

ANNEXURE

11



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- (viii) The RO shall also observe/ keep a watch in and around the examination rooms (assigned to him) to ensure overall discipline.

O-14: Unfair Means

- (xvi) No candidate shall use unfair means or indulge in disorderly conduct at or in connection with the examinations.

Explanation: Here 'candidate' means an examinee taking an examination in a particular year and also includes every student on the Rolls of the University.

- (xvii) Unfair means shall include the following:
- (a) making a false representation pertaining to the eligibility of the candidate to appear in examination;
 - (b) communicating or attempting to communicate with the Controller of Examination of the University or any person of his office or Centre Superintendent, or any person connected with the conduct of examination, or with any paper setter or examiner, with the object of finding out then a mean dad dress of the paper setter or examiner, or finding out the questions that have been set by the paper setter or examiner, or with the object of influencing an examiner in the award of marks, or with the object of unduly influencing any one of them in discharge of his duties in connection with the examinations;
 - (c) talking to another candidate or any unauthorized person inside or outside the examination room during the examination hours without the permission of a member of the supervisory staff, before handing over the answer book to the invigilator;
 - (d) giving or receiving assistance in answering the question papers to or from any other candidate/person in the examination hall or outside during the examination hours;
 - (e) during examination time having in possession or access to:
 - i. any paper, book, note, chit or any other unauthorized material which has relevance to the syllabus of the examination-paper concerned;
 - ii. anything written on scale, or any other instrument or any kind of furniture or any other substance, which may have relevance to the syllabus of the examination-paper concerned;
 - iii. Anything written or signs made on the body of the candidate, or his clothes/ garments, hand-kerchief etc. which may have relevance to the syllabus of examination-paper concerned;
 - iv. Anything written or signs made on the admission card/question paper which have relevance to the syllabus of the examination paper concerned or anything which may be considered as a part of



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unfair means.

- (iii) swallowing or attempting to swallow, or destroying or attempting to destroy a note or paper or any other material, or running away with the material with the intention of destroying the evidence of using unfair means, or being guilty of causing disappearance or destruction of any such material either by himself or with the assistance of any other person;
- (iv) smuggling a question-paper or an answer book (main or supplementary) or part thereof into the examination room/Centre or out of it;
- (v) replacing or getting replaced an answer book (main or supplementary) or part thereof during or after the examination;
- (vi) impersonating any candidate or getting impersonated by any person for taking the examination;
- (vii) copying of a substantial part of any work/material without any acknowledgement by a candidate in his dissertation/thesis/field—survey work/ project report;
- (viii) tampering with records of an examination;
- (ix) using any obscene or abusive language in his answer book;
- (x) cheating or attempting to cheat the University in any manner; and
- (xi) Any act or omission, by or on behalf of the candidate connected with the examination, whether prior to or subsequent to such examination or the result thereof which, in the opinion of the Board, is unfair means.
- (xii) Disclosing candidate's identity by writing his roll no., enrolment number, name, address, telephone/mobile number etc. or any such act leading to disclosure of his identity.
- (xiii) Attempting to bribe/ luring the examiner by putting/ offering cash or kind inside the answer book.
 - (a) A candidate in the examination hall or outside but within the campus of the Examination Centre during the examination shall be under the disciplinary control of the Superintendent of the Centre or his nominee and shall obey his instructions.
 - (b) Disorderly conduct includes:
 - i. disobeying the instructions of the Chief Superintendent/Additional Chief Superintendent/Deputy Chief Superintendent / University appointed center supervisor / Room Superintendent / Relieving Officer or any member of the Flying Squad;
 - ii. Threatening, intimidating or assaulting the Superintendent, Invigilator, any member of the Flying Squad or any other member



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of staff working at the examination centre, or another candidate in connection with the examination before, during or after the examination hours.

- iii. misbehaving with the Superintendents, RS/RO or any member of the Flying Squad or any other member working at the examination centre in connection with the examination before, during or after the examination hours;
- iv. leaving the examination room, before the expiry of half- an-hour after the commencement of the examination or leaving the examination room without obtaining the permission of the Invigilator or without handing over the answer book to the invigilator or without signing the attendance sheet;
- v. tearing off or mutilating an answer book (Main or supplementary) or any part thereof;
- vi. disturbing or disrupting the conduct of examination or attempting to do so;
- vii. inciting or compelling any other candidate to leave the examination room or to/boycott the examination;
- viii. bringing into the Examination Hall/Centre (a) any weapon or (b) any other material objected to by the Invigilator/Centre Superintendent or any other member of the supervisory staff;
- ix. appearing in the examination without being in possession of the Admission Card unless permitted by the Centre Superintendent;
- x. Refusing to be searched by the Invigilator/Centre Superintendent/any other member of the Supervisory Staff/any member of the Flying Squad, or obstructing or hindering such search in the Examination Hall, Verandah, Urinal, etc.

O-14.1: Punishment

A candidate found guilty of unfair means or disorderly conduct at or in connection with an examination shall, at the discretion of the UFM committee, be punished, in addition to the punishment that may have been already awarded by the Principal/Director/Chief Centre Superintendent, with one or more of the following:

- (i) cancellation of the examination of the paper in respect of which he is found to have been guilty; and/or
- (ii) cancellation of the examination of the semester examination for which he was a candidate; and/or
- (iii) cancellation of the examination of one year for which he was a candidate; and/ or
- (iv) debarring the candidate from securing admission to a class and appearing at any future examinations of the University for a stated period; and/or



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(v) Any other punishment deemed suitable by the committee.

14.2: Norms of Punishment:

The following norms for award of punishment are laid down:

- a. If a candidate is found guilty of seeking admission to an examination by making a false representation pertaining to his eligibility to appear at the examination, he shall be disqualified from appearing at any examination for a period of one semester to four years including the present examination.
- b. Where a candidate is found having in his possession or within his reach any material relevant to the syllabus of the examination paper concerned but has not copied from or used it:
 - (i) If the behavior of the candidate on being caught is satisfactory: Present semester examination shall be cancelled. If the material found in possession of the candidate is of insignificant nature the punishment may be relaxed to the extent of cancellation of the examination of that particular paper (theory or practical as the case may be) and he/she will be treated as having obtained 'Zero' mark in that paper with all the consequences to follow. However, if the candidate so desires, he/she will be given the option of appearing in the subsequent whole examination by cancelling the present examination as a whole.
 - (ii) If the behavior of the candidate on being caught is unsatisfactory: Present semester examination shall be cancelled and he/she shall be further debarred for one subsequent semester examination.

Note: If a candidate uses resistance or violence against the invigilator or any other person on examination duty, the punishment may be enhanced according to the gravity of the offence.

- c. Where a candidate is found to have copied from or used the material caught:
 - (i) If the behavior of the candidate on being caught is satisfactory: Present semester examination shall be cancelled and may be further debarred for one subsequent semester examination depending upon the significance and extent of use of the recovered material.
 - (ii) If the behavior of the candidate on being caught is unsatisfactory: Two semester examinations (current plus next) of the candidate shall be cancelled and he shall be further debarred from appearing in examinations of next two subsequent semesters.

Notes: If the candidate uses resistance or violence against the invigilator or any person on examination duty or consistently refuses to obey the instructions of the Superintendent(s), the above punishment may be enhanced according to the gravity of the offence.

- d. If a candidate is found talking to another candidate or to any unauthorized person inside or outside the examination hall, during the examination hours without the permission of a member of the supervisory staff, his examination in that particular paper may be cancelled.
- e. If a candidate is found reading or possesses some incriminating material relevant to the syllabus of the paper in the verandah, urinal etc. his examination in that particular paper



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or his whole semester examination depending on the gravity of the offence, shall be cancelled.

- f. If a candidate leaves the examination hall; before the expiry of half-an-hour after the commencement of the examination, and/or without obtaining the permission of the invigilator; and/or without handing over the answer book to the invigilator; and/ or without signing the attendance sheet; his examination in the paper concerned may be cancelled.
- g. If a candidate during the course of practical examination presents to the examiner practical or class work, or note book, which does not belong to him, that particular examination shall be cancelled.
 - (i) If a candidate, leaves the examination hall without handing over his answer book to the invigilator concerned and takes it away with him, or tears it off, or otherwise disposes of his answer books or any part thereof inside or outside the examination hall, or incites/ compels any other candidate to leave the examination hall, or attempts to disturb, or disrupts the conduct of examination or indulges in any kind of activity in the campus of the Examination Centre which is violative of the sanctity, or purpose of the examination, he shall be disqualified from appearing or passing in any University examination for two to six semesters including the present semester examination, depending upon the nature and gravity of the offence.
 - (ii) If a candidate on being caught by an invigilator, a member of the flying squad or any other authorised member of the supervisory staff, runs away from the examination hall along with the piece of paper/material in his possession or destroys any piece of paper believed to be of doubtful nature by the member of the supervisory staff either by swallowing/ throwing it away, or by any other means, he shall be disqualified from appearing/passing in any University examination for a period up to four semesters including the present semester.

h. If a candidate is found guilty of:

- a. smuggling an answer book in whole or in part inside the examination hall, or
- b. taking out or arranging to send outside the examination hall an answer book or question paper, in whole or in part, or
- c. replacing his answer book or getting it replaced in whole or in part during or after the examination, or
- d. Impersonating a candidate or being impersonated by any person, he shall be disqualified from appearing/passing in any University examination for a period of four to six semesters including the present semester examination.

Note: A person other than the candidate assisting him in the above shall be liable to such action as may be decided by the Director/Principal of the College.

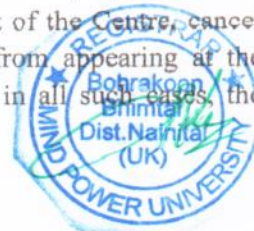
- i) If a candidate is found guilty of disobeying the instructions of the Invigilator/Centre Superintendent (or any other person authorized by him) or if



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he occupies a seat other than that allowed to him without permission of the proper authority, the examination of that particular paper may be cancelled.

- ii) If a candidate deliberately disclosing his identity or writes any other candidate's Roll Number, mobile number etc on his answer book, he shall be disqualified from appearing/passing any University examination for that particular paper to a period of two semesters depending upon the nature and gravity of the offence.
- iii) when a candidate is found guilty of misconduct/misbehavior and/or indiscipline in connection with the examination before, during or after the examination hours, inside or outside the examination centre, the extent of punishment may vary from the cancellation of the present paper to disqualifying him from appearing/passing in any University examination for a period up to six semesters including the present semester examination depending upon the nature and gravity of the offence.
- iv) If a candidate carries into the examination Hall/Centre any weapon or a mobile phone and does not hand over the same to the invigilator or any other authorized member of the supervisory staff, he shall be disqualified from appearing/passing in any University examination up to four semesters including the present one, depending upon the nature and gravity of the offence.
- v) where a paper or any other material connected with the examination or use of any other unfair means is found or detected even after the examination is over, the candidate concerned may be disqualified from appearing/passing in any University examination up to six semesters including the present one depending upon the nature and gravity of the offence.
- vi) If a candidate deliberately attempts to bribe/luring the examiner by putting/offering cash or kind inside, he shall be disqualified from appearing/passing any University examination for a period up to six semesters depending upon the nature and gravity of the offence.
- vii) Cases of use of unfair means or of disorderly conduct not covered under the above categories from (5)(a) to 5(p) or those which, in the opinion of the unfair means Committee, deserve some other punishment shall be decided by the Examination Committee.
- viii) when a candidate is found guilty of disobeying the instructions of the Invigilator/ Centre Superintendent (or any other person authorized by him) or of deliberately changing his seat with another candidate or writing other candidate's Roll Number on his answer book or of mis-conduct, indiscipline or misbehavior including causing any kind of disturbance for other examinees in the examination hall or for indulging in any activity in the campus of the examination centre which is volatile of the sanctity and purpose of the examination, the Centre Superintendent may turn him out of the Centre, cancel his day's examination and also further disqualify him from appearing at the examination in subsequent papers; provided further that in all such cases, the



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report of each case shall be sent to the University for approval. The Board may, however, according to the gravity of the offence, further enhance the punishment.

14.3: Explanation of punishment described in above par as according to semester scheme

- (a) If the examination in a particular paper/subject (theory/practical) is cancelled: The marks secured by the candidates in mid-term/practical and sessional will be carried forward for the next examination; however, marks in the term end (theory) examination of the paper/subject will be treated as ZERO.
- (b) If the present semester examination is cancelled: All the theory papers (i.e. end term examination along with lower and higher back papers) if appeared shall be cancelled. However the marks obtained in mid-term, practical and sessional's shall be carried forward. The student shall reappear in theory papers as back paper examinee.
- (c) If the examinations of two semester (one year) are cancelled

Odd Semester: Theory Term End, Mid Term, Sessional & Practical Examination of current semester including all the upper as well lower examinations (if appeared) held during current semester will be treated as cancelled. Such candidate will not be permitted to attend following even semester classes and any other examination to be held in next semester and he will be eligible to re-register in odd semester (being treated cancelled) as regular student in the next academic session.

Even Semester: Theory Term End, Mid Term, Sessional & Practical Examination of current semester including all the upper as well lower examinations (if appeared) held during current semester (even semester) is treated as cancelled. The odd semester examination of next academic session, if candidate appeared shall also stand cancelled including term end/mid-term/sessional/practical and back paper exams. The candidate will have to register in even semester of the next academic year as a regular student. The candidate need not attend/register in odd semester (in which already appeared) in next academic session as a regular student. However, the candidate is free to register himself as regular student if he so desires.

- (d) If the candidate is further debarred for two or more semester examinations.

The candidate will be eligible to appear in the examination after expiry of duration of academic year(s) for which candidate has been debarred.

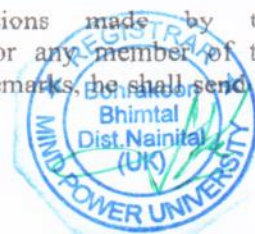
- Procedure for dealing with the cases of unfair means and disorderly conduct:



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The following shall be the procedure for dealing with the cases of candidates found using or suspected of using unfair means or showing disorderly conduct in connection with the examinations:

- (i) Where a candidate is suspected of using unfair means as defined above, the Invigilator or the Centre Superintendent or any other member of the supervisory staff including the flying squad shall search the candidate and/or his belongings. Where any written or printed material is found in his possession in consequence of the search, the case shall be referred to the unfair means committee for the purpose indicating the nature of unfair means used by the candidate.
- (ii) As soon as a candidate is suspected, found or reported to have resorted to unfair means and the Invigilator/Superintendent or any member of the Flying Squad feels satisfied that unfair means have been used, his answer book shall be seized along with the material recovered and a fresh answer book given to him to answer the questions of the question paper. The answer books shall be marked as U.M- I and II respectively.
- (iii) The invigilator/member of the Flying Squad concerned shall generally give his report in writing in the form prescribed by the University. This report shall be brought to the notice of the candidate who shall normally be required to give his statement in the above form and sign the material caught. This form duly completed along with the material recovered duly signed by the candidate, the invigilator member of the Flying Squad and the Centre Superintendent (as far as possible) will be sent by the Centre Superintendent to the COE of the University for Consideration.
- (iv) If a candidate refuses to give his statement on the spot and/ or refuses to sign the material recovered or leaves the centre without giving his statement or if the candidate is found guilty of showing dis-orderly conduct, his case will be reported by the Centre Superintendent to the University in prescribed form of the Examination Manual. An intimation notice to this effect, will be sent to the candidate under registered cover calling upon him to show cause why action should not be taken against him for using unfair means or showing misconduct and asking him to submit/furnish his explanation/reply, if any, directly the COE of the University by registered post within fourteen days from the date of dispatch of the intimation notice. If the intimation notice due to any reason has not been sent by the COE, it shall be sent to the candidate positively by the University before finally disposing of the case.
- (v) Where the Centre Superintendent refers a case of use of unfair means or disorderly conduct to the COE, he shall record such evidence as is available in support of the allegations made by the Invigilator/member of the Flying Squad or any member of the supervisory staff and after giving his own remarks, he shall send all



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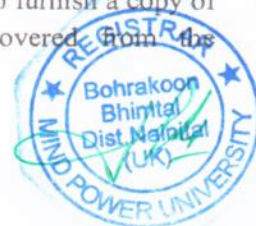
the relevant material to the unfair means committee for further action.

- (vi) The unfair means committee will consult the Head Examiner/ Examiner or any other expert appointed by the University, wherever necessary, and get his report on the prescribed form regarding the use of unfair means.
- (vii) All cases of suspected use of unfair means or of disorderly conduct reported by the Centre Superintendent or by any other person concerned with the examination including the examiner shall be considered and decided by the Vice- Chancellor. The Vice-Chancellor may, however, appoint unfair means committee(s) to examine the cases on his behalf and give the recommendations for consideration and his approval.
 - i. The cases of suspected use of unfair means or of disorderly conduct will be considered and decided by the committee in the candidate's absence on the basis of the reports of the Invigilator/ Centre Superintendent and the statement, if any, made by the candidate in the prescribed form of the Examination manual and/or the reply statement, if any, received from the candidate in reply to the notice issued to him by the COE. No further representation or protest from the candidate will be entertained afterwards.
 - ii. In case a candidate desires to be given a personal hearing and/or if the unfair means Committee thinks it necessary, it shall fix a date and time and notify to the candidate by registered post to appear before the Committee for personal hearing. Sending such a notice by registered post to the candidate at the address given by him in his examination application form. No adjournment of the meeting will ordinarily be granted to the candidate. If considered necessary the Committee may ask the Invigilator/Superintendent or any other member of the Supervisory Staff to be present in the meeting at the time of holding the enquiry.

On the date fixed for hearing which will ordinarily be not less than 14 days from the date of dispatch of the notice the Committee shall meet at the notified place on the date and time specified in the said notice for giving personal hearing to the person(s) concerned.

The statement/ reply of the candidate will be recorded by the Committee which may also seek and record clarifications or further explanations, if necessary, from the Invigilator/Centre Superintendent/any other member of the supervisory staff, who may be present at the time of the enquiry.

- (viii) In no case shall the candidate be allowed to be represented by a lawyer or any other person. Also no adjournment of the hearing will be granted to the candidate unless deemed necessary by the Committee. Further, it will not be obligatory for the University to furnish a copy of the incriminating material or any other material recovered from the



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possession of the candidate. However, the candidate will be shown the incriminating material at the time of hearing if he so desires.

- (ix) On the basis of the report(s)/statement(s) of Invigilator(s)/ Member(s) of the Flying Squad or the supervisory staff, the statement, if any, of the candidate, there marks of the Centre Superintendent and also the statements recorded at the time of personal hearing, the Committee will record its recommendations regarding the punishment to be awarded to the candidate. If the candidate is absent, the Committee may consider and decide the case in his absence.
- (x) If during the course of enquiry, the unfair means Committee, while examining a particular case(s) comes to the conclusion that the candidate(s) resorted to copying from the answer book(s) of any other candidate(s) or where the committee is of the opinion that such copying could not have been done without the connivance/negligence of the Invigilator(s)/ any other member(s) of the Supervisory staff, the Committee may recommend such disciplinary action as it deems fit against the invigilator(s) or the members of the Supervisory Staff after giving him/ the man opportunity of personal hearing.
- (xi) The Committee may, for reasons to be recorded, also recommend to the Vice-Chancellor if any action is desired to be taken against an examiner or any member of the supervisory staff or any other person involved in a case of unfair means and disorderly conduct.
- (xii) The said report and recommendations of the Committee shall be placed before the Vice-Chancellor who shall be the final authority to take such action as he may think necessary in each case.

Notes:

- (a) If a candidate appearing in uncovered/ un-cleared subject(s)/paper(s) of a lower examination along with the higher examination is found guilty of use of unfair means in a paper of the lower or the higher examination, his uncovered papers at the lower examination as well as the complete higher examination shall be cancelled and if required under this Ordinance will be further debarred from appearing at the subsequent examination in the same.
- (b) A candidate may approach a court of Justice for redress, if any, within 90 days from the date of dispatch of the decision of the University to the candidate.
- (c) The records of the cases of unfair means/disorderly conduct may be destroyed after the expiry of six months from the date of dispatch of the decision of the University to the candidate.
- (d) The period for which a candidate is debarred will not be counted towards the maximum period laid down in any Ordinance within which a candidate must pass a particular examination failing which his examination would stand cancelled or he would lose status to appear as an ex-student or minimum pass marks shall be taken into account for working out his result.
- (e)

