

**BIRLA VISHVAKARMA MAHAVIDYALAYA**

**(Engineering College)  
(An Autonomous Institute)  
(A CVM Institute)**

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**PREVENTION, PUNISHMENT AND PROCEDURE CONCERNING CASES OF MISCONDUCT AND USE OF UNFAIR MEANS IN OR IN RELATION OF EXAMINATION**

UR 1. These Regulations may be called "**Regulations relating to Prevention, Punishment and Procedure concerning Cases of Misconduct and Use of Unfair Means in or in relation to Examinations**" and be abbreviated as "**Regulations relating to Unfair Means Cases (UFM)**".

UR 2. In these Regulations, unless there is anything repugnant in the subject or context:

- (a) "College" or "Institute" shall mean Birla Vishvakarma Mahavidyalaya (Engineering College, Autonomous), Vallabh Vidyanagar
- (b) "Candidate" shall mean an intending examinee, an examinee taking any examination in a particular semester and wherever the context so permits, every student on the rolls of a College
- (c) "Committee" shall mean the Standing Committee (UFM) appointed under Regulations 3(a) para to deal with the cases of alleged use of unfair means and misconduct in or in relation to the **ANY Examination**
- (d) "Disqualification" shall mean disqualification from appearing in any examination of the College and will be treated as failure in the examination and all consequences of failure will follow
- (e) "Examination" shall mean any examination conducted by the College
- (f) "Board of Governors", "Principal", "Academic Council", "Controller of the Examination", "Senior Supervisor" and "Junior Supervisor" shall mean respectively the Board of Governors, the Principal, the Academic Council and the Controller of Examination of the college; and
- (g) Semester(s) of disqualification shall be treated as a period from the commencement of the examination in which the candidate is caught to one day before the commencement of the next semester examination, as the case may be.

UR 3. Standing Committee (UFM)

- (a) The Board of Governors shall biannually appoint a Standing Committee consisting of five persons, as follows:
  - i) The Principal - Chairman
  - ii) Controller of Examination - Member Secretary
  - iii) Two Professors - Members
  - iv) One Associate Professor - Member

Three members shall form the quorum.

- (b) The Controller of Examination shall call upon the candidate alleged to have employed unfair means in the examination or obtaining admission to an examination on a false representation,

to appear before the Standing Committee to represent his/her case personally at his/her own expense on the date fixed for his/her appearance before the said Committee. If, in spite of service of notice, the candidate fails to do so, he / she will be proceeded against ex-parte.

- (c) Where a candidate wishes to produce any evidence and/ or witness before the Committee, he / she may be permitted to do so by the Committee at his / her own expense. The Committee may also, on its own motion and for arriving at a just conclusion based on the principles of natural justice, direct the members of the supervisory staff or any other person to appear before it.
- (d) After having heard the candidate and evaluating the evidences produced by he/she, the committee decides the punishment which shall be final and binding except as provided in Regulation UR 20.

UR 4. All candidates must leave all papers, notes, books, mobiles, non--permitted electronics gadgets and hand bags etc. outside the examination hall.

UR 5. The Junior Supervisor shall report to the Senior Supervisor/Controller of Examination without delay and on the day of occurrence or detection, each case where the use of unfair means in the examination is detected, giving details of the evidence and explanation of the candidate concerned on Form UFM1. Provided that in case of non-availability of Form UFM1, they may be reported on Photostat copy of Form UFM1. Provided further that in exceptional circumstances the case can also be reported by the Controller of Examination or Senior Supervisor directly on a plain paper.

UR 6. Soon after the detection, the Junior Supervisor and Senior Supervisor shall require the candidate to make a statement explaining his / her conduct. In case the candidate refuses to do so, the fact of his / her refusal shall be recorded by the Junior Supervisor, which should be attested by Senior Supervisors on duty, present at the time of refusal.

UR 7. The answer-books in which the use of unfair means is alleged, shall be seized by the Junior Supervisor, and the candidate concerned shall be permitted to answer the remaining part of the question paper on freshly issued answer books. The Junior Supervisor shall forward both the answer books, along with his / her report in Form UFM1, to the Controller of Examination. The candidate shall not forfeit his / her right to appear in the rest of the examination in subsequent papers.

UR 8. If during the Examination, a candidate is found having in his / her possession or accessible to him / her papers, books, notes or other material, which do not relate to the subject of the examination of the day and which could not possibly be of any assistance to him / her, no action shall be taken against him / her. The Junior Supervisor shall nevertheless promptly report the case to the Senior Supervisor/Controller of the Examination and all the seized materials shall be sent along with the report.

Note: The Controller of Examination need not report such a case to the Committee, unless he disagrees with the report of the Senior Supervisor.

UR 9. The use of unfair means in or in relation to the examination shall include the following facts or omissions on the part of the candidate, viz:

- (a) Being in possession in the examination hall, of papers, books, notes or writing on any part of the candidate's clothes or any writing on his/ her body or table or desk or on a foot rule and/ or instruments like set squares, protractors, slide rules or any other material with notes or hints written thereon or any such material accessible to him / her which may be, or intended to be of possible help to the candidate in the examination.
- (b) Talking or communicating by other means to another candidate or any person inside or outside the examination hall without the permission of the supervisory staff.
- (c) Presenting to the examiner a practical, report or practical work note book not prepared by himself / herself.
- (d) Leaving the examination hall without delivering to the supervisor concerned the answer book or may part thereof or taking away the same or tearing it or otherwise disposing it of or tearing the answer-book of other candidate or otherwise disposing it off.
- (e) Refusing to obey the legitimate orders of the Supervisor and / or any other member of the Supervisory Staff.
- (f) Changing the seat without the permission of the supervisory staff or occupying the seat not allotted to him / her.
- (g) Coming to the examination hall under the influence of alcoholic drink or drugs.
- (h)
  - i) Copying or attempting to copy from the objectionable material found in his / her possession  
Or
  - ii) Copying or attempting to copy from another candidate  
Or
  - iii) Assisting another candidate to copy from the objectionable material in his / her possession or from his / her answer-book.
- (i) Receiving help or attempting to receive help for answering the question paper from any source in any manner, inside or outside the examination hall.
- (j) Swallowing or attempting to swallow a note or paper or running away with it or causing its disappearance or destroying it in any manner.
- (k) Writing on any piece of paper or on any other material any question or a part thereof set in the question paper or anything connected with it or a solution thereof or corroborating with any teaching or non-teaching staff of the college with an intent to copy any material related to the examination.
- (l) Passing or attempting to pass on to any one a copy of the question set in the question paper or the question itself, or a part thereof, or a solution to a question set in the question paper.
- (m) Possessing a solution to a question set in the question paper with or without the connivance of any person including a member of the supervisory staff.

- (n) Smuggling an answer book or supplementary answer sheet/s or any part thereof in or outside the place of examination.
- (o) Replacing or getting replaced answer books or any of its pages or supplementary answer sheet during or after the examination.
- (p)
  - i) Misbehaving with the Supervisor/s or any other member of the Supervisory staff or any member of the inspection team or the flying squad, or with another candidate inside the examination hall or outside, before, during or after the examination:  
or
  - ii) Creating disturbance in the examination hall or in its vicinity;  
or
  - iii) Organizing a walk out or instigating others to walk out or misconducting oneself in any manner in or outside the examination hall;  
or
  - iv) Disturbing or disrupting the examination in any manner whatsoever;  
or
  - v) Carrying into the examination hall fire-arms or any other weapon.
- (q) Deliberately disclosing one's identity or making any distinctive mark in the answer book for that purpose.
- (r) Attempting to remove the sticker on the answer book.
- (s) Using abusive or obscene language in the answer book.
- (t) Writing irrelevant matter related to particular subject in the answer book.
- (u) Possessing any of the prohibited electronic gadgets (other than mobile or other means of communication instrument).<sup>1</sup>
- (v) Getting oneself impersonation by someone in the examination or impersonating another candidate.
- (w) Communicating or attempting to communicate, directly or through person, with an examiner with the object of influencing him / her in the award of marks.
- (x) Making an appeal to the examiner in the answer book.
- (y) Knowingly writing another person's Roll Number on one's answer book.
- (z) Engaging in any other act or omission which amounts to use of unfair means or misconduct or has the tendency to disrupt the orderly conduct of the examination.
- (aa)

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<sup>1</sup> The standing committee shall make the decision whether the electronic gadget is prohibited or not based on the specification of the gadget.

- i) Carrying mobile or other means of electronics communication inside the examination hall (even in off condition).
- ii) Communicating or trying to communicate, by any means whatsoever, through electronic media or otherwise with any other person in a manner that is indicative of help being sought/ given in an examination.”

UR 10. A candidate found guilty of committing any one or more of the offences under Regulation 9 supra shall be disqualified from appearing in any examination of the University for the period specified as under :

| <b>Offence</b>   | <b>Punishment</b>   |
|--|---|
| I. For offence under clauses UR 9(c), UR 9(k), UR 9(r), UR 9(s), UR 9(t), UR 9(u)  | Disqualification for a period that may extend to two semesters but be not less than one semester. |
| II. For offence under clauses UR 9(a), UR 9(d), UR 9(e), UR 9(g), UR 9(h), UR 9(i), UR 9(j), UR 9(l), UR 9(w), UR 9(y), UR 9(aa) | Disqualification for a period of not less than two semesters.                                     |
| III. For offence under clause UR 9(m)  | Disqualification for a period of not less than three semesters.                                   |
| IV. For offence under clauses UR 9(n), UR 9(o)   | Disqualification for a period of not less than four semesters.                                    |
| V. For offence under clause UR 9(v)  | Disqualification for a period of not less than five semesters.                                    |
| VI. For offence under clause UR 9(p)   | Disqualification for a period that may extend to five semesters.                                  |
| VII. For offence under clause UR 9(z)  | Disqualification for a period that may extend to five semesters, but not less than two semesters. |

UR 10.1 A candidate contravening the provisions of clause UR 9(b), UR 9(f), UR 9(q) and/or UR 9(x) shall be liable to cancellation of his/her answer book in the subject/paper concerned without any implication of moral turpitude.

UR 11. If during an examination, a candidate is found having in his/her possession or notes which could be of assistance to him/her in the examination but he/she has not made use of them, and if the committee is satisfied that these papers, books or notes, as the case may be, remained with the candidate out of inadvertence, he/she may as a disciplinary measure and without any implication of moral turpitude, be debarred from passing in that paper.

UR 12. If the answer book of a candidate shows or it is otherwise established that he/she had received or attempted to receive help from any source, whatsoever manner it may be, or has given help

or attempted to give help to another candidate in any manner, he/she shall be disqualified from appearing in any examination for a period of not less than two semesters.

- UR 13. A person found guilty of writing an answer book or a continuation sheet for a candidate, which the latter has smuggled, or intends to smuggle, into the examination hall and has submitted or intends to submit, as one having been written by himself/herself, shall be disqualified from appearing in any examination for a period of not less than four semesters, including that in which he/she is found guilty.
- UR 14. A person, not being a candidate, found guilty of impersonating or misrepresenting a candidate in the examination shall be declared not a fit and proper person to be admitted to any future examination of the College. Besides, if it is considered necessary, his/her case may be reported to the Police.
- UR 15. If a person misbehaves with a member of the supervisory staff or threatens or intimidates any one or more of them, or otherwise interferes with their work in any manner, he/she shall be disqualified from appearing in any examination for a period which may extend from two to five years.
- UR 16. If a person misbehaves with an examiner or any other individual deputed in connection with the evaluation work or threatens or intimidates any one or more of them or otherwise interferes with their work in any manner, he/she shall be disqualified from appearing in any examination for a period which may extend from two to five years.
- UR 17. If a person, including a member of the supervisory staff helps the candidate to copy from certain material or from the answer-book of another candidate or helps in any other manner, he/she shall be disqualified from appearing in any examination for a period of not less than two years and shall not be given any remunerative work of the college for a period to be determined by the Principal. The notice to be served to the concerned person.
- UR 18. A person who is found guilty of committing an offence under these Regulations but is not a candidate for any examination, shall be dealt with as under :
- (a) In case of a teacher or a person connected with an Institution, his/her conduct shall be reported to the Principal.
  - (b) The Principal may hand over the case to the Police if it discloses commission of a criminal offence, after approval of the Chairman, BOG.
- UR 19. For cases of unfair means not covered by these Regulations, the Board of Governors may, on the recommendations of the Committee, impose such punishment as the nature of the offence demands.
- UR 20. An appeal against the decision of the Committee shall be presented to the Principal only if a candidate, or a Branch dealing with Unfair Means Cases, is in a position to put up some new facts which are likely to be crucial in the sense that they might induce the Committee to come to a decision other than the one taken by it. The candidate may go in for appeal within thirty days from the date of receipt of information about the decision whereas the Branch may also initiate the cases, if any, within thirty days from the date of receipt of decision from the Committee. In such cases, the Principal may order that such facts be reduced to writing and placed before the

Committee for reconsidering the whole case. After reconsideration of the whole case by the Committee, the case shall be referred to the Principal, who may either finally decide the case himself/herself or refer it to the Board of Governors for final decision, as he/she may deem proper.

