

Regulations for Disciplinary Committee (21 Nov 2019) (v 4.0)



1. Principles

The Academic Council has established a Disciplinary Committee to hear and determine cases arising out of alleged breaches of the University's Regulations.

2. Membership of the Disciplinary Committee (Four Members)

- The Chairperson will be appointed by the Director General;
- The Head of Department wherever practical or any other Academic Staff nominated by the Head of School;
- The Quality Assurance Officer or his representative;
- The Representative appointed by the Student Union;
- The Secretary of the Disciplinary Committee shall be the Registrar or his/her representative.

When a complaint has been lodged with the Disciplinary Committee against a student, the complainant shall not sit as a member of the Disciplinary Committee during the hearing of the case.

The recommendations of the Disciplinary Committee will be submitted to the Academic Council for approval.

3. Proceedings

- (i) The Committee shall consider cases referred to it by a Head of School or any Heads of Units / Departments.
- (ii) The Secretary shall send to the student required to appear before the Committee a written summon setting out the alleged offence. This summon shall be delivered to the student at least seventy-two hours (Saturdays, Sundays and Public Holidays excluded) by registered post and delivery advice and to the student's University email address before the meeting of the Committee and a copy sent to the Head of School. Provided the student has been properly summoned, if she/he fails to attend the hearing, the Committee may proceed in his/her absence.
- (iii) The student, against whom the complaint is made, may be accompanied to the committee by a person to assist him/her. He / She shall inform the Secretary of the name of the person assisting him/her and in which capacity, at least twenty-four hours before the date fixed

for the meeting. Any person assisting a student would not be allowed to talk on behalf of the student.

(iv) Any statement in connection with the case from:

The complainant;

The student against whom the complaint is made;

Any witness the complainant or the student wishes to present; may be made in writing for the consideration of the Committee.

These statements shall be submitted in writing to the Secretary of the Committee not less than twenty-four hours before the date fixed for the meeting.

(v) The Committee may require the complainant, the student against whom the complaint is made and the witnesses for both parties to give evidence before it. The Committee may also require the presentation of such further evidence as it deems appropriate.

(vi) Either party may request an adjournment of not more than seven days. The Committee shall allow such cross-examination by either the complainant or the student against whom the complaint is made as it deems relevant.

(vii) Having concluded the hearing, the Committee shall deliberate in camera and send a formal report to the Academic Council with appropriate recommendation/s.

(viii) In the light of the Report, the Disciplinary Committee shall recommend the actual penalty to be applied having regard to the seriousness and the recurrence of the offence.

(ix) The following penalties may be applied either separately or in combination in the deliberate judgment of the Committee:

a) **The student is exonerated.**

b) Issue a warning or a severe written warning to the student depending on the seriousness of the offence.

c) To take the module where examination irregularity was found as a resit as and when the module is offered. Students will be eligible for pass mark only, should they be successful in the said module.

d) To reset the marks obtained in all modules cleared in the current semester to pass mark.

e) To reset the marks obtained in all modules cleared in the current level to pass mark.

- f) Suspension from the University for a period to be determined by the Disciplinary Committee and repeat without exemptions the level in which the student was found guilty.
 - g) Termination of the student's registration at the University. Re-admission, if requested shall be, without exemptions.
- (x) Other than examination irregularities, offences of any other nature may entail penalties as may be recommended by the Committee which is deemed reasonable.
- (xi) In case of forgery, student shall be debarred for 10 years from enrolment at the University.
- (xii) On the other hand, a student may plead guilty in writing instead of attending the Disciplinary Committee. Paragraph **(ix)** above will still be applicable for determination of penalty. Such voluntary disclosure may be favourably considered by the Committee.
- (xiii) Students will not be allowed to bring their **any other recording device** in the Disciplinary Committee meetings for confidentiality purposes.

4. Appeal

- (i) Any student who feels aggrieved by the confirmed decision of the Academic Council may appeal against that decision through the Office of the Registrar. Grounds of Appeal must be lodged to the Registrar within 5 working days of the date on which the student was notified of the decision against which he/she is appealing. An amount of Rs 3000/-(three thousands rupees) as deposit must be made while lodging the appeal. Such deposit will be refunded in case the Appeal is successful.
- (ii) The Appeal will be considered by an Appeal Committee composed of:
 - a) A Chair, independent and outside UTM appointed by the Director General.
 - b) An academic staff from each School appointed by the Head of School who has not been involved in the cases being considered.
 - c) A representative of the Registrar as Secretary.
- (iii) The recommendations of the Appeal Committee upon approval of the Academic Council shall be final.