

# ALIGARH MUSLIM UNIVERSITY, ALIGARH

## Examination (Control of Unfair Means and Disorderly Conduct) Regulations-2019

- I **TITLE:** These Regulations may be called, “**The Examination (Control of Unfair Means and Disorderly Conduct) Regulations**”.
- II **DEFINITIONS:** For the purpose of these Regulations, unless the context otherwise requires:
- a) **‘Examination’:** means an examination for a specific term i.e., Prof, Semester or Year (including supplementary/re-sit/compartamental/graduating examination), as the case may be, conducted by the Aligarh Muslim University, Aligarh including AMU Centres outside Aligarh examinations and shall include all papers in which the candidate is entitled to appear during the particular year / prof or semester, as the case may be. It shall also include Entrance/Admission Tests and Interviews held for the purpose of admitting candidates to any course in the University and its outside Admission Test Centres.
  - b) **‘Year’:** means the academic year.
  - c) **‘Semester’:** means one of the two semesters (odd/even) as the case may be in one academic year.
  - d) **‘Examination Committee’:** means the Committee of Examinations constituted under Chapter IV & V of the Academic Ordinances.
  - e) **‘Candidate’:** means an examinee taking an examination in a particular semester/year and also includes any person appearing in entrance examination for any course of the University for which he/she has applied for admission.
  - f) **‘University’:** means Aligarh Muslim University campus, including its Centres at Kishanganj, Malappuram & Murshidabad.
  - g) **‘Unfair Means’:** It means and includes:
    - i) Approaching an invigilator/staff on duty in any manner, so as to influence him/her for help during the Examination.
    - ii) Deliberately disclosing one’s identity or making any distinctive mark(s) in the answer book(s) for the purpose of influencing an examiner.
    - iii) Communicating with or approaching an examiner in any manner, so as to influence him/her in evaluating the answers.
    - iv) Communicating with any other candidate or unauthorized person in any manner whatsoever inside or outside the examination hall during the course of the examination.
    - v) Indulging in making sounds/unsolicited gestures to hint at answers etc. during the course of examination.
    - vi) During examination time having in possession or access to the following (with or without intention to use the same):
      - a) Any paper, book, note or any other unauthorized material which has relevance to the syllabus of the examination paper concerned.

- b) Mobile Phones or any electronic gadget other than a calculator, even in switched off mode, which can potentially be used for communication or copying.
  - c) Anything written on question paper, any instrument/gadget or any kind of furniture or on the body of the candidate or his/her clothes/garments, handkerchief etc. or any other substance which may have relevance to the syllabus of the examination paper concerned.
  - vii) 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.
  - viii) Assisting in any manner any other candidate in answering the question paper during the course of the examination.
  - ix) Bringing in, or arranging to be brought in the examination room, a blank or written OMR Answer Sheet /Answer Book 'A' or 'B', in whole or part.
  - x) Taking out, or arranging to be sent out of the examination room, OMR Answer Sheet /Answer Book 'A' or 'B', in whole or part.
  - xi) Replacing / adding pages or getting OMR Answer Sheet /Answer Book 'A' or 'B' replaced, in whole or part.
  - xii) Taking out or arranging to send out the Question paper, in whole or part thereof in any form or by whatsoever means.
  - xiii) Gaining access to question paper, in whole or part thereof, before the examination.
- h) **'Disorderly Conduct'**: It means and includes:
- i) Pressurizing the Superintendent/Invigilator for issues including but not limited to allowing to sit for exam in absence of necessary ID proof/Hall Ticket, extra time allotment etc.
  - ii) Changing seat in the examination hall without permission.
  - iii) Entering the Examination Centre in an inebriated/intoxicated state.
  - iv) Refusing to sign the Unfair Means Form.
  - v) Leaving the examination room before the expiry of the stipulated period without obtaining the permission of the Invigilator.
  - vi) Altering identity proof and/or Admit card/Hall Ticket using any of the methods of forgery including but not limited to handwriting, printing, engraving, typewriting etc. and/or such document is produced with intent to defraud and sit in the examination.
  - vii) Destroying or attempting to destroy a note or paper or any other material evidence of using Unfair Means.
  - viii) Misbehaving (shouting, using abusive or obscene language/symbols, resisting, etc.) with the Superintendent, Invigilator or other Staff working at the Examination Centre in connection with the conduct of examination before, during or after the examination hours.
  - ix) Disturbing or Disrupting the conduct of Examination and inciting or compelling other candidates to leave the examination room.

- x) Taking away the Answer Book(s) from the examination room and/or intentionally tearing off or mutilating an Answer Book, in whole or part.
- xi) Impersonating or getting impersonated in taking the examination.
- xii) In possession of any weapon in the Examination Centre.
- xiii) 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.
- xiv) 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

### **III PROHIBITION OF THE USE OF UNFAIR MEANS OR DISORDERLY CONDUCT:**

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

### **IV DETECTION OF OFFENCE:**

- a) If any candidate is found violating provisions II (h) (i - v) of these Regulations, then:
  - i) First. verbal warning, shall be issued by the invigilator to the student.
  - ii) If the student persists with his deviant behavior, the invigilator will inform the Centre Superintendent.
  - iii) Second verbal warning shall be issued by the Centre Superintendent.
  - iv) However, in cases where the students do not mend their ways after second verbal warning, the case shall be reported to the Scrutiny Committee on the prescribed form.
- b) If any candidate is found violating any of the provisions of these Regulations except those specified at IV(a) above, then:
  - i) The Invigilator/Examiner or the Superintendent of the Examination Centre shall record the indulgence of the candidate in Unfair Means and/or Disorderly Conduct on the prescribed form detailing material found, if any, in possession of the candidate. The Invigilator/Examiner or the Superintendent of the Examination Centre shall also direct the candidate for an explanation in writing on the prescribed form.
  - ii) If the candidate fails to give an explanation or refuses to sign the prescribed form, it shall be assumed that sufficient opportunity was given to him/her for explaining the charges against him/her and he/she had nothing to say in the matter and the same shall be noted on the prescribed form by the Invigilator/ Superintendent of Examination.
  - iii) The Superintendent of Examination, Assistant Superintendent and/or Invigilator/s may search a candidate for recovery of any material likely to be used by the candidate in any manner prohibited under these regulations.
  - iv) Where a candidate has been found using Unfair Means and/or Disorderly Conduct, his/her Answer Book shall be confiscated and sealed by the Invigilator and a fresh

Answer Book may be issued to him/her, unless interim action under Clause VI is taken against him/her.

**V REPORTING OF OFFENCE:**

- a) The Superintendent / Assistant Superintendent of Examination Centre or the Examiner shall report in writing to the Controller of Examinations, the case of every candidate who has or is suspected of having contravened the provisions of Clause III.
- 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.

**VI INTERIM ACTION:**

Without prejudice to the provisions contained in Clause V and to any action that may be taken under these Regulations, the Superintendent of the Examination Centre, the Assistant Superintendent, 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 indulged in unfair means and/or disorderly conduct, from the examination center for the remaining duration of the paper or practical or oral examination, as the case may be.

**VII PROCEDURE:**

- a) All reported cases as per Clause 5 will be first placed before a Scrutiny Committee to be appointed by the Vice-Chancellor/Examination Committee.
- b) The Controller of Examinations will convene a meeting of the Scrutiny Committee to provide an opportunity to a candidate against whom charges are framed to defend himself / herself.
- c) The Scrutiny Committee, or any person authorized by it, shall communicate to a candidate in respect of whom a report has been received under Clause 5, the nature of allegations against him/her and shall require him/her to present himself/herself before the Scrutiny Committee on the stipulated date and time as mentioned in the notice.
- d) No candidate shall have the right to be represented by Counsel(s) or any other individual before the Scrutiny Committee.
- e) The candidate can furnish an oral/written explanation before the Scrutiny Committee during his/her appearance.
- f) No extension of the time required to submit the explanation shall be permissible except where, for reasons shown to the satisfaction of the Scrutiny Committee or any person authorized by the Scrutiny Committee in this behalf, the candidate is unfit to furnish such explanation.
- g) If a candidate has refused to receive the notice issued by the Scrutiny Committee or has, in the opinion of the Scrutiny Committee, avoided its service, the Scrutiny Committee may proceed as if the notice has been served for ex-parte decision.

- h) On receipt of the explanation from the candidate or if no explanation is received from him/her, the Scrutiny Committee shall scrutinize the papers and submit a report to the Examination Committee.
- i) After considering the material on record including any explanation submitted by the candidate; the report of Scrutiny Committee; and/or any other material as the Examination Committee may deem fit, if the Examination Committee is satisfied that a candidate is guilty of the use of Unfair Means and/or Disorderly Conduct in the examination, then such a candidate shall be awarded punishment by the Examination Committee.
- j) The punishment awarded to the candidate will be communicated to him/her in writing and will also be sent to the concerned offices for compliance.

### VIII PUNISHMENT:

A candidate found guilty of using Unfair Means and/or Disorderly Conduct in the examination shall be awarded punishment as mentioned against the concerned Unfair Means and/or Disorderly Conduct by the Examination Committee.

**TABLE I: UNFAIR MEANS**

S.No.	Candidate found guilty of the following provisions of Unfair Means	Punishment to be awarded to the candidate appearing at	
		University Examination	Admission Test
1.	II (g) (i), (ii), (iii), (iv),(v)	Cancellation of Examination of the Paper concerned and shall be further debarred from appearing at the supplementary/re-sit/ compartmental / graduating examination*, if any, of that Semester / Year / Prof.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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.
2.	II (g) (vi), (vii), (viii)	Cancellation of Examination of the Semester / Year / Prof concerned and shall be further debarred from appearing at the supplementary/re-sit/compartmental / graduating examination*, if any, of that Semester / Year / Prof.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and the year immediately following.
3.	II (g) (ix),(x), (xi), (xii), (xiii)	Debarring the candidate for one academic year and cancellation of the all the papers of the Semester/Year/Prof concerned.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and next two years.

**TABLE II: DISORDERLY CONDUCT**

S.No.	Candidate found guilty of the following provisions of Disorderly Conduct	Punishment to be awarded to the candidate appearing at	
		University Examination	Admission Test
1.	II (h) (i), (ii), (iii), (iv), (v)	Cancellation of Examination of the Paper concerned and shall be further debarred from appearing at the supplementary/re-sit/compartmental / graduating examination*, if any, of that Semester / Year / Prof.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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.
2.	II (h) (vi), (vii)	Cancellation of Examination of the Semester / Year / Prof concerned and shall be further debarred from appearing at the supplementary/re-sit/compartmental / graduating examination*, if any, of that Semester / Year / Prof.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and the year immediately following.
3.	II (h) (viii), (ix)	Debarring the candidate for one academic year and cancellation of all the papers of the Semester/Year/Prof concerned.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and next two years.
4.	II (h) (x), (xi)	Debarring the candidate for two academic years and cancellation of all the papers of the Semester/Year/Prof concerned. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and next three years. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.
5.	II (h) (xii), (xiii)	Debarring the candidate for three academic years and cancellation of all the papers of the Semester/Year/Prof concerned. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and next four years. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.

6.	II (h) (xiv)	Debarring the candidate for five academic years and cancellation of all the papers of the Semester/Year/Prof concerned. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.	Cancellation of the candidate's application for admission in the course concerned and shall be further 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 and next five years. An F.I.R. be lodged against the candidate by the Proctorial staff on duty.
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\*If the offence was committed in the Supplementary/re-sit/compartmental / graduating examination, the candidate shall be debarred from the next Annual/Semester/Prof. Examination.

**Explanation:** If a candidate is caught using any unfair means 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).

**Note:**

1. A candidate found guilty of committing two or more offences under Unfair Means/Disorderly Conduct, or both, as defined in Clause 2 (g) / (h), in the same or subsequent examination, may be awarded heavier punishment than the punishment prescribed.
2. The Committee, at its discretion, may award a heavier or lighter punishment than that prescribed to a candidate under exceptional circumstances.

**IX APPEAL:**

A candidate not satisfied with the decision of the Examination Committee may submit an appeal before the Academic Council within one month of the date of issue of award of punishment to the candidate.

**X 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/she shall be given an opportunity to explain the charges against him in the manner prescribed in Clause VII of these Regulations.

**XI 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 regulations shall apply with such changes as may be necessary.

If such a person is an employee of the University, departmental action shall be initiated against him/her.

Provided further that if such a person is neither an employee nor a student of the University, legal action shall be initiated against him/her.