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THE PUNJAB GAZETTE

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LAHORE TUESDAY FEBRUARY 16, 1999

GOVERNMENT OF THE PUNJAB
LAW &. PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION

16th February 1999

No. Legis: 3(V)99- The following Ordinace promulgated by the Governor of the Punjab is hereby published for general information:-

THE PUNJAB UNIVERSITIES AND BOARDS OF INTERMEDIATE AND SECONDARY EDUCATION PALPRACTICES (AMENDEMENT) ORDINANCE 1999.

PUNJAB ORDINANCE NO.V.OF 1999

An
Ordinance

Future to. amend the Punjab Universities and Board of Intermediate and Secondary, Education Malpractices Act, 1950.

Whereas it is expendient further to amend the Punjab Universities and Board of Intermediate and Secondary Education Malpractices Act. 1950 for the purpose hereinafter appearing;

And whereas the Provincial Assembly of the Punjab. is not session and Governor of the Punjab is satisfied that circumstances exist which render it necessary to take immediate action;

Now therefore in exercise of the powers conferred upon him under Article 128(2) of the Constitution the Governor of Punjab is pleased to promulgate the following Ordinance:-

1. Short and commencement. (I) This Ordinance may be called the Punjab Universities and Boards of Intermediate and Secondary Education Malpractices (Amendment) Ordinance, 1999.

(2) It shall come into force at once.

2. Substitution of Section 3 of Act XXXII of 1950. In the Punjab Universities and Boards of Intermediate & Secondary Education Malpractices Act. 1950 (XXXII of 1950) hereinafter referred to as the said Act. For section 3 the following shall be substituted:-

3 Punishment for Malpracties etc.

(I) Whoever is guilty of

i) Possessing firearms or other implement capable of being used as weapon of offence in or around an examination centre: or

ii) Impersonating another who is a candidate for an examination; or

iii) forging, mutilating, altering, erasing or otherwise tampering with any document connected with an examination or making undue use of such document; or

iv) premature disclosure of a question or question paper knowing that: such question or question paper is to be put or set at an examination written or oral; or

v) replacement of an answer book or any portion thereof; or

vi) recording in any. document with dishonest motive marks more or less that the marks awarded to a candidate by the examiner concerned, if the person doing so is other that the examiner; or

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

viii) divulging or procuring information pertaining to a University or Board examination, papers answer books, examiners, conduct of examinations, fictitious roll numbers, examination results or any information incidental thereto; or

ix) falsification of official examination, result by any means including substitution of answer books, mutilation, alternation or falsification or University or Boards record; or

x) Impeding the progress of examination at any examination centre by any means whatsover; or

xi) assaulting or threatening any person incharge of an examination centre or any other person employed in connection with an examination; or

xii) 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 and with fine which may extend to fifty thousand rupees.

(2) Whoever is guilty of:

i) making false representation in his admission form or any other document connected with an examination; or

ii) 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

iii) unauthorized copying or receiving-assistance from any paper, book, note or other source for answering a question; or

iv) taking unauthorisedly the whole or a part of answer book or a continuation sheet into or out of any examination centre or

v) awarding with dis honest motive marks more or less than the marks deserved by a candidate. If the person doing so is an examiner; or

vi) supplying to a candidate during his examination answer to a question contained in the question paper or a question paper or to the put at an oral examination; or

vii) approaching or influencing any employee to act corruptly or dishonesty in the conduct of any examination, declaration of any examination result; or marking of papers or obtaining secret information relating to any examination; or

viii) attempting or abetting the commission of any of the aforesaid acts.

Shall be punished with imprisonment for a term which may extend to two year or with fine which may extend to twenty five thousand rupees with both.

3. Addition of section 3A in Act XXXII of 1950. In the said Act the following section shall be added:-

3A- General Provision, (I) The offences under Section 3 (2) of this Ordinance may be tried summarily under the provisions of the Code of Criminal Procedure 1898.

(2) There shall be no appeal by a convicted person in cases which are tried summarily and a sentence of fine not exceeding one thousand rupees only is passed in respect of an offence under this Ordinance.

4. Amendment of section 4 of Act XXXII of 1950. In the said Act in section 4

i) for the word "Registrar" the words "Vice Chancellor" Shall he substituted; and

ii) for words "and every offence shall be bailable". the words "and the offences mentioned in -section 3 (1) shall be non-bailable while those mentioned in section 3(2) shall be bailable:-

sd/-

SHAHID HAMID

GOVERNOR OF THE PUNJAB

Date: 11th February, 1999.