BABA SAHEB BHIMRAO AMBEDKAR UNIVERSITY
VIDYA BIHAR, RAEBARELI ROAD
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EXAMINATION CONTROL OF UNFAIR MEANS AND DISORDERLY CONDUCT RULES

BABA SAHEB BHIMRAO AMBEDKAR UNIVERSITY

1. Title -These regulations may be called the Examination (Control of Unfair and Disorderly Conduct) Regulations.

2. Definitions - For the purpose of these regulations, unless the context otherwise requires :

a. Examinations means an examination for a particular Semester or year as the case may be conducted by the Baba Saheb Bhimrao Ambedkar University, Lucknow other than the sessional, and shall include admission tests and interviews held for purpose of admitting candidates to any course in the University.

b. `Year Means' the academic year.

c. `Candidate' means an examinee taking an examination in a particular year, and also includes every student on the rolls of the University, and shall include any person applying for admission to any course in the University.

d. (i) assisting in any manner whatsoever, any other candidate in answering the question paper during the course of examination.

(ii) taking assistance from any other candidate or any other person or from any book, paper, note or other unauthorised material in answering the question paper during the course of the examination;

(iii) carrying into the examination room any book, paper, note or other unauthorised material likely to be used, directly or indirectly by the candidate in answering the question paper;

(iv) bringing in or arranging to be brought in the examination room an answer book 'A' or 'B' whole or in part.

(v) bringing out or arranging to be sent out of the examination room answerbook 'A' or 'B' whole or in part;

(vi) replacing or getting replaced an answerbook 'A' or 'B' in whole or in part during or after the examination.

(vii) impersonating any person or getting impersonated by any person in taking the examination;

(viii) deliberately disclosing one's identity or making any distinctive marks in the answerbook for that purpose;

(ix) communicating with any other candidate or unauthorised person in any manner inside or outside the examination room during the course of the examination.

(x) communicating with or approaching an examination in any manner, so as influence him in evaluating the answers;

(c) "Disorderly conduct" includes :

(i) threatening, intimidating or assulting the Superintendent, Invigilator or other staff working at the Examination Centre or another candidate in connection with the examination before, during or after the examination hours;

(ii) misbehaving with the Superintendent, Invigilator or other staff working at the Examination Centre in connection with the examination before, during or after the examination hours;

(iii) leaving the examination room before the expiry of forty five minute after the commencement of the examination without obtaining the permission of the Invigilator or without handling over the answerbook to the Head Invigilator or without signing the attendance sheet;

(iv) intentionally tearing off or mutilating an answerbook `A' or `B' or any part thereof;

(v) disturbing or disrupting the conduct of examination or attempting to do so;

(vi) inciting or compelling any other candidate to leave the examination room or to disturb or disrupt the examination;

(vii) carrying into the examination centre any weapon of office;

(f) `Committee' means the committee of Examinations constituted under chapter V of the Academic Ordinancess.

3. Prohibition of Use of Unfairmeans or Disorderly Conduct

No candidate shall use unfair means or indulge in disorderly conduct in the examination.

4. PUNISHMENT

A candidate found guilty of use of unfair means or disorderly conduct in the Examination may, at the discretion of the Committee, be awarded punishment as follows :

A-I Non Semester Examination

(a) A candidate found guilty of using unfair means in a manner defined in Clause 2(d), (i), (ii), (iii), (viii) or (ix) or of disorderly conduct defined in Clause 2(e) (iv) or (v) shall be punished with cancellation of the result of the examination(s) of the year concerned and the candidate shall be further debarred from appearing at the Supplementary examination, he shall be debarred from the next annual examination (excluding the Supplementary examination of that year).

(b) A candidate found guilty of using unfairness in a manner defined in Clause 2(d) (iv), (v) or (x) or of disorderly conduct in a manner defined in Clause 2(e) (ii) or (vi) shall be punished with cancellation of the result of examination concerned and the candidate candidate shall be further debarred from appearing at the Supplementary examination and the examination immediately following including the Supplementary examination.

(c) A candidate found guilty of using unfairness as defined in Clause 2(d), (vi) or (vii) or of disorderly conduct as defined in Clause 2(e) (I) or (vii), shall be punished with cancellation of the same examination and be debarred from appearing at the two sunsequent annual examinations including the Supplementary examination.

(d) A candidate found guilty of disorderly conduct in a manner defined in Clause 2(e) (iii) shall be punished with cancellation of the examination in the paper/course concerned.

II. SEMESTER EXAMINATION

(a) A candidate found guilty of using unfairness in a manner defined in clause 2(d) (i), (ii), (iii), (viii) or (ix) or of disorderly conduct defined in Clause 2(e) (iv) or (v) shall be punished with cancellation of the result of the semester Examination concerned and shall be further debarred from appearing at the examination of the next semester as well as the Supplementary examination of the Semester concerned, and if the offence was committed in a Supplementary examination the result of the Supplementary examination shall be cancelled and he shall be debarred from appearing at the examination of the Semester immediately following, including the supplementary examination of that semester.

(b) A candidate found guilty of using unfair means as defined in Clause 2(d) (vi) or (x) or of disorderly conducted in a manner defined in clause 2(d) (ii) or (vi) shall be punished with cancellation of the result of the semester examination concerned and shall be further debarred from appearing at the examination of the subsequent three semesters, as well as the Supplementary examinations of the semesters concerned; and if the offence was committed in a supplementary examination the result of the supplementary examination shall be cancelled, and the candidate shall be debarred from appearing at the examinations of the next three semesters, including the supplementary examinations of the semesters concerned.

(c) A candidate found guilty of using unfairmeans as defined in Clause 2(d) (vi) or (vii) or of disorderly conduct as defined in Clause 2(e) (I) or (vii), shall punished with cancellation of the semester examination concerned and ahsll be further debarred from appearing at the examination of the five semesters immediately following as well as the Supplementary examinations of the semseter concerned. If the offence was committed in a Supplementary examination, the result of that Supplementary examination shall be cancelled, and he shall be further debarred from appearing at the examination of the five

subsequent semesters including the supplementary examinations of the semesters concerned.

(d) A candidate found guilty of disorderly conduct in a manner defined in Clause 2(e) (iii) shall be punished with cancellation of the examination in the paper course concerned.

III : WRITTEN TESTS AND INTERVIEWS FOR ADMISSION

(a) A candidate found guilty of using unfair means in a manner as defined in Clause 2(d), (i), (ii), (iii) (viii) or (ix) or of disorderly conduct as defined in Clause 2(e) (iv) or (v) shall be punished with being barred from being on the rolls of the University in any course (including the one to which he may have been previously admitted) during the year concerned.

(b) A candidate found guilty of using unfair means in a manner of as defined as in Clause 2(d) (iv), (v) or (x) or of disorderly conduct in a manner as defined in Clause 2(e) (ii) or (vi) shall be punished with being barred from being on the rolls of the University in any course (including the one to which he may have been previously admitted) during the year concerned and the year immediately following.

(c) A candidate found guilty of using unfair means in a manner defined as in Clause 2(d) (vi) or (vii) or of disorderly conduct as defined in Clause 2(e) (i) or (vii) shall be punished with being barred from being on the rolls of the University in any course (including the one to which he may have been previously admitted) during the year concerned and the two years immediately following.

(d) A candidate found guilty of disorderly conduct in a manner as defined in Clause 2(e) (iii) shall be punished with cancellation of his appliaction to admission in the course concerned.

Provided that a candidate not on the rolls of the University shall barred from admission to any course for a further year, whereever penalties under Clauses (a), (b) and (c) above are awarded.

B- A candidate found committing or more offence under unfairmeans/disorderly conduct or both as defined in Clause 2(d)/(e) in the same or subsequent examination may be awarded heavier punishment/ the punishment prescribed in the preceeding subclauses.

The Committee as its discretion may recommand to the Vice-Chancellor that a heavier or lighter punishment than that prescribed in the preceeding subclauses may be awarded to a candidate under exceptional circumstances to be specified in the recommendation.

Explanation : The word"Examination" in Clause (4) means examinations in all papers/practicals, etc., in which the candidate is entitled to appear during the particular year or semester, as the case may be.

5. Detection of Offence :

(a) Any candidate, who in opinion of the Invigilator on duty or the examiners conducting a practical or oral examination or the Superindent of the Examination Centre, contravenes or is suspected of contravening the provisions of these rules shall forthwith be challanged by such invigilator, examiner or the Superitendent, as the case may be, who shall ask the candidate for an explanation giving particular of materials found in possession of the candidate on the prescribed form.

(b) If the candidate fails to give an explanation or refuses to sign the prescribed form, it shall be deemed that sufficient opportunity has been given to him for explaning the charges against him and he has nothing to say in the matter, and the Committee may take a decision without giving the candidate may further opportunity.

(c) The Superintendent of Examination or Head Invigilator may cause a search to be made of the person of a candidate for recovery of any manner prohibited by these regulations.

(d) Where a candidate has been found using unfairmeans he shall be required by the Invigilator to hand over the answerbook and a fresh answerbook may be issued to him, unless interim action under Clause 7 is taken against him.

6. Report :

(a) The Superintendent of Examination Centre, the Head Invigilator or the examiner shall report in writing to the Controller of Examinations, the case of every student who has or is suspected of having contravened the provisions of the Clause (3).

(b) The person reporting the case shall narrate the facts of the case in his report and forwarded forward with it the statement, if any, made of the occasion by the candidate and the Invigilator of duty alongwith the material recovered from the candidate, if any.

7. Interim action :

Without prejudice to the provision contained in Clause 6 and to any action that may be taken under these Rules, the Superintendent of the examination centre, the Head Invigilator or in case of practical/oral examination the Head of the Department shall also have power to expel the candidate who, in his opinion has contravened the provisions of

Clause 3, from the examination centre for the remaining duration of the paper or practical or oral examination, as the area may be.

8. Procedure :

(a) The committee or any authorised by it in this behalf shall communicate to a candidate, in respect of whom a report has been received under Clause 6, the nature of allegations against him, and shall require him to furnish a written explanation within a period of two days, from the date of the receipt of the notice.

Provided that a candidate who has given an explanation under Clause 5(a) or who has refused or intentionally ommitted to give such explanation need not be required to furnish an explanation under this clause.

(b) If a candidate has refused to receive the notice issued by the Committee or has, in the opinion of the Committee avoided its service, the Committee may proceed as if the notice has been served.

(c) No extension of the time required to submit the explanation shall be permissible except where, for reasons shown to the satisfaction of the Committee or any person authorised by the Committee in this behalf, the candidate is unfit to furnish such explanation.

(d) On receipt of the explanation from the candidate or if no explanation is received from him, the Committee may either consider the matter itself or authorise any person or persons to scrutinise the papers and make a report to the Committee.

(e) No candidate shall have a right to representation by Council before the Committee.

(f) After considering the material of record including the explaination, if any, submitted by the candidate and the person or persons appointed by the Committee to make an enquiry and such further material as the Committee think fit, the Committee is satisfied that a candidate is guilty of the Use of unfairmeans or disorderly conduct in the examination it may impose one or more of the punishment enumerated in Clause 4, as it deems fit.

9. Review The Committee may, for reasons shown to its satisfaction, revise any punishment imposed by it.

10. Detection after declaration of result : If within four months from the date of declaration of the result it is brought to the notice to the Controller of Examinations that a candidate was guilty of the use of unfairmeans at the examination in respect of which his result was declared the provisions of these rules shall apply with such changes as may be necessary to the case of such a candidate, provided that before imposing any punishment he shall be given an opportunity to explain the charges against him in the manner prescribed by Clause 8.

11. Offence by person other than a student of the University.

If a person not otherwise covered by these Rules is found guilty of having impersonated a candidate is found guilty of having written the answer (s) outside the Examination Hall for being smuggled into Examination Hall of having managed otherwise to replace an answerbook or any of its pages after the examination to benefit any candidate. The candidate shall be deemed guilty of use of unfairmeans and the provisions of these Rules shall apply with such changes as may neceaasry in such cases.

III. **Consideration of request submitted by Mr. Mohd. Farhan for Review/Cancellation of UFM punishment.** Extracts of Minutes of the Meeting of Exam Committee dated: 02-08-23

The request of student, as per following details, is placed before the Examination Committee for consideration. The application has been forwarded by the concerned Head of the Department.

Sl. No.	Roll No.	Name of Students	Department	Request
1.	111036	Mr. Mohd. Farhan	B.Tech. (Civil Engg.)	Review/Cancellation of UFM cases

The Examination Committee has recommended the following in the above UFM case of Mr. Mohd. Farhan, Roll No.111036, B.Tech. (Civil Engineering) in its meeting dated 29.05.2018, the same has already been communicated to Director, UIET:-

"Cancel the result of the Semester examinations held in Dec., 2017. Further, he also be debarred from appearing in the examination of the next Semester i.e. May, 2018 as well."

Resolution

The matter has been considered by the Examination Committee and it has been observed that signature of the Invigilators are available on both answerbooks as verified by the Director, UIET. The committee found that there is no substantial reason and evidence to have doubt over the mistakes commited by the student. Hence, the examination committee gives the benefit of doubt to the student. In view of the above, the punishment imposed on Mr. Mohd. Farhan (B.Tech.-CE, Roll No.-111036) in the meeting of the Examination Committee held on 29.05.2018 may be withdrawn.

IV. Any other agenda with permission of the Chair.

(1) Review the existing Unfair Means Rules of the University

The matter has been considered by the Examination Committee and it has been observed that the existing provisions of punishment in the existing Unfair Means (UFM) rules of the University are very stringent and hard. (please refer last minutes). Hence, the Examination Committee recommended the following amendments in the existing Unfair Means (UFM) rules of the University.

Sl. No.	Existing Provisions	Provisions/ Amendment recommended
01	**Rule 4 II (a)** – A candidate found guilty of using unfairness in a manner defined in clause 2(d), (i), (ii), (iii), (viii) or (ix) or of disorderely conduct defined in Clause 2(e) (iv) or (v) shall be punished with cancellation of the result of the semester Examination concerned and shall be further debarred from appearing at the examination of the next semester as well as the Supplementary examination of the Semester concerned, and if the offence was committed in a Supplementary examination the result of the Supplementary examination shall be cancelled and he shall be debarred from appearing at the examination of the Semester immediately following, including the supplementary examination of that semester.	**Rule 4 II (a)** – A candidate found guilty of using unfairness in a manner defined in clause 2(d) (i), (ii), (iii), (viii) or (ix) or of disorderely conduct defined in Clause 2(e) (iv) or (v) shall be punished with cancellation of the result of the paper/course concerned.
02	**Rule 4 II (b)** – A candidate found guilty of using unfair means as defined in Clause 2(d) (vi) or (x) or of disorderly conducted in a manner defined in clause 2(d) (ii) or (vi) shall be punished *with cancellation of the result of the semester examination concerned and shall be further* debarred from appearing at the examination of the subsequent three semesters, as well as the Supplementary examinations of the semesters concerned; and if the offence was committeed in a supplementary examination the result of the supplementary examination shall be cancelled, and the candidate shall be debarred from appearing at the examinations of the next three semesters, including the supplementary examinations of the semesters concerned.	**Rule 4 II (b)** – A candidate found guilty of using unfair means as defined in Clause 2(d) (vi) or (x) or of disorderly conducted in a manner defined in clause 2(d) (ii) or (vi) shall be punished with cancellation of the result of the semester examination concerned.

3	**Rule 4 II (c) –** A candidate found guilty of using unfair means as defined in Clause 2(d) (vi) or (vii) or of disorderly conduct as defined in Clause 2(e) (I) or (vii) shall punished with cancellation of the semester examination concerned and shall be further debarred from *appearing at the examination of the five semesters immediately following as well as the* Supplementary examinations of the semester concerned. If the offence was committed in a Supplementary examination, the result of that Supplementary examination shall be cancelled, and he shall be further debarred from appearing at the examination of the five subsequent semesters including the supplementary examinations of the semesters concerned.	**Rule 4 II (c) –** A candidate found guilty of using unfair means as defined in Clause 2(d) (vi) or (vii) or of disorderly conduct as defined in Clause 2(e) (i) or (vii) shall punished with cancellation of the semester examination concerned and shall be further debarred from appearing at the examination of the next semester.
4	**Rule 4 II (d) –** A candidate found guilty of disorderly conduct in a manner defined in Clause 2(e) (iii) shall be punished with cancellation of the examination in the paper course concerned.	**Rule 4 II (d) –** A candidate found guilty of disorderly conduct in a manner defined in Clause 2(e) (iii) shall be punished with cancellation of the examination result of the paper course concerned.

(2) Matter of Special examination

The committee considered the matter and recommended that following provisions for conduct of Special Examination may be included in UG/PG/M.Phil. Regulations:

"Special examination(s) may be conducted in exceptional cases only on clearcut recommendations of the concerned Head of the Department and approval of the Vice Chancellor."

(3) Matter related to Moderation of Question papers

The committee considered the matter and recommended that moderation of question papers may be allowed in extreme situations only where there is typographical error and question paper is out of syllabus. This is allowed only on joint certificate to the effect that "there was typographical error(s) or question paper was out of syllabus. Hence, question paper has been moderated on joint declaration recorded by the Board of Moderators consisting of ***"(i) a Chairman who shall be the Head of Deptt./Centre and (ii) two senior most teachers (other than the Head) of the Deptt./Centre"*** and clearcut approval of the Vice Chancellor. A copy of previous Question Paper and moderated Question Paper alongwith aforesaid certificate of Board of Moderators and approval of the Vice Chancellor may be submitted to the Controller of Examinations for record.

The meeting ended with the vote of thanks to the chair.

(Head, DAC) (Coordintor, CET)

(Naveen Kumar Arora) (Registrar) (Dean Student Welfare)

(Dean, SoE) (Dean, SEC)

Chairman
(Examination Committee)