

Regulation for the Disposal of cases of "Use or attempt to use Unfair Means" and Disorderly conduct at an examination by a candidate.

{Statue 14(d), Draft Ordinance 26(36)}

1. A candidate shall not use unfair means or behave disorderly in any manner, in connection with any examinations of the University.
2. In every case **(Except cases of Internal/Practical examinations)** where a candidate appearing for an examination is found using or attempting to use unfair means at the examination or behaving in a disorderly manner, a report accompanied with the candidate's answer books and such documents and articles as were found in his possession and as constitute prima facie evidence of the use of unfair means/disorderly behavior shall be sent immediately to the Controller of Examinations.

Provided that in case of Internal/Practical examinations, if any kind of unfair means detected during such examinations, the same shall be brought to the notice of the Head of the Department concerned, who shall submit a full report of the same to the Dean concerned and the Dean concerned shall have full power to decide the case in consultation with Head of the Department concerned at School of Studies / Departmental level only. If an examinee disobeys instructions or misbehaves with any member of the supervisory staff or with any of the invigilators during the examinations, he/she may be expelled by the Dean/HoD from that session of the examination.

3. The Chief Superintendent/Superintendent of the examination centre shall report to the Controller of Examinations without delay and on the day of the occurrence if possible, each case where use of unfair means in the examination conducted by the University is suspected or discovered with full details of the evidence in support thereof and the statement of the candidate concerned, if any, on the forms supplied by the University for the purpose.
4. A candidate shall not be forced to give a statement but the fact of his/ her having refused to make a statement shall be recorded by the Chief Superintendent/ Superintendent and shall be got attested by two other members of the supervisory staff on duty at the time of occurrence of the incident.
5. A candidate detected or suspected of using unfair means in the examination conducted by the University may be permitted to answer the question paper, but on separate answer-book. The answer-book in which the use of unfair means is suspected shall be seized by the Chief Superintendent/ Superintendent, who shall send both the answer- books to the Controller of Examinations with his report. This will be not affecting the concerned candidate appearing in the rest of the examinations.

6. All cases of use of unfair means(**Except cases of Internal/Practical examinations**) during the examinations conducted by the University, shall be reported immediately to the Controller of Examinations by the Centre Superintendent/ Superintendent, examiner, paper-setter, evaluator, moderator, tabulator or any other person connected with the University examination as the case may be, with all the relevant material.
7. If the Vice-Chancellor is satisfied that there has been mass-scale copying or use of unfair means on a mass-scale at particular center(s)/Building/Hall, he or she may cancel the examination of all the candidates concerned and order re-examination.
8. Where the invigilator in charge is satisfied that one third (1/3) or more students were involved in using unfair-means or copying in a particular Examination Hall, it shall be deemed to be a case of mass copying.

9. UNFAIR MEANS COMMITTEE

- a) All the cases of alleged use of unfair means shall be referred to a Committee called the **Unfair Means Committee** to be appointed by the Vice-Chancellor as prescribed in **Ordinance 26(36)**.
- b) Ordinarily, all decisions shall be taken by the Committee by simple majority. If the members cannot reach a consensus, the case shall be referred to the Vice-Chancellor, whose decision shall be final.
- c) All decisions taken by the Unfair Means Committee will be placed before the Vice-Chancellor for approval.
- d) A candidate, within 10 days of the receipt of the decision of the University, may appeal to the Vice-Chancellor, in writing for a review of his/her case. If the Vice-Chancellor is satisfied that the representation merits consideration, he/she may either decide himself/herself the case finally or may **refer the case back to the Unfair Means Committee for reconsideration of the same within next 10 days**.

10. The Unfair Means Committee may recommend one of the following punishments for below mentioned cases of unfair means.

	Nature of unfair means	Scale of Punishment
(I)	Found in possession of incriminating material (Like book(s), notes, papers, electronic gadgets or any other like material, in any form.	
(A)	Recovered material not related to the subject or found writing something on the question paper, which is not the answer to the questions being asked on his question paper.	No punishment be imposed on the basis of examiner`s report showing irrelevancy of material but a warning be issued for not to repeat the same.
(B)	The Material is relevant to the subject but not used.	Paper be cancelled, examinee be permitted to appear in ATKT / Supp. Exams., if eligible for the same.
(C)	The Material is relevant to the subject and used.	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled, examinee be permitted to appear in the next full examination of concerned semester with all subject in next session.
(D)	The Material is relevant to the subject or paper (used/ not used) and the examinee showed indecent Behavior. OR The Material is relevant to the subject or paper and used and the examinee was again found using unfair means subsequently.	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next full session.
(E)	The Material is relevant to the subject or paper, used and the examinee showed gross indiscipline such as abusing / threatening the invigilators OR using abusive/derogatory language orally or in writing in the Answer Sheet against the Centre Superintendent / Examiner / Invigilator OR threatening / using violence towards Centre Superintendent or other persons connected with the conduct of the examinations OR any other form of gross insubordinate behavior as reported by the Chief Superintendent and / or Hall Superintendent OR found using unfair means in the two or more subsequent papers, found destroying evidence or not depositing the examination answer books .	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next two full session.

(II)	If an examinee / candidate is found carrying a weapon capable of inflicting injury in the examination rooms / halls. (Note-The Chief Superintendent and / or Centre Superintendent / Hall Superintendent in such a case should ask for seizure of the weapon and report the matter to the concern police station)	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next three full session.
(III)	If a report is received that an examinee has physically assaulted any person connected with the University Examinations.	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next four full session.
(IV) (a)	Found receiving or giving assistance in copying from or to other examinees during the course of the examination. OR Trying to help other candidates. OR Found consulting neighbors for the purpose of copying OR Writing questions and answers on any additional paper other than the Answer Sheet.	Paper be cancelled, examinee be permitted to appear in ATK/ Supp. Exams., if eligible for the same.
(b)	Inter-changing of answer scripts or other relevant material. OR Change of seat for copying including found sitting in a room or at a seat other than the allotted one without permission of the Centre Superintendent. OR Writing some other candidate's register number, intentionally, in the answer sheet.	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled.
(c)	If the candidate has repeated the unfair means shown at clause IV (b) above a second time .	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next full session.
(d)	Insertion of pre- written answer sheets (Main sheets or Additional Sheets) including smuggling in or out of the examination hall of Answer Sheet in whole or part or tampering with it in any way. OR Replacement of Answer Sheet, exchange of Answer Sheet with other student, addition of extra pages in the Answer Sheet, smuggling of Answer Sheet/pages. OR Candidate is	Concerned semester Examination and subsequent semester examination (if any) of the same session be cancelled and the examinee be debarred from appearing at all the semester examinations of next full session.

	caught with a material which he has chewed or swallowed or torn into pieces and the candidate refuses to sign the documents and also misbehave with the invigilation staff.	
(e)	Consulting the invigilator for answering the questions in the examination or communicating with the examiner or any other person connected with the examination for favor.	Cancel the Examination of that Paper for which the examinee was found consulting the invigilator or Cancel the Examinations of all subjects/Papers registered by the candidate for concerned semester for which he was found communicating with the examiner /examiners or any other person connected with the examination for favor.
(f)	Cases of impersonation i.e. sending some other person to take the examination.	Cancel the University Examinations of all subjects registered by the candidate for concerned semester and subsequent semesters (if any) of the same session and debar him/her from all semester examinations for immediate next session. Moreover, relevant legal action shall be initiated if an outsider is involved.
(V)	Cases not covered under any of the above clauses.	The Committee may recommend appropriate action/decision in each case.
(VI)	Mass copying: -	
a)	In the Single Building /Hall/Room: -	Cancel the relevant examination taken by the students of that Building /Hall/Room. Debar the concerned Building /Hall Superintendent and other involved directly or indirectly from the examination work such as invigilation, question paper setting, valuation, etc. for the next six sessions (Three Years) of semester examinations.
b)	In a Centre/Building:	Cancel the relevant examination taken by the students of the Centre/Building. Debar the Superintendents and the Chief Superintendent and other involved directly or indirectly from the examination work such as invigilation, question paper setting, valuation etc. for the next six examination sessions (Three Years) and cancel the examination center for two years.
(VII) Unfair Means cases in Internal/Sessional and Practical Examinations -:		
If any kind of unfair means detected during the Internal/Sessional and /or Practical Examinations the same shall be brought to the notice of the Head of the Department concerned, who shall submit a full report to the Dean, School of Studies concerned. The		

Dean concerned, in consultation with the Head of Department, shall have full power to decide the case at School of Study / Departmental level only.

The maximum penalty for using unfair means in Internal/Sessional and Practical Examinations shall be as follows :-

If the examinee found using any kind of the unfair means during any **Internal/Sessional or Practical examination**, the Dean in consultation with Head of the Department and on the basis of the report of the Head of the Department concerned, the Dean or Under the Order/Instruction of the Dean concerned, the Head of the Department **shall expel the examinee from the Internal/Sessional or Practical Examination.**

If an examinee disobeys instructions or misbehaves with any member of the supervisory staff or with any of the invigilators during such examinations, he/she may be expelled by the Dean/HoD from that session of the examination.

If the examinee repeated the use of unfair means second time in any subsequent **Internal/Sessional Examination or Practical Examination**, the Dean concerned, in consultation with Head of the Department, shall cancel the admission of the examinee in the concerned Department for that session for which he was found using unfair means second time.

Appeal: - A candidate, **within 10 days of the receipt of the decision of the Dean/Head of the Department**, may appeal to the Vice-Chancellor, in writing for a review of his/her case. If the Vice-Chancellor is satisfied that the representation merits consideration, he/she may either decide himself/herself the case finally or may refer the case back to the Dean/Head of the Department , as the case may be, for reconsideration **of the same within next 10 days.**

11. INTERPRETATION OF REGULATION

In any matter of interpretation of the provisions of this regulation, the matter shall be referred to Vice-Chancellor who in the capacity of the chairman of Academic Council and Executive Council shall decide the concerned matter finally.

12. POWER TO REMOVE DIFFICULTIES

If any question arises related to the matters not covered in these provisions, the relevant provisions made in appropriate Act / Statute / Ordinance / Regulations / Rules / Notifications issued by the university shall prevail. In addition to above the Executive Council, on the recommendations of Academic Council, may declare any other act of omission or commission to be unfair means in respect of any or all the examination.

