

Pakistan Institute of Fashion and Design

Chartered by the Government of Pakistan

PIFD/SS/Senate(7)/Notifications/2018-26

Dated: June 14, 2018

NOTIFICATION

Diary No: OCE/4771
Dated: 20-06-2018

In pursuance of the decision of the Senate of Pakistan Institute of Fashion & Design (PIFD) taken in its 7th meeting held on May 08, 2018, it is hereby notified that "PIFD Unfair Means Case (UMC) Rules" with the advice to invite Legal Advisor as an Arbitrator in the meeting of Unfair Means Committee, as and when required, as recommended by the Academic Council in its 25th meeting held on 31st July, 2017 and the Syndicate in its 21st meeting held on 31st August, 2017 have been approved by the Senate.



(Prof. Hina Tayyaba Khalil)
Secretary of the Senate /
Vice Chancellor, PIFD, Lahore.

Distribution

1. Members Academic Council, PIFD
2. Members of the Syndicate, PIFD
3. Heads of all Teaching Departments
4. Registrar, PIFD
5. Treasurer, PIFD
6. Controller of Examinations, PIFD
7. Director QEC, PIFD
8. Office File

Pakistan Institute of Fashion and Design, Lahore

Regulations relating to Unfair Means Cases in Examinations

I. Preliminary:

Regulations relating to Unfair Means Cases relate to prevention, punishment and procedure concerning cases of Unfair Means in or in relation to Examinations at PIFD. Use of unfair means is considered a very serious offence. The cases of cheating shall be referred to the Unfair Means Cases (UMC) Committee who shall investigate the matter and recommend necessary action(s) to the Vice Chancellor for approval.

II. In these Regulations:

- "Candidate" shall mean an intending examinee, an examinee taking any examination in a particular semester and wherever the context so permits, every student on the rolls of Institute.
- "UMC Committee" shall mean the Unfair Means Cases Committee constituted by the Vice Chancellor to deal with the cases of alleged use of unfair means and misconduct in or in relation to the 'Examination'
- "Disqualification" shall mean disqualification from appearing in any examination of the Institute.
- "Examination" shall mean an examination conducted by the Institute and shall include an examination so conducted though subsequently cancelled
- "Institute" shall mean the Pakistan Institute of Fashion and Design.
- "Cancellation of Semester" 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.

III. Rule of Conduct:

- a. A copy of the "rules of conduct" for the direction of the candidates shall be communicated to the students through Institute website and Notice Board etc.
- b. Any candidate who refuses to obey the Teacher or the invigilation staff in the Examination Hall or changes his seat with another candidate or creates disturbance of any kind during the Examination or misbehaves in or around the Examination Hall shall be expelled and punished according to the nature and seriousness of his offence. The case may be referred to unfair means Committee.
- c. The Teacher during examination shall take action against a candidate using or attempting to use unfair means. He should invariably demand the written explanation or statement of the candidate(s) concerned. If any candidate(s) refuses to give his statement, the fact should be reported. In such cases the report complete in every respect and should include all the information facts and circumstances of the case. Each case along with its evidence shall be forwarded immediately to the "UMC Committee" through the Course Coordinator of the concerned Department, with an intimation to the Vice Chancellor.
- d. Any candidate, who is found to have in his possession or accessible to him papers, books or notes relating to the subject of Examination of that paper or detected in giving or receiving assistance or using or attempting to use any other unfair means in connection with the Examination, shall be expelled by the Teacher.
- e. If it is found that a candidate has access to, or is in possession of papers, books or notes, which might possibly be of assistance to him:
 - i. His answer book shall be cancelled, as a disciplinary measure without any implication of moral turpitude.
 - ii. In cases of offence or disobedience, he will be referred to UMC Committee

- f. Any candidate detected in giving or receiving assistance, or found guilty of copying from any paper, book or note, or allowing any other candidate to copy his answer-book, or using or attempting to use these or any other unfair means, shall be disqualified from passing in the subject and case will be referred to committee on unfair means with intimation to the Vice Chancellor.
- g. Notwithstanding any other law for the time being in force and without prejudice to any remedy open to the Institute under such law:
- i. Any candidate found guilty of deliberate previous arrangements to cheat in the Examination such as smuggling in another answer-books, impersonation or misconduct of a serious nature and the person who impersonates such candidate, if he is on the rolls of the Institute, shall be referred to UMC Committee, and
 - ii. If the impersonator is not on the rolls of the Institute, the Controller of Examinations shall report the matter to the police with the permission of the Vice Chancellor.

Provided that in a case covered by clause g-i above, a candidate or the impersonator, on the expiry of two years including the Examination in connection with which he was declared to be not a fit and proper person to be admitted to any future Examination, may as a special case, be exempted by the Syndicate from further operation of this Regulation with the sanction of the Vice Chancellor.

- h. Candidates guilty of communicating or attempting to communicate, with examiners with the objective of influencing them in the award of their marks, shall be deemed to have used, or attempted to use, unfair means shall be punished accordingly. Communications of this nature addressed to the Controller of Examinations or other officers of the Institute, shall be treated as falling in the same category and the candidate concerned shall be punished by the UMC Committee.

IV.

Unfair Means Cases (UMC) Committee:

a. The Unfair Means Cases Committee shall be framed by the Vice Chancellor comprising the following:

1. Senior Most Professor of Institute	Chairperson
2. Course Coordinator of the Department (if any)	Member
3. Course Coordinator (Foundation Year Studies)	Member
4. Controller of Examinations	Member
5. Director Students' Affairs	Member
6. Deputy Registrar (Academics)	Secretary

Proposed

b. Unfair Means Cases Committee shall deal with the cases of the alleged use of unfair means in connection with the Examinations.

c. The committee shall give the accused candidate a reasonable chance of showing cause against the action proposed to be taken and afford him, if he so desires, a fair opportunity of defense through the prescribed Form **UMC-01** (Annexure - "A").

d. The unanimous decision of the UMC Committee in dealing with cases of the alleged use of unfair means in connection with the Examinations shall be final. If the UMC Committee is not unanimous, the matter shall be referred to the Vice Chancellor who shall either decide himself or refer it to the Disciplinary Committee. The decision of the Vice Chancellor shall be final.

e. If a candidate to whom the decision of the competent authority is communicated has valid reasons to appeal against such decision, he may do so within 15 days of the date of receipt of the decision in writing and by depositing **Rs. 2000/-**. The appeal shall be considered by a Committee of Appeal comprising three persons to be nominated by the Vice Chancellor, excluding the persons who may have dealt with the case at a previous stage and the

appellant will be given an opportunity to be heard in person by the Committee of Appeal if he so desires. However, such a candidate may file a revision against the decision of the Appeal Committee with the Vice Chancellor within 15 days after such decision by depositing a sum of **Rs.4000/-**. The Vice Chancellor may appoint a standing Committee and in the light of the recommendations of the Committee, final decision shall be made by the Vice Chancellor.

- ✓ f. No lawyer or next friend shall be allowed to appear on behalf of or assist an accused candidate during Enquiry or Appeal under these rules.

- ✓ g. Notwithstanding anything to the contrary in these rules, no act or proceeding by the Standing Committee to deal with case of the alleged use of unfair means in connection with the examinations shall be invalidated merely by reason of the existence of a vacancy or vacancies on the Committee; absence of a member; or, by reason of any irregularity in the appointment or any member of the Committee.

- h. The Controller of Examinations shall call upon the candidate alleged to have employed unfair means in the examination to appear before the UMC Committee to represent his / her case personally at his / her own expense on the date fixed for appearance before the UMC Committee. If in spite of service of notice, the candidate fails to do so, he / she will be proceeded against ex-parte.

- ✓ i. Soon after the detection, the Teacher / Invigilator shall require the candidate to make a statement explaining his /her conduct. In case the candidate refuses to do so, the fact of his / her refusal shall be recorded by the Teacher / Invigilator.

- j. While reporting a case of use of unfair means in the Institute Examinations detected, the Teacher / 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 refuses to do so, this should be reported to the UMC Committee in writing.
- k. The rules will be effective for theory and practical / studio examinations, both.
- l. The Teacher concerned will submit a detailed report along-with documentary / other proof (if any) to the UMC Committee regarding unfair means used by any student during the examination through the Course Coordinator.
- m. Controller of Examination is to be informed immediately regarding use of unfair means in the examinations.
- n. The recommendations of the UMC Committee are to be put up before the Vice Chancellor for approval.
- o. In case, not covered in the Regulations, the UMC Committee may decide suitable punishment to the student on case to case basis.
- p. The decision of the Vice Chancellor in imposing penalty for the offence committed by the candidate shall be final and binding on him / her.

V. Levels of offences along-with Punishment and Authority:

Levels	Offences	Punishments	Authority
Level-1	i. Whispering/ Talking	Strict oral warning and Change of Seats	Teacher / Invigilator
	ii. Glancing/ Looking/ Staring		
	iii. Responding to other whispers and assisting others in seeing own answer sheet		
	iv. Found in possession of unauthorized material not related with the subject question paper		
	v. Other offences of similar nature and intensity		
Level-2	i. Getting / giving assistance by exchange of personal items like calculators, etc.	Removal from the examination Hall and mobile phone/ device shall be confiscated	Teacher / Course Coordinator / Invigilator
	ii. Carrying mobile phone or any other electronic device (even in off condition).		
	iii. Found in possession of unauthorized material related with the subject / question paper but does not match with answer written in answer sheet	Fail grade in subject of exam.	UMC Committee after seeking approval of Vice Chancellor
	iv. Repeating offences of Level-1		
	v. Presenting to the examiner a practical or class work note book not prepared by himself / herself.		
	vi. Other offences of similar nature and intensity		
Level-3	i. Writing on the desk before the start of the exam	Cancellation of subject exam.	UMC Committee after seeking approval of Vice Chancellor
	ii. Sitting contrary to seating plan, intentionally.		
	iii. Being caught talking while outside the examination hall during the examination when allowed to go out e.g. visit to washroom, etc.	("F" Grade shall be given with financial penalty not less than Rs 2000.- and debarred from appearing in the examinations of that subject for two Semesters.)	
	iv. Repeat of offences of Level-2		
	v. Other offences of similar nature and intensity		

Level-4	i.	Using pre-meditated chits containing helpful material.	Cancellation of Semester ("F" Grade shall be given in all subjects with financial penalty not less than Rs.5,000/- and debarred from appearing in the examinations of that subject for two Semesters) OR Zero marks will be awarded in all the subject examinations, in which the student appeared/ appearing. Debarred from appearing in the examinations not less than two Semesters.	UMC Committee after seeking approval of Vice Chancellor
	ii.	In addition to other charges, the student misbehaves with the exam staff or creates indiscipline		
	iii.	Found in possession of unauthorized material in bulk, e.g. book/ huge cheating material, showing clear intention of copying		
	iv.	Found in possession of unauthorized material related with the subject/ question paper and the answer written matching with answer sheet		
	v.	Using mobile phone/ other communication device to cheat.		
	vi.	Proxy sitting/ run away from the examination hall by the person sitting proxy and for whom sitting proxy (both) or getting oneself impersonation by someone in the examination or impersonating another candidate.		
	vii.	Other offences of similar nature and intensity		
	viii.	Carrying helpful material written on hands/ arms/ other body parts/ cloths		
	ix.	Coming to the examination hall under the influence of alcoholic drink or drugs		
	x.	Exchanging question papers		
Level-5	i.	Exchanging answer sheets during the examination.	Rustication/ expulsion from the Institute' debarred from appearing in the examination not less than for 06 semesters and "F" grade shall be given in all subjects with financial penalty not less than Rs.10,000 - sup	UMC Committee after seeking approval of Vice Chancellor
	ii.	Writing each other roll numbers on own answer sheet		
	iii.	Replacing answer sheets with other answer sheets not distributed for this exam (e.g. prepared at home prepared in class).		
	iv.	Smuggling an answer book of a continuation sheet or any part thereof in or outside the place of examination.		
	v.	Cheating and being argumentative, rude, aggressive etc with the Invigilator		

VI. Regulations relating to Vice Chancellor regarding Unfair Means Case:

- a. The Vice Chancellor may order with holding the result of a particular candidate or candidates, if it is considered necessary in the interest of the Institute to do so.
- b. In case of an emergency, the Vice Chancellor is authorized to award suitable punishment, without reference to the UMC Committee, to any candidate or to any student on the rolls of the Institute, who creates disturbance of any kind during an Examination or otherwise misbehaves in or around the Examination Hall

VII. Instructions for conduct of Examinations:

1. Timing:

- i The students are required to be present outside the examination hall exactly 15 minutes before the start of the examination. Students will only be allowed to enter the examination hall 10 minutes prior to commencing the examination.
- ii The students will not be allowed to appear in the examination, if they reach the examination Centre after 20 minutes from start of examinations. No extra time will be given to late comers under any circumstances.
- iii No student is allowed to leave the hall before half time after the start of the examination.
- iv The student(s) can raise query / reservation about contents of Question Paper especially with regards to Syllabus within 30 minutes of start of examination.

2. Identity check-up:

- i Students will not be allowed into the examination hall without presenting PIFD Identity Card.
- ii Teachers / Invigilators are responsible to ensure full compliance with such requirement

- iii If, a student forgets his / her Institute Identity Card, the CNIC, driving license, other photo identity card will be accepted in place subject to verification by the concerned teacher / course coordinator / Head of Department concerned / Controller of Examinations.

3. **Breaks:**

- i Breaks for visits to bathroom may be taken only after permission from the Teacher / Invigilator and under the condition that the instructions given on the particular occasion are followed. The Course Coordinator stipulates which bathroom shall be used.
- ii If a student falls ill during the examination and is unable to complete the examination, the concerned student should alert the Teacher / invigilator and Course Coordinator may make suitable arrangement for proper medical attention.
- iii No student shall re-enter the examination hall after leaving it unless he / she was under approved supervision during the full period of absence.

4. **Question papers:**

- i The Teacher / invigilator distributes question paper & answer sheets among students. No other paper than that (except as prescribed for a course) shall be used. An examination written on other than prescribed paper will be considered invalid.
- ii Students are not allowed to read the question paper until granted permission by the Teacher / invigilator.
- iii During an ongoing examination, students are not allowed to take the examination paper outside the examination hall. After the examination, the student should personally submit his / her examination answer sheet to the Teacher / invigilator.
- iv Even a blanked answer sheet shall be handed over to the Teacher / invigilator.
- v Each answer script should contain details of the student's name, registration number, Course code & Title, Course Teacher.

5. **Other materials:**

- i Students should bring their own pencils, pens, erasers, rulers, calculators (if allowed), and any other tools required for the examination.
- ii The Teacher / invigilator will decide where the students' handbags, cases, outdoor clothes, GSM, etc. shall be placed.
- iii Students are responsible for the safe keeping of all personal belongings they bring to the examination hall. The Institute takes no responsibility for the loss or damage of such belongings.
- iv Pencil cases, mobile phones (GSM), dictionaries, electronic dictionaries, written or electronic media, electronic devices, or any other materials are not permitted/ allowed into the examination hall, with the exception of devices used for assisting students with hearing visual or other physical difficulties. Exchange of pens, pencils, calculators, study material, etc. is not permitted.

6. **Disturbance:**

- i During the examination period, there must be no communications among students or between a student and an outsider via any mean, such as phones. This rule applies to students in the examination hall and those on supervised breaks for visits to bathroom(s).
- ii It is the Course Teachers' discretion to decide whether, there is enough reason to remove a student from the examination hall owing to disorderly conduct or send the case to the Controller of Examinations for UMC Committee.

7. **Miscellaneous:**

- i The students must ensure before they leave the examination hall that they have signed the attendance sheet.
- ii The Students with any medical problem will be provided Writer (amanuensis) in the Examinations only subject to prior permission from the Course Coordinator who can arrange student / person junior in studies for the purpose. The documentary proof along with recommendations of concerned Course Coordinator will be required.

Pakistan Institute of Fashion and Design, Lahore

Registered / Through Courier Service / By Hand

No. _____
Dated _____

From

The Secretary,
Unfair Means Case Committee,
Pakistan Institute of Fashion and Design,
Lahore.

To

Memorandum,

You are charged as under:

(1) _____

(2) You are hereby called upon to submit you written explanation to the above charge(s) to the undersigned by name under a registered cover (through the Course Coordinator) and also show cause within ten days of the receipt of this letter why you should not be disqualified under the Regulations (_____) attached.

(3) You also have the opportunity to be heard in person by the Unfair Means Case Committee, if you so desire.

Secretary
Unfair Means Cases Committee