approved collaboration; where there is a requirement for the submitted work to be solely that of the individual, collaboration is not permitted; students who improperly work collectively in these circumstances will be regarded as being guilty of collusion;
- (f) the submission of work, as if it were the student's own, which has been obtained from the internet or any other form of information technology;
- (g) the submission of coursework making significant use of unattributed digital images such as graphs, tables, photographs, etc. taken from books/articles, the internet or from the work of another person;
- (h) the submission of a piece of work which has previously been assessed for a different award or module or at a different institution as if it were new work;
- (i) a student who allows or is involved in allowing another student to copy another's work (including physical or 20 digital images) would be deemed to be guilty of plagiarism.

**8. Procedure for dealing with suspected cases of misconduct and use of unfair means in examination.** (1) The Examination Discipline Committee, or an officer authorized by it in this behalf, shall call upon the candidate alleged to have employed unfair means in the examination or obtaining admission to an examination on a false representation, to appear before the Examination Discipline Committee to represent his case personally at his own expense on the date fixed for his appearance before the said Committee. If in spite of service of notice, the candidate fails to do so, he will be proceeded against ex-parte.

(2) Where a candidate wishes to produce any evidence and/or witness before the Committee, he may be allowed to do so by the Committee at his own expense. The Committee may also, on its own motion and for arriving at a just conclusion based on the principles of natural justice, direct the members of the supervisory staff of any other person to appear before it.

(3) When the Committee, after having heard the candidate when present and after having heard such evidence as he may produce and after going through the record is unanimous in its decision it is final. If the Committee is not unanimous in its decision, the record of the case shall be referred to the Executive Director who may either decide the case himself or refer it to the Board for decision.

(4) All candidates must leave all papers, notes, books and hand bags etc. outside the examination hall. A place or a receptacle will be provided outside the examination hall for the purpose and the same shall be locked wherever possible, and the key will be kept by the Head-Invigilator.

(5) Every day, before the examination begins, the Head-Invigilator or the Invigilator, as the case may be, shall call upon the candidates to search their persons/ pockets, etc. and part with and deliver to him all papers, books and/or notes which may be having in their possession. Where a late comer is admitted, this warning shall be given to him before he is permitted to take the examination. The Head-Invigilator or the Invigilator as the case may be, and both, when there is a Head-Invigilator as well as an Invigilator-in-charge of the examination, shall forward to the controller of examination every day a declaration certifying compliance with this provision.

(6) The Head-Invigilator shall report to the Controller of Examination without delay and on the day of occurrence, if possible, each case where the use of unfair means in the examination is detected, giving details of the evidence and explanation of the candidate concerned on prescribed form:

Provided that in case of non-availability of form, they may be reported on Photostat copy of form or on a plain paper:

Provided further that in exceptional circumstances, the case can also be reported by the members of the examination staff or the Special Observer or the Additional Controller of the Examination or Invigilator directly on a plain paper.

(7) Non-reporting of an unfair means case shall be deemed as dereliction of duty making the defaulting member of the supervisory staff liable for being debarred from all remunerative work of the Institute and further, dereliction takes place.

(8) Soon after the detection, the Head-Invigilator shall require the candidate to make a statement explaining his conduct. In case the candidate refuses to do so, the fact of his refusal shall be recorded by the Head-Invigilator, which should be attested by one member of the supervisory staff or a Clerk on duty, present at the time of refusal.

(9) While reporting a case of use of unfair means in the Institute Examinations detected by or in the presence of the member of examination staff / observer on Institute duty, both the member of examination staff / observer and the Invigilator shall be required to sign the incriminating papers recovered from the possession of the candidate and those papers should also be got signed by the candidate. If the candidate or the Invigilator refuses to do so, this should be reported to the Institute in writing.

(10) The answer-sheet in which the use of unfair means is alleged shall be seized by the Head-Invigilator, and the candidate concerned shall be permitted to answer the remaining part of the question paper on a separate answer book. The Head-Invigilator shall forward both the answer sheet, along with his report in the prescribed form to the controller of examination. The candidate shall not forfeit his right to appear in the rest of the examination in subsequent papers.

(11) If during an examination, a candidate is found having in his possession or accessible to him papers, books, notes or other material, which do not relate to the subject of the examination of the day and which could not possibly be of any assistance to him, no action shall be taken against him. The Head-Invigilator shall nevertheless promptly report the case to the Controller of Examination and all the papers shall be sent along with the report.

**Note:-** The Controller of Examination need not report such a case to the Committee, unless he disagrees with the report of the Head-Invigilator.

**9. Punishment.-** (1) No punishment shall be imposed, unless a student accused of using unfair means in an examination has been given a reasonable opportunity of showing cause against the action proposed to be taken with respect to him. The Examination Discipline Committee may award suitable punishment to any reported candidate in commensuration with the gravity of offence and shall impose upon

defaulting student minor penalty or a major penalty as the case may be.

(2) A candidate found guilty of committing any one or more of the offences under these regulations shall be disqualified from appearing in any examination for the period as deemed fit by the Examination Discipline Committee.

(3) If during an examination, a candidate is found having in his possession or notes which could be of assistance to him in the examination but he has not made use of them, and if the Committee is satisfied that these papers, books or notes, as the case may be, remained with the candidate out of inadvertence, he may as a disciplinary measure and without any implication of moral turpitude, be debarred from passing in that particular paper.

(4) If the answer book of a candidate shows or it is otherwise established that he had received or attempted to receive help from any source and in any manner, or has given help or attempted to give help to another candidate in any manner, he shall be disqualified from appearing in any examination for a period of not less than one year i.e. two semesters.

(5) A person found guilty of writing an answer sheet or a continuation sheet for a candidate, which the latter has smuggled, or intends to smuggle, into the examination hall and has submitted or intends to submit, as one having been written by himself, shall be disqualified from appearing in any examination for a period of not less than two years i.e. four semesters, including that in which he is found guilty.

(6) A person, not being a candidate, found guilty of impersonating or misrepresenting a candidate in the examination shall be declared not a fit and proper person to be admitted to any future examination of the Institute. Besides, if it is considered necessary, his case may be reported to the Police.

(7) If a person misbehaves with a member of the supervisory staff or a member of the examination staff or inspection team or threatens or intimidates any one or more of them, or otherwise interferes with their work in any manner, he shall be disqualified from appearing in any examination for a period which may extend from two to four years i.e. four to eight semesters.

(8) If a person misbehaves with an examiner or any other individual deputed in connection with the evaluation work or threatens or intimidates any one or more of them or otherwise interferes with their work in any manner, he shall be disqualified from appearing in

any examination for a period which may extend from two to five years i.e. four to ten semesters.

**10. Possession of fire arms, assault.-** If in the opinion of the competent authority a candidate is guilty of -

- (i) possessing fire arms or anything capable of being used as a weapon of offence in or around an examination hall;
- (ii) assaulting or threatening to assault any person in charge of an examination center or any other person employed in connection with an examination; or
- (iii) abetting in or committing misconduct of a serious nature such as abetting or threatening to assault any person engaged in connection with an examination or any other staff member of the Institute,

the competent authority shall record such decision and debar the candidate for a period which shall not exceed six years, or expulsion/rustication from the Institute.



11. **Punishment for offence not specifically provided.-** If a candidate is found guilty of using any other form of unfair means-not specifically mentioned in these regulation, he shall be awarded such penalty as the competent authority may determine; provided that the penalty so awarded will not exceed the maximum.

12. **Punishment to run concurrent or consecutive.-** If a candidate is found guilty of offences more than one, the punishment awarded to him/her for such offences may run concurrently or consecutively as the competent authority may determine and in the latter case the words the examination occurring in the regulation shall mean the examination immediately following the completion of proceeding punishment.

13. **Cognizable offence.-** If a person commits a cognizable offence, the Institute may, in addition to taking action under the above regulations initiate legal proceedings against the offender under the law.

14. **Unfair means by staff of the Institute or other staff at the Examination Centre.-** (1) If in the opinion of the Institute or examination Discipline Committee any invigilation staff at the examination center or any other staff appointed by the Institute is guilty of -

- (i) premature disclosure of question or question paper knowing that such question or question paper are/is to be put or set for an examination; or
- (ii) substitution of an answer sheet, or any portion thereof; or
- (iii) awarding with dishonest motive marks more or less than the marks deserved by a candidate, if the person doing so is an examiner; or
- (iv) recording in any document with dishonest motive, marks more or less than the marks awarded to a candidate by an examiner concerned, if the person doing so is other than the examiner; or
- (v) supplying answer or answer to a candidate during his examination to question contained in a question paper or a question put or to be put at a Viva-Voce examination or allowing candidate to copy from the other candidate or from other documents or permitting to smuggle answer sheet outside the examination hall to help the candidate to replace the answer sheet or permitting use of any unfair means that the examination center; or
- (vi) mutilation, alteration, interpolation or erasure in any certificate or other document maintained by the Institute or in any manner using as record, knowing that it is so mutilated, altered, interpolated or erased; or
- (vii) divulging or procuring information pertaining to the examination papers, answer sheet regarding conduct of examination fictitious roll numbers, examination results or any information incidental thereto; or
- (viii) falsification of official examination results by any means including substitution of answer sheet, mutilation, alteration or falsification of any record of Institute; or
- (ix) impeding the progress of examination at any examination center by any means whatsoever; or
- (x) assaulting or threatening to assault in or around the examination hall, to any person in charge of an examination center or any other official in charge of an examination employed in connection with an examination; or

- (xi) approaching or influencing any employee of the Institute to act corruptly or dishonestly on the conduct of an examination or declaration of an examination result, or marking of papers out or obtaining secret information relating to an examination; or
- (xii) failure to comply with any instructions issued by the Institute or any of its officers or commission of any other irregularities or maneuvers to get such appointment by supplying wrong particulars through his statement of facts; or
- (xiii) attempting or abetting the commission of any of the aforesaid acts.

(2) If a person, including a member of the supervisory staff or ministerial staff, helps the candidate to copy from certain material or from the answer-sheet of another candidate or helps in any other manner, he shall be disqualified from appearing in any examination for a period of not less than two years and shall not be given any remunerative work of the Institute for a period to be determined by the Executive Director. In case such a person is a member of the teaching staff or a college affiliated to the Institute, or is working as a Librarian, or a Director of Physical Education, his approval as Lecturer, Instructor or Librarian or Director Physical Education, as the case may be, shall be withdrawn.

(3) A person who is found guilty of committing an offence under these regulations but is not a candidate for any examination shall be dealt with as under:-

- (a) In case of a teacher or a person connected with an Institution, his conduct shall be reported to the authorities of the concerned Institute or the Government in the case of a Government Institution, and he shall be debarred from any remunerative job in the Institute:

Provided that in such cases where a teacher/ member of the nonteaching staff had been or is debarred/ disqualified permanently from any remunerative work of the Institute, the punishment would be for 10 years in all.

- (b) The Executive Director may hand over the case to the Police if it discloses commission of a criminal offence.

15. (1) For cases of unfair means not covered by these Regulations, the Board may, on the recommendations of the Committee, impose such punishment as the nature of the offence demands.

(2) An appeal against the decision of the Committee shall lie to the Executive Director only if a candidate, or a Branch dealing with Unfair Means Cases, is in a position to put up some new facts which are

likely to be crucial in the sense that they might induce the Committee to come to a decision other than the one taken by it.

(3) The candidate may go in for appeal within thirty days from the date of receipt of information about the decision whereas the Branch may also initiate the cases, if any, within thirty days from the date of receipt of decision from the Committee. In such cases, the Executive Director may order that such facts be reduced in writing and placed before the Committee for reconsidering the whole case.

(4) The Executive Director may -

- (a) cancel the appointment;
- (b) refuse to pay the whole or any part of remuneration or;
- (c) recover the amount spent by the Institute as the result of noncompliance of instructions; or
- (d) take any other suitable action that may be deemed necessary.

(5) Such person shall also be liable to be proceeded against, under appropriate efficiency and Discipline Rules.

(6) After reconsideration of the whole case by the Committee, the case shall be referred to the Executive Director, who may either finally decide the case himself or refer it to the Board for final decision, as he may deem proper.

(7) If the Board is satisfied after enquiry that the integrity of an examination has been violated at an examination center as a consequence of large-scale unfair assistance rendered to the examinees, it may, besides taking action under these Regulations order re-examinations, cancelling the results of such examination if already declared, and may also abolish that examination center for future or for a specified period.

13. **Repeal.**- Any legal instrument(s) regulating the examination shall, on commencement of these regulations, shall stand repealed but repeal shall not affect any action taken on examination conducted thereunder.

**EXECUTIVE DIRECTOR**