

Smt. Shyampatidevi Mishra Educational Trust's SHRI G.P.M. DEGREE COLLEGE

Circular for unfair means in examination-Evaluation, University of Mumbai





SHRI G.P.M. DEGREE COLLEGE

22 E YO शासन राजपत्र महाराष्ट्र MHIMIT पुरुषार ऑक्टोबर १४, १९८२/आदिवन २२, सके १९०४ स्तांत बंदर कर्द कांत्र करणाव्यों क प्राचन देखें हुन वर्ष हैंते जांत राज्यकांचे मक अनुक्र समिका MAHARASHTRA ACT No. XXXI OF 1962.—An Act to provide for preventing malpractices at University, Board and other specied examinations 221-223 The following Act of the Maharashtra Legislature, having been ass to by the President on the 11th October, 1982, is hereby published for g D. N. CHAUDHARI, to the Government of Makarishi Law and Judiciary Department Joint Secretary to the Govern MAHARASHTRA ACT NO. XXXI OF 1982 (First published, after having received the ament of the President in "Maharashtra Government Gazettee" on the 14th October, 1982) WHEREAS, both House of the Same Legislature were not in a poststance extincted which rendered it accessary for this to the immediate law in this state to provide for proposal law in this State to provide for proposaling subject examinatefort held or proposed to the facility may University or the may other authority specified by the State Government in this lockelf, leakages of specified proposes to the facility may University or the connected therewish, and the theoretic, propositioned the Balancastors in of Malpractices at University, Board or other specified Examination in mance, 1982, on the 25th May 1982; Awayday PRINCIPAL SHRI G.P.M. DEGREE COLLEGE Vito Pario (E), Municial - 57.





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AND WHEREAS it is expedient to replace the said Ordinance by an Act of the Same Legislature; It is hereby exected in the Thirty-third Year of the Republic of India as follows:

 (1) This Act may be reded the Maharashtra Prevention, of Maiperfices at University; passes and other specified Examinations Act, 1982.

(2) Iz shall be decored to have into come force on the 25th May, 1982.

2. le dits Act, unless the context otherwise requires,—

(a) "Board" means the Maharathus State Board of Secondary and tracker Secondary Education established under the Maharashura Secondary and Higher Secondary Education Boards (sec.,1965 or any of its Divisional Boards.

(b) "Examination" means any examination held or propriet to be field by my University or the Board and includes each other examination held or projected to be held by such other highlights at may be specified in this behalf, from time to time, by the State Government by notification in the Official Gazettee:

pcj., " University" means any University established by law in the State of Malagraphes.

3. 44. Any person who is appointed as a paper setter at any exami-

3. (4) Any person who is appointed as a paper setter at any examination shall not supply or cause to be supplied the question paper drawn by him or a copy thereof or communicate the contents of such paper to any person or give publicity thereo, in any mapper, except in accordance with the instructions gives to him in writing by his appointing authority in this helalifier, and the instruction of the many self-based or a paper to any day.

(1) The person who contravenes the provisions of self-section (1) shall, on conviction, be possibled with imprisonment for a term which may called to the year, or with this which may taken to the thousand respect, or with both.

named... (4) Any person who is extensed, with the work of printing cyclomyling typing or otherwise producing copies of any question paper set for the gampages of any examination that not supply or cause, to be supplied as copy theseof, or communicate the copies of the not pursue or give published the copies of the notificial the producing the producing the producing or with the judgment on given as him in writing by the methodity which coprusing the neglecture.

(2) Ney person who countries the provision of wab-section (1) shall on conviction, be predicted with imprisonment for a term which may extend so one year, or with fine which may extend to one thousand repeat, or with

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5. (1) Any person who is entrusted with the custody, or it other wise in possession, of any question papers set up for the purposes of any examination shall not supply or distribute or cause to be supplied or distributed any copy thereof or codimente the triestedly thereof to any person or give publicity thereof or any matter, except in accordance with the interior tions given to him in writing by the authority which contract the costody or gave possession thereof to him.

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(2) Any person who obstravenes the provisions of, sub-section (!) shall, on conviction, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

6. Whoever has in his possession any question paper set or purported to be set for any examination and supplied of classes in he supplied or offers to supply a copy thestof, or communicates or offers to communicate the contents thereof, to any person, whether for any consideration or otherwise, or gives publicity thereto in any manner, except in accordance with the instructions insued in writing by an authorised officer of the University, Board or other authority concerned with the examination, at any time before the examination is held, shall, on conviction, be parished with imprisonment for a term which may extend to one thousand suppers, or with hold.

Prohibition of supply or publication of say question paper before communities to held

7. Whoever is found in or near an examination hall by the invigilator or any other person appointed to supervise the conduct of the examination, copying answers to the question paper set at the examination, from any book, notes on answer papers of other candidates, of appearing at the examination for any other candidates or using any other unfair means, shall, on conviction, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred repeet, or with both.

Prohibition of copying and impersonal ing at Exa-

 Whoever abets any offence punishable under this Act shall be punishable with the punishment provided for the offence.

Punishment for abstraca or offences.

 Notwithstanding anything contained in the Code of Criminal Procedure, 1973 all offences under this Act shall be cognizable offences and shall be con-builable.

Offences to be consignable and non-ballable.

10. Nothwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Act shall be tried in a summary way by any Metropolitan, Magistrate or any Judicial Magistrate of the First Class and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial:

Offences to be tried ownmarily.

Provided that in the case of conviction for any offence in a summary

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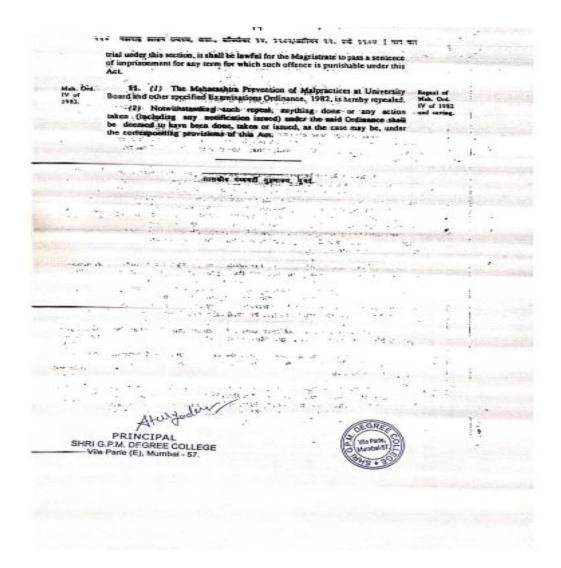
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CROU/513-600-6-02. UNIVERSITY OF MUMBAI ORDINANCE 6050 : 1. (a) On receipt of a report regarding use of unital means by any student at any University seamination, including breach of any of the rules taid down by the University Authorities, for proper conduct of examination, the Board of Examinations shall have power at any time to institute inquiry and to punjoh such unfair means or breach of the rules by acclusion of such student from any University examination of from any University course in a College or Recognised Institution or in the University Department or from any Convocation for the purpose of conferring degree either permanently or for a specified period, or by cancellation of the rosult of the student in the University examination for which the student appeared or by deprhation of any University Scholarchip held by himfer or by cancellation of the award of any University prize or medal to himfer or by imposition of the or in any two or more of the oferesaid ways within a period of one year. Where the examinations of the University courses are conducted by the constituent Colleges /Recognized Institutions on behalf of the University, the Principal/Head of the concerned constituent Colleges Institution, on neceipt of a report regarding use of unfair means by any student of any such examination, including breast of any of the rules laid down by the University Authorities or by the Colleges Institution for proper conduct of examination, shall have power at any time to include inquiry and to purish such unfair means or breach of any of the rules by exclusion of such a student from any such examination or any University course in any Colleges Institution either permanently or for a specified period or by concellation of the rusuit of the student in the Colleges/Institution examination for which heights appeared or by deprivation of any Colleges/Institution Scholarship or by cancellation of the averand of any Colleges/Institution price or model to him/her or by imposition of the or in any two or more of the alreased ways. (0) On receipt of report regarding malprecises used or ispace committed by any pager-eather, experience, moderator, referee, teacher or any other person connected with the conduct of examination hald by the University or Colleges or Recognised Institution including breach of the rules tail down for proper conduct of examination, the Board of Saminations, in the cases of the University examinations or the conduct of examination, the Board of Boardnetions, in the cases of the University examinations or the Management Body in the cases of the examinations conducted by the College/Institution on behalf of the University, as the case may be, shall have power at eny time to institute inquiry and to purish such malpractices or lepsas by declaring disqualitied the concerned paper-safet, examinat, moderator, referred, bascher or any other person connected with the conduct of examination from any examination work either permanently or for a specified period or by referring his/her case to the concerned authorities for for taking such disciplinary action as deemed fit as per the rules provided for or in any two-or more of the aforesaid ways. Competent Authority: (i) The Board of Exeminations of/the University constituted under the provisions of Section 31(3) shall be the competent authority to take appropriate disciplinary action against the students using, attempting to use, aidleg, abetting, instigsting or pllowing to use unlair means at the examination conducted by the University. (ii) The Principal of the constituent College or Head of the Recognized Institution shall be the competent authority to take appropriate disciplinary action against the student's using, attempting to use unfair means at the azamination conducted by the College or institution on behalf of the University. 3. Definition-Unless the context otherwise requires "Student" means and includes a person who is enrolled as such by the University/Collingarinatization for receiving instruction qualifying for any degree, diploma or certificate awarded by the University. It includes as etudent and student registered as certificate (examines) for any of the degree, diploma (b) "Untair means" includes one or more of the following acts or omissions on the part of student's during mamination period. (i) Possessing unfair means material and or copying therefrom. (ii) Transcribing any unauthorised material or any other use thereof. Intimidating or using obsence language or threatening or use of violence against invigitator or person on duty for the conduct of examination or manhanding him/her or leaving the examination half without permission of the supervisor or causing disturbances in any manner in the examination procedings. (iv) Unauthorisedly communicating with other examiness or anyone else inside or scattle of examination half. April 100 Park. Q. Vito Parte. Mumbal-57 (v). MutualWass copying. PRINCIPAL

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(VI) Smuggling-out, either blank or written, or smuggling-in of enswerbooks as copyling material.

The second of th

- (vii) Smuggling-in blank or written answerbook and forging signature of the Jr. Super-
- (vii) Interfering with or counterfelling of University/College/Institution seal, or answerbooks or office stationary used in the examinations.
- (iv) Insertion of currency notes in the answerbooks or attempting to bribe any of the persons connected with conduct of examinations.
- (x) Impersonation at the University/College/Institution examination.
- (xii) Revealing identity in any form in the enswer written or in any other part of the enswerbook by the student at the University or College or Institution examination.
- (xii) Or any other similar act/s and/or emission/s which may be considered as unlair means by the competent authority.
- (c) "Unfair means relating to examination" means and includes directly or indirectly committing or attempting to commit or threatening to commit any set or operation, undue influence or flaud or matheetics with a view to obtaining wrongful gain to him or to any other person or causing wrongful loss to other persons.
- (d) "Unfair means material" means and includes any material whatever, related to the subject of the examination, printed, typed, handwritten or otherwise on the person or on clothes, or body of the student (examinet) or on wood or other meterial, in any manner or in the form of chart, diagram, map or drawing or electronic sid sto, which is not allowed in the examination hall.
- (e) "Possession of ordair means material by a student" means having any unauthorised material on his/ her person or deak or chair or table or at any place within his/her reach, in the examination centre and its environs or premises at any time from the commencement of the examination till its conclusion."
- (f) "Student found in possession" means a student, reported in writing, as having been found in possession of unfair means metarial by Jr. Supervisor, Sr. Supervisor, member of the vigilance Committee or Examination Squad or any other person authorised for this purpose, in this behelf, even if the unfair means material is not produced as evidence because of it being seported as assilowed or destroyed or snetched away or otherwise taken away or spoiled by the student or by any other person acting on his behalf to such an extent that it has become illegible. Provided report to that effect is submitted by the Sr. Supervisor or Chief Conductor or any other authorised person to the Controller of Examinations or Principal or Head of the institution concerned or any officer authorised in this behalf.
- (g) "Naterial related to the subject of examination" means and includes. If the material is produced as evidence, any material certified as related to the subject of the examination by a competent person and if the material is not produced as evidence or has become liegiste for any of the reasons referred to in clause (f) above, the presumption shall be that the material did relate to the subject of the examination.
- (h) "Chief Conductor" means Principal of the College concerned or Head of the University Copartment or Recognised Institution concerned, where concerned examination is being conducted, and any other person duty authorised by him or person appointed as in-charge of examination, by prior approval of the University.
- During exemination, examinees and other students shall be under disciplinary control of the Chief Conductor/s.
- Chief Conductor/s of the Examination Centre shall, in the case of unfair means, follow the procedure as under:—
 - (i) The student shall be called upon to surrender to the Chief Conductor the unlair means material found in his or her possession, if any, and his/her answerbook.
 - (ii) Signature of the concerned student shall be obtained on the relevant materials and list thereon.

 Concerned Sr. Supervisor and the Chief Conductor shall aborating on all the relevant materials and documents.

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 - (ii) Statement of the student and higher undertaking in the precinities friendly and Statement of the concerned Jr. Supervisor and Sr. Supervisor shall be recorded in writing by the Chief Conductor (Appendix-C). If the student refuses to make statement or to give undertaking the concerned Sr. Supervisor and Chief Conductor shall record accordingly under their signatures.





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J. 513-02 3 (by) Chief Conductor shall take one or more of the following decisions depending upon seriousness! gravity of the case : (a) In the case of impresonation or violence, expel the concerned student from the examination and not allow him/her to appear for remaining appointation. (b) Obtain undertaking from the student to the effect that decision of the concerned competent authority in his/her case shall be final and binding and allow him/her to continue with his/ her examination. May report the case to the concerned Police Station as per the provisions of Maharashtra Act No. XXXI 1980—An Act to provide for preventing mat-practices at University; Board and other specified examinations. (d) Confiscate his/her answerbook, mark it as "suspected untair means case" and issue him/ her fresh answerbook duty marked. (v) All the materials and list of material mentioned in sub-clause (i) and the undertaking with the statement of the student and that of the Jr. Supervisor as mentioned in clause No. (ii) and (iii) and the answerbook's shall be forwarded by the Chief Conductor, alongwith his report, to the concerned Controller of Examinations/Principal/Head of the Institution, as the case may be, in a segande and confidential scaled envelope marked "Suspected unfair means case". (vi) in case of unifor means of oral type, the Jr. Supervisor and the Sr. Supervisor or concerned authorised person shall record the facts in writing and shall report the same to the concerned Controller of Examinational Principal/Fleed of the Institution, as the case may be. 5. Procedure to be followed by Examiner during Assessment If the expenings at the time of assessment of answerbook suspects that there is a prime-facile evidence that the student's whose enswerbook's the examiner is assessing appears to have resorted to unfair means in the examination, the examiner shall forward his/her report, preferably through the Chairman in the subject, alongwith the evidence, to the Controller of Examinations/Principal/Head of the Institution, as the case may ith his/her opinion in separate confidential assled envelope marked as "<u>Suspected untail means</u> Case of unfair means having prime-facie, reported to the University/College/institution by the Chief Conductor/ur/Sr, Supervisor and or examiners shall be inquired into by the committee appointed by the Board of Examinations/Principal/itiesd of the Institution, as the case may be, in the event cases of unfair means reported through any other sources, the concerned Cifficetin charge of the Sub-section/ Unit to which the case is primarily pertained, at the Examination Section of the University/CollegeInstitution shall scrutinise the case, collect preliminary information to find out whether there is primarized asso as to fix up primary responsibility for framing a charge sheet and then shall submit the said case with bisher primary responsibility for framing a charge sheet and then shall submit the said case with bisher primary report to the concerned Competent Authority. If the Competent Authority is satisfied that there is a primarizate case it shall place the same before the Unitar Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section/Unit through which the case has originated or the case is portaining to, shall be the Presenting Officer of the case before the inquiry Committees, Police Authorities and Court of Justice and shall deal with the case till it is finally disposed of. Examination Result's of the concerned student's involved in such cases shall be held in reserve till the Competent Authority takes tinal decision in the meter and the concerned student's and the College' institution to which he'she belongs to, shall be informed accordingly. 9. Appointment of Untair Means Inquiry Committee : (i) For the purpose of investigating uhlair means recorded to by students at the University examination; the Sound of Examinations shall appoint a Committee in torms of the provisions made under Section 32(6)(a) of the Maharashira Universities Act 1994. The term of the Committee shall be five years subject to provisions of Section 42 and 43 of the said Act. (ii) For the purpose of investigating unfair means recorded to by students at the examination held by the College/Institution, the Unfair Means Inquiry Committee appointed by the College/Institution shall consist of five teachers (other than the Principal/Head) to be nominated by the Principal/Head of the Institution, one of whom shall be designated as Chairperson. The members appointed on the College/Institution Examination Committee shall not populate as members on the Usefair Means Inquiry Committee. on the Unfair Means Inquiry Committee. PRINCIPAL The Unfair Means Inquiry Committee hill headful discretion and substitute the commendations in the form of a report/sto-page/group of the first state with regard to the penal action to be taken appeted for the first state of the case by the Committee and after ensuring whether





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reasonable opportunity has been given to the concerned implicated student in his/her delence, the principle of natural justice has been followed and the recommended quentum of punishment is in accordance with the guidelines laid down in this behalf.

10. Presedure of the Committee should be as under :

- The Controller of Examinations of the University/Principal of the College or Head of the Recognised Institution, or the Officer authorised by them, as the case may be, shall inform the student concerned in writing of the act of orfair means alleged to have been committed by him/her, and shall ask him/her to show cause as so why the chargest levelled against him/her should not be held as proved and the punishment stipulated in the show cause notice be imposed.
- The student may appear before the inquiry Committee on a day, time and place fixed for the meeting, with written reply/applanation to the show cause notice served on him/her therein. The student-himself/horself only shall present his/her case before the Committee.
- The documents that are being taken into consideration or are to be relied upon for the purpose of proving charge's against the student should be shown to him/her by the inquiry Committee, If the student presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of delinquent.
- (iv) Reasonable opportunity, including oral hearing, shall be given to the student in his/hor defence before the Committee. The replyexplanation given by the student to the show cause notice shall be considered by the Committee before making final recommendation in the case.
- (v) The Committee should follow the above procedure in the spirit of the principle of natural justice.
- After serving a show cause notice, if the implicated student falls to appear before the inquiry Committee on the day, time and place fixed for the meeting, the student may be given one more opportunity to appear before the Committee in his/her defence. Even after offering two chances if the student concerned falls to appear before the Committee, the Committee shell take decision in his/her case in absentia, on the basis of the swellable evidence/documents, which shell be binding on the student concerned.
- (vii) The Committee shall submit its report to the concerned competent authority alongwith its recommendations regarding punishment to be inflicted or otherwise.

The Competent Authority concerned i.e. the Scard of Examinations in the cases of University examination, the poscerned Principal in the cases of College examination, and the Head in the cases of examination held by the Recognised institution, after taking into consideration the report of the Committee shall pass. such orders as it deems it including granting the student benefit of doubt, issuing warring or excenerating him/ther from the charges and shall impose any one or more of the following punishments on the student's found guilty of using unfair means;

(a) Annulment of performance of the student in full or in part in the examination ha/she has

- appeared for
- (b) Debarring student from appearing for any examination of the University or College or Institution for a stipulated period not exceeding five years.
 - Debarring student from taking admission for any course in the University or College or Institution for a stipulated period not exceeding five years.
 - (d) Cancellation of the University or College or Institution Scholarship's or award's or prize or medal sto. awarded to him/her in that examination.
 - In addition, to the above mentioned punishment, the competent authority may impose a fine on the student declared guilty. If the student concerned fails to pay the fine within a stipulated period, the competent authority may impose on such a student additional punishment/penalty as
 - As far as possible the quantum of punishment should be as prescribed (category wise) in Appendix-A.
 - The student concurred be informed of the punishment finally imposed on him/her in writing by the competent authority or by the Officer authorised by it in this behalf, under intimation to the College/Institution he/she belongs to.

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Appendix A The Broad Categories of Unfair Means Resorted to by Students at the University/College/Institution Examinations and the Quantum of Punishment for each Category thereof. Nature of Malpractice Quantum of Punishment Annulment of the performance of the student at the Uni-(1) Possession of copying material versity/College/institution examination in full." (Note :-- This quantum of punishment shall apply also to the following outegories of malpractices at Sr. No. (2) to Sr. No. (12) in addition to the punishment prescribed therest. (2) Actual copying from the copying material Exclusion of the student from University or College or institution examination for one additional examination Exclusion of the student from University or College or Institution committee for one additional examination. (BOTH Possession of another student's answerbook. THE STUDENTS) Exclusion of the student from University or College or Institution sourcination for two additional examinations (BOTH (4) Possession of another student's energy books + Actual evidence of copying THE STUDENTS). Exclusion of the student from University or College or (5) Mutual /Mass copying. Institution examination for two additional examinations. (6) (i) Smuggling-out or smuggling-in of Exclusion of the student from University or College or (ii) Smuggling-in of written answer-Exclusion of the student from University or College or Institution communion for three additional examination book based on the question paper set at the examination, Exclusion of the student from University or College or (iii) Smuggling-in of written answerbook and forging signature of the Institution examination for four-additional examinations. Jr. Supervisor thereon. Exclusion of the student from University or College or (7) - Attempt to forge the eignature of the Institution examination for four additional exa Jr. Supervisor on the answerbook or supplement. Exclusion of the student from University or College or Institution examination for four additional examinations. (8) Interferring with or counterfeiting of University/College/Institution seal, or answerbooks or office stationery used in the examinations. (9) Answerbook, main or supplement written outside the examination hall or any other Exclusion of the student from University or College or Institution examination for four additional examinations. insertion in answerbook. Exclusion of the student from University of College or Institution examination for four additional examinations. (10) Insection of ourserroy notes/to bribe or afterpring to bribe any of the person's connected with the conduct of exami-(Note:--This money shall be credited to the Vice-Chancelor's Fund) Exclusion of the student from University or College or (11) Using obscence language/violence threat at the examination centre by a student at the University/College/Institution Institution exemination for four additional examinations. ination to Jr./Sr. Supervisors/Chief Conductor or Examiners Exclusion of the student from University or College or Institution examination for five additional examinations. (both the students if imperconator is University or Col-(12) (a) Impersonation at the University/ College/Institution examination. lago or Institute studenti. Exclusion oping importagement from University or College Contract on Institution oping importagement from University or College Contract on Institution oping importagement from University or College Contract on Institution of College Contract on Institute on Institute College Contract On Institute Contract On Institute C (b) Impersonation by a University/Colle Institute student at S.S.C.H.S.C.

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any other examinations.

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(13) Revealing identity in any form in the enswer written or in any other part of the answerbook by the student at the University or College or institution

Annulment of the performance of the Student at the University or College or institution examination in ful.

[14] Found having written on palms or on the body, or on the clothes while in the examination.

Annulment of the performance of the student at the University or College or institution examination in full.

All other majoracticos not covered in the aforesaid categories.

Annulment of the performance of the student at the University or College or Institution examination is full, and severe punishment depending upon the gravity of the offence.

If on previous occasion a disciplinery action was taken against a student for malpractice used at examination and heishe is cought again for malpractices used at the examinations, in this event heishe shall be dealt with severely. Enhanced purishment can be imposed on such students. This enhanced punishment may extend to double the punishment provided for the offence, when committed at the second or subsequent examination.

17. Practical/Dissertation/Project report Examination.

Student involved in malpractices at Practice/Dissertation/Project regidealt with as per the punishment provided for the theory examination. t report examinations shall be

The Competent Authority, in addition to the above mentioned punishments, may impose a fine on the student declared guilty.

*(Note: The term *Annuiment of Performance in full* includes performance of the student at the theory as well as Annual Practical examination, but does not include performance at term work, project work with its term work, oral or practical and dissectation examinations unless malprectice used thesel).

Malpractices used or Lapses-Committed by any Paper-Setters, Examinars, Moderators, Referees, Teachers or any other persons connected with the Conduct of Examination.

- (a) The Board of Exeminations shall be the competent authority to take appropriate disciplinary action against the paper-setters, examinors, reclarators, referees, teachers or any other persons connected with the conduct of examinations cornelling lapses or using, attempting to use, siding, shelffing, instigating or allowing to use malpractice/s at the examinations conducted by the University.
- (b) The Management (includes the Trustess, Managing Sody or Governing Body) of the constituent affiliated/coducted college or Recognised institution shall be the competent authority to take appropriate disciplinary action against the paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations committing lapses or using, attempting to see, siding, abetifue, instigating, or allowing to use majoracticals at the examination conducted by the constituent affiliated/conducted colleges* or Recognised Institution on behalf of the University.
- (ii) Delinition-Unless the Context Otherwise Requires :
 - (a) "Paper-setter, exeminer, moderator, referres and teacher" means and includes person/s duly appointed as such for the exemination by the competent authority and the term "any other person connected with the conduct of exemination" means and includes person/s appointed on examination duty by the competent sutherity.
 - Malpiractica/tapase includes one or more of the following acts or omissions on the part of the person's included in (n) relating to the examination:—

 - (i) Exercises of question/s or question paper set at the University/College/Institution examination before the time of examination.

 (ii) Exercises/Moderator intentionally assessment of examination or project world to project the student in examination or project world to project the student to which the student of which the student or which the student o





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Mumbai-400057.



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	(iii) Paper-setter omitting questions, Sr. no. of question, repeating question or setting question	
-	outside the scope of syllebus.	
	(iv) Examinestreferee showing negligence in detecting malpractice used by student/s.	
	 Jr. Supervisor, Sr. Supervisor, Chief Conductor showing negligence/spethy in carrying out duties or aiding/abetting/allowing/instigating students to use malpractice/s. 	
	(vii) Or any other similar act/s and or omission/s which may be considered as malpractices or lapses by the competent authority.	
. (6)	"Malpractice or lapse relating to examination" means and includes directly or indirectly commit-	
4.4	tion or attemption to commit or threatening to commit any sci of unter meets, trade to trade	
and the state of	influence with a view to obtaining wrongful gain to him/her or to any other person or causing wrongiful loss to other person's or omitting to do what he/she is bound to do as duties.	
10	"College", means conducted, constituent or attituted college or recognised institution of a University.	
(III) .lm	vestigating Committee :	
m	The Committee appointed by the Board of Examinations under the provisions of Section 32(6(n).	
W	49 and 49 of the Maharachter Universities Act 1994, to investigate until magne readings in Vy	
	student/s at the University examinations shall also investigate the cases of matpractices used and/or lapses committed by the paper-setters, examiners, moderators, reterpes, teachers or any	
	other persons connected with the conduct of examinations at the University examinations.	
-	Station a Committee appointed by the College or Institution to investigate unfair	
94)	means resorted to by student at the concenned disminations arisis also investigate	
	majorantine flances on the cart of paper sellers, quaminent, moderators, referees, teachers or	
	any other persons connected with the conduct of examinations conducted by the affili- ated/conducted College or institution on behalf of the University.	
	allocations and a management of management of the same	
(N) P	recedure for investigation : The cases of alleged used of unlair means or lapses committed by the peper-setters, examiners,	
0	moderators, reteress, teachers or any other persons connected with the conduct examinations,	
and the same	reported to the University/College/Institution shall be accubinized by the concerned Officer/Institution	
5 3+ 1	of the Cub Section light to which the case is primarily pertained at the Examination Section of	
Vi I	the University/College/Institution, collect preliminery information to find out whether there is prime- lecie case so as to fix up primery responsibility for framing a charge-sheet and then shall submit	
	the east case with his primary report to the concerned competent authority. If the competent	
	authority is satisfied that there is a prima-lacie case, it shall place the same before the Union	
	Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section	
	Officer of the case before the Inquiry Committee, Police Authorities and Court of Justice and	
	shall deal with the case till it is finally disposed of.	
	The Competent Authority of the Officer authorised by it in this behalf, shall inform the implicated	
100	person (paper-setter, examiner, moderator, reteres, teacher or any other person connected with the conduct of examination) in writing of the act of malpractices used and of lapses or committed	
-	by bimber at the examination and shall ask him/her to show cause as to why the charge/s	
	leveled against him/her should not be held as proved and the punishment alipulated in the Show Cause Notice be imposed.	
	The concerned person be asked to appear before the inquiry Committee on a day, time and	
	place fixed for meeting, with written reply/application to the show cause notice served on him	
	her and charge levelled against him/her therein. The concerned person himselfherself only shall present his/her case before the Committee.	
	The documents that are being taken into consideration or to be relied upon for the purpose of	
114	proving charge's against the concerned person shall be shown to his/her by the Inquiry. Committee if he'she presents himself/bersell before the committee. The evidence, if any, should be recorded in presence of the delinquent.	
	Reasonable apportunity, including crall bearing, shall be given to the concerned person in his/	
	her delance before the Committee. The reply/explanation given to the show cause notice shall	-
	also be considered by the Committee before making final report/spoormentation.	8
	Day Comment of the Co	30
A	The Committee should follow the above propagating in the principle of natural judgestic Park.	10





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JJ513-02 If the concerned person fails to appear before the committee on the da-for the meeting, habits be given one more apportunity to appear before her defends. Even after offering two chances, if the concerned person fa-committee, the committee shall take decision in his/her case in his/her a whatever evidence-stdecuments which are evaluable before it and serve concerned implicated person. (vii) The committee shall submit its report to the concerned competent authority alongwith its rememberions regarding punishment to be inflicted on the concerned person or otherwise. (V) Punishment: The competent sufficility, after taking into consideration the report of the committee; shall pass such orders as it dearms fit including granting the implicated person benefit of doubt, issuing warning or economisting himsher term the charge's and shall impose any one or more of the following purishments on the implicated person found guilty of using majoractices's or committing lapses at the (i) Declaring disqualified the concerned paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination, from any examination work either parameterly or for a specified period. (8) Imposing time. If the concorned general falls to pay the fine within a stipulated period, the Competent Authority may impose on such a person additional punishment/penalty as it may deem \$1. (iii) Fielering bis/her case to the concerend disciplinary authorities for taking such disciplinary action to deemed fit so per the rules governing his/her service conditions. (by) The competent authority or the Officer authorised in this behalf, shall inform the compensor of the decision taken in his/her case and the purishments imposed on him/her. (V) An appeal made within 20 days of imposition of the purishment, other than the purishment referred to in clause No. (iii) above, shall lie with the Board of Examinations if the case is pertaining to the University examination or with the Management of the College or Institution, if the case pertaining to the college/institutions examination and their decision in the oppeal shall be final and binding. (vi) The Competent Authority shall supply a typed copy of the relevant extract of fact-finding report of the Inquiry Committee, so wall as the documents railed upon (if not strictly confidential), pertaining to his/her case to the appellant/peridoner, if applied for in writing. (vii) The court matters in respective sesses of maipractices/apses should be dealt with by the respec-tive competent authority. (viii) As far as possible the quantum of punishment should be prescribed category-wise as her Action for Maipractices and lapses on the pair of the Paper-Setter, Examiner, Moderator, Referes, Teacher
or any another person connected with the Conduct of University/College/Institution Examination/s. Appendix B S. No. Nature of Halprootices/Lapses Peper-cetter found responsible for leakage of the question sot in the University/College' eation by concerned authorities as per the rules applicable countering to the negligence before the time of examination. (2) Leakage of question/question paper sot in the University/College/Institution examination before the time of examination at the University/College/Institution, or examination desire by any personals connected with the con-duct of the examination. Disciplinary action against the guilty/responsible person's as per the prevailing rules/standard code by the concerned authorities. Discussification from any sufficient of work + deach by the semantial sufficient AL Sentil G.P.M. DEGREE COLLEGE Favouring a student (examined) by examiner, moderator, referree in examinent of answerment of answerment of service or student marks to which the student is not entitled, at the University College Institute of securing and the student is not entitled, at the University College Institute of securing and the student is not entitled, at the University College Institute of Securing Vilu Parle (E), Mumb



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Mumbai-400057.



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Disqualification from any examination work + disciplinary action
 by the concerned authorities.

Peppersenter certifing question at the time of finalization of question paper set at examination of repeating Sr. No. of question white writing.

Peppersenter certifing questions outside the scope of the syllabor.

Disqualification from any examination work for a period of three years.

While associating answerbook examiner As decided by the authorities of the University/College showing negligence in detecting majorations lightlytion.

used by the student/s.

Guiding Teacher showing negligence in supervision of dispertation/project work (e.g. institution.

Sr. SupervisorEniet Conductor showing apathy in carrying out duties related to seemination (e.g. not taking rounds to the seemination held of carried during seemination and at Exemination Centre during seemination period or opening the packet of question paper before prescribed time;

(10) Jr. Supervisor helping student in copying answers while in the examination or showing negligence in reporting cases of copying answers by students when on supervision duty.

Disqualification from any examination week upto a period of three years + dissiplinary action by the concentration duty.

11) Jr. Supervisor helping student (examines) - Permanent disqualification from any examination work - disciplinary action by the opported authorities as per the rule if he/she is a University/Colfege/Institution employee.

(12) The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person if declared guilty.

(13) The competent authority may report the case of the concerned implicated person to the appropriate Police Authorities as per the provision of the Maharashira Act No. XXXI of some

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