SINDH ORDINANCE NO. I OF 1999.
THE SINDH UNIVERSITY AND BOARDS EXAMINATIONS (ERADICATION OF MALPRACTICES) ORDINANCE, 1999.

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		[16th January, 1999]
	An Ordinance to provide for the eradication of malpractices in the examinations held by a University or Board in the Province.	
	WHEREAS it is expedient to provide for the eradication of certain malpractices in the examinations held by University or Board in the Province;	**Preamble.**
	AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that the circumstances exist which render it necessary to take immediate action;	
	NOW THEREFORE in exercise of the powers conferred by clause (1) of Article 128 of constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance:-	
1.	(1) This Ordinance may be called the Sindh University and Board Examinations (Eradication of Malpractices) ordinance, 1999. (2) it shall come into force at once.	**Short title and commencement.**
2.	In this Ordinance, unless there is anything repugnant in the subject or context:- (a) "abetment" shall have the same meaning as assigned to it in the Pakistan Penal Coad, 1860. (b) "answer book" means the documents containing the answer or answers as given by a candidate during an examination to the question or questions contained in the question paper meant for the said examination and includes a part of answer book; (c) "Board" means a Board of Intermediate and Secondary Education and includes the Board of Technical Education, established by law; (d) "candidate" means a person who has applied for admission to an examination or appeared in an examination; (e) "employee" means any person employed in a University or Board, permanently or temporarily or on contract basis either gratis or for remuneration;	**Definitions.**

	(f) "examination" means a process adopted by a University or Board for the purpose of examining a candidate for the grant of a certificate, diploma or degree, as the case may be; (g) "examiner" means a person appointed by a University or Board for the purpose of examining and assessing the answer books of a candidate or his ability through a written or oral examination and award marks therefor and includes a person appointed to check the standard of marking of such examiner; (h) "center" means a place notified by a University or Board for the holding examination or assessment of answer books, as the case may be; (i) "pre-mature disclosure of a question or a question paper" means a disclosure of a question or any of the questions contained in a question paper before the time at which the question or question paper has to be communicated to a candidate in accordance with the prescribed procedure; (j) "question paper" means a document containing the question or questions to be put at an examination for being answered by a candidate; (k) "supervisory staff" means the staff appointed by the University or Board, as the case may be to conduct the examination; (l) "University" means a University established by law.	
3.	Whoever is guilty of :- (i) premature disclosure of a question or question paper or any classified information relating thereto knowing that such question or question paper is to be put or set at an examination written or oral; or (ii) making false representation in admission form or any other document connected with an examination; or (iii) giving or receiving any assistance for solving any part of a question paper or allowing any other candidate to copy from his answer book or attempting to do so; or	**Punishment for malpractice.**

(iv) allowing a candidate to solve the question or question paper after the scheduled time;

(v) taking unauthorizedly the whole or a part of an answer book out of any examination centre; or

(vi) replacement of an answer book or any portion thereof;

(vii) awarding with dis-honest motive marks more or less than marks deserved by a candidate if the person doing so is an examiner;

(viii) recording in any document with dis-honest motive marks more or less than the marks awarded to a candidate by an examiner if the person doing so is other than the examiner; or

(ix) supplying to a candidate, during his examination, answer to a question contained in a question paper or a question put or to be put at an examination; or

(x) mutilation, alteration, interpolation or erasure in any certificate or tabulation, register or other document or record maintained by a University or Board, or in any manner using or causing to be used a certificate, document or record knowing that it is so mutilated, altered, interpolated or erased; or

(xi) divulging or procuring information pertaining to the examination papers answer books, examiner, conduct of examinations, fictitious roll numbers, examination results or any information incidental thereto; or

(xii) falsification of official examination results by any means including substitution of answer books, mutilation, alteration or falsification of the record maintain by a University or a Board; or

(xiii) impeding the progress of examination or assessment of answer books at an examination centre by any means whatsoever; or

(xiv) assaulting or threatening, any person incharge of any examination centre or any other person employed in connection with an examination, with a view to gaining any advantage in an examination; or

	(xv) approaching or influencing any employee to act corruptly or dishonestly in the conduct of any examination, declaration of examination result or marking of papers, or obtaining secret information relating to an examination; or (xvi) appointing or getting appointment as supervisory staff for carrying out examination duty in contravention of the prescribed procedure; or (xvii) appearing in an examination in place of the real candidate impersonating a candidate ; or (xviii) taking examination at a center other than the centre allotted by a University or a Board, for some ulterior motive; or (xix) attempting or abetting the commission of any of the aforesaid acts; Shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to one hundred thousand rupees or with both; provided that where the offender is a candidate he shall be punished with imprisonment not exceeding one year or with fine not exceeding fifty thousand rupees or with both.	
4.	Complaint of offences. An offence under this ordinance shall be cognizable by the police only on a report made, in the case of an offence relating to a University by the Registrar of the University or such other official of the University as may be specially authorized by him in writing, and in the case of an offence relating to a Board by the Chairman of the Board or such other officer of the Board as my be specially authorised by him in writing an every such offence shall be bailable.	
5.	Unpublished record to be privileged documents. No employee shall give evidence of any fact relating to unpublished records of the University or Board employing him or produce any document pertaining to the affairs or such University or Board except, in the case of University records with the previous written sanction of the Vice-Chancellor or the Registrar of the University, and in the case of Board records of the Chairman, as the case may be, give or with-hold such permission in his discretion.	

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