MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

ORDINANCE NO.....1/2014: "CONDUCT OF EXAMINATIONS AND USE OF UNFAIR MEANS AT AN EXAMINATION"

1	SHORT TITLE, EXTENT AND COMMENCEMENT		
	i)	This Ordinance may be called "Conduct of Examination and use of Unfair Means at an Examination".	
	ii)	It extends to all Undergraduate and Postgraduate Examinations conducted at affiliated Colleges/ Institutions and Examinations conducted by Maharashtra University of Health Sciences.	
	iii)	It shall be deemed to have come in force w.e.f. 2nd September, 2014.	
2.	DEFINITIONS:- In this Ordinance relating to the conduct of examinations and unfair means at an examinations or abetment thereof unless there is anything repugnant in the subject or context.		
	i)	"Academic Year" means a year begins not later than 1st August and ending on 31st July of the following year as may be decided by the Management Council.	
	ii)	a)	"Under Graduate Diploma Examination" means an examination leading to Under Graduate Diploma of the University.
		b)	"Under-Graduate Examination" means an examination leading to the Graduate Degree of the University.
		c)	"Post Graduate Diploma Examination" means an examination leading to Post Graduate Diploma of the University.
		d)	"Post Graduate Degree Examination" means an examination leading to Post Graduate Degree of the University.
		e)	"Super Specialty Examination" means an examination leading to the Super Specialty Degree of the University after the Post Graduation.
		f)	"Ph.D. Examination" means an examination leading to Ph.D. Examination of the University.
	iii)	"Candidate" means and includes a person who is enrolled by the University/ Affiliated College / Recognised Institution, for receiving instructions, qualifying for any degree, diploma or certificate awarded by the University.	
	iv)	"Collegiate Candidate" means an applicant who has applied for an admission to University Examination through an affiliated College/ Department/Recognised Institution, in which he/she is prosecuting a regular course of studies.	
	v)	"Applicant" means a person who has submitted an application to the University in the prescribed form for admission to an examination.	
	vi)	"Admission to an Examination" means the issuance of admission card to a candidate in token of having completed all the conditions laid down in the relevant Ordinance(s), by a Competent Authority of the University. Provided that, a candidate who does not fulfil all such conditions may, at the discretion of the Competent Authority of the University, be admitted provisionally,	

		however, in case all conditions are not fulfilled by candidate subsequently, his/ her admission shall be cancelled.
	vii)	"Examinee" means a person who actually presents himself/herself for an examination or a part thereof to which he/she has been admitted.
	viii)	"Repeater Student" means a candidate, who is once admitted to an examination of the University, is again required to take the same examination by reason of his failure or absence thereat and shall include a candidate who may have joined a College / Department / Recognized Institution again in the same class.
	ix)	"Examination fee" means the fee inclusive of the fee payable for the statements of marks as may be prescribed by the Competent Authority from time-to-time.
	x)	"Attempt" means either partial or complete appearance by a candidate at an examination. Mere remittance of examination fees shall not amount to an attempt at an examination. Based on the above definitions, clarification is elucidated as under :-

Sr.No.	Situations	Repeater Status	Attempt Status
1.	Candidate inspite of being eligible does not fill examination form.	Yes	Attempt not counted.
2.	After filling examination form and acceptance by University student does not appear in the related examination.	Yes	Attempt not counted.
3.	Candidate partially appeared for examination i.e. in one or more subjects.	Yes	Attempt counted.
4.	Candidate fills examination form, but his form is rejected due to non-grant of eligibility by the College/University.	Such a candidate's case is to be termed as non-eligibility case and cannot be termed as a repeater or attempt case.	
5.	Drop on medical ground from the entire examination.	Yes	Attempt not counted.

	xi)	**Internal and External Examiners:** An "Internal Examiner" means a person who is a teacher in the same College / Department / Recognized Institute of Health Sciences affiliated to this University or is a teacher in College / Department / Recognized Institute of health sciences situated within the geographical jurisdiction of concerned non-agriculture University zone as included in the Schedule appended to the Act. "The External Examiner" means examiner who is not covered under the definition of internal examiner. Deemed University Examiners from the State of Maharashtra shall be treated as external examiner.
	xii)	**Moderation of Question Papers:** Moderation of Question Papers is a process where a Moderator moderates the Question papers previously set by the Paper Setters.
	xiii)	i) Evaluation means the assessment of the answer-book(s) done by the Ist Examiner. ii) Re-Evaluation means the assessment of the answer-book(s) done by the IInd

		Examiner.
	xiv)	"Unfair Means Committee" means the committee to investigate into the cases of unfair means, which shall be constituted under Section 31 (6) (a) of MUHS Act, 1998.
	xv)	"Verification" means re-counting and re-totalling of marks of all answer(s) evaluated earlier, including assessment and allotment of marks to any un-assessed answer(s) in the concerned answer book.
3	Save as otherwise specifically provided, the conditions prescribed for admission to examinations under this Ordinance shall apply to all persons who seek to take the examinations of the University.	
4	The Management Council shall notify the academic terms, vacations and holidays for the Academic year on or before the commencement of the said academic year.	
5	The Management Council shall notify the University Holidays and the discretionary/special holidays in a particular Academic Year.	
6	All arrangements for the conduct of the Examinations shall be made by the Board of Examinations.	
7	The University shall prepare and publish a Schedule of Examinations for each and every course conducted by itself at least three months before the examinations. **Explanation:** "Schedule of Examination" means a table giving details about the time, day and date of commencement of each paper. The practical examination schedule shall be declared separately.	
8	The Syllabi and the Scheme for the University Examinations shall be such as may be prescribed from time to time by the Academic Council.	
9	The Syllabus and the Text-books, if any, to be prescribed or recommended in connection with any subject in which the University conducts examination shall be determined from time to time by the Academic Council on the recommendation of Faculties and Boards of Studies. Any changes in the Scheme of examinations shall be notified for general information atleast preferably prior to six months of commencement of the examination. **Note:** Any change in assessment/ evaluation pattern of answer book shall come under the "Scheme of Examinations"	
10	The Controller of Examinations shall maintain updated list of teachers in the University alongwith their academic qualifications, teaching experience in examination in which they have acted as examiner, moderator, paper-setter in the past and such other information as may be relevant. It is responsibility of the affiliated College to submit updated teacher list to the University as well as to update teacher details in University Teachers Database from time-to-time. Any subsequent changes in the teacher list, due to transfer/ superannuation/ resignation shall also be updated by the concerned College. In case if any college fails to submit updated teacher list to the University, examination of such college shall not be conducted by the University and the entire responsibility of this lapse shall rest with the concerned college.	
11	Each Board of Studies shall submit to the Committee, constituted under Section 31(5)(a) of MUHS Act, 1998, a panel of not less than six names alongwith their Colleges, suitable for appointment as Paper Setters/Examiners in each paper of each subject/ Practical assigned to that Board of Studies.	
12	Examiners shall be appointed by the Board of Examinations in accordance with the provisions of Section 31(5) (a) of the Maharashtra University of Health Sciences Act, 1998. In case of refusal/ non-acceptance from any examiner so appointed, substitute examiner shall be appointed by the University from the panel approved by the 31.5(a) Committee or List approved by the Board of Studies or the Dean of Faculty or as the case may be.	

13	Each paper setter shall set required number of copies of question papers & submit it to the Controller of Examinations in a sealed cover within prescribed period. He/ She shall also furnish a certificate to the effect that he / she has destroyed all the notes and manuscripts in connection with the question paper(s) that has been set. Copyright of any question paper set by an examiner shall rest with the University.
14	Paper-setters, who do not set and submit their question papers to the Controller of Examinations within the prescribed time limit, shall ipso facto, cease to be examiners. Refusal without substantive reasons shall attract to fine as prescribed by the University.
15	No question shall be put at any University Examinations calling-for or necessitating a declaration of religious faith and / or belief on the part of the examinee.
16	A confidential record of mistakes committed by examiners shall be maintained by the Controller of Examinations for future guidance / necessary action.
17	The question papers, unless otherwise specified, shall be set in English.
18	The Paper Setters/Examiners/Moderators shall follow all the Ordinances given by the University from time to time in respect of pattern of question papers, setting of question papers scheme of marking etc.
19	Intimation of appointment to the examiners shall be accompanied with a copy of instructions / guidelines relating to the examination for which they are appointed, if they act as an examiner.
20	Examiners shall be appointed for examinations to be held in that academic year; however they shall be eligible for re-appointment. The examiners shall be required to maintain confidentiality about their appointment at examination and marks awarded by them to examinees. It is mandatory on the part of each teacher to be available for University examination. Their absence at parent college due to examiner-ship shall be treated as 'Duty leave'.
21	No person can claim appointment as Paper setter /Examiner/Moderator or any other examination work as a matter of right. Appointments of persons as Paper Setters/Examiners/Moderators shall be ordinarily made at the time of annual examination.
22	The Paper Setters/Examiners/Moderators / Centre Incharge / Centre Observer/ IVS 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 shall be presumed that the assignment is not accepted by the Paper Setter / Examiner / Moderator/ Centre Incharge/ Centre Observer / IVS. Refusal without substantive reason shall be dealt with by the University with prescribed penalty.
23	All examinations except viva-voce shall be conducted by means of printed or Photostat or cyclostyled question papers including such other modality as may be prescribed by the University from time to time. They shall be set to the examinees on the same day and at the same time and hour at all examination centres.
24	The Controller of Examinations shall be responsible for the proper arrangements connected with the conduct of all examinations of the University.
25	For conduct of University Examination, the College / Examination Centre must have

	following infrastructure: a) **Strong Room:** Every College must have Strong Room as mentioned as under : 1) It must have Single Door Entry / Exit (with Safety Door / Grill for windows) 2) Minimum Area shall be 20 X 20 sq.ft. 3) Adequate Steel Almirah with proper locking system for storage of Question Papers. 4) Adequate Steel Almirah / Cupboard for storage of Answer book. 5) C.C.T.V. Camera with recording facility that covers entire area. 6) Latest version Computer and Printer with Inverter facility. 7) 24 X 07 High Speed Internet facility (with back up facility). 8) 01 Photocopier Machine (Min. 35 ppm). 9) Fax Machine 10) 24 X 07 College Security Person shall be detained on receiving of Confidential material from the University. b) **Examination Hall :** It is mandatory for every College to maintain minimum 07 (Seven) Examination halls. Each hall must have minimum big size 30 benches (on twin-sharing basis). CCTV camera with recording facility shall be installed in each examination hall. c) **Examination Centre :** For Question Paper transmission, every College must have Telephone lines, Fax machines, Internet facility (24X07), Latest Version of Computers with Printers, Photocopier Machines (Min. 35 ppm), Scanner, Adequate 24 X 07 Generator facility for Electricity back up. It is mandatory for the Colleges to comply-with above infrastructure or as prescribed by the University from time to time, failing which affiliation of such colleges shall be with-held till such time they comply-with prescribed infrastructure.
26	The Controller of Examinations shall ordinarily appoint the Dean/ Principal of College or the Head of the Institution, who shall act as the Centre In-charge of the Examination Centre for the University Examinations at that Centre. However in exceptional cases, the Controller of Examinations may appoint a person as the Centre-In-charge for the University Examinations at the Examination Centre even though he/she may not be a teacher in that college /institution.
27	The Centre-In-charge shall be responsible for the smooth conduct of the examinations at that centre. All expenses incurred in connection with the conduct of the examinations at a centre shall be borne by the University as determined/ prescribed by the Management Council from time to time. The Centre-in-Charge may draw such advances from the University as deemed necessary. The Centre In-charge shall submit a detailed audited account of the expenses incurred by him/her as soon as the examinations are over at that centre and in no case beyond one month of the date of the last paper at that centre. The accounts shall be submitted in the prescribed forms supplied by the University along with the cheque/RTGS transfer for settlement of the advance/additional advance. The copies of the rules and payable rates of remuneration for the conduct of examinations shall be provided by the University. If the audited accounts of expenditure against the advance / additional advance have not been submitted to the University within a stipulated time and due to which the final settlement of advance remains pending with the examination centre, the hall tickets of the

	students of such examination centre shall be withheld by the University. It shall also be treated as deficiency for grant of continuation / extension of affiliation, which shall be communicated to the Academic Department of the University for necessary action.
28	There shall be two senior supervisors at each examination centre, one internal and one external, having minimum of five years of experience of teaching/ working in Health Sciences Institute/ College. External supervisor shall be designated as the Centre Observer & internal supervisor shall be designated as the Centre In-charge. Both appointments shall be done by the University.
29	The Dean/Principal of the concerned college shall himself / herself be the Chief Conductor of the Examination Centre. The Dean / Principal may suggest name of any other suitable Senior person from the college for appointment of the Centre In-charge to carry out the duties with prior permission of the University. Internal Vigilance Squad (IVS) shall be nominated by the College. Apart from this, all examination related staff shall be appointed by the Dean/ Principal as prescribed by the University. However, the Dean/Principal shall alone be responsible for any lapse/(s) occurring during the conduct of examinations.
30	The University shall supply sufficient number of copies of question and answer papers required at each examination centre to the Centre In-charge in reasonable time. He shall be custodian of all examination material.
31	The Centre Observer appointed by the University shall report to the Dean/Principal & the Centre In-charge of the Examination centre, one day prior to the examination & shall ensure the arrangements for the smooth of conduct of examinations. He shall ensure that stationary/ confidential material required for the conduct of examinations is adequate; question papers are sealed & intact, etc. at the examination centre. He shall conduct a meeting with all examination staff at that centre. Accordingly, First day meeting report with observations shall be sent to the University. He is not permitted to leave the Examination Centre during the examination period as prescribed by the University.
32	The Centre Observer shall also ensure on day-to-day basis that the packets of question papers are intact and duly sealed and are opened in his/ her presence 20 minutes before the start of the examinations.
33	The Centre In-charge shall send the sealed question paper-sets & answer-books to respective halls through authorised staff as may be directed by the University.
34	The Centre In-charge and the Centre Observer shall also ensure that the students are not resorting to unfair means practices. In case any undesirable incidents occur, it shall be immediately reported to the Controller of Examinations alongwith detailed and prescribed report under Unfair Means cases.
35	The Centre In-charge shall ensure that the answer books are distributed to the students 10 minutes before the start of the examination. No person other than the examinees, invigilators and such other persons as may be permitted by the Centre In-charge/ the Centre Observer of that centre, shall be allowed to enter the premises of the Examination Centre. The Centre In-charge/ Centre Observer shall take necessary measures to ensure this.
36	**VIGILANCE SQUADS**
i)	The Vigilance Squad/s shall be appointed by the Controller of Examinations to visit the Centers of University Examination to :
	a) Ensure that the University Examinations are conducted as per laid down norms.

	b)	Observe whether the Senior Supervisors and Block-Supervisors are following prescribed instructions scrupulously for conduct of the University examinations.
	c)	Check the students who try to resort to malpractices at the time of University Examinations and report such cases to the University.
ii)	The Vigilance Squad is authorised to visit any Examination Centre without prior intimation and enter office of the Incharge of 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 identity card, hall tickets 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.	
iii)	**The Controller of Examinations shall appoint Vigilance Squad which may include -** Teachers of affiliated College/Recognized Institution/University Teachers and desirably one lady teacher or University Officer or any other person as the Controller of Examinations considers appropriate. It is responsibility of the Dean/Principal to relieve appointed chairperson/member of Vigilance Squad for University confidential duties. It shall not be binding on the University to take prior consent of the College for appointing Vigilance Squad / Centre Observer for any University Examinations.	
iv)	The Chairman of Vigilance Squad/s shall submit the report on surprise visit directly to the Controller of Examinations. The Vigilance Squad/s may make suggestions in the matter of proper conduct of examinations, if necessary.	
v)	The Dean/Principal of the College where the centre of examination is located shall be responsible for the smooth conduct of examination. He shall ensure strict vigilance against the use of Unfair means by the students and shall be responsible for reporting such cases to the University as well as to the law enforcing authority.	
37	Examinees at all examinations shall strictly abide by the instructions that may be issued to them by the Competent Authority from time to time.	
38	**GRANT OF ACADEMIC TERM**	
	i)	The candidate admitted in any course at affiliated colleges on or before 31st October of every year, whose First year course duration is One year, shall be considered eligible to appear for University Summer Examinations of the ensuing year; provided the candidate fulfils attendance & other eligibility criteria prescribed by the University. Any candidate admitted after 31st October shall be considered eligible to appear for University Winter Examinations of the ensuing year; provided the candidate fulfils attendance & other criteria prescribed by the University from time-to-time. It is the responsibility of the concerned College to verify fulfilment of eligibility criteria of the candidate appearing for University Examinations. Examination form of the candidate, who does not fulfil attendance or other eligibility criteria as prescribed by the University, shall not be sent to the University. The Dean/Principal shall strictly observe prescribed guidelines while forwarding examinations forms of the students admitted in their colleges.
	ii)	Any candidate who is provisionally allowed to appear in the University Examinations on directives by the Hon'ble Court or by any Competent Authority, result of such candidate shall be with-held for want of eligibility to be granted by the University. Thereafter on grant of eligibility or any further directives/ orders given by the Hon'ble Court, result of the candidate shall be declared by the University. In such cases, academic term of such candidate shall start with effect

		from declaration of his result and not from regular result declared by the University of that batch. No candidate shall claim equity or request to seek relief to consider his/ her academic term with regular batch.
	iii)	The University shall not permit any candidate to appear for University Examinations towards unauthorised admission granted by the College at their level. If any such case is reported to the University, strict action shall be initiated by the University against such Colleges. It is duty of the College to ensure/ verify eligibility of the candidate and thereafter grant admission in next higher classes/ permit to undergo Internship Training Programme.
39	Notwithstanding anything contrary to this Ordinance, no person shall be admitted to an University Examination if he / she has already passed the same examination or corresponding examination of any other University, which has been recognised as equivalent to that examination.	
40	A collegiate candidate, desirous of taking the University examinations, unless otherwise provided in any Ordinance, shall prosecute a regular course of study in affiliated Colleges / Departments / Recognised Institutions of the University for the course leading to the examination for which he/she applies for not less than the period prescribed in the concerned syllabus/ course. ***Explanation:*** *'Prosecution of a regular course of study', means attendance not less than 75% of the lectures delivered in each subject of the course of instruction and 80% in practical work for the examination during the total academic period. Attendance in both cases shall be calculated till such date before the commencement of the written examination or upto the end of the academic term, whichever is later.*	
41	Notwithstanding anything contents in any other Examination Ordinance, the following provisions shall apply in regard to the deficiency in attendance at lectures and practical's for the course of study in the various faculties.	
	i)	A deficiency of attendance at lectures or practicals maximum to the extent of 10% may be condoned by the Dean / Principal on being satisfied that the same deficiency in attendance was due to circumstances beyond the control of the student. The Dean / Principal shall submit to the Controller of Examinations, two weeks before the commencement of the examination, a list of such students whose deficiency is condoned stating the reasons thereof.
	ii)	In no case the deficiency above 10% shall be condoned.
42	Candidates who have migrated from other Universities or Boards shall produce a Migration Certificate from the concerned University or Board along with two copies of their attested photo copies with the application for admission to an examination in the University.	
43	The examination forms of the eligible students shall be accepted by the Dean/Principal as prescribed by the University from time to time. The forms accepted shall be submitted to the University alongwith fees as per the procedure prescribed by the University. After the prescribed date, the forms shall be accepted with late fee / additional late fee and / or any other fee prescribed by the University from time to time. After cut-off date, examination form shall be rejected by the University.	
44	If any discrepancy in the examination form of an examinee for admission to an examination is not removed by him/her within one month of the declaration of the result	

	of that examination, his/her admission to that examination shall be cancelled.		
45	**REFUND OF EXAMINATION FEES**		
	i)	A candidate who is unable to present himself for an examination or a part thereof shall not be entitled to any refund of his/her fees in any circumstances.	
	ii)	If any College/ candidate suppresses some vital information or gives false information to appear at an examination for which he/she is not eligible or entitled, the total amount of fee paid by him/her shall be forfeited. He/ She may be debarred for one term from appearing in further examination and / or a fine of Rs.5000/- will be imposed. However, in case of subsequent indulgence of similar nature, the period of debarment may be extended upto three terms.	
46	**PROVISION OF WRITER FOR THEORY & PRACTICAL EXAMINATIONS**		
	Writer for University (Theory/ Practical) examinations shall be permitted to candidate who is physically incapacitated or met with an accident; provided it is duly recommended by the Medical Board, constituted by the University for this purpose. The Writer shall be provided as per University rules. No translator will be provided to any student for any examinations of the University.		
47	**CONDUCT OF INTERNAL ASSESSMENT EXAMINATIONS :**		
	i)	The number and marking pattern (Theory and practical marks distribution) of the periodicals/ terminal & preliminary examination shall be as prescribed by the Board of Studies/ the Faculty/ the Academic Council from time-to-time.	
	ii)	The result of each examination shall be put up on the Notice Board of the respective department of the College for a period of one week. Theory answer papers shall be distributed to the students after declaration of the result of each examination for perusal of students and thereafter it shall be re-collected.	
	iii)	After every Internal Assessment examination, the record of answer-books and results shall be maintained at college-level.	
		a)	Result sheet shall bear the signature of the students in front of their names and marks awarded.
		b)	The result sheet shall be duly signed by the examining teacher/s and the Head of the Department and countersigned by the Dean/Principal of the college.
		c)	The result sheet should have college seal & date mentioned on it.
		d)	The result sheet should be sealed properly.
	iv)	Final result of the internal assessment examinations shall be submitted to the University in the prescribed format (Hard copy duly signed and C.D. as per software) within the specified period before the start of University examinations. However, if any variation is observed in marks submitted in hard copy and CD/ soft copy by the College, the marks reflected on hard copy shall be considered final by the University..	
	v)	The college who fails to submit Internal Assessment marks within stipulated time shall be imposed with penalty prescribed by the University.	
	vi)	All the answer books, question papers and related documents shall be retained with the college for one year after the declaration of the University examination result.	
	vii)	A Committee shall be formed at the college level to deal with the problems related to the internal assessment examinations. This committee should comprise of at least three Professors and shall be constituted by the Dean/Principal of the college.	
		a)	In case of absence of student/s for any of the internal assessment

			examinations, the committee shall decide genuineness of the reason for absence of the student/s for the examination like sickness certificates or some other equally important reason submitted by the student. After verifying the genuineness of the reason for the absence, the committee may allow the candidate to appear for the additional examination. This facility shall be available to genuine absent cases only and no betterment examination shall be conducted for any failure student.
		b)	In case of any complaint from the candidate regarding the Internal Assessment examination, a written complaint shall be lodged with the H.O.D./Dean. Such complaints shall be discussed in the committee meeting. The decision of the committee shall be communicated to the concerned student.
		c)	A candidate who is not satisfied with the decision of the committee at college level can appeal to the University for redressal of his grievances.
	viii)	**ELIGIBILITY CRITERIA FOR INTERNAL ASSESSMENT:**	
		a)	**FOR M.B.B.S. COURSE ONLY:** Student must secure at least 35% marks of total marks fixed for Internal Assessment in a particular subject in order to be eligible to appear in University Examination of that subject.
		b)	**FOR NURSING COURSE ONLY:** **Ist Basic B.Sc. Nursing:** In order to be eligible to appear in University Examinations, Student must secure minimum marks in Internal Assessment as prescribed under: **a) Introduction to Computer:** Student must secure minimum 50% aggregate marks (Theory and Practical examinations combined together) i.e. 50 marks out of 100 marks. It is also mandatory for the student to appear in both Theory & Practical components. **b) English:** Student must secure minimum 40% marks in English subject. **IVth Basic B.Sc. Nursing:** **Nursing Research and Statistics:** Student must secure minimum 50% aggregate marks (Theory and Practical examinations combined together) i.e. 50 marks out of 100 marks. It is also mandatory for the student to appear in both Theory & Practical components. **Ist Post-Basic B.Sc. Nursing:** **English:** Student must secure minimum 33% marks in English subject. **IInd Post-Basic B.Sc. Nursing:** **Introduction to Nursing Research and Statistics:** Student must secure minimum 50% marks separately in Theory and Practical of Internal Assessment.
48	Name list, Seat summary and Hall tickets of the students shall be made available to the concerned Examination Centres / College by the University preferably 15 days prior to commencement of the University Examinations.		
49	**DISTRIBUTION OF HALL-TICKETS BY THE DEAN/ PRINCIPAL OF THE COLLEGE:**		
i)	The College is required to re-confirm the fulfilment of attendance & Internal Assessment criteria before issuing hall tickets to the concerned student.		
ii)	If any student is found not eligible for any particular subject, it is necessary to make entry on hall-ticket by marking "NE" (NOT ELIGIBLE) against the particular subject/(s) with **RED INK PEN**. It is responsibility of the College to send list of not eligible students to the respective Centre In-charge & the Centre Observer with a copy marked to the University		

	for information.
iii)	If any student is found not eligible in all subjects, then hall-tickets of such student/(s) shall returned to the University with reasoning.
iv)	It is the entire responsibility of the College to restrict "Not Eligible" candidate/s to appear in Practical & Theory Examination of the concerned subject/s.
v)	In case, hall-ticket is issued to not eligible candidate without appropriate remarks and such candidate appears in examination, serious cognizance will be taken by the University. Suitable action, as decided by the University Authorities, will be initiated against the concerned.
vi)	Hall-Tickets of the student, whose Internal assessment marks are submitted without signature, shall be withheld by the University and any loss to the student shall rest with the concerned college/ student.
vii)	**NAME CORRECTION:** On receipt of hall ticket, respective candidate shall verify name reflected on the hall ticket in comparison with **Higher Secondary Passing certificate** issued by the HSC Board. If any name correction is required, the concerned candidate shall report to the University through College within 15 days on receipt of hall ticket. Name Correction of **all candidates** shall be **strictly restricted** to the name mentioned in the eligibility letter issued by the University. Name correction request received by the University after stipulated time-period shall attract requisite fees as prescribed.
50	**CONDUCT OF PRACTICAL EXAMINATIONS**
i)	The Dean / Principal of the Health Sciences College / Recognized Institution, where the practical examination is to be held, shall make all arrangements for the conduct of the practical examination at that centre.
ii)	Each and every practical / oral mark-sheet shall be prepared in duplicate (i.e. Original and Carbon copy of Original) by the concerned examiners. It should be complete in all respects including signatures of all the examiners on the mark-sheet as well as on the envelope.
iii)	The respective Practical Examiners are required to evaluate Long Cases & Short Cases and marks awarded by the examiners must be written on their respective answer-books. Thereafter these marks need to be carried on the prescribed Practical Examination Mark-lists prescribed by the University. Verification cases of Practical Examination are dealt-with by the University on the basis of marks assigned on the answer-books. In case, if it is reported at a later stage that marks are not reflected on the answer-books, such cases shall be treated as " Unfair means" and shall be reported to the "Unfair Means Committee" for necessary action.
iv)	Both sealed envelopes should be submitted to the Dean/Principal of the College.
v)	The Dean/Principal shall immediately make necessary arrangement to submit original mark-sheet sealed envelopes through a special messenger of the College to the University.
vi)	The Dean/Principal shall retain carbon copy mark-sheet (in duplicate) sealed envelope of the each subject in his safe custody till declaration of University results. After declaration of University results, the Dean/Principal shall submit sealed envelopes through a special messenger of the College to the University.
vii)	If any discrepancy is observed in the Original Mark-sheet, the University shall call-for the duplicate mark-sheet from the Dean/Principal. Only Hon'ble Vice-Chancellor or the Controller of Examinations shall be authorised to open the duplicate sealed envelope.
viii)	If it is observed that the duplicate sealed envelope or mark-sheet are tampered at any point, then the concerned person will be liable for disciplinary action.
51	**CENTRAL ASSESSMENT PROGRAMME (CAP)**
i)	The venue of the CAP Centre shall be decided by the University. It shall be on the University campus / in affiliated College / Recognised Institute / any other place.

ii)	The Dean/ Principal may nominate amongst the Senior teacher of their College for appointment of CAP Custodian. The University shall issue appointment to the concerned teacher with instructions. The CAP Custodian shall communicate his acceptance in the prescribed format. However, in exceptional cases, the University may appoint CAP Custodian from different College or any other person as deemed fit.
iii)	The CAP Custodians shall receive the bundles of answer books sent by the University and keep in safe custody / strong room.
iv)	The CAP Custodian is authorised to issue appointment letter to the Examiners as per the panel of examiner list provided by the University. The Dean/ Principal shall ensure that teaching staff is made available for assessment and CAP is completed at their college within stipulated time-period. In case of any difficulty, the CAP Custodian shall consult the Controller of Examinations for appropriate action. In case of shortage of examiners, the CAP Custodian can make the substitute appointments of examiners for assessment in consultation with the University.
52	**PROCEDURE OF ASSESSMENT OF THEORY ANSWER BOOK AT CAP CENTRE.**
	(i) All answer book(s) shall be evaluated by the First Examiner at the CAP (i.e. Central Assessment Programme) as directed by the University. **(ii)** The CAP Custodian shall tear off mark slip of answer book assessed by the First Examiner and keep all of them in appropriate order. **(iii)** The CAP Custodian shall arrange for Re-Evaluation of all the answer book(s) by the Second Examiner as directed by the University. **(iv)** The CAP Custodian shall keep all Mark Slips of Answer book(s) on which First Examiner have allotted the marks and Mark List in one envelope marked as "Packet-A". **(v)** The CAP Custodian shall keep all Mark Slips of Answer books on which Second Examiner have allotted the marks and Mark List in one envelope marked as "Packet-B". **(vi)** It shall be the responsibility of the CAP Custodian to ensure that all attempted answers are assessed by both of the Examiners. **(vii)** The Scrutinizer shall work under CAP Custodian & shall do totalling of marks. If he finds any error/mistake in totalling of the marks, he shall immediately bring to the notice of the CAP Custodian. It is also the duty of the Scrutinizer to see that every answer book is assessed by the First and the Second examiner. **(viii)** It shall be the CAP Custodian's responsibility to get rectified such totalling mistake(s) (if any) from the concerned examiners and also to get assessed any unassessed answer(s) (if any) by both the examiners. **(ix)** The CAP custodian shall submit such sealed envelopes of Mark Slips & Mark List (Packet A & B) to the Examination department of the University as directed by the University. **(x)** The Result Section of Examination department of the University shall take higher of the total marks given by either of the two examiners i.e. best of two for final computation of the result. Such higher marks shall be considered as marks obtained by the concerned examinee for the particular Paper/subject as applicable. For e.g. If the total marks given by the First examiner in evaluation of Answer-book is 40 and the total marks given by the Second examiner in re-evaluation of Answer-book is 42, then the University shall award 42 marks to the concerned student in the particular paper/subject.
53	After completion of CAP, it is the responsibility of the Dean/Principal/ CAP Custodian of the College to ensure that the answer books are sent promptly to University as per

	instructions given by the University.		
54	The Vice-Chancellor may decide spot-evaluation of answer books of each examination in such faculties at one or more centres.		
55	**RESULT PROCESSING AT UNIVERSITY LEVEL**		
i)	On receipt of Mark-slips/ Mark lists in the University, the Examination section shall start processing immediately. The results of the examinees shall be tabulated in a prescribed form.		
ii)	Tabulator/Computer Programmer shall be appointed by the Vice-Chancellor. Tabulator/Computer Programmer shall be either any teacher/(s) of affiliated to the University or staff members of the University or both or an agency nominated by the Vice-Chancellor.		
iii)	The results of each examination shall be prepared by a person, hereinafter referred to as Tabulator/Computer Programmer.		
iv)	Marks awarded under Result Moderation shall be separately reflected in the tabulation register/ledger.		
v)	The results tabulated by the Tabulators/Computer Programmer shall be scrutinized by a person hereinafter called the "Scrutineer".		
56	**TERMS OF TABULATORS AND SCRUTINEERS:-**		
	i)	The rates of remuneration payable to the Tabulators or Scrutineers shall be fixed by Management Council from time to time.	
	ii)	**The Tabulator / Computer Programmer shall perform the following duties :**	
		a)	Posting of marks obtained by an examinee in the tabulation Register.
		b)	Totalling of posted marks.
		c)	Indicating failures in accordance with the provisions of the Ordinance.
		d)	Stating the result at the specified place. **(Explanation:** The result for purposes of this Ordinance includes Pass, Fail, Distinction, Exemption and such other terms as may be prescribed by the Ordinance).
		e)	Preparation of list of examinees entitled for any awards or prizes;
		f)	Preparation of the result-sheet in the proforma prescribed for its publication.
	iii)	**"Scrutineer" means a person who actually does the work of scrutiny of the results. "Scrutiny" means and includes :-**	
		a)	checking of posting made by the tabulators from the original statement submitted by the examiner;
		b)	checking of totals/aggregates posted by tabulator/Computer Programmer;
		c)	checking of appropriate marking indicating failures;
		d)	checking of result prepared by the Tabulator (both in the Tabulation Register and the Result Sheet) including Distinction, Pass, Fail, Exemption etc. and
		e)	checking of the list of Awards prepared by the Tabulators.
57	The results of the concerned examinations shall ordinarily be declared within the specified period as prescribed in MUHS Act, 1998 and the University shall dispatch the result along with the statement of marks and passing certificates (wherever necessary) to the colleges for distributing the same to the concerned students.		

58	The Evaluation and Re-Evaluation of answer-books i.e. Double Evaluation shall be carried out simultaneously at the respective CAP Centre of each answer-book; except otherwise prescribed by the University. Separate Re-valuation facility shall not be available to the candidates as Double evaluation (i.e. Evaluation and Re-evaluation) of each answer book is carried out by the University prior to declaration of the result. There shall be no re-valuation facility after declaration of results.		
59	**STANDARD OF PASSING**		
	UNDERGRADUATE COURSES		
	A candidate to be eligible to pass the examination must have obtained not less than 50% of marks in each of the passing heads of the respective subject, except as specifically prescribed by the University.		
	POSTGRADUATE COURSES		
	Postgraduate candidate to be declared Passed in University Examination must secure minimum following prescribed marks as under :		
	i)	M.D. / M.S. & Diploma course under Faculty of Medicine	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	ii)	M.D.S. & Diploma course	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	iii)	Pre-M.D./M.S. Course under Faculty of Ayurved & Unani	a) 50% of Total Marks in Theory b) 50% of Total Marks in Practical
	iv)	Final M.D./M.S. & Diploma Course under Faculty of Ayurved & Unani	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	v)	External M.D./M.S. Course under Faculty of Homoeopathy	a) Each Theory paper not less than 40% of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical.
	vi)	M.D./M.S. Old Course under Faculty of Homoeopathy	a) Each Theory paper not less than 40% of Total Marks in Theory. b) 40% of Total Marks in Clinical / Oral / Practical. c) Aggregate 50% of Total Marks in Theory and Practical.
	vii)	M.D./M.S. Course under Faculty of Homoeopathy	a) For Research Methodology, Biostat & History of Medicine Paper, 50% of Total Marks in Theory. b) For other Theory papers not less than 40% of Total Marks in Theory. c) 40% of Total Marks in Clinical / Oral / Practical. d) Aggregate 50% of Total Marks in Theory and Practical.
	viii)	MPTh., MOTh. And MPO Courses	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	ix)	M.Sc. Nursing Course	a) Each Theory paper including Internal Assessment not less than 50% of Total Marks. b) Each Practical / Clinical / Oral including Internal Assessment not less than 50% of Total Marks.
	x)	MASLP Course	a) Each Theory paper not less than 50% of Total Marks in Theory. b) Each Internal Assessment in Theory not less than 50% of Total Marks. c) Each Practical / Clinical / Oral not less than 50% of Total

			Marks.
	xi)	M.Sc. Pharmaceutical, Para-Medical and DMLT Courses	a) Each Theory paper not less than 50% of Total Marks. b) Each Practical not less than 50% of Total Marks.
	xii)	MBA & MPH	Each Theory paper and Internal Assessment not less than 50% of Marks separately, however, 50% aggregate in each subject.
	xiii)	Diploma in Optometry and Ophthalmic Science	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	xiv)	Super Speciality Courses	a) Each Theory paper not less than 40% and aggregate 50% Marks of Total Marks in Theory. b) 50% of Total Marks in Clinical / Oral / Practical
	xv)	Ph.D. Courses	As prescribed by the University from time to time.
60	**APPLICABILITY OF GRACE MARKS :**		
	60.1	Grace Marks for one or multiple heads of passing for Ayurved, Unani, Homoeopathy, DMLT, BPMT, Optometry, Ophthalmic Assistant and Allied Health Sciences Faculties only (except Nursing course.) The examinee shall be given the benefit of grace marks only for passing in each head of passing as under: Head of Passing Marks — Grace Marks upto 01 to 50 — 2 051 to 100 — 3 101 to 150 — 4 151 to 200 — 5 201 to 250 — 6 251 to 300 — 7 301 to 350 — 8 351 to 400 — 9 and 401 and above — 10 Provided that the benefit of such grace marks in different heads of passing shall not exceed 1% of the aggregate marks in that examination. Provided further that the benefit of grace marks under this Ordinance shall be applicable only, if the candidate passes the entire examination.	
	60.2	**Grace Marks for Condonation for Ayurved, Unani, Homoeopathy, DMLT, BPMT, Optometry, Ophthalmic Assistant and Allied Health Sciences (AHS) courses (except Nursing courses) only.** Where an examinee is failing in only one head of passing, having passed in all other heads of passing without taking any benefit of grace marks under section 60.1 of this ordinance, his/her deficiency of marks in such head of passing may be condoned by awarding 5 grace marks or upto 5 % of the maximum marks of that head of passing, subject to the following conditions: a) For AHS courses (except Nursing courses), grace marks shall not exceed 5. b) For Ayurved, Unani & Homoeopathy courses, grace marks shall not exceed 10. Provided further that the benefit of grace marks under this Ordinance shall be applicable only, if the candidate passes the entire examination.	
	60.3	**FOR M.B.B.S. COURSE:** The grace marks upto a maximum of five may be awarded to a student who has failed only in one subject but has passed in all other subjects. These five marks shall be distributed in different heads of passing of that subject.	
	60.4	**FOR B.D.S. COURSE:** The grace marks upto a maximum five marks may be	

		awarded to a student who has failed only in one subject but passed in all other subjects. These five marks shall be distributed in different heads of passing of that subject.	
	60.5	**FOR NURSING COURSES:** The grace marks upto a maximum five marks may be awarded to a student by splitting in various subjects / heads in which the candidate has failed, however, it shall be awarded only if the candidate passes entire examinations.	
	60.6	There shall be no grace marks for any Post-graduate courses; except otherwise prescribed by the Central Council and thereafter adopted by the University.	
61	A candidate shall be eligible for the award of distinction only if he/she has obtained 75% or more marks in an examination attempted as a whole.		
62	**HEADS OF PASSING**		
i)	**HEADS OF PASSING FOR UG DEGREE COURSES**		
a)	M.B.B.S. course	Theory + Oral	
		Practical / Clinical	
		Internal Assessment (Theory + Practical)	
b)	B.D.S. course:	Theory + Oral	
		Theory + Oral + Internal Assessment (Theory)	
		Practical + Clinical	
		Practical / Clinical + Internal Assessment (Practical)	
c)	B.A.M.S. & B.U.M.S.	Theory	
		Practical/ Oral	
		Internal Assessment (Theory + Practical)	
d)	B.H.M.S.	**For Old Courses**	
		Theory	
		Practical	
		Oral	
		For New Courses	
		Theory	
		Practical + Oral	
e)	Allied Health Sciences (All courses except Nursing courses)	Theory	
		Practical	
		Internal Assessment (Theory + Practical)	
f)	For Nursing courses (Basic B.Sc. & PB BSc Nursing)	Theory + Internal Assessment (Theory)	
		Practical + Internal Assessment (Practical)	
g)	BPMT course	Theory	
		Practical	
		Internal Assessment (Theory + Practical)	
h)	Diploma in Optometry and Ophthalmic Science	Theory	
		Practical	
ii)	**HEADS OF PASSING FOR PG DEGREE COURSES**		
a)	M.D. / M.S. & Diploma course under Faculty of Medicine	Theory	
		Practical / Clinical	
b)	M.D.S. & Diploma course	Theory	
		Practical + Viva	
c)	M.D./M.S. & Diploma under Faculty of Ayurved & Unani	Theory	
		Practical / Oral	
d)	M.D./M.S. under Faculty of Homoeopathy	Old / New / External Course	
		Theory	

		Practical
e)	M.Sc. Pharmaceutical, Para-Medical Courses, DMLT, Allied Health Sciences (All courses except Nursing & MASLP courses),	Theory
		Practical
f)	M.Sc. Nursing Course	Theory + Internal Assessment (Theory)
		Practical + Internal Assessment (Practical)
g)	MASLP Course	Theory + Internal Assessment (Theory)
		Practical
h)	MBA & MPH	Theory
		Internal Assessment (Theory)
i)	Super Speciality Courses	Theory
		Practical
63	**ATKT FACILITY**	
	ATKT and Carry on facilities shall be applicable as per the respective Central Council and adopted by University from time to time.	
64	**MODERATION OF RESULTS**	
i)	The *Vice-Chancellor* shall, for the examinations of every year, appoint a Committee for moderation of results, if required, which shall consist of –	
	a) The Vice-Chancellor / Pro-VC if any (Chairman)	
	b) One member nominated by the Vice-Chancellor/Pro-VC	
	c) The Dean of the Faculty concerned.	
ii)	The Vice-Chancellor / Pro-VC, if any, shall have the power to convene a meeting of the Committee whenever he/she deems it necessary or by circulation or by video conferencing or telephonically.	
iii)	The Moderation Committee may suggest set of norms for moderation of results, which shall be placed before the Board of Examination for consideration, if required.	
65	**SPECIAL EXAMINATION COMMITTEE**	
	A Special Examination Committee comprising of three teachers from local affiliated colleges preferably from different courses shall be appointed by Hon'ble Vice Chancellor each year to approve the results of examinations. The Chairman of the committee shall be from amongst its members. No result shall be declared unless it is approved by the Special Examination Committee. All results, thereafter, shall be placed before the Board of Examination for its perusal.	
66	**Functions of Special Examination Committee :**	
	i)	The Special Examination Committee may interpret the provisions of any Ordinance, Rules and Regulations in so far as it is necessary for declaration of results, but it shall not make any alterations or changes in the Ordinance, Rules or Regulations. The interpretation of the Committee shall be placed before the Vice-Chancellor, whose decision thereon shall be final.
	ii)	The Committee shall, after considering the discrepancies pointed out by the Tabulators/Computer Programmer and Scrutineers, make its recommendations to the Moderation Committee constituted by the Vice-Chancellor from year to year, for moderation of the results, if required.
	iii)	In exceptional cases, the Special Examination Committee may suggest any amendment or modification of any examination Ordinance, which in its opinion is necessary. Such suggestions shall be placed before the Board of Examination for consideration, if required.

67	AMENDMENT IN RESULTS	
	i)	**DUE TO ERRORS:** In any case where it is found that the result of an examination has been affected by errors, the Controller of Examinations shall have power to amend such a result in such a 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 Examinations.
	ii)	**ERROR MEANS:** a) error in computer/data entry, printing or programming and the like. b) clerical error, manual or machine, in totalling or entering of marks on ledger/ register. c) error due to negligence or oversight of examiner or any other person connected with evaluation, moderation and result preparation.
	iii)	**DUE TO FRAUD, MALPRACTICES, etc.:** In any case where the result of an examination has been ascertained and published and it is found later that such result has been affected by any malpractices, fraud or any other improper conduct whereby an examinee is benefited and that such examinee, has in the opinion of the Board of Examinations been party or privy to or connived at such malpractice, fraud or improper conduct, the Board of examinations 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 Examination considers necessary in that behalf.
68	VERIFICATION OF ANSWER-BOOKS	
i)	Application for verification of marks for Theory and Practical Answer sheets/mark-lists from an examinee shall be submitted to the Controller of Examinations through the concerned College within 10 days from the date of declaration of the result concerned in the prescribed format. Verification fees (Non-refundable) for Re-totalling of marks of Theory & Practical shall be charged separately by the University.	
ii)	Answer-books of examinee may be scrutinised for verification of the correctness of the total of marks recorded and whether all answers have been assessed. However, on verification, if any answer(s) is/are found unassessed, the Controller of Examinations shall cause such answers to be checked and the marks allotted for such answers shall be awarded towards total marks obtained by the examinee.	
iii)	If, as a result of such verification, it is found that the result of the examinee needs to be changed at the examination, the Controller of Examinations shall publish a supplementary list embodying the results of such verification. The fee paid by the examinee in such cases shall be refunded.	
iv)	Before a reply is sent to the applicant, the report of the verification of the answer-books by the scrutineers shall be counter-checked and signed by a Special Examination Committee.	

v)	This facility shall not be available for those students whose results are declared at belated stage for any reason/ on any grounds. Such applications shall be rejected by the University.
69	**SUPPLY OF PHOTOCOPY OF THEORY ANSWER-BOOKS / MARK-SLIPS**
i)	Any candidate desirous to obtain photocopy(s) of Theory or Mark-slips shall apply in the prescribed format through the College to the University within 10 days from the date of declaration of the results. Fees for Photocopy of Theory / Mark-slips shall be as prescribed by the University from time to time & is non-refundable.
ii)	The photocopy of theory answer book(s) / mark-slips shall be provided to the concerned candidates on their demand meant for their own reference /information & records only.
iii)	The candidate has no right to claim more marks based on self-assessment or comparison with other examinee's marks or get it assessed by other teacher(s).
iv)	In case any part of the answer is found un-assessed, the candidate student shall report in writing to the University for consideration.
v)	No application/ request for photocopies of answer books/ mark-slips shall be entertained by the University after stipulated cut-off date including application received under Right to Information Act, 2005.
vi)	This facility shall not be available for those students whose results are declared at belated stage for any reason/ on any grounds. Such applications shall be rejected by the University.
70	**PRESERVATION OF EXAMINATION RELATED DOCUMENTS/ RECORDS**

The University related examinations documents shall be preserved for the duration as mentioned under:

a)	College-wise results ledger	-	shall be preserved permanently.
b)	Theory Examinations answer books	-	Six months from the date of declaration of results.
c)	Practical Examinations Mark-lists and answer-books	-	Six months from the date of declaration of results.
d)	Internal Assessment records	-	Six months from the date of declaration of results.
e)	Time Table, Programme of Examinations, Theory Centre List CPL, Statistical Information, Packet List, Panel of Examiners recommended by 31(5)(a) Committee	-	Six months from the date of declaration of results of that examination.
f)	Financial records (examination fee)	-	Next Three years from the conduct of respective examination.
g)	Other Fee records such as Transcript/Attestation/ Document Verification/ Verification etc.	-	Next Three Financial years.

	h)	Convocation-wise ledger	-	shall be preserved for 30 years.
	i)	Centre Observer/Centre Incharge Report, Flying Squad Report and any other report related to examination.	-	Six months from the date of declaration of results.

71	**Unfair Means resorted to by the Candidate:-**		
	71.1	**General**	
		71.1.1	On receipt of a report regarding use of unfair means by any candidate 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 Examinations 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.
		71.1.2	Where the examinations of the University courses are conducted by the constituent Colleges/Recognised Institutions on behalf of the University, the Dean/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 cancellation of the result of the student in the College/ Institution examination for which he/she appeared or by deprivation of any College/Institution Scholarship or by cancellation of the award of any College/Institution prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways.
		71.1.3	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 Examinations, 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 papersetter, examiner, moderator, referee, teacher or any other person connected with the conduct of 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 of the aforesaid ways.	
	71.2	**Competent Authority**		
		71.2.1	The Board of Examinations of the University constituted under the provision of Section 30 (3) of Maharashtra University of Health Sciences Act,1998 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.	
		71.2.2	The Dean/Principal of the constituent College or 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.	
	71.3	**Definition –Unless the context otherwise requires :**		
		71.3.1	"Unfair means" include one or more of the following acts of commission or omissions on the part of student/s during the examination period.	
			71.3.1.1	Possessing unfair means material and or copying there from.
			71.3.1.2	Transcribing any unauthorized material or any other use thereof
			71.3.1.3	Intimidating or using obscene language or threatening or use of violence against invigilator or person on duty for the conduct of examination or man-handling him/her or leaving the examination hall without permission of the supervisor or causing disturbances in any manner in the **conduct of examinations.**
			71.3.1.4	Unauthorizedly communicating in any form with other examinees or anyone else inside or outside the examination hall.
			71.3.1.5	Mutual / Mass copying.
			71.3.1.6	Smuggling-out, or smuggling-in of either blank or written answer books for the purpose of committing any form of malpractice
			71.3.1.7	Smuggling-in blank or written answer book and forging signature of the Supervisor thereon
			71.3.1.8	Interfering with or counterfeiting of University/College/ Institution seal, or answer books or office stationery used in the examinations.
			71.3.1.9	Insertion of currency notes in the answer books or attempting to bribe any of the person connected with conduct of examinations
			71.3.1.10	Impersonation at the University/College/Institution examination
			71.3.1.11	Revealing identity in any form in the answer written or in any other part of the answer book by the examinee at the University or College or Institution examination
			71.3.1.12	Or any other similar act/s of commission and/or omission/s which may be considered as Unfair Means by the competent authority

		71.3.2	"Unfair Means relating to examination" means and includes directly or indirectly committing or attempting to commit or threatening to commit any act of coercion, undue influence or fraud or malpractice with a view to obtaining wrongful gain for oneself or to any other person(s) or causing wrongful loss to other person(s).
		71.3.3	"Unfair Means material" means and includes any material whatsoever, related to the subject of the examination, printed, typed, handwritten or otherwise found on the person or on clothes, or body of the examinee or on wood or other material, in any manner or in the form of chart, diagram, map or drawing or use of any form of electronic and digital aid (such as cell phone, e-watch, e-pen etc.) which is not allowed in the examination hall.
		71.3.4	'Possession of Unfair Means material by an examinee' means having any unauthorized 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.
		71.3.5	"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 for this purpose, in this behalf, even if the Unfair Means material is not produced as evidence because of it being reported as swallowed or destroyed or snatched away or otherwise taken away or spoiled by the examinee 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 authorized person to the Controller of Examinations or Dean/Principal or Head of the Institution concerned or any officer authorized in this behalf.
		71.3.6	"Material related to the subject of examination" means and includes, if the material is produced as evidence, any material certified as related to the subject of the examination by a competent person and if the material is not produced as evidence or has become illegible for any of the reasons referred to in clause **(71.3.5)** above, the presumption shall be that the material did relate to the subject of the examination
		71.3.7	"Centre Incharge" means Dean/Principal of the College concerned or Head of the University Department or Recognised Institution concerned, where concerned examination is being conducted, and any other person duly authorized by him or person appointed as in-charge of examination, with prior approval of the University.
	71.4	During examination, examinees and other students or person present in the premises of examination centre shall be under disciplinary control of the Centre Incharge and University.	
	71.5	In cases of Unfair Means, the following procedure shall be followed by the Chief Conductor;	
		71.5.1	The examinee shall be called upon to surrender to the Centre Incharge / Centre Observer, the Unfair Means material found in his or her possession, if any, and his/her answer book.
		71.5.2	Signature of the concerned student shall be obtained on the relevant materials and list thereon. Concerned Sr. Supervisor and the Centre Incharge / Center Observer shall also sign on all the relevant materials and documents. However if the student refuses to sign the relevant material, the same shall be

				recorded by the Jr./Sr. Supervisor/ Centre Incharge / Center Observer, as the case may be.
		71.5.3		Statement of the student and his/her undertaking in the prescribed format (Appendix- I & II) and statement of the concerned Jr. Supervisor or Sr. Supervisor (Appendix - III) shall be recorded in writing by the Chief Conductor. If the student refuses to make statement or to give an undertaking, the Sr. Supervisor and Chief Conductor / Center In charge concerned shall record accordingly under their signatures.
		71.5.4		Centre Incharge / Center Observer shall take one or more of the following decisions depending upon seriousness/gravity of the case :
			71.5.4.1	In the case of impersonation or any kind of violence, concerned supervisor shall expel the concerned person / examinee from the examination and not allow him/her to appear for the remaining examination.
			71.5.4.2	Obtain undertaking from the examinee to the effect that the 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.
			71.5.4.3	May report the case to the concerned Police Station (Appendix - IV) as per provisions of Maharashtra Act. No. XXXI 1982 - An Act to provide for preventing mal-practices at University; Board and other specified examinations. Before initiating such kind of action, the Centre Incharge shall inform the matter to Controller of Examinations.
			71.5.4.4	Confiscate **copying material** and mark on answer book, "suspected Unfair Means case" and return him / her answer book duly marked.
			71.5.4.5	All the materials and list of material mentioned in sub-clause (71.5.1) and the undertaking with the statement of the **examinee** and that of the Supervisor as mentioned in clause No. (71.5.2) and (71.5.3) and the answer book(s) shall be forwarded by the Centre Incharge, along with his/her report, to the concerned Controller of Examinations / Dean / Principal / Head of the Institution, as the case may be, in a separate and confidential sealed envelope marked " suspected Unfair Means case".
			71.5.4.6	In case of Unfair Means of any other type i.e. verbal or nonverbal (e.g. gestures), the Supervisor or concerned authorized person shall record the facts in writing and shall report the same to the concerned Controller of Examinations /Dean/Principal/ Head of the Institution, as the case may be.
	71.6	**Procedure to be followed by Examiner during Assessment** If the examiner at the time of assessment of answer book (s) suspects that there is a *prime facie* evidence that the examinee(s) whose answer book(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 CAP Director along with the evidence, to the Controller of Examinations/Dean/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".		
	71.7	A *prime facie* case of Unfair Means reported to the University/College by the Vigilance Squad / Centre Observer / Centre In-charge/Jr. / Sr. Supervisor and / or examiners shall be inquired into by the Committee appointed by the Board of Examinations / Dean /		

		Principal / Head of the Institution, as the case may be. In the event of cases of Unfair Means are reported through any other sources, the concerned Officer/In-charge of the sub-section/Unit to which the case primarily pertained, at the Examination Section of the University/College/Institution shall scrutinize the case, collect preliminary information to find out whether there is a *prime 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 prime 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 is **scrutinized** or to whom 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.	
	71.8	Examination Result/s of the concerned **examinee(s)** involved in such cases shall be withheld till the Competent Authority arrives at a final decision in the matter and the concerned examinee(s) and the College / Institution to which he/she belongs to, shall be informed accordingly.	
	71.9	**Appointment of Unfair Means Inquiry Committee**	
		71.9.1	For the purpose of investigating Unfair Means resorted to by examinees at the University examination, the Board of Examinations shall appoint a Committee in terms of the provisions made under Section 31(6)(a) of the Maharashtra University of Health Sciences Act, 1998. The term of **the Unfair Means** Committee shall be not more than five years **from the date of its appointment and shall be** subject to provisions of Section 39 & 40 of the said Act.
		71.9.2	For the purpose of investigating Unfair Means resorted to by examinees at the examination held by the College/Institution, the Unfair Means Inquiry Committee appointed by the College/Institution shall consist of **not more than** five teachers (other than the Dean/Principal/Head) to be nominated by the Dean/Principal/Head of the Institution, one of whom shall be designated as Chairperson. The members of the College/Institution Examination Committee shall not be appointed as members on the Unfair Means Inquiry Committee.
		71.9.3	The Unfair Means Inquiry Committee will function as a recommendatory body and submit its recommendations in the form of a report to concerned competent authority, which will issue final orders with regard to the penal action to be taken against the examinee(s) after taking into account the reported facts and findings of the case by the Committee and after ensuring that reasonable opportunity has been given to the concerned implicated examinee in his/her defense, that the principles of natural justice **have** been followed and that the recommended quantum of punishment is in accordance with the guidelines laid down in this behalf.
	71.10	**Procedure of the Unfair Means Inquiry Committee shall be as under:**	
		71.10.1	The Controller of Examinations of the University/Dean/Principal of the College or Head of the Recognised Institution, or the Officer authorized by them, as the case may be, shall inform **the delinquent** examinee concerned in writing of the act of Unfair Means alleged to have been committed by him/her, and shall ask him/her to show cause as to why the charge/s leveled against him/her should not be held as proved and why the **stipulated** punishment should not be imposed.
		71.10.2	The **delinquent** examinee 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 examinee himself/herself only shall present his/her case before the Committee.

		71.10.3	The documents that are being taken into consideration or are to be relied upon for the purpose of proving charge/s against the **delinquent** examinee should be shown to him/her by the Inquiry Committee, if the **delinquent** examinee presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of the delinquent examinee.
		71.10.4	Reasonable opportunity, including oral hearing, shall be given to the **delinquent** examinee in his/her defense before the Committee. The reply/explanation given by the **delinquent** examinee to the show cause notice shall be considered by the Committee before making final recommendation in the case.
		71.10.5	The Committee should follow the above procedure in the spirit of the principles of natural justice.
		71.10.6	After serving a show cause notice, if the implicated **delinquent** examinee fails to appear before the Inquiry Committee on the day, time and place fixed for the meeting, the **delinquent** examinee may be given one more opportunity to appear before the Committee in his/her defense. If even after offering two chances, the concerned **delinquent** examinee fails to appear before the Committee, the Committee shall take decision in his/her case in his / her absentia, on the basis of the available evidence/documents, which shall be binding on the **delinquent** examinee concerned.
		71.10.7	The Committee shall submit its report to the concerned competent authority / Board of Examinations along with its recommendations regarding punishment to be inflicted **upon delinquent examinee** or otherwise.
	71.11	**Punishment**	
		The Competent Authority concerned i.e. the Board of Examinations in case of University examination, the concerned Dean/Principal in case of College examination, and the Head in the cases of examination held by the Recognised Institution, after taking into consideration the report of the Committee shall pass such orders as it deems fit, **issuing** warning or exonerating him/her from the charges and shall impose any one or more of the following punishments on the **examinee** found guilty using Unfair Means:	
		71.11.1	Annulment of performance of the **delinquent examinee** in full or in part in the examination **in which** he/she has appeared for.
		71.11.2	Debarring / **disqualifying** examinee from appearing for any examination of the University or College or Institution for a stipulated period not exceeding five years.
		71.11.3	Debarring / **disqualifying** examinee from taking admission for any course in the University or College or Institution for a stipulated period not exceeding five years.
		71.11.4	Cancellation of the University or College or Institution Scholarship/s or award/s or prize or medal etc. awarded to him/her in any examination.

		71.11.5	In addition to the above mentioned punishment, the competent authority may impose a fine on the examinee declared guilty. If the examinee concerned fails to pay the fine within a stipulated period, the competent authority may impose on such a examinee additional punishment **in lieu of fine** as it may deem fit.
		71.11.6 & 71.11.7	**The examinee concerned shall be informed of the punishment finally imposed on him/her in writing by the Controller of Examinations or by the Officer authorised by him / her in this behalf, under intimation to the College/Institution, he/she belongs to.**
	71.12	The Broad Categories of Unfair MeansResorted to by examinee (**at Pre Examination, Examination and Post Examination Phase**) at the University / College / Institution Examinations and the Quantum of Punishment for each category thereof **shall be as under :**	

Sr. No	Nature of Malpractice	Quantum of Punishment
71.12.1	Possession of copying material.	Annulment of the performance of the examinee at the University or College or Institution examination in that particular subject.
71.12.2	Actual copying from the copying material.	Annulment of the performance of the examinee at the University or College or Institution examination for current full examination (all subjects excluding previously passed if any).
71.12.3	Possession of another **examinee's** answer book	If consensual – Annulment of performance of both examinees at the University or college or institution examination, for current examination in full (all subjects excluding previously passed if any). However, if non-consensual, the student whose answer book is taken away by force and / or without his / her consent, reports immediately to the Supervisor then annulment of performance only of defaulter examinee from University or College or Institution for current exam in full, who caught with answer book.

		71.12.4	Possession of another examinee's answer-book + actual evidence of copying there from.	If consensual – annulment of performance of University or college or institution examination of examinees for current examination in full and debarring / disqualifying from appearing in one additional examination. The student whose answer book is taken away by other student does not report to the Supervisor immediately then the act shall be deemed to be consensual and both the students shall be punished. However, in non-consensual cases, only the defaulter student, who has taken the answer book, shall be punished.
		71.12.5	Mutual/Mass copying	a) Participation in mass- copying: - debar and disqualify the examinees from University or College or Institution examination for the current examination in full and also four additional examinations. b) Student / examinee abetting mass copying: - debarring and disqualifying the examinee from University or College or Institution examination for the current examination in full and also three additional examinations. c) Supporting or failure to prevent or inform to the Center In- Charge / Invigilator regarding mass copying – he / she shall be liable for disciplinary action by the Competent Authority of University / College/ Institute.
		71.12.6 (a)	Smuggling-out or smuggling in of blank / written answer book (s) from the examination hall / centre	Annulment of performance of the examinee at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee for four additional examinations.
		(b)	Smuggling-out or smuggling in of written answer book from the custody of College / Institute/ University/ CAP (Central Assessment Program) or during the transit from	Annulment of performance of the examinee at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the student for next six additional examinations.

		University to College/ Institute or from College / Institute to the University.	
	(c)	Smuggling-in of written answer- book and forging signature of the Supervisor thereon.	Annulment of performance of the examinee at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee for next six additional examinations.
	71.12.7	Illegal possession, misuse or counterfeiting of University /College/Institution seal, or answer book(s) or office stationery used in the examinations.	Debar / disqualify the examinee(s) at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee(s) for four additional examinations.
	71.12.8	Answer book, main or supplement, written outside the examination hall or any other insertion of material as a part of answer book.	Annulment of performance of the examinee(s) at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee(s) for five additional examinations.
	71.12.9 (a)	Offering bribe to any person(s) connected with the conduct of examinations.	Annulment of performance of the examinee(s) at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee(s) for two additional examinations.
	(b)	Attempting to offer bribe to any person(s) connected with the conduct of examinations.	Annulment of performance of the examinee(s) at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee(s) for four additional examinations.
	71.12.10	Using obscene language/violence/ threat to Jr./Sr. Supervisor(s)/Centre Incharge, Examiners or	Annulment of performance of the examinee(s) at the University or College or Institution examination for the current examination in full (all subjects excluding previously passed if any) and debarring /

			any person(s) related with the examination work at the examination centre by a student at the University/College/ Institution examination.	disqualifying the examinee(s) for next five additional examinations.
		71.12.11	Impersonation at the University/ College/Institution examination.	Annulment of performance of the examinee at the University or College or Institution examinations for the current examination in full (all subjects excluding previously passed if any) and debarring / disqualifying the examinee(s) for next five additional examinations (Both the students / examinee shall be liable for punishment).
		71.12.12 (a)	Revealing of identity of trivial nature i.e. religious invocations, star marking etc.	Fine or warning or both depending upon the gravity of the case.
		71.12.12 (b)	Revealing identity in any form in the answer-book by the student / examinee at the University or College or Institution examination i.e. writing his/her name or request/appeal for pass/help or writing mobile no. etc.	Annulment of the performance of the examinee at the University or College or Institution examination in that particular subject.
		71.12.13	PG thesis / dissertation/ project work if plagiarized	Annulment of the performance of the examinee for the current examination in full and debarring / disqualifying the examinee(s) for one additional examination and re-submission of thesis / dissertation / project work.
		71.12.14	Found having written contents on palms or on the body, or on the clothes in the examination.	Annulment of the performance of the examinee at the University or College or Institution examination in that particular subject.
		71.12.15	All other malpractices not covered under the aforesaid categories.	Annulment of the performance of the examinee at the University or College or Institution Examination in full (all subjects excluding previously passed if any) or severe/mild (fine & warning) punishment depending upon the gravity/nature of the offence.
		71.12.16	If on any previous occasion a disciplinary action was taken against a student / examinee for malpractice used at examination and he/she is	

			caught again for any malpractice/s used at the examination, in this event, he/she shall be liable for severe *and* / or enhanced punishment. This enhanced punishment *shall be* extending to double the punishment as prescribed in earlier provisions 71.12.1 to 71.12.15.
		71.12.17	Practical/Dissertation/Project Report Examination:- Student involved in malpractices at Practical/ Dissertation/Project Report examinations shall be liable for punishment as provided in above mentioned provisions 71.12.1 to 71.12.15 for the theory examination.
		71.12.18	The Competent authority, in addition to the above mentioned punishments, may impose a fine on the examinee declared / held guilty, which may extend to rupees 1000/- (One Thousand)
		71.12.19	The Vice-Chancellor shall have right to enhance the quantum of punishment considering the gravity of malpractice. * (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 at term work, project work with its term work, internal oral or practical & dissertation examinations unless malpractice is used thereat.)
	71.13	**Malpractices used or Lapses Committed by any Paper- Setters, Examiners, Moderators, Referees, Centre Incharge, Centre Observer Teachers or any other persons connected with the Conduct of Examination**	
		71.13.1	**Competent Authority:**
		71.13.1.1	The Board of Examinations shall be the competent authority to take appropriate disciplinary action against the paper-setters, examiners, moderators, referees, Centre Incharge, Centre Observer teachers or employees of the University or affiliated college / recognized institute, or any other persons connected with the conduct of examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing malpractice/s at the examinations conducted by the University.

		71.13.1.2	**Local Managing Committee:** Local Managing Committee includes the Trustees, Managing Body or Governing Body of the constituent / affiliated / conducted college or Recognised Institution constituted as per Section 67 of Maharashtra University of Health Sciences Act, 1998 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 internal examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing to use malpractice/s at the internal examination conducted by the constituent / affiliated / conducted colleges' or Recognised Institution on behalf of the University. The action taken should be reported to the University within two weeks.
		71.13.2	**Definition: Unless the context otherwise requires;**
		71.13.2.1	Paper-setter, examiner, moderator, referee Centre Incharge, Centre Observer and teacher" means and includes person/s duly appointed as such for the examination by the **University** and the term "any other person connected with the conduct of examination" means and includes person/s appointed on examination duty by the **University**.
		71.13.2.2	Malpractice/lapses includes one or more of the following acts of commission or omissions on the part of the person/s included in **(71.13.2.1)** relating to the examination:
			a. Leakage of question/s or question paper set at the University / College / Institution examination before the time of examination. b. Examiner / Moderator intentionally awarding marks to student in assessment of answerbooks, dissertation or project work to which the student is not entitled (over assessment)/(under assessment) or not assigning marks to the student to which the student is entitled. c. Paper-setter omitting a question, Sr.No. of question, repeating question or setting question outside the scope of syllabus. d. Moderator fails to detect mistakes / errors committed by the Paper-setter in the question paper setting. e. Examiner / Referee showing negligence in detecting malpractice used by student/s. f. Jr. Supervisor, Sr. Supervisor, Chief Conductor/ Centre Incharge showing negligence / apathy in carrying out duties or aiding / abetting /allowing / instigating students to use malpractice/s. g. Or any other similar act/s of commission and or omission/s which may be considered as malpractices or lapses by the competent authority.

		71.12.2.3	"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 for himself/herself and / or for any other person and causing wrongful loss to other person/s omitting to do what he/she is bound to do as duties.
		71.12.2.4	'College' means, constituent or affiliated college or recognized institution of a University.
		71.13.3	**Lapses / Malpractices** Investigating Committee
		71.13.3.1	For the purpose investigating the cases of malpractices used and/or lapses committed by the paper-setters, examiners, moderators, referees, Center Incharge, Centre Observer, teachers or any other person(s) connected with the conduct of examinations at the University examinations, the Board of Examination shall appoint a separate Committee under the provisions of 31 (6) (a) of the Maharashtra University of Health Sciences Act, 1998. The term of the Lapses / Malpractices Investigation Committee shall be not more than five years from the date of its appointment and shall be subject to provisions of Section 39 & 40 of the said Act.
		71.13.3.2	**College level Committee:** - A Committee appointed by the College or Institution to investigate Unfair Means resorted to by student at the examinations concerned shall also investigate malpractices/lapses on the part of paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of **internal** examinations conducted by the affiliated / conducted College or institution on behalf of the University.
		71.13.4	Procedure for Investigation of malpractices / lapses committed by the paper-setters, examiners, moderators, referees, Centre Incharge, Centre Observer, teachers or any other person(s) connected with the conduct of examinations at the University examinations:
		71.13.4.1	The cases of alleged use of Unfair Means or lapses committed by the paper-setters, examiners, moderators, referees, Centre Incharge, Centre Observer, teachers or any other persons connected with the conduct of examinations, reported to the University/College / Institution shall be scrutinized by the concerned Officer / or Officer appointed by the University who will collect preliminary information to find out whether there is a prima-facie case so as to fix up primary responsibility for framing a charge-sheet and then shall submit the said case 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 by whom the case is primarily scrutinized shall be the Presenting Officer of the case before the Unfair Means Committee, shall deal with the case till it is finally disposed of.
		71.13.4.2	The Competent Authority or the Officer appointed / authorized by the

			University in this behalf, shall inform the implicated person (paper-setter, examiner, moderator, referee, Centre Incharge, Centre Observer, teacher or any other person connected with the conduct of examination) in writing about the act of malpractices used and alleged or lapses committed by him / her at the examination and shall ask him/her to show cause as to why the charge/s leveled against him/her should not be held as proved and why the punishment stipulated in the Show Cause Notice should not be inflicted on him/her.
		71.13.4.3	The concerned person / **delinquent** be asked to appear before the Unfair Means Committee on a day, time and place fixed for meeting, with written reply/explanation to the show cause notice served on him/her and charge is leveled against him/her therein. The concerned person/himself/herself only shall present his/her case before the committee. **Legal practitioner / representative(s) shall not be entitled to appear on behalf of the concerned person / delinquent before the Committee.**
		71.13.4.4	The documents that are being taken into consideration or to be relied upon for the purpose of proving charge/s against the concerned person / **delinquent** shall be shown to him/her by the Unfair Means Committee if he/she presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of the concerned **person** / delinquent.
		71.13.4.5	Reasonable opportunity, including oral hearing, shall be given to the concerned person / **delinquent** in his/her defense before the Committee. The reply/explanation given to the show cause notice shall also be considered by the Committee before making final report/recommendation.
		71.13.4.6	The Committee should follow the above procedure in the spirit of principles of natural justice.
		71.13.4.7	If the concerned person / **delinquent** fails to appear before the Committee on the day, time and place fixed for the meeting, he/she is given one more opportunity to appear before the committee in his/her defense. If, even after offering two chances, the concerned person fails to appear before the Committee, the Committee shall take decision in his/her case in his/her absence on the basis of whatever evidences/documents which are available before it and the same shall be binding on the concerned **person / delinquent.**
		71.13.4.8	The Committee shall submit its report to the concerned competent authority along with its recommendations regarding punishment to be inflicted on the concerned person / **delinquent** or otherwise.
		71.13.4.9	The Controller of Examination, in grave cases of Malpractices, shall take appropriate steps regarding filing of complaint with the police authorities, in consultation with Vice-Chancellor of the University.

		71.13.5	**Punishment:** The competent authority, after taking into consideration the report of the Committee, shall pass such orders as it deems fit, including granting the **delinquent benefit** of doubt, issuing warning or exonerating him/her from the charge/s and shall inflict any one or more of the following punishments on the **delinquent** person found guilty of using malpractice/s or committing lapses at the examination:-
		71.13.5.1	Declaring disqualified, the concerned paper-setter, examiner, moderator, referee, Centre Incharge, Centre Observer, teacher or any other person connected with the conduct of examination, from any examination work either permanently or for a specific period.
		71.13.5.2	Imposing fine **as decided by the competent authority**, if the concerned person fails to pay the fine within a stipulated period, the Competent Authority may impose on such a person additional punishment as it may deem fit.
		71.13.5.3	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.
		71.13.5.4	The Controller of Examinations 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.
		71.13.5.5	An appeal made within 30 days of imposition of the punishment, other than the punishment referred to in clause No.**(71.13.5.3)** above, shall lie with the Board of Examinations if the case is pertaining to the University examination or with the Management of the College or Institution, if the case is pertaining to the college/institutions **internal** examination and its decision in the appeal shall be final and binding.
		71.13.5.6	The Controller of Examinations shall supply a copy of the relevant extract of the fact-finding report of the **Unfair Means** 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.
		71.13.5.7	The court matters in respective cases of malpractices/ lapses should be dealt with by the respective **relevant** authority.
	71.14 (A)	Pre Examination Phase:-The broad categories of Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Teacher and Employee of the	

University or affiliated College or Recognized Institute or any other person connected with the Conduct of University / College / institution Examinations and the quantum of punishment for each category thereof shall be as under:

Sr. No.	Nature of Malpractices / Lapses	Punishment
71.14.A.1	Paper-setter found responsible for leakage of the question paper / set in the University / College/ Institution examination/s whether intentionally or due to the negligence before the time of examination.	Disqualification for the period which may extend to five years from any examination Work + disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Pre exam)
71.14.A.2	Leakage of 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) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Pre exam)
71.14.A.3	Paper-setter omitting question at the time of finalization of question paper set at examination or repeating Sr. No. of question while writing.	Disqualification for the period which may extend to one year from any examination Work (Pre exam)
71.14.A.4	Paper-setter setting questions outside the scope of the syllabus.	Disqualification for a period which may extend upto two year from any examination Work (Pre exam)
71.14.A.5	Moderator fails to detect mistakes/errors committed by Paper-setter in the question paper setting	Disqualification for a period which may extend upto two year from any examination Work (Pre exam)
71.14.A.6	All other malpractices not covered in the aforesaid categories.	Severe Punishment as decided by the Competent Authority of the University / College / Institution depending upon the gravity of the offence.(Pre Exam, Exam and post Exam Phase)

		71.14.A.7	Leakage of any confidential information regarding conduct of examination by any person related with the examination work.	Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Pre exam, Exam and Post Exam Phase)

71.14 (B) Examination Phase:- The broad categories of Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Centre Incharge, Centre Observer Teacher and Employee of the University or affiliated College or Recognized Institute or any other person connected with the Conduct of University / College / institution Examinations and the quantum of punishment for each category thereof shall be as under:

S. No.	Nature of Malpractices / Lapses	Punishment
71.14.B. 1	Guide / Teacher showing negligence in supervision of dissertation / Project work(e.g. use of manipulated data by a student)	As decided by the Competent Authority of the University / College/ Institution.(Exam Phase)
71.14.B.2	Supervisor/Centre Incharge / Center Observer showing apathy in carrying out duties related to examinations.	As decided by the Competent Authority of the University / College/ Institution. (Exam Phase)
71.14.B.3	Supervisor/ Centre Incharge / Center Observer helping student in any Unfair Means while in the examination or showing negligence in reporting cases of any Unfair Means by students when on supervision duty.	Disqualification for the period which may extend to three years from any examination Work + Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Exam Phase)
71.14.B.4	Supervisor / Centre Incharge / Center Observer helping student (examinee) in mass-copying while on examination duty.	Permanent Disqualification from any examination Work+ Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Exam Phase)
71.14.B.5	All other malpractices not covered in the aforesaid categories.	Severe Punishment as decided by the Competent Authority of the University / College / Institution depending upon the gravity of the offence.(Pre Exam, Exam and post Exam Phase)
71.14.B.6	Leakage of any confidential	Disciplinary action against the guilty

			information regarding conduct of examination by any person related with the examination work.	/responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Pre exam, Exam and Post Exam Phase)	
	71.14 (C)	Post Examination Phase:- The broad categories of Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Centre Incharge / Center Observer, Teacher and Employee of the University or affiliated College or Recognized Institute or any other person connected with the Conduct of University / College / institution Examinations and the quantum of punishment for each category thereof shall be as under:			

S. No.	Nature of Malpractices/Lapses	Punishment
71.14.C.1	Favouring a student (Examinee) by examiner moderator, referee in assessment of answer books/dissertation/Project Report /Thesis by assigning the student marks to which the student is not entitled (over assessment), at the University / College/ Institution examination.	Disqualification for the period which may extend to one year from any examination Work + Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules.(Post Exam)
71.14.C.2	Examiner / Moderator / Referee intentionally not assigning the student in assessment of his/her answer-books / dissertation /Project work, the marks to which the student is entitled to (under assessment) at the University / College / Institution examinations.	Disqualification for the period which may extend to one year from any examination Work (Post exam)
71.14.C.3	While assessing answer book(s) examiner showing negligence in detecting malpractices used by the student/s.	As decided by the Competent Authority of the University / College/ Institution. (Post exam)
71.14.C.4	All other malpractices not covered in the aforesaid categories.	Severe Punishment as decided by the Competent Authority of the University / College / Institution depending upon the gravity of the offence.(Pre Exam, Exam and post Exam Phase.
71.14.C.5	Staff in the Examination Department and / or Computer Section	Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or

			tampering in the marks / mark list / data of marks to favour examinee(s)	College or Institution as per prevailing applicable rules. (Post Exam Phase)	
		71.14.C.6	Leakage of marks before declaration of results by any person related with the examination work.	Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Post Exam Phase)	
		71.14.C.7	Leakage of any confidential information regarding conduct of examination by any person related with the examination work.	Disciplinary action against the guilty /responsible person(s) by the concerned Competent Authority of University or College or Institution as per prevailing applicable rules. (Pre exam, Exam and Post Exam Phase)	
	71.14 (D)	The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person in grave cases of malpractices / lapses, if declared guilty.			
	71.14 (E)	The competent authority, may report the case of the concerned implicated person to the appropriate Police Authorities as per the provisions of Maharashtra Act No. XXXI of 1982.			

Earlier Ordinance No. 01/2002 (Amended) issued on subject matter stands repealed.

Registrar

APPENDIX - I APPENDIX - II APPENDIX - III APPENDIX - IV

CONFIDENTIAL

APPENDIX - I

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

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

Full Name (in Block Letters) : ..... Surname ..... First Name ..... Father's / Husband's Name

Address : .....

Examination : .....

Paper No. & Subject : .....

Seat No. : No. ..... In words : .....

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.

Sir,

I appeared at the above examination held on .... college (Centre) in the Morning / Evening session.

I give below my statement as follows:-

.....
.....
.....
.....
.....
.....
.....

Place : .....
Date : .....**Time** : ..... **Signature of the Candidate**

.....

CONFIDENTIAL

APPENDIX - II

FORM OF UNDERTAKING

Full Name of the Candidate : ....
(in Block Letters) Surname First Name Father's/Husband's Name

Permanent / Local Address : .....
.....
.....
.....

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.

Sir,

I, the undersigned student of ..... College / Institution appearing for ..... Examination at the .... College (Centre), do hereby state on solemn affirmation as under:-

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

That inspite 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
Date : .....

Before me
.....
Chief Conductor of the Centre
and Rubber Stamp of the College / Institution / University

Date : .....

.....

CONFIDENTIAL

APPENDIX - III

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

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

Block No. : .....

Examination : .....

Subject : .....

Date : .....

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.

Sir,

I, the undersigned Jr. Supervisor appointed on the abovementioned Block at the .... Examination held at ..... College (Centre), am hereby making report against Candidate No. ..... Shri. / Kum. .... at the examination, as follows:-

Yours faithfully,

(Signature Jr. Supervisor)

Date : .....

Time : .....

Name & Address of the Junior Supervisor

.....

.....

.....

On the basis of the report made by the Jr. Supervisor / Flying Squad, 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.

Forwarded to the Controller of Examinations, Maharashtra University of Health Sciences, Nashik for necessary action.

....

Seal of the College / Institute / University (Centre)

Signature of the Chief Conductor / Centre Incharge

Place : .....

Date : .....

Encl. : .....

.....

Signature of the Centre Observer

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

CONFIDENTIAL

APPENDIX - IV

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 Maharashtra University of Health Sciences, Nashik, the ..... examination held in the First Half / Second Half of 200... is conducated in the premises of the ..... College / Institute / University. I have been authorised by the University of ..... vide letter No. ..... dated ..... addressed to the Dean / 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 & 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 specififed 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,

Place : .....

Date : .....

.....

Chief Conductor / Centre Incharge

Name of the Centre : .....