

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

PART 1 - General

1. These Ordinances may be called "Ordinances 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".
2. In these Regulations, unless there is anything repugnant in the subject or context :
 - (i) "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 University teaching department or a College affiliated to the University.
 - (ii) "Committee" shall mean the Standing Committee appointed under Regulations 3.1 infra to deal with the cases of alleged use of unfair means and misconduct in or in relation to the University Examination'
 - (iii) "Disqualification" shall mean disqualification from appearing in any examination of the University and will be treated as failure in the examination and all consequences of failure will follow ;
 - (iv) "Examination" shall mean an examination conducted by or at the instance of the Punjab Technical University and shall include an examination so conducted though subsequently cancelled;
 - (v) "Board of Governors", "Vice Chancellor" and "Registrar" shall mean respectively the Board of Governors, the Vice Chancellor and the Registrar of Punjab Technical University;
 - (vi) "University" shall mean the Punjab Technical University at Jalandhar; and
 - (vii) Semester of disqualification shall be taken to extend from commencement of the examination in which the candidate is detected to have terminated one day before commencement of the next Semester examination as the case may be.
- 3.1 The Board of Governors shall annually appoint a Standing Committee consisting of four persons, one of whom shall be Registrar of the University or his nominee not below the rank of a Deputy Registrar to deal with the cases of alleged use of unfair means and / or misconduct in relation to an examination. Two members shall form the quorum.
- 3.2 The Registrar, or an officer authorized by him in this behalf, 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 case personally at his own expense on the date fixed for his 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.
- 3.3 Where a candidate wishes to produce any evidence and/ or witness before the Committee, he / she may be allowed 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 of any other person to appear before it.

- 3.4 When the Committee, after having heard the candidate when present and after having heard such evidence as he / she may produce and after going through the record is unanimous in its decision, that decision shall be final except as provided in Regulations 20 infra. If the Committee is not unanimous in its decision, the record of the case shall be referred to the Vice Chancellor who may either decide the case himself / herself or refer it to the Board of Governors for decision.
4. All candidates must leave all papers, notes, books and hand bags etc. outside the examination hall. A place or a receptacle will be provided outside the examination hall for the purpose and the same shall be locked wherever possible, and the key will be kept by the Superintendent.
5. Every day, before the examination begins, the Superintendent or the Deputy Superintendent, as the case may be, shall call upon the candidates to search their persons/ pockets, etc. and part with and deliver to him / her all papers, books and / or notes which may be having in their possession. Where a late comer is admitted, this warning shall be given to him / her before he / she is permitted to take the examination. The Superintendent or the Deputy Superintendent as the case may be, and both, when there is a Superintendent as well as a Deputy Superintendent-in-charge of the examination, shall forward to the Registrar every day a declaration certifying compliance with this provision.
6. The Superintendent shall report to the Registrar without delay and on the day of occurrence, if possible, 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 no. 749

Provided that in case of non-availability of Form 749, they may be reported on Photostat copy of Form 749 or on a plain paper.

Provided further that in exceptional circumstances the case can also be reported by the members of the flying Squad or the Special Observer or the Local Controller of the Examination or Centre Superintendent directly on a plain paper.

Non-reporting of an unfair means case shall be deemed as dereliction of duty making the defaulting member of the supervisory staff liable for being debarred from all remunerative work of the University and further, dereliction takes place.

- 7.1 Soon after the detection, the Superintendent 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 Superintendent, which should be attested by one member of the supervisory staff or a Clerk on duty, present at the time of refusal.
- 7.2 While reporting a case of use of unfair means in the University Examinations detected by or in the presence of the member of flying squad/ observer on University duty, both the member of flying squad/ observer and the Centre Superintendent shall be required to sign the incriminating papers recovered from the possession of the candidate and those papers should also be got signed by the candidate. If the candidate or the Centre Superintendent refuses to do so, this should be reported to the University in writing.

8. The answer-book in which the use of unfair means is alleged shall be seized by the Superintendent, and the candidate concerned shall be permitted to answer the remaining part of the question paper on a separate answer book. The Superintendent shall forward both the answer books, alongwith his / her report in Form 749, to the Registrar. The candidate shall not forfeit his / her right to appear in the rest of the examination in subsequent papers.
9. If during a University 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 Superintendent shall nevertheless promptly report the case to the Registrar and all the papers shall be sent alongwith the report.

Note : The Registrar need not report such a case to the Committee, unless he disagrees with the report of the Centre Superintendent.

PART - II - Offences and Punishment

10. 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 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 or class 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 of.
 - (e) Refusing to obey the legitimate orders of the Superintendent 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 blotting 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.
- (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 of a continuation sheet or any part thereof in or outside the place of examination.
- (o) Replacing or getting replaced answer books or any of its leaves or a continuation sheet during or after the examination.
- (p)
 - (i) Misbehaving towards the Superintendent 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) Organising 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) Using abusive or obscene language in the answer book.
- (s) Forging another person's signature on admission form or using a forged document knowing it to be forged with the view to seeking admission to a College or to a University examination.
- (t) Obtaining admission to an examination on a false representation made in the admission form or any document or suppressing material information relating to the candidate's eligibility and / or obtaining admission to a course in an affiliated College to eventually appear in a University examination and such admission has been found to have been obtained on the basis of the false representation.
- (u) Getting oneself impersonation by someone in the examination or impersonating another candidate.
- (v) Communicating or attempting to communicate, directly or through person, with an examiner with the object of influencing him / her in the award of marks.
- (w) Making an appeal to the examiner in the answer book.
- (x) Knowingly writing another person's Roll Number on one's answer book. And / or
- (y) 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.
- (z)
 - i) Carriage of 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."

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

I.	For offences under clauses (c), (k) and (r)	Disqualification for a period that may extend to two semesters but be not less than one semester.
II.	For offences under clauses (a), (d), (e), (g), (h), (i), (j), (l), (v) (x) and (z)	Disqualification for a period of not less than two semesters.
III.	For offences under clauses (m) and (t)	Disqualification for a period of not less than three semesters.
IV.	For offences under clauses (n) and (o)	Disqualification for a period of not less than four semesters.
V.	For offences under clauses (s) and (u)	Disqualification for a period of not less than five semesters.
VI.	For offences under clause (p)	Disqualification for a period that may extend to five semesters
VII.	For offences under clause (y)	Disqualification for a period that may extend to five semesters, but be not less than two semesters.

Note : All cases in which disqualification has been ordered for a period of five years shall be reported to the Board of Governors by the Registrar.

- 11.2 A candidate contravening the provisions of clause (b), (f), (q), and (w) or Regulation 10 shall be liable to cancellation of his/her answer book in the subject/paper concerned without any implication of moral turpitude.
12. If during a University 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.
13. 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 and in any manner, 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 year.
14. 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 years, including that in which he/she is found guilty.

15. 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 University. Besides, if it is considered necessary, his/her case may be reported to the Police.
- 16.1 If a person misbehaves with a member of the supervisory staff or a member of the flying squad or inspection team 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.
- 16.2 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.
17. If a person, including a member of the supervisory staff or menial, 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 University for a period to be determined by the Vice- Chancellor. In case such a person is a member of the teaching staff or a College affiliated to the University, or is working as a Librarian, or a Director of Physical Education etc. his approval as Lecturer, Instructor or Librarian or Director Physical Education , as the case may be, shall be withdrawn.
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 Managing Body of the Institution or the Government in the case of a Government Institution, and he/she shall be debarred from any remunerative job in the University.

Provided that in such cases where a teacher/ member of the non-teaching staff had been or is debarred/ disqualified permanently from any remunerative work of the University, the punishment would be for 10 years in all.
 - (b) The Vice Chancellor may hand over the case to the Police if it discloses commission of a criminal offence.
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.
20. An appeal against the decision of the Committee shall lie to the Vice Chancellor 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 Vice Chancellor 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 Vice Chancellor, 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.

21. If the Board of Governors is satisfied after enquiry that the integrity of an examination has been violated at an examination centre as a consequence of large-scale unfair assistance rendered to the examinees, it may, besides taking action under these Regulations order re-examinations, cancelling the results of such examination if already declared, and may also abolish that examination centre for future or for a specified period.

Amendment 1 (Approved in 8th Academic Council meeting)

8.39	Constitution of UMC committee for dec., 2000/January,2001 semester examination.	<p>It was decided that the Constitution of UMC committee should be as under:-</p> <ol style="list-style-type: none"> 1. A Retired Judge 2. An Academician 3. An Administrator <p>The Academic Council authorized the Vice- Chancellor to appoint the member as stated above on the UMC Committee.</p>
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Amendment 2 (Approved in 9th Academic Council meeting)

9.36	Amendment in Unfair Means Regulations	<p>The following amendment in the existing rules for Unfair means was approved :</p> <p>“The punishment given in the “year(s)” may be considered in “semester(s)” while implementing punishment awarded to the students. This may be made applicable w.e.f the examination held in May, 2001”</p>
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Amendment 3 (Approved in 20th Academic Council meeting)

20.5	Amendments in the examination rules of the University.	<p>Dean (Examinations) briefed the members on the proposed changes in the examination rules. The matter was deliberated upon by the members. The following decisions were taken</p> <p>PRESERVATION OF RECORDS</p> <ol style="list-style-type: none"> (a) Recommended for consideration of the Board of Governors. (b) Dropped. (c) Recommended for consideration of the Board of Governors. <p>IDENTIFICATION OF ANSWER BOOK(S)</p> <p>The council approved the proposed amended and recommended levy of Rs. 200 per answer-book for such purposes. However, instead of date of declaration of result the date of dispatch of the result was inserted.</p> <p>DETENTION OF CANDIDATE DUE TO SHORTAGE OF</p>
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		<p>ATTENDANCE <i>The members recommended to be implemented by BOG.</i></p> <p>PERIOD OF DISQUALIFICATION IN CASE OF UMC <i>Recommended for consideration of the Board of Governors.</i></p> <p><i>The amended regulations as recommended for approval by the BOG are enclosed at Appendix- A.</i></p>
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Amendment 4 (Approved in 26th Academic Council meeting)

26.3	<p><i>To brief on the decisions taken on the 23rd meeting of the BOG</i></p>	<p><i>The Board of Governors, PTU in its 23rd meeting deliberated the proceedings and recommendations of the Academic Council. The following were taken by the BOG :</i></p> <p>(A) <i>Amendment to Academic Regulations 2001 / 2004</i></p> <p><i>The Board approved the recommendations of the Academic Council on medications to the Academic Regulations – 2004 pertaining to examination and attendance. The recommendations of the Council were also made applicable to the students governed by Academic Council Regulations – 2001.</i></p> <p><i>Further the BOG implemented the changes prospectively and not with retrospective effect. Consequently Academic Regulations – 2004 Para 6.1 and 6.2 stand repealed and replaced by the following :</i></p> <p>6.1 Examination : <i>any bonafide student, subject to provisions of regulation 3.2 and 6.2, who appears for the examination conducted by the University, shall be promoted to the next higher semester and shall carry forward, all course(s) in which he / she is declared fail. The student shall have to pass all papers within the stipulated maximum duration to qualify for the award of University degree.</i></p> <p><i>The same shall be applicable, mutatis mutandis to students governed by Academic Regulations 2001 in super session of relevant provisions therein.</i></p> <p>6.2 <i>Attendance</i></p> <p>(a) <i>Student detained, due to shortage of attendance, in any subject, shall have to repeat the course and then only appear in the concerned subject, wherever it is offered as a regular course. However, if a student is short in attendance in all the course offered during a semester, he / she shall be required to repeat the semester, alongwith the next batch of students.</i></p> <p>(b) <i>A student absent consecutively, without any notice or intimation, in writing to the concerned Principal / Director, for more than 45 days consecutively in a semester shall be deemed to have withdrawn from the course and his / her enrolment shall stand cancelled. Save the amendments proposed therein above, all other provisions of Academic Regulations 2004 / 2001 shall remain unchanged.</i></p> <p><i>The above shall be applicable, mutatis mutandis, to students governed by Academic Regulations 2001 in super session of</i></p>
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relevant provisions therein.

The above shall be applicable, *mutatis mutandis*, to students governed by Academic Regulations 2001 in super session of relevant provisions therein. The modified Academic Regulations – 2004 as applicable to Engineering are placed at Appendix –C. These shall be *mutatis mutandis*, applied to all undergraduate and MBA / M.Sc./ MBA course.

The members of the Academic Council are informed accordingly. Any clarifications of ambiguity must be brought to the notice of the University in writing within 90 days of implementation of these provisions. The University alone shall be the competent authority to issue any clarifications to remove any doubts or hardship to any individuals or group of students enrolled in the University.

(B) Examination in the latest syllabus

The Board did not approve conduct of examination as per the latest revised curriculum in respect of students who had failed to clear the subject. The Board referred the case to the Academic Council with the following recommendations :

- (a) To study the pattern being followed by the other Universities particularly technical universities for similar courses.
- (b) To set multiple copies of papers for each set of syllabus and to use these question papers as question paper bank.

(C) Amendment to Chapter XVI of the regulations relating to use of unfair means in or in relation to examination.

The Board approved the amendment as proposed. It was decided that the amendment must be given a wide publicity and cautionary notice must be displayed at appropriate places in the institute / exam hall. The amendment approved is as appended below :

10 (z) (i) Carriage of mobile or other means of electronics communication inside the examination hall (even in off condition) :

(ii) Communicating or typing to communicate, by any means whatsoever, through electronic media or otherwise with any other person in a manner that it indicative of help being sought / given in an examination”.