

**POLICY ON USE OF UNFAIR MEANS [MALPRACTICE]  
DURING INTERNAL EXAMINATIONS**

**UNFAIR MEANS [MALPRACTICE]**

No examinee undertaking an examination [hereafter referred to as 'candidate'] shall use unfair means or indulge in any disorderly conduct during written or practical examinations. Examination includes any assessment, including day to day, internals or prelims or any other as deemed necessary by any department that includes awarding marks/ grades to be considered for eligibility to appear or pass in any examination.

**Acts of commission and omission amounting to malpractice**

1. Bringing in or being in possession of any document, paper, book photocopy, or any other material including electronic devices such as cell phones, digital diary, programmable calculator, pen scanner, Bluetooth equipment, smart watches etc. other than those permitted by the University, in the examination hall, at any time during the examination.
2. Taking or giving or attempting to take or give, any help from, or to any person or from any material, written, recorded, typed, printed or electronic or in any other form whatsoever.
3. Removing original sheets of an answer book and/or inserting new ones or taking outside the examination hall any answer book issued at the examination or writing answers in any form on the question paper or admission ticket.
4. Copying answers of another candidate or assisting any other candidate in copying answers either from his own answer book or from common or different sources.
5. Being a party to mass copying, that is to say, where, barring minor or insignificant deviations, the question chosen for answering, or the answers of himself and two or more students appearing simultaneously for the examination in the same hall are almost identical in content, sequence, or pattern, or are having such other tell-tale features in common.
6. Using impersonation technique in any form to write answers in answer books.
7. The presence of unusual marks, folding, creases, wrinkles or soiled appearances in one or more answer scripts or any other attempt to disclose identity; or writing on the question paper or any other paper

some answers to the questions set in the question paper.

8. Altering, defacing, tampering with the answer book, identity card, or admission ticket or any other relevant document or handing over or parting with his identity card or admission ticket to a third party during the examination period.
9. In case of apprehension or attempt at apprehension by authorized persons or authority, for any suspected act of malpractice, offering resistance to such apprehension or escaping or attempting to escape or disobeying instructions, or declining to give written explanation when asked to do so, or destroying or substantially altering any material evidence seized, or about to be seized.
10. Re-entering or attempting to re-enter examination hall, during the hours of examination, after he had left the same earlier, without permission or without proper escort.
11. Being in possession of answer book outside the examination hall.
12. Using abusive or obscene language or behaving in a disorderly or unruly manner or using physical violence, in or around the examination hall.
13. Using any means to communicate or attempting to communicate with the examiners, or officers of the examination, directly or indirectly with requests, threat, inducement, appeal or undue influence upon them for favor in the examination.
14. Using or attempting to use any other unfair means to deceive, mislead or induce the authorities.
15. Communicating with any candidate or any other person in or outside the examination hall with a view to take unfair assistance or aid to answer in the examination, by use of any means of communication.

### **Procedure for reporting of malpractice**

1. When a case of malpractice is detected at examination halls by any person appointed to supervise the examination other than the Superintendent, he/ she shall immediately bring it to its notice.
2. Superintendent, Examinations shall seize all documents and materials concerned which are suspected to be evidence of the malpractice and detain the Candidate. If the candidate refuses to hand over the incriminating material or destroys or runs away with the material, the facts shall be recorded and duly witnessed by two members of the

supervisory staff and the matter reported to the Dean.

3. The Superintendent, Examination, when he/ she himself / herself detects the malpractice or on getting the report, shall conduct a preliminary enquiry. Should the enquiry indicate the commitment of malpractice, he shall obtain written statement from the candidate and forward it to Dean [as per Annexure 1].
4. If the candidate refuses to give a written statement, the candidate shall be asked to record in writing his refusal to give a written statement. If he refuses to do even that, the facts shall be recorded and signed by the Superintendent, Examination, duly witnessed by two members of the Supervisory staff.
5. The Superintendent, Examination shall forward the report, along with the answer script and all other incriminating documents, materials or substances, statement of the candidate and any other relevant material, in a sealed envelope, to the Dean, who shall place the same before the MPEC [Malpractice Enquiry Committee].
6. The Superintendent, Examination may expel the candidate detected to be indulging in malpractice, depending upon the suspected gravity [including suspicion] and may even allow him/ her to continue afresh pending investigation.
7. In case a malpractice is detected by an examiner while evaluating an answer script, he/ she shall return the script and other incriminating material, without further valuation, with reasons in writing, to the Dean.
8. When a case of copying on a mass scale (more than 1/3 of the total candidates) at a particular examination hall is detected or reported, the Superintendent, Examination shall ascertain the facts by a preliminary enquiry, report to the Dean and request to cancel the examination of all the concerned candidates.

### **Procedure for enquiry**

- The Dean shall constitute a Committee known as Malpractices Enquiry Committee (MPEC).
- The Committee shall consist of five members as under:
  - (i) Additional/ Associate Dean, UGME
  - (ii) Additional/ Associate Dean, PGME
  - (iii) Head of Department of the subject in which the incident has been reported

- (iv) One Senior faculty of the institute
- (v) One undergraduate/ postgraduate student depending upon the case
- The committee shall enquire into cases of alleged malpractices in internal examinations, in accordance with procedures outlined in this policy and based on its findings, to recommend the imposition of appropriate penalties by the Dean, on the concerned student.

### **Procedure of imposing penalty**

1. No penalties may be imposed on a candidate except after an enquiry is held by the MPEC.
2. The Dean, on getting a report of a case of malpractice, shall issue a notice in writing to the accused student concerned, setting forth the relevant facts in brief, frame definite charges and ask him to show cause as to why action under this policy should not be taken against him. The student shall also be instructed to appear before the MPEC on a fixed date, time and place.
3. The accused candidate shall be required to submit a written statement in his defense within the stipulated time specified.
4. If the accused student fails to reply in writing and to turn up on the date fixed, the MPEC may proceed with expiate decision and base its findings on the reports and other proceedings in the case and make appropriate recommendations to the Dean.
5. Where the accused student admits the charge of malpractices, as set out in the show cause notice, in his written reply to the charges, the MPEC may in its discretion, accept the same and make suitable recommendations to the Dean including the proposed penalty.
6. Where the student appears on the fixed date, but denies the charge of malpractices, the MPEC shall proceed to carry out a detailed enquiry.
7. The MPEC may in its discretion, summon and examine any person not cited or any document not produced before it already.
8. The statements of each witness shall be recorded separately. The MPEC shall proceed to record its findings on each charge after taking into consideration the representations contained in the student's written reply in his defense, citing reasons for arriving at the findings. For purposes of proper identification, each witness examined, and document exhibited shall bear an identifiable connotation and number (such as PW or DW or Exhibit No).
9. During the course of the inquiry, or on the completion of the inquiry, if

the MPEC finds that any other person or persons, ought to have been named as accused of malpractice, the MPEC may in its discretion submit its report against the persons already presented before it, or postpone the further hearing till notice to such other person to show cause, is issued. The evidence already on record shall subject to all just exceptions be read as evidence against the person subsequently summoned.

10. The accused person shall not have the right or liberty to be assisted or represented by any legal practitioner or other person in the inquiry. But he shall have access to the papers or other materials produced during the inquiry. However, he shall not be entitled to get copies of any such documents or proceedings.
11. The MPEC in its discretion may also deny inspection of any document, or material, on grounds such as preserving the confidentiality and secrecy associated with valuation or on other similar grounds.
12. Where the MPEC finds that the accused student is trying to delay the proceedings by arising any tactic, or by unreasonably lengthy or irrelevant examination or cross examination of witnesses, the MPEC shall have the discretion to terminate the proceedings and proceed to give its findings with appropriate recommendations.
13. Where the proceedings relate to two or more students, the MPEC may jointly inquire into such cases, and where one of the cases has been commenced or inquired into earlier, the evidence on record may be read as evidence in the other case, with liberty to the accused student or students to recall and examine any witness subject to their paying travelling allowance.
14. On completion of the enquiry, the MPEC shall prepare a report recording its findings on each charge, together with reasons therefore and submit its report to the Dean with its recommendation regarding the proposed penalty. However, if the proceedings of the inquiry establish a charge different from those originally framed, it may record its findings on such charges, provided that the findings on such charges shall not be recorded, unless the accused university student has admitted the facts constituting them or had the opportunity of defending himself against them.
15. The MPEC may also express its views on the role played by any staff members of institutions, in the malpractice alleged, for appropriate action by the college.
16. On the basis of such findings arrived at by the Dean, he may proceed to pass one or more penalties specified below after due consideration of the recommendations made by MPEC.

17. In case, the Dean feels that it is necessary or advisable to leave the matter for the decision of the Provost/ Academic Council/ Board of Management, he may direct the case to be placed before them for its decision which may consider and impose one or more of the said penalties.
18. The proceedings and records of the MPEC shall be preserved for a minimum period of 5 years from the date of submission of report of MPEC to the University.

### Penalties

<b>Sl. No</b>	<b>Nature of malpractice</b>	<b>Punishments Applicable</b>
1	Possession by a candidate or having access to books, notes (on any paper, question paper, hall ticket, ruler or on the person), paper, another student's answer book or any other material, whether written, inscribed, engraved or electronic or any other devices such as cell phones, digital diary, programmable calculator, pen scanner, Bluetooth equipment, smart watches etc., which could be of help or assistance to him in answering any part of the question paper and/ or found copying using any of the material as above.	<ol style="list-style-type: none"> <li>1. Annulment of the performance of the student in the particular paper at the exam in full.</li> <li>2. Candidate would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
2	Possession of another student's answer book or answer sheet and/ or evidence of copying.	<ol style="list-style-type: none"> <li>1. Annulment of the performance of both students in the particular paper at the exam in full.</li> <li>2. Both candidates would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>

3	Mutual/ Mass copying	<ol style="list-style-type: none"> <li>1. Annulment of the performance of both students in the particular paper at the exam in full.</li> <li>2. All candidates would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
4	Found having written request for favours in answer paper	<ol style="list-style-type: none"> <li>1. Annulment of the performance of both students in the particular paper at the exam in full.</li> <li>2. Candidate would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
5	<p>Smuggling in/out of blank answer book/ answer sheet</p> <ol style="list-style-type: none"> <li>1) To use as copying material.</li> <li>2) Written answer book sheet based on the question paper set at the examinations.</li> <li>3) Written outside exam hall and inserting it with other answer book or any other insertions in the answer book</li> <li>4) Written answer book sheet and forging the signature of the invigilator thereon</li> </ol>	<ol style="list-style-type: none"> <li>1. Annulment of the performance of the student in the particular paper at the exam in full.</li> <li>2. Candidate would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
6	Possession of Mobile Phone inside the examination hall and/ or evidence of communication of matters related to the examination or malpractice using earphones, microphones and Bluetooth	<ol style="list-style-type: none"> <li>1. Annulment of the performance of the student in the particular paper at the exam in full.</li> <li>2. Candidate would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>

7	Identical answers in the answer books reported by the Examiner during valuation	<ol style="list-style-type: none"> <li>1. Annulment of the performance of both students in the particular paper at the exam in full.</li> <li>2. Both candidates would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
8	Tampering/ interfering with University Seal, or answer book or other stationery used in the examinations	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular paper at the exam in full.</li> <li>2. Candidate/s would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> <li>3. Depending on the gravity of the offence, the case may be referred to the Police and permanent debarment from exams may be considered on the recommendation of the MPEC.</li> </ol>
9	Misconduct such as using obscene language/ violence/ threats at the examination centre	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular paper at the exam in full.</li> <li>2. Candidate/s would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> <li>3. Depending on the gravity of the offence, the case may be referred to the Police and permanent debarment from exams may be considered on the recommendation of the MPEC.</li> </ol>

10	Unauthorized access to examination records or strong rooms including online records for tampering or modifying the same	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular paper at the exam in full.</li> <li>2. Candidate/s would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> <li>3. Depending on the gravity of the offence, the case may be referred to the Police and permanent debarment from exams may be considered on the recommendation of the MPEC.</li> </ol>
11	Insertion of currency notes in exam paper or attempting to bribe any official of the University	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular paper at the exam in full.</li> <li>2. Candidate/s would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> </ol>
12	Impersonation in any form at the Institute exam	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular paper at the exam in full.</li> <li>2. Candidate/s would not be allowed to appear for the examination of the cancelled paper in the subsequent University Exam.</li> <li>3. Depending on the gravity of the offence, the case may be referred to the Police and permanent debarment from exams may be considered on the recommendation of the MPEC.</li> </ol>

13	All other forms of malpractice, not covered in the aforementioned sections such as tampering/ tearing sheets, swallowing manuscripts used to copy, refusal to cooperate with the invigilator, disturbing other candidates in the hall, tampering or altering the exam registers etc.	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular exam in full.</li> <li>2. Debarment from exams would be decided by the MPEC.</li> </ol>
14	Repeat instances of involvement in malpractice	<ol style="list-style-type: none"> <li>1. Annulment of the performance of student in the particular exam in full.</li> <li>2. Debarment from exams would be decided by the MPEC.</li> </ol>
15	Involvement in multiple types of malpractice in the same instance	<ol style="list-style-type: none"> <li>1. Punishment in terms of annulment and debarment to be decided by the MPEC along with fine.</li> </ol>
16	Malpractices in case of practical exam	<ol style="list-style-type: none"> <li>1. To be dealt at par with punishments of the theory exams</li> </ol>
17	If a student is found guilty of influencing supervisor or panel for viva voce of resorting to any malpractice.	<ol style="list-style-type: none"> <li>1. Reduction in grade awarded would be decided by the MPEC.</li> <li>2. Additional punishment and fine would be decided by the MPEC.</li> </ol>

\*In the event of any Intern, Resident or Faculty is found to indulge in unfair practice to help student, they shall be liable for punishment at under:

<b>Sr. No.</b>	<b>Position</b>	<b>Penalty</b>
1	Intern	Repeat of postings for 4 weeks and inclusion of the same in internship completion certificate
2	Resident	Extension of Residency for 30 days without stipend with inclusion of the same in residency completion certificate
3	Faculty/ Support staff [including SR]	Non-payment of a month's salary and inclusion of the same in experience certificate

- S/d -

**Dean, PSMC**

**REPORT OF USE OF UNFAIR MEANS**

1. Course \_\_\_\_\_ Exam: \_\_\_\_\_ Year \_\_\_\_\_  
2. Date of Examination \_\_\_\_\_ Session \_\_\_\_\_ (Morn/Noon/Even.)  
3. Name of Candidate \_\_\_\_\_  
4. Semester \_\_\_\_\_ Branch \_\_\_\_\_  
5. Seat No \_\_\_\_\_ Registration No. \_\_\_\_\_  
6. Subject Code \_\_\_\_\_ Subject Name \_\_\_\_\_  
7. Time when candidate was found copying \_\_\_\_\_  
8. Detailed report of copying material \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
9. Material seized from candidate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
10. Sign. of Jr. Supervisor \_\_\_\_\_ Sign. of Supt. Exams \_\_\_\_\_  
Name \_\_\_\_\_ Name \_\_\_\_\_  
Post \_\_\_\_\_ Post \_\_\_\_\_  
11. Statement and explanation of candidate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
12. Signature of candidate \_\_\_\_\_  
13. Report of the Exam Center In-charge (If candidate refuses to sign) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exam Centre Seal** Punishable under which UFM code \_\_\_\_\_  
Signature of Centre In-charge \_\_\_\_\_  
Name of Institution \_\_\_\_\_  
Exam Centre No \_\_\_\_\_  
Phone No. with STD Code \_\_\_\_\_  
\_\_\_\_\_

- Note :** (i) Junior Supervisor should give detailed statement.  
(ii) Supt. Examinations must give his/her comments.  
(iii) Enclose one copy of question paper with the answer script.  
(iv) Answer scripts of U.F. means cases should be separately packed.  
(v) Collect material of unfair means [chits, papers etc.]