

STATUTES & REGULATIONS FOR CONDUCT, DISCIPLINE & APPEAL

Section I: Preamble

Section II: Definitions

Section III: Jurisdiction

Section IV: Pre-Hearing Procedures

Section V: Hearings

Section VI: Sanctions

Section VII: Appeals

SECTION I: PREAMBLE

With the understanding that:

1. It is in the interests of the Services Institute of Medical Sciences, and the College Departments that harmful behavior which affects the teaching and academic environment should not go without a proper disciplinary response designed to prevent further behavior of a similar, detrimental nature;
2. The SIMS desires to frame discipline rules for effective preventive and disciplinary measures relating to the conduct of college students, maintenance of discipline and breach of discipline of its academic activities within its premises, and in the examination centers.

The Discipline Committee, SIMS shall function under section 14 of the First Statutes of the University of Health Sciences, Lahore.

The Discipline Committee's primary responsibility shall be to determine, according to statements of complaints, defendants, witnesses, and any evidence deemed permissible, whether or not college regulations have been violated, compromising efficiency and efficacy of the performance (Individual/ Departments) and to recommend appropriate sanctions according to these regulations designed to prevent further such activity. A complaint, if any, against the working of Discipline Committee shall be submitted to Academic Council for decision.

SECTION II: DEFINITIONS

- I. "Close Relative" means wife, husband, son, daughter, adopted son, adopted daughter, grand-son, grand-daughter, full and half brother and sister, niece/nephew, brother and sister in law, son and daughter in law, paternal and maternal uncle and aunt etc.
- II. "Complaint" means allegations framed against the accused.
- III. "Corruption" means accepting or obtaining any gratification as a reward for doing any act of the institute; dishonestly or fraudulently misappropriating or misusing the college property or resources and having a reputation of being corrupt.
- IV. "Constituent College" means a Constituent College of the University.
- V. "Examination Centre" means approved venues of University/ College where theoretical and practical/ oral/ clinical examinations are held
- VI. "Examiner" means a person appointed by the University/College for examining and

assessing the answer books of a candidate or his ability through written or practical/oral/clinical examination and award marks.

- VII. "Hostility" means non-cooperation by declining to comply with the instructions of discipline committee and/or adopting a demeaning attitude towards member (s)
- VIII. "Indiscipline" means an act of student, examiner (internal or external), supervisory staff/ invigilators (teachers of schools/colleges) liable to be penalized and includes a.

- a. Disruption of teaching, examination or administrative work.
- b. Leaking examination material.
- c. Damaging or defacing University property.
- d. Engaging or attempting to engage in wrongful confinement of teachers/students/staff of the college.
- e. Using of abusive and derogatory language.
- f. Ragging in any form.
- g. Tearing of pages, defacing, burning and destroying of books of library.
- h. Unauthorized occupation of hostel rooms.
- i. Indulgence into corruption
- j. Any act of immoral turpitude.
- k. Harassment in any form.
- l. Any other act which may be considered by the Principal or Discipline Committee to be an act of violation of discipline.

IX. "Misconduct" means conduct prejudicial to good order or conduct unbecoming of a gentleman.

X. "Officer" means officer of the institute as defined under sections 8 and 21 of UHS Ordinance.

XI. "Sanctions" means penalties as envisaged in Statutes & Regulations of the Institute.

XII. "Student" means a student of SIMS and includes a candidate who has applied for admission to an examination or has appeared as an examinee at any such examination.

SECTION III: JURISDICTION

1. (a) The Discipline Committee shall be responsible for inquiry into the acts of indiscipline affecting academic environment of the college. The Committee can take cognizance of any breach of discipline including social / moral behavior affecting academic environment that takes place in its premises, and in the examination centers.

(b) The Principal may refer the complaints involving breach of conduct / regulations by college employees to the Committee to establish the facts and frame recommendations in accordance with the Service Statutes as applicable.

2. The Committee shall have the power to recommend sanctions according to these statutes and regulations.

SECTION IV: PRE-HEARING PROCEDURES

1. Complaints must be filed within 15 days of the infraction.
2. The first hearing must be scheduled within 30 days from the time of receipt of the complaint.
3. The notice for hearing to all parties shall include the time, date, and location of the hearing, as well as a statement of the charges and a copy of the hearing procedures.
4. As soon as possible, but no later than 72 hours before the hearing, the notice will be delivered to the complainant and defendant groups. The notice will either be hand delivered, or confirmation of receipt and understanding must be obtained.
5. At least 48 hours before the hearing, the defendant must submit a written statement containing its plea, a summary of the reasoning behind this plea, and a list of any witness to be called and/or evidence to be presented.
6. At least 48 hours before the hearing, the complainant must submit a written statement containing the reasoning behind the complaint and a list of witness to be called and/or evidence to be presented.
7. The hearing proceedings shall be completed within 45 days of its commencement. An extension in the period may be obtained from the Principal after stating reasons in writing.

SECTION V: HEARING

1. Hearing shall only be open to members of the Discipline Committee. The Discipline Committee however can seek services of any officer of the college, if necessary, for its assistance to conduct the hearing. The members of Discipline committee shall not attend any proceedings involving their close relative(s).
2. The Discipline Committee, in case of the hostility of a witness/ complainant/ defendant towards it, reserves the right to culminate the proceedings and refer the issue to the Principal for taking an appropriate action.
3. The hearing procedure shall be determined by the Committee so as to ensure the fairness and impartiality of the proceedings.
4. The Committee reserves the right to accept or reject any evidence after ascertaining its authenticity.
5. Following the hearing, the Committee shall deliberate in private. It may decide to:
 - i. Dismiss the case on the grounds of:
 - a. No violation
 - b. Insufficient evidence
 - c. Lack of jurisdiction
 - ii. Find the accused responsible and recommend sanctions.
6. All decisions shall be determined by a majority vote of Discipline Committee members, with the Chair casting only a tiebreaking vote, if necessary.
7. A written copy of the finding(s) and decision(s) of the Committee shall be prepared and delivered to the Principal as soon as possible and at least within 72 hours of the close of deliberations.

SECTION VI: SANCTIONS

- A. The Discipline Committee, in case of a party found responsible for misconduct by violating the College's Statutes/ Regulations or affecting efficiency and efficacy, will recommend the imposition of sanctions in accordance with governing regulations.
- B.

Disciplinary action against the student/ examiner (internal or external)/ supervisory staff/ invigilators may be taken in one or more of the following forms depending upon the severity of the offence:

- i. A written warning may be issued to the student concerned/ examiner (internal or external)/ supervisory staff/ invigilators, and a copy of the same may be disseminated/ displayed on the Notice Board.
- ii. The matter may be reported to the parents/guardians of the student and they may be requested to visit College, if necessary.

Offence/ violation

- a. Disruption of teaching, examination or administrative work.
- b. Leaking examination material.
- c. Damaging or defacing College property.
- d. Engaging or attempting to engage in wrongful confinement of teachers/students/staff of the College .
- e. Using of abusive and derogatory language.
- f. Ragging in any form.
- g. Tearing of pages, defacing, burning and destroying of books of library.
- h. Unauthorized occupation of hostel rooms.
- i. Indulgence into corruption.
- j. Any act of immoral turpitude.
- k. Harassment in any form.
- l. Any other act which may be considered by the Principal or Discipline Committee to be an act of violation of discipline.

iii. A student may be fined. The fine imposed shall have to be deposited with the Treasurer, under intimation to Discipline Committee as the case may be. The rate of fine shall be determined by Discipline Committee.

iv. A student may be turned out of the class and be not permitted to attend the same course upto three periods at one time.

v. A student/ examiner (internal or external)/ supervisory staff/ invigilators may be placed under vigilance for a fixed period not exceeding 4 months. If during the period of vigilance he/ she fails to improve his conduct, he/ she may be rusticated or expelled from the college or struck off his/ her name from the panel of examiners.

vi. A student may be suspended from the rolls of a college/ institute/department, for a period not exceeding four weeks at a time.

vii. A student may be rusticated, expelled or asked to withdraw from the College/Institute/Department for maximum of 2 years.

SECTION VII: APPEALS

A. An appeal may be filed with Principal within 15 days of the adjournment of the original hearing deliberations.

B. Appeals may be sought exclusively on the following grounds:

1. Biased hearing
2. Gratuitous punishment
3. New evidence
4. Violations of due process of hearing

C. If the appeal is brought on the grounds of a biased trial, the Principal shall refer the case to Academic Council for constituting a Committee under section 33 of UHS Ordinance. The Committee after consideration of facts may:

1. Deny the appeal
2. Send the case back to the Discipline Committee for retrial, with instructions to revoke the biased member(s).

D. If appeal is brought on the grounds of gratuitous punishment, the Committee constituted by the Academic Council as stated supra.

1. Deny the appeal.
2. Leave the sanction as imposed.
3. Lower or remove the sanction.
4. Increase the sanction.

E. If the appeal is brought on the grounds of new evidence, the above constituted Committee may:

1. Deny the appeal
2. Send the case back to the Discipline Committee for a retrial.

F. If the appeal is brought on the grounds of a due process violation, the above Committee may:

1. Deny the appeal.
2. Send the case back to the Discipline Committee for a retrial with instructions to ensure due process.