

**Indira Gandhi Delhi Technical University for Women
Kashmere Gate, Delhi**

Regulations for Unfair Means

1. Short title and commencement-

- (a) This regulation may be called the Indira Gandhi Delhi Technical University Unfair Means Regulations, 2013.
- (b) They shall come into force with effect from the _____.

2. Definitions-

- (a) "Examination" means an examination conducted by the Indira Gandhi Delhi Technical University;
- (b) "The year" means the Academic Year;
- (c) Candidate means a student of Indira Gandhi Delhi Technical University for Women which includes an examinee taking any examination in a particular year and, wherever context so permits, every student on the rolls of the University.
- (d) "University" means Indira Gandhi Delhi Technical University for Women
- (e) "Supervisor" means invigilator in the examination Hall.
- (f) "Student" means a candidate registered for any UG/PG/Diploma, Full Time/ Weekend Program for the Indira Gandhi Delhi Technical University for Women
- (g) "Unfair means" means use of any dishonest means or indulgence in disorderly conduct in the examination. The use of dishonest or unfair means in the examination includes:
- (i) Assisting in any manner whatsoever any other candidate in answering the question paper during the course of the examination.
 - (ii) Taking assistance from any other candidate or any other person or from any back paper notes or other material in answering the question paper during the course of the examination.
 - (iii) Carrying any book, paper, notes, or other material whatsoever likely to be used directly or indirectly by the candidate in connection with the examination, in the examination centre.
 - (iv) Smuggling in an answer book or a continuation sheet.
 - (v) Taking out or arranging to send out an answer book or its any page or continuation sheet.
 - (vi) Replacing or getting replaced an answer book or its any page or continuation sheet during or after the examination.
 - (vii) Getting impersonated by any person in the examination.

- (viii) Deliberately disclosing one's identify or making any distinctive mark in the answer book for that purpose.
- (ix) Communicating with or talking to any other candidate or unauthorized person in or around the examination centre during the course of the examination.
- (x) Communicating or attempting to communicate directly or through a relative, guardian and friend with an examiner with the object of influencing him in the award of marks.
- (xi) Swallowing or destroying any note or paper found with her.
- (xii) Note written on any part of clothing, body, desk, table, or any instrument such as setsquare, Instrument box, calculator, loose paper, admit card, question paper, photocopies of printed / written matter and use of electronic gadget like mobile phones etc.
- (xiii) Consulting notes, books or any other outside person while going to toilet, etc. outside the Examination centre.

(h) Disorderly conduct in the examination includes:

- (i) Misbehaviour in connection with the examination, with the Superintendents, the Invigilator(s) on duty or the other staff working at the Examination Centre, or with any other candidate , in or around the examination centre, before, during or after the examination hour.
- (ii) Leaving the examination room before the expiry of half an hour or without handing over the answer book to the Invigilator in-charge or without signing the attendance sheet.
- (iii) Talking to another candidate or any other person inside or outside the Examination Hall during the examination, without the permission of supervisory staff.
- (iv) Intentionally tearing off the answer book or a part thereof or a continuation sheet.
- (v) Disturbing or disrupting the examination.
- (vi) Inciting other to leave the examination room or to disturb or disrupt the examination.
- (vii) Carrying into the examination centre any weapon or offence.
- (viii) Carrying into the examination hall any mobile phone.

3. a) Any student caught for use of any dishonest or unfair means or indulge in disorderly conduct in the examination shall have to give a statement to the Centre Superintendent in the presence of respective invigilator(s). In case, the student refuses to give a written statement, the fact of her refusal shall be recorded by the Centre Superintendent and witnesses by at least two members of the supervisory staff present at the time of interrogation of the candidate by the Centre Superintendent.

- b) Without prejudice to the provision contained in sub-clause (a) above, the Centre Superintendent or the examiner conducting practical or oral examination shall also have the power to expel a candidate, from the examination centre for the remaining duration of the paper, who, in his opinion, has used any dishonest or unfair means or indulged in disorderly conduct in the examination.
4. A candidate found to be or suspected to be guilty of using unfair means in the examination shall be permitted to answer the remaining part of her question paper but on a separate answer book and the answer book in which the unfair means is suspected to have been, shall be taken in possession by the superintendent of centre, who shall send both the answer books, marked I & II I the order in which these were used by the candidate to the Controller of Examinations with his detailed report and findings in a separate sealed cover. The candidate shall also be permitted to appear in the rest of the examination in subsequent papers.
5. (a) The Centre Superintendent or the Investigator or any Officer of the University, as the case may be, shall report in writing in the prescribed Performa to the Controller of Examinations the case of every student caught for using of any dishonest or unfair means or indulge in disorderly conduct in the examination.
(b) The reporting authority shall give full facts of the case in his report and forward with it the statements, if any, made on the occasion by the candidate and the Invigilator on duty and papers, books and other material recovered from the candidate, if any.
6. If a candidate fails to deliver her answer books to the Invigilator (s) / Supervisory staff before leaving the Examination Hall, a report shall be sent by the Centre Superintendent to the Controller of Examinations in a separate sealed cover immediately after the examination of the day.
7. A person appearing in place of an actual candidate to appear in an examination shall invite registration of criminal case under Indian Penal Code by the Centre Superintendent on behalf of the Controller of Examinations and a report shall be sent by the Centre Superintendent to the Controller of Examinations in a separate sealed cover immediately after the examination of the day. Such, Student shall be disqualified from passing the examination for which she was a candidate, and may, in addition, be debarred from appearing at any future examination of the University for a further period to be stated or be expelled from the University and declared not a fit and proper person to be admitted to any further examination of the University.
8. All the cases regarding use of unfair means practices in the examinations shall be reported and placed before the Committee i.e. '**Unfair Means Scrutiny Committee**'. Unfair Means Scrutiny Committee shall be constituted as under:

- (a) On the recommendation of the Controller of Examinations, at the beginning of each academic year, the Vice-Chancellor shall nominate a panel of teachers of the University to constitute the Unfair Means Scrutiny Committee.
 - (b) Unfair Means Scrutiny Committee shall comprise Dean (Student Welfare), Dean (Academic), Controller of Examinations and two teachers of the University to be nominated by the Vice – Chancellor.
 - (c) Assistant Registrar or any other designated officer by Controller of Examinations will function as Member Secretary of the Unfair Means Scrutiny Committee.
9. (a) The Controller of Examinations or any person authorized by him on his behalf shall communicate to the candidate, in respect of whom a report has been received pursuant to clause 2 (g) & 2(h), the precise nature of allegations against her and shall require her to furnish her written explanation within a stipulated period.
- (b) On receipt of explanation from the candidate or on the expiry of the period stipulating for submitting explanation, if no explanation is received from her, the Controller of Examination shall forward the case(s) to the Unfair Means Scrutiny Committee.
10. After considering all the material on record including the explanation, if any, submitted by the candidate, the Unfair Means Scrutiny Committee, if satisfied that the candidate is guilty of the use of dishonest or unfair means or disorderly conduct in the examination, shall recommend to the Vice-Chancellor the punishment that may be imposed on the candidate as detailed in clause 17, according to the nature of the offence.
11. The Vice-Chancellor may after considering the report of the Unfair Means Scrutiny Committee take such action against the candidate under Clause 17 as may be deemed fit.
12. A candidate on whom any punishment has been imposed under Clause 17 may, within 30 days from the date of the receipt of the communication in that behalf, make a representation to the Vice-Chancellor for review of her case and the decision of the Vice-Chancellor in this regard shall be final.
13. In any case of a candidate who has been debarred from appearing in any Examination of the University in terms of the provisions of Clause 17, the Vice-Chancellor may, on the recommendation of the Unfair Means Scrutiny Committee, on the **expiry of three years after** such expulsion including the examination in connection with which she was punished, exempt a candidate from further operation of the punishment awarded.
14. If within four months of the publication of the results, it is brought to the notice of the Controller of Examinations that a candidate was guilty of the use of dishonest or unfair means at the examination in respect of which (her) result was declared, the provisions of the Ordinance shall apply mutatis mutandis to the case of such a candidate provided that before imposing any penalty including the penalty of cancellation of her result. She shall be

given another opportunity to show cause against the proposed punishment and her explanation, if any, shall be considered by the Academic Council of the University.

- (a) A candidate against whom an enquiry is pending about her allegedly having reported to the use of dishonest or unfair means or disorderly conduct in the examination or against whom action is initiated under the provisions of the proceeding clause shall, if she takes or has taken any subsequent examination, be deemed to have been only provisionally admitted to that subsequent examination. That Examination will stand cancelled and her result therefore would not be declared if on account of the punishment imposed on her as a result of the said enquiry or action, she would not have been entitled to take that examination but for her provisional admission thereto.
- 15. If a person, not otherwise covered by these provisions, is found guilty of having impersonated a candidate or of having written, outside the examination hall, an answer book or its any page or a continuation sheet which he/she knows or has reason to believe will be smuggled into the examination hall for the benefits of any candidate, or of having managed otherwise to replace the answer book or its any page(s) by the candidate after the examination, she shall be disqualified from appearing in any University Examination as per Clause 17.
- 16. Notwithstanding anything stated in this Regulations, for any unforeseen issued arising, and not covered by this Regulation, or in the event of differences of interpretation, the Vice-Chancellor may take a decision, after obtaining if necessary the opinion/advice of the Unfair Means Scrutiny Committee. The decision of the Vice-Chancellor shall be final.

17. PUNISHMENT FOR USE OF UNFAIR MEANS

The case(s) of the candidate(s) booked for use of unfair means and/or for resorting to disorderly conduct in University examinations shall be dealt in accordance with the following rules:

Part	Offence	Punishment
A	<ul style="list-style-type: none"> (i) where the candidate is found talking to another candidate or any person inside or outside the examination hall, during the examination hours, without the permission of a member of the supervisory staff. (ii) Where the candidate commit breach of any other Direction to candidates for Examinations as contained in the code of conduct. 	Cancellation of the Examination in the paper of the day of incident only and declaring the result on the basis of the performance of the candidate in the remaining papers/subjects the candidate shall be deemed to have secured zero mark in the paper so cancelled.

B	<ul style="list-style-type: none"> (i) Where the candidate is found having in her possession mobile phone, papers, books or notes or is found having written notes on the question paper or on any part of the clothes worn by her or on a part of her body or table or desk or is found in possession of ruler and/or instruments like; Set-squares protractors, slide rules etc. with notes written on them and which notes, papers or the material written on ruler or instrument, or on the question paper or on clothes worn by her or any part of her body, table or desk etc., could be helpful or of assistance to her in answering the paper she is taking or could be helpful or of assistance to other candidate in that examination hall, but the candidate has not attempted to take any assistance herself or give any assistance to any other candidate from such material. (ii) Where the candidate intentionally tears off the answer book or a part thereof or a continuation sheet. (iii) Where the candidate deliberately discloses her identity or makes any distinctive mark in the answer book for that purpose in contravention of any general rules in this behalf. (iv) Where the candidate uses abusive or obscene language in the answer book. (v) Where the candidate is guilty of misbehaviour in connection with the examination, with the Superintendent of centre, the invigilator on duty and the other staff working at the examination Centre or with any other candidate in or around the Examination Centre before, during or after the examination. (vi) Where the candidate leaves the examination room before expiry of half an hour without the written permission of the Superintendent of the centre and/or without handing the answer book to the invigilator/In-charge and/or without signing the attendance sheet. 	Cancellation of the Entire Examination
C	<ul style="list-style-type: none"> (i) Where the candidate is found having in her possession mobile phone, papers, books or notes or is found having written notes on the question paper or on any part of the clothes worn by her or on any part of her body or table or is found in possession of foot rule and/or instruments like set-squares, protectors, slide rules with notes written on them and which notes papers books or the material written on foot rule or instruments, or on the question paper or on clothes worn by her or any part of her body, table or desk etc., could be helpful or of assistance to her in answering the paper she is taking or could be helpful 	Cancellation of the Entire Examination taken by the Candidate during the year and further debarring him from appearing at any Examination of the University within a span of one year (12months).

	<p>or of assistance to other candidates in that examination hall and if the candidate has made actual use of material herself or given assistance thereof to any other candidate during the examination</p> <ul style="list-style-type: none"> (ii) Where the candidate assists or attempts to assist in any manner whatsoever any other candidate in answering the question paper during the examination hours. (iii) Where the candidate takes assistance or attempts to take assistance from the other candidate or any other or from any book, paper, notes or other material in answering the question paper during the examination. (iv) Where the answer book of the candidate shows or otherwise establishes that she has received or attempts to receive any help from any other candidate or any source in a malafide manner or has given help or attempted to give help to another candidate in a manner during the examination hours. (v) Where the candidate is found guilty of gross misbehavior i.e. threatening with physical force in connection with the examination with the superintendent of centre, the invigilator on duty or any other staff working at the Examination Centre or with any other candidate or around the Examination Centre, before, during, after the Examination. (vi) Where the candidate disturbs the Examination or attempts to do so. (vii) Where the candidate on being challenged or searched during the course of examination by the Superintendent of centre or any invigilates or by any member or the exam staff on duty, swallows a note or paper or runs with it or is guilty of causing disappearance or destroying any such material with the intention of obliterating the evidence of her having possessed material. 	
D	<ul style="list-style-type: none"> (i) Where the candidate brings in the exam room unauthorized answer book or continuation sheet (ii) Where the candidate sends out an answer book or paper thereof or a continuation sheet or the question paper or any material concerning thereto. (iii) Where the candidate replaces during the course of the examination her answer book or any page or continuation sheet with any other unauthorized book, page or continuation sheet. 	Cancellation the Entire Examination taken by the candidate and further debarring him at any Examination of the Board during the span of two years (24 months).

	<ul style="list-style-type: none"> (iv) Where the candidate communicates or attempts to communicate directly or through a relative, guardian, friend or any other person with an examiner with the object of influencing him in the award of marks. (v) Where the candidate replaces or gets replaced an answer book or its any page or continuation sheet after the examination or manages to write or gets written an answer book including the continuation sheet, if an answer to any of the questions which he had not written earlier during the examination. 	
E	<ul style="list-style-type: none"> (i) Where the candidate is guilty of gross misbehavior in connection with the examination with the Superintendent of Centre / the invigilator on duty or the other staff working at the Examination Centre, before during or after the examination and has also extended to such person a threat violent action with a weapon of offence. (ii) Where the candidate has impersonated at the examination. (iii) The impersonator so impersonating (if a student of any course or a candidate for any examination) shall also be liable to the same punishment. 	Cancellation of the entire Examination taken by the candidate and further debarring him at any Examination of the Board during the span of three years (36 months).
F	<ul style="list-style-type: none"> (i) Where the candidate incites others to leave the exam or attempts to do so. (ii) Where the candidate is guilty of gross misbehaviour in connection with the examination with the invigilator on duty or other staff working at the examination and is also guilty of assault or inflicting any injury on such person. (iii) Candidate is guilty of forging the signatures on authority on the record book presented as a part of practical exam., or any document required in connection with the Examination. 	Cancellation of the Entire Examination taken by the candidate and further debarring her at any Examination of the University during the span of five years (60 months).

Note :

- (1) Having once made use of dishonest or unfair-means or having once indulged in disorderly conduct in the examination, if the candidate again makes use of dishonest or unfair-means or indulges in disorderly conduct in the same examination, she shall be awarded punishment prescribed in that sub-clause which is next to the one in which her case falls or any higher punishment.
- (2) Cases of use of unfair-means or disorderly conduct of the examination, for charges not covered by the foregoing provisions shall be decided by the Unfair Means Scrutiny Committee on the individual merits of the case.

18. PROCEDURE FOR DECIDING UNFAIR-MEANS CASES REPORTED BY SUPERINTENDENT OF CENTRE/ ANTI- COPYING SQUAD.

- i) On receipt of a report of use of unfair means from Superintendent of Centre / Examiner or any other person, the Controller of Examination shall issue notices to the candidates who have used or are suspected to have used unfair means for providing opportunity to explain their position before the 'Unfair Means Scrutiny Committee' either in writing or in person. In no case more than two chances to appear before the Unfair Means Scrutiny Committee shall be given to a student.
- ii) The Unfair Means Scrutiny Committee appointed by the Vice-Chancellor shall then deal with and decide cases of the alleged use of unfair-means or misconduct of the candidate in connection with the examination and decision of the Unfair Means Scrutiny Committee in all cases of malpractice reported to it, shall be final.
- iii) The Unfair Means Scrutiny Committee shall finally decide the reported cases of unfair means and communicate its decision within 6 weeks from the last day of the examinations. In case of report of malpractice from the Examiners during the course of evaluating the answer scripts, the period of 6 weeks will be counted from the date of receipt of such report.
- iv) A student alleged to have indulged in unfair means and/or disorderly conduct shall be provisionally allowed to attend the next higher class pending the decision of the Unfair Means Scrutiny Committee but shall forfeit the benefit of provisional facility if found guilty.
- v) The condition of providing of minimum period of the punishment as provided under the Unfair Means rules may be relaxed by the Unfair Means Scrutiny Committee which is fully empowered to decide the period of disqualification/debarring the candidates found to have committed malpractice in the Examination.

BOM Resolution: - 1.08 dated 20.12.2013