

Ordinance-XV-B

Disorderly conduct and use of unfair means in examination.

1. For the purposes of this Ordinance -
 - a) Examination means an examination conducted by the University.
 - b) The year means the academic year;
 - c) Candidate includes an examinee taking any examination in a particular year and, wherever the context so permits, every student on the rolls of the University;
 - d) The use of dishonest or unfair means in the examination include:
 - (i) assisting in any manner whatsoever any other candidate in answering the question paper during the course of the examination;
 - (ii) taking assistance from any other candidate or any other person or from any book, paper, notes or other material in answering the question paper during the course of the examination;
 - (iii) carrying into the examination room any book, paper, notes, or other material whatsoever likely to be used directly or indirectly by the candidate in connection with the examination;
 - (iv) smuggling in an answer book or a continuation sheet;
 - (v) taking out or arranging to send out an answer book or its any page or a continuation sheet;
 - (vi) replacing or getting replaced an answer book or its any page or continuation sheet during or after the examination;
 - (vii) getting impersonated by any person in examination;
 - (viii) deliberately disclosing one's identity or making any distinctive mark in the answer book for that purpose;
 - (ix) communicating with or talking to any other candidate or unauthorised person in or around the examination room during the course of the examination;
 - (x) communicating or attempting to communicate directly or through a relative, guardian and friend with an examiner with the object of influencing him in the award of marks;
 - e) Disorderly conduct in the examination includes:

- (i) misbehaviour in connection with the examination, with the Superintendent, the Invigilator on duty or the other staff working at the Examination Centre, or with any other candidate, in or around the examination centre, before, during or after the examination hour;
 - (ii) leaving the examination room before the expiry of the stipulated time or without handing over the answer book to the Invigilator-in-charge or without signing the attendance sheet;
 - (iii) intentionally tearing off the answer book or a part thereof or a continuation sheet;
 - (iv) disturbing or disrupting the examination;
 - (v) inciting others to leave the examination room or to disturb or disrupt the examination;
 - (vi) Carrying into the examination centre any weapon of offence.
2. 2. No candidate shall make use of any dishonest or unfair means or indulge in disorderly conduct in the examination.
3. 3. A candidate found guilty of the use of dishonest or unfair means or disorderly conduct in the examination may be disqualified from passing the examination for which he was a candidate, and may, in addition, be debarred from appearing at any future examination of the University for a further period to be stated or be expelled from the University and declared not a fit and proper person to be admitted to any further examination of the University.
4. (a) Any candidate who, in the opinion of the Invigilator on duty or the Examiner conducting a practical or oral examination or the Superintendent of the Examination Centre, contravenes or is suspected of contravening the provisions of clause 2 in the examination room, shall be forthwith challenged by such Invigilator, Examiner or Superintendent who shall ask for a signed statement from the candidate.

The candidate may be subjected to a search of his person to recover any incriminating material from him by the examination staff on duty.

(b) Without prejudice to the provision contained in sub-clause (a) above the Superintendent of an Examination Centre or the Examiner conducting practical or oral examination shall also have the power to expel a candidate who in his opinion, has contravened the provisions of clause 2, from the examination centre for the remaining duration of the paper.

5. (a) The Superintendent of the Examination Centre or the Examiner or any Officer of the University, as the case may be, shall report in writing to the Controller of Examinations the case of every student who has contravened the provision of clause 2.

- (b) The reporting authority shall give full facts of the case in his report and forward with it the statements. If any, made on the occasion by the candidate and the Invigilator on duty and papers, books and other material recovered from the candidate, if any.
6. There shall be one or more Examination Disciplinary Committees. Each such Committee, hereinafter referred to as the Examination Disciplinary Committee shall be constituted as under:
- (a) On the recommendation of the Vice-Chancellor the Executive Council shall, at the beginning of each year, draw up a panel of teachers of the University to be nominated on the Examination Disciplinary Committee.
- (b) Each Examination Disciplinary Committee shall comprise of two teachers to be nominated by the Vice-Chancellor from amongst the panel, one of them being of the status of at least an Associate Professor.
- (c) The Controller of Examinations or any person authorised by him, of the rank of not less than an Assistant Controller of Examinations/Assistant Registrar will function as non-member Secretary of the Examination Disciplinary Committee.
7. The Vice-Chancellor shall determine from time to time the number of Examination Disciplinary Committees.
8. (a) The Controller of Examinations or any person authorised by him in this behalf shall communicate to the candidate, in respect of whom a report has been received pursuant to clause 5(a). The precise nature of allegations against him and shall require him to furnish his written explanation within a stipulated period.
- (b) On receipt of the explanation from the candidate or on the expiry of the period stipulated for submitting explanation if no explanation is received from him the Vice-Chancellor shall assign his case for consideration to the Examination Disciplinary Committee and, where there are more Committees than one, such Examination Disciplinary Committee as he may deem fit.
9. After considering all the material on record including the explanation, if any, submitted by the candidate, the Examination Disciplinary Committee if satisfied that the candidate is guilty of the use of dishonest or unfair means or disorderly conduct in the examination, shall recommend to the Executive Council the punishment that may be imposed on the candidate under clause 3 according to the nature of the offence.
10. The Executive Council may, after considering the report, of the Examination Disciplinary Committee take such action against the candidate under clause 3 as it may deem fit.
11. A candidate on whom any punishment has been imposed under clause 3 may, within 15 days from the date of the receipt of the communication in that behalf, make a representation to the Vice-Chancellor for review of his case and the Vice-Chancellor, if satisfied that the case is fit for reconsideration refer the same to the Executive Council. The Executive Council may thereupon review the case and pass such orders as it may consider fit.

12. In the case of a candidate who has been expelled from the University in terms of provisions of Clause 3, the Executive Council may, on the recommendation of the Vice-Chancellor, on the expiry of three years after such expulsion including the examination in connection with which he was punished, exempt a candidate from further operation of the punishment awarded.
13. If within four months of the publication of the results, it is brought to the notice of the Controller of Examinations that a candidate was guilty of the use of dishonest or unfair means at the examination in respect of which his result was declared, the provisions of this Ordinance shall apply mutatis mutandis to the case of such a candidate provided that before imposing any penalty including the penalty of cancellation of his result, he shall be given another opportunity, to show cause against the proposed punishment and his explanation, if any, shall be considered by the Executive Council.
14. A candidate against whom an enquiry is pending about his allegedly having resorted to the use of dishonest or unfair means or disorderly conduct in the examination or against whom action is initiated under the provisions of the preceding clause shall, if he takes or has taken any subsequent examination, be deemed to have been only provisionally admitted to that subsequent examination. That examination will stand cancelled and his result thereof would not be declared if on account of the punishment imposed on him as a result of the said enquiry or action, he would not have been entitled to take that examination but for his provisional admission thereto.
15. If a person, not otherwise covered by these provisions, is found guilty of having impersonated a candidate or of having written, outside the examination hall, an answer book or its any page or a continuation sheet which he knows or has reason to believe will be smuggled into the examination hall for the benefit of any candidate, or of having managed otherwise to replace the answer book or its any page of the candidate after the examination, he shall be disqualified from appearing in any University examination for a period to be stated. The provisions of this Ordinance relating to the manner of imposition of penalty shall, in so far as they may be applicable, apply to the case of such a person.