

ALIGARH MUSLIM UNIVERSITY, ALIGARH

Examination (Control of Unfair Means and Disorderly Conduct) Regulations.

1. **TITLE**---These Regulations may be called, “**The Examination (Control of Unfair Means and Disorderly Conduct) Regulations**”.
2. **DEFINITIONS**----For the purpose of these regulations, unless the context otherwise requires:
 - (a) **‘Examination’** means an examination for a particular, Term, Prof, Semester or Year, as the case may be, conducted by the Aligarh Muslim University, Aligarh including AMU Centres out side Aligarh, and shall include Entrance/Admission Tests and Interviews held for the purpose of admitting candidates to any course in the University and its outside Centres.
 - (b) **‘Year’** means the academic year.
 - (c) **‘Committee’** means the Committee of Examinations constituted under Chapter IV & V of the Academic Ordinances.
 - (d) **‘Candidate’** means an examinee taking an examination in a particular year and also includes any person applying for admission to any course in the University.”
 - (e) **‘Unfair Means’** include:
 - (i) deliberately disclosing one’s identity or making any distinctive mark(s) in the answer book(s) for the purpose of influencing an examiner;
 - (ii) communicating with any other candidate or unauthorized person in any manner inside or outside the examination room during the course of the examination;
 - (iii) communicating with or approaching an examiner in any manner, so as to influence him/her in evaluating the answers;
 - (iv) assisting in any manner any other candidate in answering the question paper during the course of the examination;
 - (v) carrying into the examination room any book, paper, note, mobile phone, electronic gadget or other unauthorized material likely to be used directly or indirectly by the candidate in answering the question paper;
 - (vi) taking assistance from any other candidate or any other person or from any book, paper, note, mobile phone, electronic gadget or any other unauthorized material in answering the question paper during the course of the examination;
 - (vii) bringing in, or arranging to be brought in the examination room, an Answer Book ‘A’ or ‘B’, whole or part thereof;
 - (viii) taking out, or arranging to be sent out of the examination room, Answer Book ‘A’ or ‘B’, whole or part thereof;
 - (ix) replacing or getting Answer Book ‘A’ or ‘B’ replaced, whole or part thereof.

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(f) **'Disorderly Conduct'** includes:

- (i) Leaving the examination room before the expiry of the stipulated period after the commencement of the examination or without obtaining the permission of the Invigilator;
- (ii) refusal to sign the Unfair Means Form;
- (iii) misbehaving (shouting, using abusive language, resisting, etc.) with the Superintendent, Invigilator or other Staff working at the Examination Centre in connection with the examination before, during or after the examination hours;
- (iv) threatening the Superintendent, Invigilator or other Staff working at the Examination Centre or another candidate in connection with the examination before, during or after the examination hours;
- (v) taking away the Answer Book(s) from the examination room and intentionally tearing off or mutilating an Answer Book 'A' or 'B', whole or part thereof or destroying the evidence of using Unfair Means;
- (vi) disturbing or disrupting the conduct of examination and inciting or compelling other candidates to leave the examination room;
- (vii) physically assaulting the Superintendent, Invigilator or other Staff working at the Examination Centre or another candidate in connection with the examination before, during or after the examination hours;
- (viii) impersonating or getting impersonated in taking the examination;
- (ix) in possession of any weapon of offence in the Examination Centre.

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3. PROHIBITION OF THE USE OF UNFAIR MEANS OR DISORDERLY CONDUCT.

No candidate shall use Unfair Means or indulge in Disorderly Conduct in the examination.

4. PUNISHMENT

A candidate found guilty of the use of Unfair Means or Disorderly Conduct in the examination may, at the discretion of the Committee, be awarded punishment as follows:

A-I: Annual Examination:

- (a) A candidate found guilty of using Unfair Means in a manner defined in Clause 2 (e) (i), (ii), (iii) or (iv) shall be punished with cancellation of the result of the paper concerned and shall be further debarred from appearing at the Supplementary Examination, if any, of that paper;
- (b) a candidate found guilty of using Unfair Means in a manner defined in Clause 2 (e) (v), (vi), (vii), (viii) or (ix) shall be punished with cancellation of the result of the

examination of all papers of the year concerned and the candidate shall be further debarred from appearing at the Supplementary Examination. If the offence was committed in the Supplementary Examination, he/she shall be debarred from that examination and the next Annual Examination;

- (c) a candidate found guilty of indulging in Disorderly Conduct defined in Clause 2 (f) (i) or (ii) shall be punished with cancellation of the result of the examination of the paper concerned and shall be further debarred from appearing at the Supplementary Examination, if any, of that paper;
- (d) a candidate found guilty of indulging in Disorderly Conduct defined in Clause 2 (f) (iii) or (iv) shall be punished with the cancellation of the result of the examination concerned and the candidate shall be further debarred from appearing at the Supplementary Examination and also the Annual Examination immediately following, i.e., three examinations in total, including Supplementary Examination. If the offence was committed in the Supplementary Examination, he/she shall be debarred from the examination concerned and shall be further debarred from the next Annual Examination and the Supplementary Examination immediately following;
- (e) a candidate found guilty of indulging in Disorderly Conduct in a manner defined in Clause 2 (f) (v) or (vi) shall be punished with cancellation of the examination concerned and be further debarred from appearing at the two subsequent Annual Examinations and two Supplementary Examinations immediately following, i.e. five examinations in total.
- (f) a candidate found guilty of indulging in Disorderly Conduct defined in Clause 2 (f) (vii) & (viii) & (ix) shall be debarred from appearing in the examinations for five years and an FIR be lodged.

A-II: Semester Examination:

- (a) A candidate found guilty of using Unfair Means in a manner defined in Clause 2 (e) (i), (ii), (iii) or (iv) shall be punished with cancellation of the result of the paper concerned and shall be further debarred from appearing at the Supplementary Examination of that paper, if any.

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- (b) a candidate found guilty of using Unfair Means in a manner defined in Clause 2 (e) (v), (vi), (vii), (viii) or (ix) shall be punished with cancellation of the result of the examination of Semester concerned and the candidate shall be further debarred from appearing at the Supplementary Examination. If the offence was committed in the Supplementary Examination he/she shall be debarred from the next Semester Examination (excluding the Supplementary Examination of that Semester);
- (c) a candidate found guilty of indulging in Disorderly Conduct as defined in Clause 2 (f) (i) or (ii) shall be punished with cancellation of the Examination concerned and shall be further debarred from appearing at the Supplementary Examination of the Semester concerned. If the offence was committed in a Supplementary Examination the result of that examination shall be cancelled and he/she shall be further debarred from appearing at the examination of the next Semester immediately following including the Supplementary Examination of that Semester;
- (d) a candidate found guilty of indulging in Disorderly Conduct in a manner defined in Clause 2 (f) (iii) or (iv) shall be punished with cancellation of the result of the Semester Examination concerned and shall be further debarred from appearing at the next three Semesters i.e. two years. If the offence was committed in a Supplementary Examination, the result of

Supplementary Examination shall be cancelled, and the candidate shall be further debarred from appearing at the next three Semester Examinations i.e. two years;

- (e) a candidate found guilty of indulging in Disorderly Conduct as defined in Clause 2 (f) (v) or (vi) shall be punished with cancellation of the Semester Examination concerned and shall be further debarred from appearing at the examination of the next five Semesters Examinations i.e. three years. If the offence was committed in a Supplementary Examination, the result of that Examination shall be cancelled, and he/she shall be further debarred from appearing at the next five Semesters Examinations i.e. three years.
- (f) a candidate found guilty of indulging in Disorderly Conduct in a manner defined in Clause 2 (f) (vii), (viii) or (ix) shall be punished with the cancellation of the result of the examination concerned and shall be further debarred from appearing in the Semester Examinations of FIVE successive Academic Sessions.

A-III: WRITTEN TESTS AND INTERVIEWS FOR ADMISSION:

- (a) A candidate found guilty of using Unfair Means in a manner as defined in Clause 2 (e) (i), (ii), (iii) or (iv) or of Disorderly Conduct as defined in Clause 2 (f) (i) or (ii) shall be barred from being on the rolls of the University in any course (including the one to which he/she may have been previously admitted) during the academic year concerned;
- (b) a candidate found guilty of using Unfair Means in a manner as defined in Clause 2 (e) (v), (vi), (vii) (viii) or (ix) or of Disorderly Conduct in a manner as defined in Clause 2 (f) (iii) or (iv) shall be barred from being on the rolls of the University in any course (including the one to which he/she may have been previously admitted) during the year concerned and the year immediately following;

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- (c) a candidate found guilty of indulging in Disorderly Conduct as defined in Clause 2 (f) (v) or (vi) shall be barred from being on the rolls of the University in any course (including the one to which he may have been previously admitted) during the year concerned and the next two years;
- (d) a candidate found guilty of indulging in Disorderly Conduct in a manner as defined in Clause 2 (f) (vii), (viii) or (ix) shall be punished with cancellation of his application to admission in the course concerned.

Provided that if the candidate is not on the rolls of the University, shall be barred from admission to any course in the University for a further period of FIVE years.

- B: A candidate found guilty of committing two or more offences under Unfair Means/Disorderly Conduct, or both, as defined in Clause 2 (e) / (f), in the same or subsequent examination, may be awarded heavier punishment than the punishment prescribed in the preceding sub-clauses.**

- C: The committee, at its discretion, may recommend to the Vice-Chancellor that a heavier or lighter punishment than that prescribed in the preceding sub-clauses may be awarded to a candidate under exceptional circumstances to be specified in the recommendation.**

Explanation: The word “**Examination**” in Clause (4) means examinations in all papers in which the candidate is entitled to appear during the particular year or semester, as the case may be. If a candidate is caught during theory paper and that paper has a sessional / mid-term / practical component, his / her sessional / mid-term / practical will not be affected and the candidate will only have to appear in theory paper(s).

5. DETECTION OF OFFENCE:

- (a) Any candidate found violating any of the provisions of these Regulations, by an Invigilator/Examiner or the Superintendent of the Examination Centre shall ask the candidate for an explanation giving particulars of material found in possession of the candidate on the prescribed form;
- (b) if the candidate fails to give an explanation or refuses to sign the prescribed form, it shall be deemed that sufficient opportunity was given to him for explaining the charges against him and he had nothing to say in the matter, and the Committee may take a decision without giving the candidate any further opportunity;
- (c) the Superintendent of Examination, Head Invigilator or an Invigilator/s may search a candidate for recovery of any material likely to be used by the candidate in any manner prohibited by these regulations;
- (d) where a candidate has been found using Unfair Means shall hand over the Answer Book to the Invigilator and a fresh Answer Book may be issued to him/her, unless interim action under Clause 7 is taken against him/her.

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6. REPORT:

- (a) The Superintendent / Assistant Superintendent of Examination Centre or the Head Invigilator / the Invigilator or the Examiner shall report in writing to the Controller of Examinations, the case of every student who has or is suspected of having contravened the provisions of Clause (3);
- (b) the person reporting the case shall narrate the facts of the case in his report and forward with it, the statement, if any, made on the occasion by the candidate and the Invigilator on duty along with the material recovered from the candidate, if any.

7. INTERIM ACTION:

Without prejudice to the provision contained in Clause 6 and to any action that may be taken under these Regulations, the Superintendent of the Examination Centre, the Head Invigilator, Invigilator or, in case of practical/oral examination, the Head of the Department shall also have the power to expel the candidate, who in his/her opinion, has contravened any of the provisions of Clause 3, from the

examination centre for the remaining duration of the paper or practical or oral examination, as the case may be.

8. **PROCEDURE:**

- (a) The Controller of Examinations will convene a meeting of the Committee to provide an opportunity to a candidate against whom charges are framed to defend himself / herself.
- (b) The Committee, or any person authorized by it in this behalf, shall communicate to a candidate in respect of whom a report has been received under Clause 6, the nature of allegations against him/her and shall require him/her to furnish a written explanation within a period of two days from the date of the receipt of the notice.
- (c) if a candidate has refused to receive the notice issued by the Committee or has, in the opinion of the Committee, avoided its service, the Committee may proceed as if the notice has been served;
- (d) no extension of the time required to submit the explanation shall be permissible except where, for reasons shown to the satisfaction of the Committee or any person authorized by the Committee in this behalf, the candidate is unfit to furnish such explanation;
- (e) on receipt of the explanation from the candidate or if no explanation is received from him/her, the Committee may either consider the matter itself or authorize any person or persons to scrutinize the papers and make a report to the Committee;
- (f) no candidate shall have the right to be represented by Counsel(s) before the Committee.
- (g) after considering the material on record including any explanation submitted by the candidate; the report of the person or persons appointed by the Committee to make an enquiry; or any other material as the Committee may deem fit, if the Committee is satisfied that a candidate is guilty of the use of Unfair Means or Disorderly Conduct in the examination, it may impose one or more of the punishment(s) enumerated in Clause 4, as it deems fit.

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9. **REVIEW**

Under very special circumstances, the Vice-Chancellor may direct the Committee, with specific recommendations, to review the case.

10. **DETECTION OF OFFENCE AFTER DECLARATION OF RESULT:**

If it is brought to the notice of the Controller of Examinations within four months from the date of declaration of the result that a candidate was guilty of the use of Unfair Means at the examination in respect of which his/her result was declared the provisions of these Regulations shall apply with such changes as may be necessary to the case of such a candidate provided that before imposing any

punishment he shall be given an opportunity to explain the charges against him in the manner prescribed in Clause 8 of these Regulations.

11. OFFENCE BY A PERSON OTHER THAN A STUDENT OF THE UNIVERSITY:

If a person, not otherwise covered by these Regulations, is found guilty of; having impersonated a candidate; of having written the answer(s) outside the Examination Hall; of getting the examination paper or Answer Book(s) smuggled into the Examination Hall; or, of having managed otherwise to replace an Answer Book or any of its pages after the examination to benefit any candidate, the candidate shall be deemed guilty of the use of Unfair Means and the provisions of these Regulation shall apply with such changes as may be necessary in such cases.