

## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

### ORDINANCE –1. Grace Marks for Passing in each head of passing [Theory/Practical/Oral/Sessional] [External / Internal]

The examinee shall be given the benefit of grace marks only for passing in each head of passing [Theory/Practical/Oral/Sessional] in External or Internal examination as follows:

Head of Passing	Grace Marks
Upto--50	2
051 –100	3
101 –150	4
151 –200	5
201 –250	6
251 –300	7
301 –350	8
351 –400	9
and 401 and above	10

Provided that the benefit of such gracing marks given in different heads of passing shall not exceed 1% of the aggregate marks in that examination.

Provided further that the benefit of gracing of marks under this Ordinance shall be applicable only if the candidate passes the entire examination of semester/year.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCIII, NCTE, UGC etc.

### ORDINANCE –2. Grace Marks for getting higher class.

A candidate who passes in all the subjects and heads of passing in the examination without the benefit of either gracing or condonation rules and whose total number of marks falls short for securing Second Class/ Higher Second Class or First Class by marks not more 1% of the aggregate marks of that examination or upto 10 marks, whichever is less, shall be given the required marks to get the next higher class or grade as the case may be.

Provided that benefits of above mentioned grace marks shall not be given, if the candidate fails to secure necessary passing marks in the aggregate head of passing also, if prescribed in the examination concerned.

Provided further that the benefits of above mentioned grace marks shall be given to the candidate for such examination/s only for which provision of award of class has been prescribed.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE , MCI, Bar Council, CCIM, CCIII, NCTE etc.

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ORDINANCE –3. Grace Marks for getting distinction in the subject only.

A candidate who passes in all the Subjects/Heads of passing in the examination without benefit of either gracing or condonation rules and whose total number of marks in the subject/s falls short by not more than three marks for getting distinction in the subject/s shall be given necessary grace marks up to three in maximum two subjects, subjects to maximum 1% of the total marks of that Head of Passing whichever is more, in a given examination.

Provided that benefit of the above mentioned grace marks shall be given to the candidate only for such examination/s for which provision for distinction in a subject has been prescribed.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCII, NCTE etc.

ORDINANCE –4. Condonation.

If a candidate fails in only one head of passing, having passed in all other heads of passing, his/her deficiency of marks in such head of passing may be condoned by not more than 1% of the aggregate marks of the examination or 10% of the total number of marks of that head of passing in which he/she is failing, whichever is less. However condonation, whether in one head of passing or aggregate head of passing be restricted to maximum up to 10 marks only.

Condonation of deficiency of marks be shown in the Statement of Marks in the form of asterisk and Ordinance number.

Provided that this condonation of marks is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCII, NCTE etc.

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### ORDINANCE –5. Moderation.

1. The Moderation System shall be applicable to all the faculties for under graduate and postgraduate examinations.
2. 100% moderation of the answer book shall be carried out in the case of candidates failing by 10% of marks of the aggregate marks of that paper.
3. In case of professional faculties/courses, 100% moderation shall be carried out in case of candidates obtaining 70% and above marks. For non-professional faculties/courses 100% moderation shall be carried out in case of candidates obtaining first class and above marks.
4. The moderation of answer books of at least 5% of total number of candidates obtaining marks between minimum passing marks and marks required for first class distinction shall be carried out on random sample basis.
5. One moderator shall be appointed per five examiners. However Chairman. Board of paper setters will act as the moderator, where there are less than five examiners.
6. Moderation work shall be carried out simultaneously with the central assessment of answer books at CAPs.
7. Where marks awarded by the moderator vary from those awarded by original examiner, the marks awarded by the moderator shall be taken as final.
8. Each University shall formulate detailed scheme of moderation on the basis of guidelines given above.

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### ORDINANCE –6. Vigilance Squads.

1. The Vigilance Squad/s of not less than three and not more than four members shall be appointed by the Vice-Chancellor to visit the Centres of University Examinations to :
  - (i) Ensure that the University Examinations are conducted as per norms laid down.
  - (ii) Observe whether the Senior Supervisors and Block-Supervisors are following scrupulously instructions for conduct of the University examinations.
  - (iii) Check the students who try to resort to malpractices at the time of University Examinations and report such cases to the University.
2. The Vigilance Squad is authorized visit any Examination Centre without prior intimation and enter office of the Incharge of the Examination Centre to check the record and other material relating to the conduct of Examination. They can enter in any block of Examination for checking the candidates identify card, fee receipt, hall ticket etc. to ascertain the authenticity of the Candidate. The Vigilance Squad shall be authorised to detect use of malpractices and unfair means in the University Examination.
3. The Vice-Chancellor shall appoint Vigilance Squad which may include - Senior Teachers of Affiliated College/Recognised Institution/University Teachers and desirably one lady teacher and any other person as the Vice-Chancellor considers appropriate.
4. The Chairman of Vigilance Squad/s shall submit the report on surprise visit directly to the Vice-Chancellor with a copy to the concerned Principal. The Vigilance Squad/s may make suggestions in the matter of proper conduct of examinations, if necessary.
5. The Principal of the College where the centre of examination is located shall be responsible for the smooth conduct of examinations He shall ensure strict vigilance against the use of unfair means by the students and shall responsible for reporting such cases to the University as well as the law of enforcing authority.

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### ORDINANCE –7. Amendment of Results

#### (A) Due to errors:

In any case where it is found that the result of an examination has been affected by errors, the Director Assessment and Evaluation shall have power to amend such result in such manner as shall be in accordance with the true position and to make such declaration as is necessary, with the necessary approval of Vice-Chancellor, provided the errors are reported/detected within 6 months from the date of declaration of results. Errors detected thereafter shall be placed before the Board of Assessment and Evaluation.

#### Errors means

- [I] Error in computer/data entry, printing or programming and the like.
- [ii] Clerical error, manual or machines in totaling or entering of marks on ledger/ register.
- [iii] Error due to negligence or oversight of examiner or any other person connected with evaluation, moderation and result preparation.

#### [B] Due to fraud, malpractices etc.

In any case where the result of an examination has been ascertained and published and it is found that such result has been affected by any malpractices, fraud or any other improper conduct whereby an examinee has benefited and that such examinee has in the opinion of the Board of Assessment and Evaluation been party of privy to or connived at such malpractice, fraud or improper conduct the Board of Assessment and Evaluation shall have power at any time notwithstanding the issue of the Certificate or the award of a Prize or Scholarship, to amend the result of such examinee and to make such declaration as the Board of Assessment and Evaluation considers necessary in that behalf.

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### ORDINANCE –8. Appointment of Papersetters, Examiners, Senior Supervisors and conduct of examination etc.

1. No person can claim appointment as papersetter/examiner/moderator or any other examination work as a matter of right. Appointments of persons as papersetters/examiners/moderators shall be ordinarily made at the time of annual examination. However, if it is necessary to do so, the appointment of papersetters may be made at the time of October examinations.
2. The papersetters/examiners/moderators shall not refuse to accept the assignment of the examination work. They shall also ensure that their availability for assignment is communicated to the university, in the prescribed time limit. If no communication is received within the prescribed time limit, it will be presumed that the assignment is accepted by the papersetter/examiner/moderator.
3. The papersetters/examiners/moderators shall follow all the directions given by the University from time to time in respect of pattern of question papers, setting of question papers, model answers, scheme of marking etc.
4. There shall be two senior supervisors at each examination centre, one internal and one external, having minimum of three years of experience of teaching/working in senior college. Out of these two, one shall be the external supervisor to be appointed by the university and the other shall be the internal senior supervisor.
5. The Principal of the concerned college shall himself/herself be the Chief Conductor. Where substitute arrangement is required it shall be done only by prior permission of the University. However, the Principal shall alone be responsible for any lapse/lapses occurring during the conduct of the examination.
6. The external senior supervisor appointed by the university shall report to the principal of the college where examination centre is located one day earlier to ensure the arrangements for the conduct of examinations.
7. He shall ensure that the stationery required for the conduct of examinations, question papers, etc. are received at the examination center. He shall also ensure that the packets of question papers are intact and duly sealed and are opened in his presence 20 minutes before the start of the examinations.
8. He shall also ensure that the students are not resorting to unfair means/ practices. In case incidences occur. He shall immediately report the cases of unfair means to the Director Assessment and Evaluations along with his report. He should not leave the examination centre during the examination period.
9. He shall ensure that the answer book is distributed to the students 10 minutes before the start of the examination.
10. The examination forms of the students shall be accepted by the principal within the time prescribed by the University from time to time. The forms so accepted shall be

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submitted to the University within a week from the last day of acceptance of forms in the college along with the fees so collected, by demand draft.

11. After the receipt shall, immediately after the examination is over, dispatch their answer books to the CAP centre/ concerned examiner, as per the instructions of the university from time to time.
12. The principal shall, immediately after the examination is over, dispatch the answer books to the CAP centre/ concerned examiner as per the instructions of the university from time to time.
13. The directors of the CAP appointed by the university shall receive the bundles of answer books sent by the principals of the concerned examination centre.
14. The director of the CAP shall arrange for the assessment of the answer books centrally as per central assessment programme prescribed by the University.
15. The director of the CAP shall submit the mark lists to the Director Assessment and Evaluations as provided in the CAP scheme and as per the instructions received by the University from time to time.
16. As soon as the mark lists are received in the University examination branch the same should be processed immediately.
17. The results of the concerned examinations shall ordinarily be declared within the specified period as prescribed in Maharashtra State Skills University Act and shall dispatch the result along with the statement of marks and passing certificates to the colleges for distributing the same to the concerned students.
18. The answer paper of examinations shall be preserved for a period of at least 6 months from the date of declaration of result of the examinations concerned.

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### ORDINANCE—9. Ordinance regarding Unfair means Resorted to by the Student

1.
  - (a) On receipt of a report regarding use of unfair means by any student at any University examination. Including breach of any of the rules laid down by the University Authorities, for proper conduct of examination, the Board of Assessment and Evaluation shall have power at any time to institute inquiry and to punish such unfair means or breach of the rules by exclusion of such student from any University examination or 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 result of the student in the University examination for which the student appeared or by deprivation of any University Scholarship held by him/her or by cancellation of the award of any University prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways within a period of one year.
  - (b) Where the examinations of the University courses are conducted by the constituent Colleges/Recognised Institutions on behalf of the University, the Principal/Head of the concerned constituent College/Institution, on receipt of a report regarding use of unfair means by any student at any such examination, including breach of any of the rules laid down by the University Authorities or by the College/Institution for proper conduct of examination, shall have power at any time to institute inquiry and to punish 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 College/Institution either permanently or for a specified period or by conciliation of the result of the student in the College/ Institution examination for which h/she appeared or by deprivation of any College/ Institution Scholarship or by cancellation of the award of any Colleges / Institution prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways.
  - [c] On receipt of report regarding malpractices used or lapses committed by any paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination held by the University or Colleges or Recognised Institution including breach of the rules laid down for proper conduct of examination, the Board of Assessment and Evaluation 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 any time to institute inquiry and to punish such malpractices or lapses by 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 permanently or for a specified period or by referring his/her case to the concerned authorities for taking such disciplinary action as deemed fit as per the rules provided for or in any two or more for the aforesaid ways.
2. Competent Authority
  - (i) The Board of Assessment and Evaluation 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, aiding, abetting, instigating or allowing to use unfair means at the examination conducted by the University.
  - (ii) The Principal of the constituent College of Head of the Recognised Institution shall be the competent authority to take appropriate disciplinary action against the student/s using, attempting to use, aiding, abetting, instigating or allowing to use unfair means at the examination conducted by the College or Institution on behalf of the University.
3. Definition-Unless the context otherwise requires :



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- (a) “Student” means and includes a person who is enrolled as such by the University/ College/ Institution for receiving instruction qualifying for any degree, diploma or certificate awarded by the University. It includes ex-student and student registered as candidate (examinee) for any of the degree, diploma or certificate examination.
- (b) “Unfair means” includes one or more to the following acts or omissions on the part of student/s during the examination period.
  - (i) Possessing unfair means material 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 manhandling him/her or leaving the examination hall without permission of the supervisor of causing disturbances in any manner in the examination proceedings
  - (iv) Unauthorisely 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 forging signature of the Jr.Supervisor thereon.
  - (viii) Interfering with or counterfeiting of University/College/Institution seal, or answerbooks or office stationary used in the examinations.
  - (ix) 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.
  - (xi) Revealing identity in any from 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 omission/s, which may be, considered as unfair 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 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.
- (d) “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.
- (e) “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.
- (f) “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 authorized as evidence because of it being reported as swallowed or destroyed or snatched away otherwise taken away or spoiled by the student or by any other 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 Director Assessment and Evaluation or Principal or Head of the Institution concerned or any officer authorised in this behalf.
- (g) “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

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the material is not produced as evidence or has become illegible 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 Department or Recognised Institution concerned, where concerned examination is being conducted, any other person duly authorised by him or person appointed as in-charge of examination, by prior approval of the University.
- 4. During examination, examinees and other students shall be under disciplinary control of the Chief Conductor/s.
- 5. 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 unfair 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 also sign on all the relevant materials and documents.
  - (iii) Statement of the student and his/her undertaking in the prescribed format 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.
  - (iv) Chief Conductor shall take one or more of the following decisions depending upon seriousness/gravity of the case:
    - (a) In the case of impersonation or violence, expel the concerned student from the examination and not allow him/her to appear for remaining examination.
    - (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.
    - (c) May report the case to the concerned Police Station as per the provisions of Maharashtra Act No. XXXI 1982. An Act to provide for preventing mal-practices at University; Board and other specified examinations.
    - (d) Confiscate his/her answerbook, mark it as “suspected unfair means case” and issue him/her fresh answerbook duly marked.
- (v) All the materials and list of material mentioned in sub-clause (1) 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 Director Assessment and Evaluation/Principal /Head of the Institution as the case may be in a separate and confidential sealed envelope marked “Suspected unfair means case “
- (vi) In case of unfair means of oral type the Jr. Supervisor and the Senior Supervisor or concerned authorised person shall record the facts in writing and shall report the same to the concerned Director Assessment and Evaluation/Principal/Head of the Institution as the case may be.
- 6. Procedure to be followed by Examiner during Assessment

If the examiner at the time of assessment of answerbook suspects that there is a prima-facie evidence that the student/s whose answerbook/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

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alongwith the evidence to the Director Assessment and Evaluation/Principal/Head of the Institution as the case may be with his/her opinion in separate confidential sealed envelope marked as “Suspected unfair means case“

7 Case of unfair means having prima-facie, reported to the University/College/Institution by the Chief Conductor / Jr./Sr. /Supervisor and or examiners shall be inquired into by the Committee appointed by the Board of Assessment and Evaluation/ Principal / Head of the Institution as the case may be. In the event cases of unfair means reported through any other sources, the concerned Officer/ In-charge of the Sub-section / Unit to which the case is primarily pertained at the Examination Section of the University/ College/Institution shall scrutinise the case collect the preliminary information to find out whether there is prima-facie case so as to fix up primary responsibility for framing a charge sheet and then shall submit the said case with his/her primary report to the concerned Competent Authority .If the Competent Authority is satisfied that there is a prima-facie case it shall place the same before the Unfair Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section/Unit through which the case has originated or the case is pertaining 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.

8. Examination result/s of the concerned student/s involved in such cases shall be held in reserve till the Competent Authority takes final decision in the matter and the concerned student/s and the College/Institution to which he/she belongs to shall be informed accordingly.

### 9. Appointment of Unfair Means Inquiry Committee

(i) For the purpose of investigating unfair means resorted to by students at the University examination, the Board of Assessment and Evaluation shall appoint a Committee in terms of the provisions made under Section 32(6)(a) of the Maharashtra State Skills University Act. The term of the Committee shall be five years subject to provisions of the said Act.

(ii) For the purpose of investigating unfair means resorted 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 as one of whom shall be designated as Chairperson. The members appointed on the College /Institution Examination Committee shall not be appointed as members on the Unfair Means Inquiry Committee.

(iii) The Unfair Means Inquiry Committee will function as a recommendatory body and submit its recommendations in the form of report to concerned competent authority which will issue final orders with regard to the penal action to be taken against the students after taking into account the reported facts and findings of the case by the Committee and after ensuring whether reasonable opportunity has been given to the concerned

Implicated student in his /her defence. The principal of natural justice has been followed and the recommended quantum of punishment is in accordance with the guidelines laid down in this behalf.

10 Procedure of the Committee should be as under -

(i) The Director Assessment and Evaluation 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 unfair means alleged to have been committed by him/her should not be held as proved and the punishment stipulated in the show cause notice be imposed.

[ii] The student may appear before the Inquiry Committee on a day, time and place fixed for the meeting with written reply/explanation to the show cause notice served on him/her therein. The student himself/herself only shall present his/her case before the Committee.

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[iii] The documents that are being taken into consideration or are to be relied upon for the purpose of providing 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/her defence before the Committee. The Committee shall consider the reply/explanation given by the student to the show cause notice before making final recommendation in the case.

[v] The Committee should follow the above procedure in the spirit of the principle of natural justice.

[vi] After serving a show cause notice, if the implicated student fails 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 fails to appear before the Committee the Committee shall take decision in his/her case in absentia on the basis of the available evidence/documents which shall 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.

### 11. Punishment

The Competent Authority concerned to the Board of Assessment and Evaluation in the cases of University examination the concerned Principal in the cases of College examination and the Head in the cases of examination held by the Recognized Institution after taking into consideration the report of the Committee shall pass such orders as it deems fit including granting the student benefit of doubt issuing warning or exoneration him/her 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] Amendment of performance of the student in full or in part in the examination he/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.

[c] 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 etc. Awarded to him/her in that examination.

[e] 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 it may deem fit.

[f] As far as possible the quantum of punishment should be as prescribed [categorywise] in Appendix-A.

[g] The student concerned the informed of the punishment finally imposed on him/her in writing by the Competent Authority or by the Officers authorised by it in this behalf under intimation to the College /Institution he/she belongs to.

Appendix-a

### 12. The Board Categories of Unfair Means Resorted to by Students at the University/College/Institution Examinations and the Quantum of punishment for each Category Thereof

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S.No.	Nature of Malpractice	Quantum of Punishment
01	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 apply also to the following categories of malpractices at Sr.No. (2) to Sr.No. (12) in addition to the punishment prescribed thereat.
02	Actual copying from the copying material	Exclusion of the student from University or College or Institution examination for one additional examination
03	Possession of another student's answer-book.	Exclusion of the student from University or College or Institution examination for one additional examination (BOTH THE STUDENTS)
04	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)
05	Mutual/ Mass copying	Exclusion of the student from University or College or Institution examination for two additional examination
06	(i) Smuggling-out or smuggling-in of answerbook as copying material.  (ii) Smuggling –in of written answer-book based on the question paper set at the examination  (iii) Smuggling-in of written answer-book and forging signature of the Jr.Supervisor thereon.	Exclusion of the student from University or College of Institution examination for two additional examinations.  Exclusion of the student from University or College or Institution examination for three additional examinations.  Exclusion of the student from University or College or Institution examination for four additional examinations.
07	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 examinations.
08	Interfering with or counterfeting of University / College/Institution seal, or answerbooks or office Stationary used in the examinations	Exclusion of the student from University or College or Institution examination for four additional examinations
09	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 examinations

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10	Insertion of currency notes/ to bribe or attempting to bribe any of the person/s connected with the conduct of examinations	Exclusion of the student from University of College of Institution examination for four additional examinations.  (Note:- this money shall be credited to the Vice-Chancellor's Fund)
11	Using obscene language/ violence threat at the examination centre by a student at the University/ College/ Institution examination to Jr./Sr. Supervisors/ Chief Conductor of Examiners	Exclusion of the student from University or College or Institution examination for four additional examinations
12	(a) Impersonation at the University/ College / Institution examination.  (b) Impersonation by a University/ College/ Institute student at S.S.C/H.S.C./ any other examinations.	Exclusion of the student from University or College or Institution examination for five additional examinations.(both the students if Institute student)  Exclusion of the impersonator from University or College or Institution examination for five additional examinations
13	Revealing identity in any form in the answer written of in any other part of the answerbook by the student at the University or College or Institution examination.	Annulment of the performance of the student at the University or College or Institution examination full
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
15	All other malpractices not covered in the aforesaid categories	Annulment of the performance of the student at the University or College or Institution examination in full, and severe punishment depending upon the gravity of the offence

- (16) If on previous occasion a disciplinary action was taken against a student for malpractice used at examination and he/she 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 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 Practical/dissertation/Project Report examinations shall be dealt with as per the punishment provided for the theory examination.

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

(Note: The term "Annulment of Performance in full" includes performance of the student at the theory as well as Annual Practical examination, but does not include performance as term work, project work with its term work, oral or practical & dissertations examination unless malpractice used thereat.)



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- (13) Malpractices used or Lapses Committed by any Paper-Setters, Examiners, Moderators, Referees, Teachers or any other persons connected with the Conduct of Examination.
- (1) Competent Authority :
- (a) The Board of Assessment and Evaluation 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 use, aiding, abetting. Instigating or allowing to use malpractice/s at the examinations conducted by the University.
- (b) The management (includes the Trustees, Managing Body or Governing Body) of the constituent affiliated/ conducted 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 use, aiding, abetting, instigating or allowing to use malpractice/s at the examination conducted by the constituent affiliated/ conducted colleges or Recognised Institution on behalf of the University.
- (II) Definition : Unless the Context Otherwise Requires
- (a) “Paper-setter, examiner, moderator, referee and teacher “ means and includes person/s duly appointed as such for the examination by the competent authority and the term “any other person connected with the conduct of examination” means and includes person/s appointed on examination duty be the competent authority.
- (b) Malpractice/lapses includes one or more of the following acts or omissions on the part of the person/s included in (a) relating to the examination:-
- (i) Leakage of question/s or question paper set at the University / College/Institution before the time of examination.
- (ii) Examiner / Moderator intentionally awarding marks to student in assessment of answerbooks, dissertation or project work to which the student is not entitled or not assigning marks to the student to which the student is entitled.
- (iii) Paper-setter omitting question, Sr.No. Of question, repeating question or setting question outside the scope of syllabus.
- (iv) Examiner / Referee showing negligence in detecting malpractice used by student/s.
- (v) Jr. Supervisor, Sr.Supervisor, Chief Conductor showing negligence/ apathy in caring out duties or aiding/ abetting / allowing / instigating students to use malpractice/s.
- (vi) Or any other similar act/s and or omission/s which may be considered as malpractices or lapses by the competent authority.
- (c) “Malpractice or lapse relating to examination” means and includes directly or indirectly committing or attempting to commit or threatening to commit any act of unfair means, fraud or undue influence with a view to obtaining wrongful gain to him/her or to any other person or causing wrongful loss to other person/s or omitting to do what he/she is bound to do as duties.
- (d) ‘College” means conducted, constituent or affiliated college or recognised institution of a University.
- (III) Investigating Committee
- (i) The committee appointed by the Board of Assessment and Evaluation under the provisions of the Maharashtra State Skills University Act. To investigate unfair means resorted to by student/s at the University examinations shall also investigate the cases of malpractices used and/of lapses committed by the paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations at the University examinations.

## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

- (ii) Similarly, a Committee appointed by the College or Institution to investigate unfair means resorted to by student at the concerned examinations shall also investigate malpractices/lapses on the part of paper-setters. Examiners moderators, referees, teachers or any other persons connected with the conduct of examinations conducted by the affiliated / conducted College of institution on behalf of the University.
- (IV) Procedure for Investigation
  - (i) The cases of alleged used of unfair means of lapses committed by the papersetters, examiners, moderators, referees, teachers or any one persons connected with the conduct examinations, reported to the University / College/ Institution shall be scrutinized by the concerned Officer/ Incharge of the Sub-Section/ Unit to whom the case is primarily pertained at the Examination Section of the University/ College/ Institution, collect preliminary information to find out whether there is prima-facie case so as to fix up primary responsibility for framing a charge-sheet and then shall submit the said cast with his primary report to the concerned competent authority. If the competent authority is satisfied that there is a prima-facie case, it shall place the same before the Unfair Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section / Unit through which the case has originated or the ease is pertaining to shall be the Presenting 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.
  - (ii) The Competent Authority of the Officer authorised by it in this behalf, shall inform the implicated person (paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination) in writing of the act of malpractices used and or lapses or committed by him her at the examination and shall ask him/her to show cause as to why the charge/s levelled against him/her should not be held as proved and the punishment stipulated in the Show Cause Notice be imposed.
  - (iii) The concerned person be asked to appear before the Inquiry Committee on day, time and place fixed for meeting, with written reply/ explanation to the show cause notice served on him/her and charge levelled against him/her therein. The concerned person himself only shall present him/her case before the Committee.
  - (iv) The documents that are being taken into consideration or to be relied up for the purpose of proving charges/s against the concerned person shall be shown to him/her by the Inquiry Committee if he/she presents himself/herself before the Committee. The evidence, if any, should be recorded in presence of the delinquent.
  - (v) Reasonable opportunity, including oral hearing, shall be given to concerned person in his/her defence before the Committee. The reply/explanation given to the show cause notice shall also be considered by the Committee before making final report /commendation.
  - (vi) The Committee should follow the above procedure in the spirit of principle of natural justice.
  - (vii) If the concerned person fails to appear before the Committee on the day, time and place fixed for the meeting he/she be given one more opportunity appear before the committee in his/her defence. Even after offering two chances, if the concerned person fails to appear before the Committee, the Committee shall take decision in his/her case in his/her absentia on the basis of whatever evidences/documents which are available before it and same shall be binding on the concerned implicated person.
  - (viii) The Committee shall submit its report to the concerned competent authority alongwith its recommendations regarding punishment to be inflicted on the concerned person or otherwise.



## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

### (V) Punishment

The competent authority, after taking into consideration the report of the Committee, shall pass such orders as it deems fit including granting the implicated person benefit of doubt, issuing warning or exonerating him/her from the charges/s and shall impose any one or more of the following punishments on the implicated person found guilty of using malpractices/s or committing lapses at the examination: -

- (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 permanently or for a specified period.
  - (ii) Imposing fine. If the concerned person fails to pay the fine within a stipulated period, the Competent Authority may impose on such a person additional punishment/ penalty, as it may deem fit.
  - (iii) Referring his/her case to the concerned disciplinary authorities for taking such disciplinary action as deemed fit as per the rules governing his/her service conditions.
  - (iv) The competent authority or the Officer authorized in this behalf shall inform the concerned person of the decision taken in his/her case and the punishments imposed on him/her.
  - (v) An appeal made within 60 days of imposition of the punishment, other than the punishment referred to in clause No. (iii) above, shall lie with the Board of examination 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 appeal 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, as well as the documents relied upon (if not strictly confidential), pertaining to his/her case to the appellant/petitioner, if applied for in writing.
  - (vii) The court matters in respective cases of malpractices/lapses should be dealt with by the respective authority.
  - (viii) As far as possible the quantum of punishment should be prescribed category-wise hereunder:-
14. Action for Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Teacher or and another person connected with the Conduct of University/College/Institution Examinations.

S.No.	Nature of Malpractices/ Lapses	Punishment
01	Paper-setter found responsible for leakage of the question set in the University / College / Institution examination/s whether intentionally or due to the negligence before the time of examination.	Disqualification from any examination work-disciplinary action by concerned authorities as per the rules applicable.
02	Leakage of question/ question paper set in the University / College / Institution examination before the time of examination at the University/College/ Institution, or examination centre by any person/s connected with the conduct of the examination	Disciplinary action against the guilty/ responsible person/s as per the prevailing rules/ standard code by the concerned authorities.
03	Favouring a student (examinee) by examiner, moderator, referee in assessment of answerbooks/ dissertation/ Project Report/ Thesis by assigning the student marks to which	Disqualification from any examination work disciplinary action by the concerned authorities.

## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

	the student is not entitled, an the University / College / Institution examination.	
04	Examiner / Moderator / Referee intentionally / negligently not assigning the student in assessment of his /her answer-books / dissertation / project work, the marks to which the student is entitled to at the University/ College/ Institution examinations.	Disqualification from any examination work + disciplinary action by the concerned authorities.
05	Paper-setter omitting question at the time of finalisation of question paper set at examination of repeating Sr.No. of question while writing.	Disqualification from any examination work for a period of three years.
06	Paper-setter repeating questions in same/ different section/s.	Disqualification from any examination work for a period of three years.
07	Paper-setter setting questions outside the scope of the syllabus.	Disqualification from any examination work for a period of three years.
08	While assessing answerbook examiner showing negligence in detecting malpractices used by the student/s.	As decided by the authorities of the University/ College/ Institution.
09	Guiding Teacher showing negligence in supervision of dissertation/ project work e.g.use of manipulated data by a student.)	As decided by the authorities of the University / College / Institution.
10	Sr.Supervisor / Chief Conductor showing apathy in carrying out duties related to examinations e.g. not taking rounds to the examination hall at Examination Centre during examination period or opening the packet of question paper before prescribed time.)	As decided by the authorities of the University/ College / Institution.
11	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 work upto a period of three years. I disciplinary action by the concerned authorities as per the rule if he/she is a University / College / Institution employee.
12	Jr.Supervisor helping student (examinee) in mass-copying while on examination duty.	Permanent disqualification from any examination work + disciplinary action by the concerned authorities as per the rule if he/she is a University / College/ Institution employee.

13. The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person if declared guilty.
14. The competent authority may report the case of the concerned implicated person to the appropriate Police Authorities as per the provision of the Maharashtra Act.No. XXXI of 1982.

# UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

APPENDIX 'C'

## RATAN TATA MAHARASHTRA STATE SKILLS UNIVERSITY

Statement of candidate who is alleged to have used Unfair Means at the University Examination.

Name of Full : \_\_\_\_\_

Address : \_\_\_\_\_

Examination : \_\_\_\_\_

Paper No.& Subject : \_\_\_\_\_

Seat No. : \_\_\_\_\_

To  
The Director Assessment and  
Evaluation University of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir,

I, \_\_\_\_\_ appeared at the above examination held on \_\_\_\_\_ at the  
\_\_\_\_\_

(Centre) in the Morning / Evening session.

I give below my statement as follows :-

Place :

Date :

Time

Signature of the Candidate

# UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

## FORM OF UNDERTAKING

Full Name of the Candidate:

\_\_\_\_\_

Permanent / Local Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

To,  
The Director Assessment and Evaluation,

\_\_\_\_\_

\_\_\_\_\_

Sir,  
I, the undersigned student of \_\_\_\_\_ College / Institution  
appearing for \_\_\_\_\_ Examination at the  
\_\_\_\_\_ college (Centre) do hereby state, on solemn affirmation as

I understand that I am involved in respect of an alleged use of Unfair Means in the Examination Hall and therefore, a case against me is being reported to the University.

That in spite of the registration of a case of Unfair Means against me I request the University authorities to allow me to appear in the present paper and the papers to be set subsequently and/or at the University Examination to be held hereafter.

In case my request is granted, I do hereby agree that my appearance in the examination will be provisional and subject to the decision of the University authorities in the matter of disposal of the case of alleged use of Unfair Means referred to above.

I also hereby agree that in the event of myself being found guilty at the time of investigation of the said case, my performance at the examination to which I have been permitted to appear provisionally, consequent upon my special request, is liable to be treated as null and void.

In witness whereof I set my hand to this undertaking

Signature of the Candidate

Before me

Date : \_\_\_\_\_

\_\_\_\_\_  
Chief Conductor of the Centre  
And Rubber Stamp of the College / Institution / University

Date: \_\_\_\_\_

# UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

RATAN TATA MAHARASHTRA STATE SKILLS UNIVERSITY

Report of the Jr.Supervisor/Sr.Supervisor/Chief Conductor

Block No :  
Examination :  
Subject :  
Date :

To,  
The Director Assessment and Evaluation,

\_\_\_\_\_  
\_\_\_\_\_

Sir,

I, the undersigned Jr. Supervisor appointed on the above-mentioned Block at the \_\_\_\_\_ examination held at \_\_\_\_\_ college (Centre), am hereby making report against Candidate No. \_\_\_\_\_ Shri/Kum. \_\_\_\_\_ at the examinations as follows:-

Yours faithfully,

(Jr.Supervisor)

Date :

Time :

Name & Address of the Junior Supervisor

\_\_\_\_\_  
\_\_\_\_\_

On the basis of the report made by the Jr.Supervisor, I am of the opinion that there is a prima facie case of Unfair Means resorted to by the aforesaid Candidate No. \_\_\_\_\_ and therefore the case be forwarded to the University for investigation.

Signature of Sr. Supervisor

Name :

Date:

Forwarded to the Director Assessment and Evaluation, University of \_\_\_\_\_ for necessary action.

Seal of the College/ Institute/University (Centre)

Place : \_\_\_\_\_  
Date : \_\_\_\_\_  
Encl. : \_\_\_\_\_

Signature of Chief Conductor

(N.B. : Kindly enclose a copy of the relevant question paper )

# UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

PROFORMA 'A'

To,  
The Inspector/Sub-Inspector,  
\_\_\_\_\_ Police Station,  
\_\_\_\_\_

Sub: - Complaint against the student for the alleged use of Unfair Means at the \_\_\_\_\_ examination held in the \_\_\_\_\_

Sir,  
On behalf of the University of \_\_\_\_\_, the \_\_\_\_\_ Examination held in the First Half/ Second Half of 2 is conducted in the premises of the \_\_\_\_\_ College/ Institute / University. I have been authorised by the University of \_\_\_\_\_ vide letter No. \_\_\_\_\_ dated \_\_\_\_\_ addressed to the Principal by \_\_\_\_\_ to take action under the provisions of Maharashtra Act, XXXI of 1982, an Act to provide for preventing malpractices at University, Board and other specified examination.

I furnish herewith the details of the following student/s who has/have used Unfair Means at the \_\_\_\_\_ examination.

1. Name of the Student :
2. Examination Seat No :
3. Name of the College through :  
Which he/she appeared for the  
Examination
4. Name of the Subject :  
Date and Time
5. Name of the Jr.Supervisor :
6. Name of the Sr. Supervisor :  
who detected the case
7. Material found with the :  
Candidate
8. Other Information if any in :  
Connection with the case

According to section '7' of the Maharashtra Act XXXI of 1982- An Act to provide for preventing malpractices at University. Board and other specified examinations, Shri./ Kum \_\_\_\_\_ has committed the offence at the \_\_\_\_\_ examination and therefore I lodge a complaint against him/her with the Police Station (\_\_\_\_\_).

Name of the Police Station

Yours faithfully,

Chief Conductor

Name of the Centre \_\_\_\_\_

Place :

Date :

[W.e.f. 2001-2002]

Proforma for submission of the Information regarding prosecution of Candidates appeared at the Centre

[illegible]

## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

### 10. Ordinance for Central Assessment Programme Scheme

Preliminary :

The conduct of examinations and declaration of results is one of the important activities of the University. The Scheme of Central Assessment programme is being introduced by way of Ordinance with a view to (1) declaring the results in the shortest possible time, (2) increasing the reliability of the results, (3) maintaining uniformity and consistency in the assessment, (4) increasing accuracy and efficiency in the declaration of results and (5) creating confidence amongst the students about the assessment system.

The Central Assessment Programme shall consist of the following stages:

- I. Pre-assessment work.
- II. Assessment and Moderation process.
- III. Post-Assessment work.

I. PRE-ASSESSMENT :

- 1) To fix the venue of the Central Assessment Programme :

The venue of the CAP shall be decided by the University. It shall be on the University campus/in affiliated College/ Recognized Institute/ any other place.

II. Appointment of CAP Director :

The Director for the Central Assessment programme shall be appointed by the University from amongst the following.

- I. Principal of the concerned Affiliated College or his nominee from amongst the senior faculty member.
- ii. Head of the concerned Recognized Institute.
- iii. Head of the concerned University Department or his nominee not below the rank of Reader.
- iv. Head of the Administrative Section not below the rank of Deputy Registrar (Examination)

The Director shall communicate his acceptance alongwith the undertaking in the prescribed form (Encl.I)

3) Invitation to Examiners/Moderators:

The University shall provide a list indicating number of students appearing for each subject and other relevant information to the Director. The Director/Director Assessment and Evaluation shall ascertain the number of examiners and moderators required per subject. The Director shall make arrangement regarding the space and the supporting staff required for the CAP.

The Director Assessment and Evaluation of CAP shall send invitation letters to all the examiners and moderators shown in the lists finalized by the University well in advance so as to enable the examiners and moderators to communicate their acceptance. In case of any difficulty in doing so, the Director, CAP shall consult the Director Assessment and Evaluation and take decision. All the instructions regarding the CAP shall also be sent to the examiners and moderators. In case of shortage of examiners/moderators as reported by the Director, CAP the substitute appointments of examiners/moderators shall be made by the Director Assessment and Evaluation.



## UNIFORM ORDINANCES RELATING TO THE EXAMINATIONS

### 4) Collection of Answer books :

It is the responsibility of the Principal of the College/Director of the Recognized Institute to see that the answer books of the examinations held at his centers are sent promptly to CAP Centre as per instructions given by the University from time to time.

### 5) Preparation for CAP :

- i) The Director of CAP shall make adequate arrangements to receive answerbooks coming from the examination centers from time to time.
- ii) On receipt of the answerbooks at the CAP venue, the staff employed for this work shall check the number of answerbooks. Junior Supervisor's Reports and ascertain as to whether the number of candidates present and absent indicated in the report are correct. In case of any discrepancy, it shall be resolved in consultation with the Deputy Registrar (Examination)/ or an Officer nominated by the Director Assessment and Evaluation.
- iii) It shall be seen and verified that all the answerbooks of the subjects, are received from the centers of examinations. This shall be checked with the subjectwise and centrewise summaries of the examinations concerned. In case of non-receipt of answerbooks from any examination center, the CAP Director shall take immediate steps for receiving the said answerbooks from the concerned examination center under intimation to the Co-ordinator/ Asstt. Co-ordinator of the CAP.
- iv) The bundle of answerbooks so prepared shall preferably be computer-coded, masked and the coded sheets shall be inserted in the bundles of answerbooks. The Junior Supervisor's Reports shall be taken out and kept in a separate file. Papers or bundles tied or presented in a doubtful manner be separated and further decision regarding their evaluation be taken in consultation with Director Assessment and Evaluation.

### II) ASSESSMENT AND MODERATION PROCESS:

The University shall issue instructions to the concerned on the following:

- i) Consistency and uniformity in assessment.
- ii) Remedial measures in respect of discrepancy detected/noticed in the question paper.
- iii) Unfair means noticed during the assessment process.
- iv) Administrative, financial and organizational details.

### III) POST-ASSESSMENT:

The University shall issue instructions on the following:

- i) Decoding/ unmasking of assessed answer books.
- ii) Scrutiny and verification of assessed answerbooks.
- iii) Preparation and schedule of submission of mark lists to the University.