

Sonopant Dandekar Shikshan Mandalis  
Sonopant Dandekar Arts, V.S. Apte Commerce and  
M.H. Mehta Science College, Palghar



**MECHANISM TO DEAL WITH  
UNFAIR MEANS IN EXAMINATIONS**

## **UNFAIRMEANS INQUIRY COMMITTEE**

<b>Prof. Mahesh Deshmukh</b>	<b>Chairman</b>
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### **THE EXTRACT FROM THE AMENDED ORDINANCE NO. 5050**

The attention of the students is invited towards the amended ordinance No. 5050 relating to the conduct of examinations, nature of malpractice quantum of punishment, powers of the Principals of the college etc. The following extract relating to the F.Y./S.Y.B.A., B.Com., B.Sc. examination conducted by the college on behalf of the University of Mumbai is reproduced hereunder for the information of the students.

- a. "Unfair means" includes one or more of the following acts or omissions on the part of student/s during the examination period.
  - (i) Possessing unfair means materials and or copying therefrom.
  - (ii) Transcribing any unauthorised material or any other use thereof.
  - (iii) Intimidating or using obscene language or threatening or use of violence against invigilator or person on duty for the conduct of examination or man-handling him / her or leaving the examination hall without permission of the supervisor or causing disturbances in any manner in the examination proceedings.
  - (iv) Unauthorisedly communicating with other examinees or any one else inside or outside the examination hall.
  - (v) Mutual / Mass copying.

- (vi) Smuggling-out, either blank or written, or smuggling-in of answerbooks as copying material.
- (vii) Smuggling-in blank or written answerbook and signature of the Jr. Supervisor thereon.
- (viii) Interfering with or counterfeiting of University/College/Institution seal, or answerbooks or office stationary used in the examination,
- (ix) Insertion of currency notes in the answerbooks or attempting or bribe any of the persons connected with conduct of examinations.

Impersonation at the University/College/Institution examination,

- (xi) Revealing identity in any form in the answer written or in any other part of the answerbook by the student at the University or College or Institution examination.
- (xii) Or any other similar act/s and / or omissions which may be considered as unfair means by the competent authority.

b. "Unfair means relating to examination" means and includes directly or indirectly committing or attempting to commit or threatening to commit any act or coercion, undue influence or fraud or malpractice with a view to obtaining wrongful gain to him or to any other person or causing wrongful loss to other person/s.

c. "Unfair means material" means and includes any material whatsoever, related to the subject of the examination, printed, typed, handwritten or otherwise on the person or on clothes, or body of the student (examinee) or on wood or other material, in any manner or in the form of chart, diagram, map or drawing or electronic aid etc. which is not allowed in the examination hall.

- d. "Possession of unfair means material by a student" means having any unauthorised material on his/her person or desk 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.
- e. "Student found in possession" means a student, reported in writing, as having been found in possession of unfair means material by Jr. Supervisor, Sr. Supervisor, member of the vigilance Committee or Examination Squad or any other person authorised for this purpose, in this behalf, even if the unfair means material is not produced as evidence because of its being reported as swallowed or destroyed or snatched 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 or the Institution concerned or any officer authorised in this behalf. "Material 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 illegible for any of the reasons referred to in clause

(e) above, the presumption shall be that the material did relate to the subject of the examination.

**THE BOARD CATEGORIES OF UNFAIR MEANS RESORTED TO BY STUDENTS AT THE UNIVERSITY/COLLEGE/INSTITUTION EXAMINATIONS AND THE QUANTUM OF PUNISHMENT FOR EACH CATEGORY**

Nature of Malpractice	Quantum of Punishment
1. Possession of copying material	Annulment of the performance of the student at the University/College/Institution examination in full.* (Note: This quantum of punishment shall also to the following categories of malpractices at Sr. No. (2) to Sr. No. (12) in addition to the punishment prescribed there at.

### Nature of Malpractice

### Quantum of Punishment

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| 2. Actual copying from the copying material  | Exclusion of the student from University or College or Institution examination for one additional examination.  |
| 3. Possession of another student's answer book   | Exclusion of the student from University of College or Institution examination for one additional examination for one additional examination. (BOTH THE STUDENTS.)                                |
| 4. Possession of another student's answer book + actual evidence of copying therefrom  | Exclusion of the student from University or College or Institution examination for two additional examination. (BOTH THE STUDENTS.)   |
| 5. Mutual / Mass copying   | Exclusion of the student from University or College or Institution examination for two additional examination.  |
| 6. i) Smuggling-out or smuggling in of answerbook as copying material  | Exclusion of the student from University or College or Institution examination for two additional examination.  |
| ii) Smuggling-in of written answerbook based on the question paper set at the examination  | Exclusion of the student from University or College or Institution examination for three additional examination.  |
| iii) Smuggling in written answerbook and forging signature of the Jr. Supervisor thereon   | Exclusion of the student from University or College or Institution examination for four additional examination.   |
| 7. Attempt to forge the signature of the Jr. Supervisor on the answerbook or supplement  | Exclusion of the student from University or College or Institution examination for four additional examination.   |
| 8. Interfering with or counterfeiting of University/College/ Institution seal, or answerbooks or office stationery used in the examinations.   | Exclusion of the student from University or College or Institution examination for four additional examination.   |
| 9. Answerbook, main or supplement written outside the examination hall or any other insertion in answerbook.   | Exclusion of the student from University or College or Institution examination for four additional examination.   |
| 10. Insertion or currency notes/to bribe or attempting to bribe any of the persons connected with the conduct of examinations.   | Exclusion of the student from University or College or Institution examination for four additional examination.<br><b>Note :</b> This money shall be credited to the Vice Chancellor's Fund       |
| 11. Using obscenous language/violence threat at the examination centre by a student at the University/College/ institution examination to Jr./Sr. Supervisor/Chief Conductor or Examiners. | Exclusion of the student from University or College or Institution examination for four additional examination.   |
| 12. a) Impersonation at the University/ College/ Institution examination.  | Exclusion of the student from University of College or Institution examination for five additional examination. (Both the students if impersonator is University or College or Institute student) |

### **Nature of Malpractice**

- b) Impersonation by a University/ College/Institution student at S.S.C./ H.S.C./any other examinations.
- 13. Written or in any other part of the answer book by the student at the University or College or Institution examination.
- 14. Found having written on palms or on the body, or on the clothes while in the examination.
- 15. All other malpractices not covered in the aforesaid categories.

### **Quantum of Punishment**

- Exclusion of the student from University of College or Institution examination for five additional examination.
- Exclusion of the impersonator from University or College or Institution examination for five additional examination.
- Annulment of the performance of the student at the University or College or Institution examination in full.
- Annulment of the performance of the student at the University or College or Institute examination in full and severe punishment depending upon the gravity of the offence

If no previous occasion a disciplinary action was taken against a student for malpractice use at examination and he/she is caught again for malpractices used at the examinations, in this event he/she shall be dealt with severely, enhanced punishment can be imposed on such students. This enhance punishment may extend to double the punishment provided for the offence, when committed at the second or subsequent examination.

