University of Mumbai

Examination Section
M. J. Phule Bhavan
Vidyanagri, Kalina.
Santacruz (East),
Mumbai – 400 098

CIRCULAR :- No. Exam/Result/152/ 2019

The Heads/Directors of University Departments/Institutions, Principals/Directors of the affiliated/recognised institutions, Co-ordinators/Directors of University, Sub-Centres at Thane/Ratnagiri and Principals of conducted colleges are hereby informed that as per the decision of the Academic Council held on 26th December, 2018, *vide* item no. 7.4; the guidelines to be followed while conducting the examinations of the First Year and Second Year of Under-graduate courses at college level from the academic year 2019-20 (winter 2019 onwards) are mentioned below :

1. Every affiliated conducted college shall conduct the First and Second Year (Semester I to IV) Under-graduate examinations [Semester-end examinations i.e. F.Y.&S.Y.. B.A./B.Com./B.Sc./B.M.M. and all self finance courses (Three Year Integrated)] for Regular Students, Repeater Students (ATKT and Ex-students) and also conduct Additional Examinations for the eligible students who were absent on genuine reason such as Medical/NSS/NCC, Sports, Cultural competitions.
2. These examinations are to be conducted by the colleges, on behalf of the University as per the Rules/Regulations/Ordinances issued by the University/Government of Maharashtra from time to time and the VCD issued in respect of Photocopy, Revaluation etc.
3. Principal/Head of the Institutions shall act as the Chief Conductor at the examination and be responsible for the entire examination process.
4. Colleges are required to announce the timetable for the examinations at least one month prior to the commencement of the examinations, allot seat numbers to the eligible candidates to appear for the examination, issue hall tickets, appoint paper-setters, invigilators and other personnel concerned with the examinations and issue them appointment letters, prepare supervision charts, daily seating arrangements, etc.
5. Duration of the examinations, question paper pattern, allotment of marks for each question, syllabus etc should be as prescribed by the concerned Boards of Studies and approved by the component authority of the University.
6. Colleges are required to declare the results within 30 days from the last day of the respective examinations and issue Grade Cards to the candidates within 10 days from the declaration of results.
7. Colleges are required to follow O.5050 on Unfair means, VCD for issue of Photocopy/Revaluation of Answer-books.

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8. Considering the geographical area, affiliated/conducted colleges (excluding Autonomous Colleges) will be brought into Cluster of colleges as given below :

   (a) There may be maximum 40 colleges in each cluster and one of the colleges preferably a NAAC accredited college having a qualified and approved Principal will be designated as the Lead College, for a period of 5 Years, on rotation basis.

   (b) The Principal of the Lead College will be called as the Cluster Head and the University may decide an Annual Honorarium to the Cluster Head for the services rendered.

   (c) Every college is required to submit to the Cluster Head, a copy of the time table of Semester–end examinations, question papers, names and qualifications of the teachers who are appointed as examiners and a list of senior teachers (subject-wise) having experience of minimum 5 years to be appointed as Moderators.

   (d) Appointment of Moderators/Revaluators will be made preferably from the same cluster, and Moderators/Revaluators shall not be appointed from the same college or from a college under the same Management.

   (e) The Cluster Head will be authorized to oversee the equitable distribution of moderation duties among the senior teachers in the cluster.

   (f) The Cluster Head will act as a link between the Colleges and University.

   (g) Each college shall submit a summary of results to the Lead College.

9. List of Lead Colleges and Colleges covered under them will be sent separately.

10. Board of Deans will appoint Monitoring Committees for random visit to the colleges and inspect the documents relating to the examinations to ensure that the colleges follow the University rules relating to time table, evaluation, moderation, gracing, declaration of results, matters relating to unfair means, revaluation, photocopy etc. and submit report to the University. All colleges shall send one copy of each of the Question Papers set to the University for scrutiny. BOS will ensure quality of question papers and render useful suggestions.

Dr. Vinod Patil
Director
Board of Examinations & Evaluation

Mumbai – 400 098.
Date : 12 June, 2019

UNIVERSITY OF MUMBAI

ORDINANCE 5050 :

1. (a) On receipt of a report regarding use of unfair means by any student 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.*

   (b) Where the examinations of the University courses are conducted by the constituent Colleges /Recognised Institutions on behalf of the University, the 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.

   (c) 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 paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination from any examination work either permanently or for a specified period or by referring his/her case to the concerned authorities for for taking such disciplinary action as deemed fit as per the rules provided for or in any two or more of the aforesaid ways.

2. **Competent Authority :**
   (i) The Board of Examinations of the University constituted under the provisions of Section 31(3) 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.

   (ii) The 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.

3. **Definition-Unless the context otherwise requires :**
   (a) "Student" means and includes a person who is enrolled as such by the University/College/Institution for receiving instruction qualifying for any degree, diploma or certificate awarded by the University. It includes ex-student and student registered as candidate (examinee) for any of the degree, diploma or certificate examination.

   (b) "Unfair means" includes one or more of the following acts or omissions on the part of student/s during the examination period.
      (i) Possessing unfair means material and or copying therefrom.

      (ii) Transcribing any unauthorised material or any other use thereof.

      (iii) Intimidating or using obsence language or threatening or use of violence against invigilator or person on duty for the conduct of examination or manhandling him/her or leaving the examination hall without permission of the supervisor or causing disturbances in any manner in the examination procedings.

      (iv) Unauthorisedly communicating with other examinees or anyone else inside or outside the examination hall.

      (v) Mutual/Mass copying.

(vi) Smuggling-out, either blank or written, or smuggling-in of answerbooks as copying material.

(vii) Smuggling-in blank or written answerbook and forging signature of the Jr. Supervisor thereon.

(viii) Interfering with or counterfeiting of University/College/Institution seal, or answerbooks or office stationary used in the examinations.

(ix) Insertion of currency notes in the answerbooks or attempting to bribe any of the persons connected with conduct of examinations.

(x) Impersonation at the University/College/Institution examination.

(xi) Revealing identity in any form in the answer written or in any other part of the answerbook by the student at the University or College or Institution examination.

(xii) Or any other similar act/s and/or omission/s which may be considered as unfair means by the competent authority.

(c) "Unfair means relating to examination" means and includes directly or indirectly committing or attempting to commit or threatening to commit any act or coercion, undue influence or fraud or malpractice with a view to obtaining wrongful gain to him or to any other person or causing wrongful loss to other person/s.

(d) "Unfair means material" means and includes any material whatsoever, related to the subject of the examination, printed, typed, handwritten or otherwise on the person or on clothes, or body of the student (examiner) or on wood or other material, in any manner or in the form of chart, diagram, map or drawing or electronic aid etc. which is not allowed in the examination hall.

(e) "Possession of unfair means material by a student" means having any unauthorised 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.

(f) "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 authorised 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 student 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 authorised person to the Controller of Examinations or Principal or Head of the Institution concerned or any officer authorised in this behalf.

(g) "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 (f) above, the presumption shall be that the material did relate to the subject of the examination.

(h) "Chief Conductor" means 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 authorised by him or person appointed as in-charge of examination, *by prior* approval of the University.

4. During examination, examinees and other students shall be under disciplinary control of the Chief Conductor/s.

5. **Chief Conductor/s of the Examination Centre shall, in the case of unfair means, follow the procedure as under :—**

(i) The student shall be called upon to surrender to the Chief Conductor the unfair means material found in his or her possession, if any, and his/her answerbook.

(ii) Signature of the concerned student shall be obtained on the relevant materials and list thereon. Concerned Sr. Supervisor and the Chief Conductor shall also sign on all the relevant materials and documents.

(iii) Statement of the student and his/her undertaking in the prescribed format and statement of the concerned Jr. Supervisor and Sr. Supervisor shall be recorded in writing by the Chief Conductor (Appendix-C). If the student refuses to make statement or to give undertaking the concerned Sr. Supervisor and Chief Conductor shall record accordingly under their signatures.

(iv) Chief Conductor shall take one or more of the following decisions depending upon seriousness/ gravity of the case :

(a) In the case of impersonation or violence, expel the concerned student from the examination and not allow him/her to appear for remaining examination.

(b) Obtain undertaking from the student to the effect that 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.

(c) May report the case to the concerned Police Station as per the provisions of Maharashtra Act No. XXXI 1982—An Act to provide for preventing mal-practices at University; Board and other specified examinations.

(d) Confiscate his/her answerbook, mark it as "suspected unfair means case" and issue him/ her fresh answerbook duly marked.

(v) All the materials and list of material mentioned in sub-clause (I) and the undertaking with the statement of the student and that of the Jr. Supervisor as mentioned in clause No. (ii) and (iii) and the answerbook/s shall be forwarded by the Chief Conductor, alongwith his report, to the concerned Controller of Examinations/Principal/Head of the Institution, as the case may be, in a separate and confidential sealed envelope marked "Suspected unfair means case".

(vi) In case of unfiar means of oral type, the Jr. Supervisor and the Sr. Supervisor or concerned authorised person shall record the facts in writing and shall report the same to the concerned Controller of Examinations/Principal/Head of the Institution, as the case may be.

6. **Procedure to be followed by Examiner during Assessment :**

If the examiner at the time of assessment of answerbook suspects that there is a *prima-facie* evidence that the student/s whose answerbook/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 Chairman in the subject, alongwith the evidence, to the Controller of Examinations/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".

7. Case of unfair means having *prima-facie*, reported to the University/College/Institution by the Chief Conductor/Jr./Sr. Supervisor and or examiners shall be inquired into by the committee appointed by the Board of Examinations/Principal/Head of the Institution, as the case may be. In the event cases of unfair means reported through any other sources, the concerned Officer/In charge of the Sub-section/ Unit to which the case is primarily pertained, at the Examination Section of the University/College/Institution shall scrutinise the case, collect preliminary information to find out whether there is *prima-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 *prima-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 has originated or 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.

8. Examination Result/s of the concerned student/s involved in such cases shall be held in reserve till the Competent Authority takes final decision in the matter and the concerned student/s and the College/ Institution to which he/she belongs to, shall be informed accordingly.

9. **Appointment of Unfair Means Inquiry Committee :**

(i) For the purpose of investigating unfair means resorted to by students at the University examination, the Board of Examinations shall appoint a Committee in terms of the provisions made under Section 32(6)(a) of the Maharashtra Universities Act 1994. The term of the Committee shall be five years subject to provisions of Section 42 and 43 of the said Act.

(ii) For the purpose of investigating unfair means resorted to by students at the examination held by the College/Institution, the Unfiar Means Inquiry Committee appointed by the College/Institution shall consist of five teachers (other than the Principal./Head) to be nominated by the Principal/ Head of the Institution, one of whom shall be designated as Chairperson. The members appointed on the College/Institution Examination Committee shall not be appointed as members on the Unfair Means Inquiry Committee.

(iii) The Unfair Means Inquiry Committee will function as a recommendatory body and submit its recommendations in the form of a report to concerened competent authority, which will issue final orders with regard to the penal action to be taken against the student/s after taking into account the reported facts and findings of the case by the Committee and after ensuring whether

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reasonable opportunity has been given to the concerned implicated student in his/her defence, the principle of natural justice has been followed and the recommended quantum of punishment is in accordance with the guidelines laid down in this behalf.

10. **Procedure of the Committee should be as under :**

(i) The Controller of Examinations of the University/Principal of the College or Head of the Recognised Institution, or the Officer authorised by them, as the case may be, shall inform the student 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 so why the charge/s levelled against him/her should not be held as proved and the punishment stipulated in the show cause notice be imposed.

(ii) The student 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 student himself/herself only shall present his/her case before the Committee.

(iii) The documents that are being taken into consideration or are to be relied upon for the purpose of proving charge/s against the student should be shown to him/her by the Inquiry Committee, if the student presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of delinquent.

(iv) Reasonable opportunity, including oral hearing, shall be given to the student in his/her defence before the Committee. The reply/explanation given by the student to the show cause notice shall be considered by the Committee before making final recommendation in the case.

(v) The Committee should follow the above procedure in the spirit of the principle of natural justice.

(vi) After serving a show cause notice, if the implicated student fails to appear before the Inquiry Committee on the day, time and place fixed for the meeting, the student may be given one more opportunity to appear before the Committee in his/her defence. Even after offering two chances if the student concerned fails to appear before the Committee, the Committee shall take decision in his/her case in *absentia*, on the basis of the available evidence/documents, which shall be binding on the student concerned.

(vii) The Committee shall submit its report to the concerned competent authority alongwith its recommendations regarding punishment to be inflicted or otherwise.

11. **Punishment :**

The Competent Authority concerned i.e. the Board of Examinations in the cases of University examination, the concerned Principal in the cases 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 including granting the student benefit of doubt, issuing warning or exonerating him/her from the charges and shall impose any one or more of the following punishments on the student/s found guilty of using unfair means :

(a) Annulment of performance of the student in full or in part in the examination he/she has appeared for.

(b) Debarring student from appearing for any examination of the University or College or Institution for a stipulated period not exceeding five years.

(c) Debarring student from taking admission for any course in the University or College or Institution for a stipulated period not exceeding five years.

(d) Cancellation of the University or College or Institution Scholarship/s or award/s or prize or medal etc. awarded to him/her in that examination.

(e) In addition to the above mentioned punishment, the competent authority may impose a fine on the student declared guilty. If the student concerned fails to pay the fine within a stipulated period, the competent authority may impose on such a student additional punishment/penalty as it may deem fit.

(f) As far as possible the quantum of punishment should be as prescribed (category wise) in Appendix-A.

(g) The student concerned be informed of the punishment finally imposed on him/her in writing by the competent authority or by the Officer authorised by it in this behalf, under intimation to the College/Institution he/she belongs to.

Appendix A

The Broad Categories of Unfair Means Resorted to by Students at the University/College/Institution Examinations and the Quantum of Punishment for each Category thereof.

S. No.	Nature of Malpractice	Quantum of Punishment
(1)	Possession of copying material	Annulment of the performance of the student at the University/College/Institution examination in full.* (Note :— This quantum of punishment shall apply also to the following categories of malpractices at Sr. No. (2) to Sr. No. (12) in addition to the punishment prescribed thereat.
(2)	Actual copying from the copying material	Exclusion of the student from University or College or Institution examination for one additional examination.
(3)	Possession of another student's answerbook	Exclusion of the student from University or College or Institution examination for one additional examination. (BOTH THE STUDENTS)
(4)	Possession of another student's answerbooks + Actual evidence of copying therefrom.	Exclusion of the student from University or College or Institution examination for two additional examinations (BOTH THE STUDENTS).
(5)	Mutual /Mass copying.	Exclusion of the student from University or College or Institution examination for two additional examinations.
(6) (i)	Smuggling-out or smuggling-in of answerbook as copying material.	Exclusion of the student from University or College or Institution examination for two additional examinations.
(ii)	Smuggling-in of written answerbook based on the question paper set at the examination.	Exclusion of the student from University or College or Institution examination for three additional examinations.
(iii)	Smuggling-in of written answerbook and forging signature of the Jr. Supervisor thereon.	Exclusion of the student from University or College or Institution examination for four additional examinations.
(7)	Attempt to forge the signature of the Jr. Supervisor on the answerbook or supplement.	Exclusion of the student from University or College or Institution examination for four additional examinations.
(8)	Interferring with or counterfeiting of University/College/Institution seal, or answerbooks or office stationery used in the examinations.	Exclusion of the student from University or College or Insitution examination for four additional examinations.
(9)	Answerbook, main or supplement written outside the examination hall or any other insertion in answerbook.	Exclusion of the student from University or College or Institution examination for four additional examinations.
(10)	Insertion of currency notes/to bribe or attempting to bribe any of the person/s connected with the conduct of examinations.	Exclusion of the student from University of College or Institution examination for four additional examinations. (*Note* :—This money shall be credited to the Vice-Chancellor's Fund)
(11)	Using obscence language/violence threat at the examination centre by a student at the University/College/Institution examination to Jr./Sr. Supervisors/Chief Conductor or Examiners.	Exclusion of the student from University or College or Institution examination for four additional examinations.
(12) (a)	Impersonation at the University/ College/Institution examination.	Exclusion of the student from University or College or Institution examination for five additional examinations. (both the students if impersonator is University or College or Institute student).
(b)	Impersonation by a University/College/ Institute student at S.S.C./H.S.C. any other examinations.	Exclusion of the impersonator from University or College or Institution examination for five additional examinations.

(13)	Revealing identity in any form in the answer written or in any other part of the answerbook by the student at the University or College or Institution examination.	Annulment of the performance of the Student at the University or College or Institution examination in full.
(14)	Found having written on palms or on the body, or on the clothes while in the examination.	Annulment of the performance of the student at the University or College or Institution examination in full.
(15)	All other malpractices not covered in the aforesaid categories.	Annulment of the performance of the student at the University or College or Institution examination in full, and severe punishment depending upon the gravity of the offence.

16. If on previous occasion a disciplinary action was taken against a student for malpractice used at examination and he/she is caught again for malpractices used at the examinations, in this event he/she shall be dealt with severely. Enhanced punishment can be imposed on such students. This enhanced punishment may extend to double the punishment provided for the offence, when committed at the second or subsequent examination.

17. Practical/Dissertation/Project report Examination.

Student involved in malpractices at Practical/Dissertation/Project report examinations shall be dealt with as per the punishment provided for the theory examination.

18. The Competent Authority, in addition to the above mentioned punishments, may impose a fine on the student declared guilty.

*(*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, oral or practical and dissertation examinations unless malpractice used threat).

13. **Malpractices used or Lapses Committed by any Paper-Setters, Examiners, Moderators, Referees, Teachers or any other persons connected with the Conduct of Examination.**

(I) **Competent Authority :**

(a) The Board of Examinations 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 examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing to use malpractice/s at the examinations conducted by the University.

(b) The Management (includes the Trustees, Managing Body or Governing Body) of the constituent affiliated/coducted college or Recognised Institution 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 examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing to use malpractice/s at the examination conducted by the constituent affiliated/conducted colleges' or Recognised Institution on behalf of the University.

(II) **Definition—Unless the Context Otherwise Requires :**

(a) "Paper-setter, examiner, moderator, referee and teacher" means and includes person/s duly appointed as such for the examination by the competent authority and the term "any other person connected with the conduct of examination" means and includes person/s appointed on examination duty by the competent authority.

(b) Malpractice/lapses includes one or more of the following acts or omissions on the part of the person/s included in (a) relating to the examination —

(i) Leakage of question/s or question paper set at the University/College/Institution examination before the time of examination.

(ii) Examiner/Moderator intentionally awarding marks to student in assessment of answerbooks, dissertation or project work to which the student is not entitled or not assigning marks to the student to which the student is entitled.

(vii) If the concerned person fails to appear before the committee on the day, time and place fixed for the meeting, he/she be given one more opportunity to appear before the committee in his/her defence. Even after offering two chances, if the concerned person fails to appear before the committee, the committee shall take decision in his/her case in his/her absentia on the basis of whatever evidences/documents which are available before it and same shall be binding on the concerned implicated person.

(viii) The committee shall submit its report to the concerned competent authority alongwith its recommendations regarding punishment to be inflicted on the concerned person or otherwise.

(V) **Punishment :**

The competent authority, after taking into consideration the report of the committee, shall pass such orders as it deems fit including granting the implicated person benefit of doubt, issuing warning or exonerating him/her from the charge/s and shall impose any one or more of the following punishments on the implicated person found guilty of using malpractice/s or committing lapses at the examination :—

(i) Declaring disqualified the concerned paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination, from any examination work either permanently or for a specified period.

(ii) Imposing fine. If the concerned person fails to pay the fine within a stipulated period, the Competent Authority may impose on such a person additional punishment/penalty as it may deem fit.

(iii) Referring his/her case to the concerened disciplinary authorities for taking such disciplinary action as deemed fit as per the rules governing his/her service conditions.

(iv) The competent authority or the Officer authorised in this behalf, shall inform the concerned person of the decision taken in his/her case and the punishments imposed on him/her.

(v) An appeal made within 30 days of imposition of the punishment, other than the punishment referred to in clause No. (iii) 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 pertaining to the college/institutions examination and their decision in the appeal shall be final and binding.

(vi) The Competent Authoirity shall supply a typed copy of the relevant extract of fact-finding report of the Inquiry 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.

(vii) The court matters in respective cases of malpractices/lapses should be dealt with by the respective competent authority.

(viii) As far as possible the quantum of punishment should be prescribed category-wise as hereunder :—

14. **Action for Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Teacher or any another person connected with the Conduct of University/College/Institution Examination/s.**

Appendix B

S. No.	Nature of Malpractices/Lapses	Punishment
(1)	Paper-setter found responsible for leakage of the question set in the University/College/Institution examination/s whether intentionallty or due to the negligence before the time of examination.	Disqualifiction from any examination work + disciplinary action by concerned authorities as per the rules applicable.
(2)	Leakage of question/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 as per the prevailing rules/standard code by the concerned authorities.
(3)	Favouring a student (examinee) by examiner, moderator, referee in assessment of answerbooks/dissertaion/Project Report/Thesis by assigning the student marks to which the student is not entitled, at the University/College/Institution examination.	Disqualification from any examination work + disciplinary action by the concerned authorities.

(4)	Examiner/Moderator/referee intentionally/negligently not assigning the student in assessment of his/her answer-books/dissertation/project work, the marks to which the student is entitled to at the University/College/Institution examinations.	Disqualification from any examination work + disciplinary action by the concerened authoritles.
(5)	Paper-setter omitting question at the time of finalisation of question paper set at examination of repeating Sr. No. of question while writing.	Disqualification from any examination work for a period of three years.
(6)	Paper-setter setting questions outside the scope of the syllabus.	Disqualification from any examination work for a period of three years.
(7)	While assessing answerbook examiner showing negligence in detecting malpractices used by the student/s.	As decided by the authoritles of the University/College/ Institution.
(8)	Guiding Teacher showing negligence in supervision of dissertation/project work (e.g. use of manipulated data by a student)	As decided by the authoritles of the University/College/ Institution.
(9)	Sr. Supervisor/Chief Conductor showing apathy in carrying out duties related to examination (e.g. not taking rounds to the examination hall at Examination Centre during examination period or opening the packet of question paper before prescribed time)	As decided by the authorities of the University/College/ Institution.
(10)	Jr. Supervisor helping student in copying answers while in the examination or showing negligence in reporting cases of copying answers by students when on supervision duty.	Disqualification from any examination work upto a period of three years + disciplinary action by the concerned authorities as per the rule if he/she is a University/College/Institution employee.
(11)	Jr. Supervisor helping student (examinee) in mass-copying while on examination duty.	Permanent disqualification from any examination work + disciplinary action by the concerned authorities as per the rule if he/she is a University/College/Institution employee.

(12) The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person if declared guilty.

(13) The competent authority may report the case of the concerned implicated person to the appropriate Police Authorities as per the provision of the Maharashtra Act No. XXXI of 1982.