



**ORDER IN THE MATTER OF COMPLAINT FILED BY MS. HUDA ASIF AGAINST SHIFA COLLEGE OF MEDICINE/ SHIFA TAMEER E MILLAT UNIVERSITY ISLAMABAD REGARDING UNFAIR PRACTICES IN CONDUCT OF EXAMINATION.**

Date of Hearing 30-03-2023.

1. Ms. Huda Asif (the “Complainant”) filed a complaint on 15-02-2023 regarding unfair practices in conduct of examination. Brief facts of the complaint are as under:

The complainant is a student of 3<sup>rd</sup> year MBBS at Shifa College of Medicine, Shifa Tameer-e-Millat University, Islamabad. The complainant submitted that the Principal of Shifa College of Medicine Dr. Muhammad Amir has been harassing her for the past one year. He had been calling her to his office to harass her. When complainant repeatedly refused to visit his office, he held personal grudge and vendetta against her. This can be substantiated by following:

- a. The respondent formulated an illegal unlawful and farcical medical board against complainant and complainant family’s approval to expel complainant on medical ground. When by the grace of Allah Almighty, the complainant was perfectly fit, but respondent did not stop there and continued to call to his office.
- b. The complainant attendance for appearing in the 3<sup>rd</sup> year MBBS subjects were 91%, 84% and 83% respectively, but the respondent sabotaged her chances of appearing in two subjects, despite her attendance was way above the 75% requirement set by the PM&DC.
- c. The respondent exclusively sabotaged complainant appearance in the internal examination by forcing the subject teacher not to take her exam.
- d. When complainant went to her teacher and asked why her examination was not being taken, the teacher replied “Hum detkhtay hain k tum pass kaisay hoti ho.”
- e. The result of complainant 3<sup>rd</sup> Prof Annual MBBS was declared on 31<sup>st</sup> January 2023. According to PM&DC, the supplementary examinations are to take place after 40 days of result declaration, but respondent has made sure to fail her by illegally conducting 3<sup>rd</sup> Prof supplementary exam just 20 days with back to back examination and practical on a marathon of consecutive days without a single holiday.
- f. The respondent has ordered the Student Affairs not to accept examination form of complainant and has ordered the Student Affairs to accept her form only if she submit an illegal, unlawful, individualistically targeted affidavit.
- g. The only examination, complainant was allowed to appear in the Annual Exams was at first wrongly distributed to her. She was deliberately given Anatomy paper exclusively in

the whole auditorium. As she is the student of third year. Her real exam was of Pharmacology and (at respective block). In this whole fiasco, her 30 minutes were deliberately wasted.

h. The complainant requested for help in these complicated matters.

2. Complaint was forwarded to the Principal of Shifa College of Medicine and Registrar Shifa Tameer e Millat University, Islamabad with the direction to submit comments along with record. The Principal Shifa College of Medicine submitted his comments on 17<sup>th</sup> February 2023 wherein he contended that:

- a. First of all, he denies vehemently the allegations of harassment leveled by Ms. Huda Asif against him that are totally baseless, untrue and unfounded for, as being a teacher and medical practitioner he cannot even think of any such unethical act and reserve his legal rights in this regard.
- b. The second annual exams of Ms. Huda Asif will be held on time, regardless of the submission of any affidavit. They sent Huda Asif a reminder to submit the required documents for the issuance of her admit card. A screenshot of the reminder which was emailed to Ms. Huda Asif on February 15, 2023 directing to submit her documents required for the issuance of admit card. She has yet to deposit these documents.
- c. As per practice they are taking all necessary measures to ensure that the exams are conducted in timely and fair and transparent manners, and they remain committed to upholding the highest standards of academic excellence.

i. The constitution of the medical board:

As the college is committed to support and take care of all its students, a medical board was indeed constituted to help Ms. Huda Asif as she had consistently been taking sick leaves and producing medical certificates suggesting towards the possibility of a malignancy. Official applications of Huda Asif regarding her health were received multiple times which prompted the college to constitute the medical board only to ensure her well-being that has been wrongly interpreted.

As a medial institution, they take the health and well-being of our students very seriously, and we want to ensure that our students are able to perform their academic duties to the best of their abilities. The medical board was constituted in accordance with our institutional policies and procedures. The board comprised of qualified medical professionals, including neuro physicians and medical specialists, to help her in proper diagnosis and management.

However, Ms. Huda Asif did not appear in the medial board after which she was referred to a physician who examined her. Please find attached the findings of the medical board, physician and applications of Huda Asif.

ii. Ineligibility for Professional Examinations on the basis of attendance:

Huda Asif has claimed that she was eligible on the basis of her attendance of 94, 81 and 83% attendance in Blocks 1, 2 and 3 respectively. The fact of the matter is that Shifa College of Medicine requires 90% attendance to be eligible for Professional Examinations. The fact that she was short of attendance was communicated to her numerous times throughout the year. Shifa College of Medicine follows PM&DC policies in which the council has provided autonomy to universities to formulate their attendance policies.

iii. Appearance in Internal Examination:

The academic calendar is prepared months in advance and follows all guidelines provided by PM&DC. The dates of the annual Professional and second annual Professional examination were announced many months back on January 10, 2022. Delaying the second annual exams on her request would be against the institutional discipline, and policies and will be unfair to students who might be appearing in the second annual examinations.

iv. Reference to communication with a teacher regarding a missed assessment.

This complaint is quite vague and Ms. Huda Asif should provide more facts about this incident so they can offer an appropriate response.

v. 3<sup>rd</sup> Professional Supplementary Examination:

The academic calendar is prepared several months in advance and follows all guidelines provided by PM&DC. The dates of the annual Professional and second annual Professional Examination were announced many months back on Feb 04<sup>th</sup>, 2022. Delaying the second annual exams on her request would be against the institutional discipline, and policies and will be unfair to students who might be appearing in the second annual examinations.

vi. Ms. Huda Asif was sent an email on February 15, 2023 in which she was asked to submit the documents required for the issuance of admit cards.

vii. Father of Ms. Huda Asif was asked to submit an undertaking to assure that she would maintain discipline of the college. This was done on the specific instructions of the Vice Chancellor of the university because she has been involved in multiple incidents of academic misconduct.

viii. It is important to mention that Ms. Huda Asif along with her family members tried to enter the Examination Hall and attempt the paper on January 4, 2022 in which she was not eligible to appear. Despite this sheer misconduct, no disciplinary action was taken against her and she was asked to submit an affidavit by the Vice Chancellor of the Shifa Tameer e Millat University.

ix. In the incident that Ms. Huda Asif has referred to, no such incident was reported from the Examination Center. An investigation was made regarding this matter.

**Compliance:**

Shifa College of Medicine has asked Ms. Huda Asif to submit the documents required for the issuance of admit card for the second annual Professional Examination of year 3.

3. Reply/comments received from Principal Shifa College of Medicine was forwarded to the Complainant for rejoinder. The Complainant submitted her rejoinder wherein she denied the stance taken by the Principal.
4. The matter was fixed for personal hearing before the Registrar on 30-03-2023. Notices were issued to the parties. On the date of hearing the Complainant as well as Dr. Ashraf representatives of Shifa College of Medicine appeared. It was clarified to the Complainant as well as the representative of Shifa College of Medicines that this hearing is conducted to look into the alleged irregularities in the examination process. The matter of harassment by Dr. Muhammad Amir falls under the ambit of Disciplinary Committee of PM&DC and that shall be proceeded by the Disciplinary Committee.
5. During the hearing the Complainant stated that she was denied appearance in three papers of annual examination of third year on the ground that her attendance was less than 90%. She stated that she had attendance in those Blocks as 91%, 83% and 84%. She further stated that during annual examination she was deliberately provided question paper of 2<sup>nd</sup> year examination and her time was wasted just to make sure that she gets failed. She further stated that result of annual examination was declared on 31-01-2023 and the supplementary examination was scheduled over a short notice of about two weeks after announcement of result which is against the regulations of PM&DC. This was again an attempt to give her minimum time for preparation of supplementary exam and fail her in third year examination. She further added that after submission of complaint before the PM&DC regarding the matter the College administration has started to pressurize her to withdraw her complaint and has made a so called disciplinary committee against her.
6. The representative of the College stated that the exam schedule is issued in advance for each year and it is not for a single student. The exams are conducted in accordance with regulations and

guidelines of PM&DC. He further stated that incident of handing over wrong question paper (second year paper) to the Complainant did not occur. The representative of the College was asked about the attendance requirement to which he stated that they require 90% attendance for a student to appear in exam. The representative of the College was asked, how the college on its own could constitute a medical board against the will of the student. He stated that the medical board was constituted in the best interest of student and to ensure her health. The representative of the College was further asked that how many students of third year appeared in supplementary exam conducted this year. The representative could not provide the number. The Complainant on the other hand stated that she was the only student who appeared in supplementary exam. She further stated that all the three papers were set on consecutive days which was unprecedented. During the hearing the Complainant repeated multiple times her request to be transferred to some other medical college. She stated that due to all these incident she is afraid that her studies will be jeopardized by the College in future as well. The representative of the College stated that the college will not create any hindrance in the process of transfer if the Complainant wishes so.

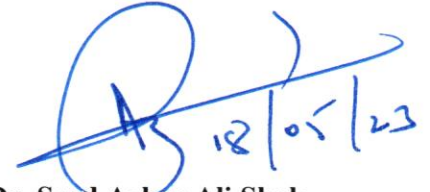
7. Perusal of record and statement of the Complainant as well as the representative of the College reveals that the Complainant Huda Asif was not allowed to appear in third year annual professional examination in some papers due to the College attendance policy which requires 90% attendance of students. It has however been noted that previously requirement of attendance was governed under the provisions of 'MBBS and BDS (Admissions, House Job and Internship) Regulations 2018', which provides that no student should be eligible for a university examination without having attended 75% of each of the lectures, demonstrations, tutorials and practical or clinical work both in patients and out patients.
8. As far as the complaint of the student regarding constitution of medical board by the College to assess health of student is concerned, it has been noted that constitution of medical board and that too against the consent of student raises serious questions about the conduct of administration of college as no person can be subjected to such self-made medical board without his/her consent. This is a very basic and fundamental principal of professional ethics. The representative of the College was unable to provide satisfactory answer to the query that under which law the college was authorized to constitute a medical board.
9. Regarding late/delayed announcement of result for annual professional exam for third year and scheduling supplementary exam with a short gap, it is noted that provisions of PMC Medical and Dental Undergraduate Education (Admission, Curriculum and Conduct) Policy and Regulations 2022-2023, governs the admission and exam. Regulation 14 (2) provides as under:

2. *The Professional examination shall be conducted by each university and the result announced by or before 15<sup>th</sup> January each year unless for reason beyond the control of the university the examinations are delayed. Any delay in the examination shall be informed in advance to the Authority by the university.*

10. Result of third year (annual professional examination) of Shifa Tameer e Millat University/ Shifa College of Medicine were announced on 31-01-2023 with a delay of sixteen days from the date fixed by the Regulations i.e. 15<sup>th</sup> January each year. The purpose of setting a date for announcement of results by the PM&DC is to ensure an appropriate gap between the annual professional examination and the second annual exam (supplementary exams). Shifa Tameer Millat University/ Shifa College however has not adhered to the deadline fixed by the Regulations quoted above.

11. In view of the above noted lapse in the examination process, the administration of Shifa College/Shifa Tameer e Millat university is advised to be careful in future and strictly follow the law and regulations/policies of PM&DC. Furthermore, keeping in view the request of the student and undertaking given by the representative of the College the student may apply for transfer if she so wishes and the College shall not create any hindrance in the process. These proceedings shall not prejudice the proceedings of complaint pending before the Disciplinary Committee of PM&DC against Dr. Amir.

Dated: 16<sup>th</sup> May, 2023



**Dr. Syed Azhar Ali Shah**  
**Acting Registrar**  
**Pakistan Medical and Dental Council**