

**RAJASTHAN UNIVERSITY OF VETERINARY & ANIMAL
SCIENCES (RAJUVAS), BIKANER**

**RULES FOR DEALING WITH CASES OF UNFAIRMEANS AND
DISORDERLY CONDUCT AT THE RAJASTHAN UNIVERSITY OF
VETERINARY AND ANIMAL SCIENCES, BIKANER
EXAMINATIONS AND TO PROVIDE MATTERS CONNECTED
THEREWITH AND INCIDENTAL THERETO**

1. Short title, extent and commencement

- i. These rules may be called as rules for dealing with cases of unfair means and disorderly conduct at the Rajasthan University of Veterinary and Animal Sciences, Bikaner examinations.
- ii. These rules shall extend to the whole of the State of Rajasthan and the examinations conducted by RAJUVAS and institutes and colleges (constituent and affiliated) of RAJUVAS.
- iii. These rules will come in force from the date of notification by RAJUVAS.

2. Definitions- in the rules

- i. University means - Rajasthan University of Veterinary and Animal Sciences, Bikaner.
- ii. Examination center means - any place fixe for holding examination includes the entire premises attached thereto.
- iii. Examination means - any examination conducted in RAJUVAS.
- iv. Vice-Chancellor (VC) means - Vice-Chancellor of RAJUVAS.
- v. Controller of Examination (COE) means - Controller of Examination of RAJUVAS.
- vi. Faculty Chairman means - Faculty Chairman of respective faculty of RAJUVAS.
- vii. Dean means - Deans of the colleges of RAJUVAS.
- viii. Examination Supervisor/Superintendent/Additional Superintendent /Deputy Superintendent/Assistant Superintendent/Invigilator/ Members of Flying Squad/Observer means - The staff appointed by the COE or any competent authority of RAJUVAS for the purpose of Examinations.

- ix. Admission card means - A document issued by COE or any competent authority of RAJUVAS for the purpose of allowing a student to appear in the examination.
- x. Unfairmeans - As described in the following text at point no. 3.
- xi. Insolent behavior/disorderly conduct during examination - As described in the following text at point no. 4.
- xii. The words and expression used herein and not defined, but defined in the Indian Penal Code (45 of 1960) have the meaning, respectively assigned to them in that code.

3. Unfairmeans shall include the following:

- i. Communicating or attempting to communicate with the Controller of Examinations of the University or any person of his office or Superintendent of examination or any person connected with the conduct of examination or with any paper setter or examiner with the object of finding out the name and address of the paper setter or examiner, for finding out the questions that have been set in by the paper setter or examiner or with the object of influencing an examiner in the award of marks or with the object of unduly influencing any of them in discharging his duties in connection with the examination.
- ii. Giving or receiving assistance in answering the question paper to or from any other candidate/person in the examination hall or outside the examination hall.
- iii. Material
 - a) Having in possession during examination time any paper books or notes which have relevance to the examination concerned.
 - b) Anything written on the scale or any other instrument, or on any kind of furniture with which he is concerned which may have relevance to the examination concerned.
 - c) Carrying or using mobile phone or any electronic gadget which may be suspected to be helped in copying or

import/export of question paper or answer or in any form to help the candidate.

- d) Anything written or signs made on the body of the candidate, on clothes/garments, on the paper and on any substance which may have relevance to the examination concerned.
- e) Using or attempting to use any other unfair means during the examination or in connection with the examination.
- f) Smuggling in or out an answer book or impersonation of a candidate, or helping thereof. Impersonation (false eligibility will be considered as unfair means adopted by both the parties and would be dealt with as specified in the procedural code for dealing such cases.
- g) Copying actually from the material not to be used in the examination.
- h) Talking or whispering to other candidate or to any unauthorized person inside or outside the examination room during the examination hours without the permission of a member of the supervisory staff.
- iv. Any other activity which may give undue advantage in the examination to any student.
- v. Cheating or attempting to cheat the University in any manner and
- vi. Any act or omission, by or on behalf of the candidate connected with the examination, whether prior to or subsequent to such examination or the result thereof, which in the opinion of the University is unfair means.

4. Insolent behavior/disorderly conduct during examinations:-

The candidate in the Examination Hall or outside but within the campus of the Examination Centre during the Examination shall be under the disciplinary control of the Superintendent of the Centre or his nominee and shall obey his instructions. Disorderly conduct includes:

- i. Disobeying the instructions of the Superintendent/ Additional Superintendent/ Assistant Superintendent/Deputy Superintendent/Invigilator or any member of the Flying Squad.
- ii. Threatening, intimidating or assaulting the Superintendent, Invigilator, any member of the Flying Squad or any other member of staff working at the examination centre, or another candidate in connection with the examination before, during or after the examination hours.
- iii. Misbehaving with the Superintendent, Invigilators (s), any member of the flying squad or any other member working at the examination centre in connection with the examination before, during or after the examination hours.
- iv. Leaving the examination room, before the scheduled permitted time after the commencement of the examination, or leaving the examination room without obtaining the permission of the Invigilator or without handing over the answer-book to the Invigilator or without signing the attendance sheet.
- v. Tearing off or mutilating an answer-book (Main or Supplementary) or any part thereof.
- vi. Disturbing or disrupting the conduct of examination or attempting to do so.
- vii. Inciting or compelling any other candidate to leave the examination room or to disturb / disrupt / boycott the examination.
- viii. Bringing into the Examination Hall/Centre (a) any weapon or (b) any other material objected to by the Invigilator/ Centre Superintendent or any other member of the Supervisory staff.
- ix. Appearing in the examination without being in possession of the Admission Card unless permitted by the Centre Superintendent.
- x. Refusing to be searched by the Invigilator/Centre Superintendent/ any other member of the Supervisory Staff/any member of the Flying Squad, or obstructing or

hindering such search in the Examination Hall, Verandah, and Urinals etc.

5. **Procedure to be followed when a candidate is alleged of insolent behavior or disorderly conduct or using or attempting to use unfairmeans in the examination.**

A standing committee for dealing with the cases of unfairmeans shall be constituted by Vice-Chancellor with the following members.

1. Faculty Chairman of respective faculty
2. Dean of the concerned college
3. Vice- Chancellor's nominee
4. University Head of concerned department
5. Dean Students' Welfare

Controller of Examination will be presenting officer.

- i. The Rajasthan Public Examination (Prevention of unfair means) Act, (Annexure-I) 1992 will be applicable for all the examinations conducted by the University/college and the examination superintendents are empowered to take suitable action as per provisions of the act in the matter of unfair means.
- ii. If a candidate is detected or suspected by the invigilator of the examination Centre/ room or any member of the flying Squad or by any other person authorized by the Vice-Chancellor in this behalf of using or attempting to use unfairmeans at an examination conducted by the university, the concerned person will take away the answer book as well the suspected material (s) in possession of the candidate or recovered from near his/her seat and supply a fresh answer book to the candidate concerned. The concerned invigilator/member of the Flying Squad or any other person authorised in this behalf will not go away from the seat of the candidate suspected/detected and immediately cause the

presence of Superintendent or Additional/Deputy Superintendent of the examination centre and after his/her arrival shall get the prescribed form meant for reporting cases of use of or attempt to use unfair means in the examination (Appendix-A) filled up by the candidate. The suspected material recovered from the candidate shall be signed by the Superintendent or Additional/Deputy Superintendent, Invigilator and candidate. The first answer book so recovered should be marked as 'First' and the other answer book given to the candidate after being caught, detected or suspected be marked as 'Second'. The invigilator will instruct the candidate concerned not to repeat the question or questions already attempted in 'First' answer book. The answer books marked 'First' and 'Second' together with the material recovered from the candidate and the form (Appendix-A) mentioned above, duly filled up, shall be sent to the COE by name separately in a sealed cover examination-wise. COE will put the case to Vice-Chancellor for necessary action and direction.

- iii. If a candidate refuses to give his statement on the spot and/or refuses to sign the material recovered or leaves centre without giving his statement or if the candidate is found guilty of showing disorderly conduct, his case will be reported by the Centre Superintendent to the COE on prescribed form (Appendix-A). One form should be used for one case only, if printed forms run short, manuscript forms should be prepared and used.
- iv. The COE after receiving the above material together with connected reports shall send the same to the Examiner for his/her opinion as prescribed in the form meant for use of unfair means. After receipt of the report of Examiner, the COE shall serve a show cause notice to the concerned candidate mentioning specific allegation against him/her by the Invigilator or Superintendent of the Examination Centre or other persons mentioned in rules and demand an explanation

why action should not be taken against him for using unfairmeans or showing misconduct and asking him to submit/furnish his explanation/reply by show cause notice from the candidate to be submitted within fourteen days from the date on which the letter is served on him/her by speed post. The show cause notice shall also mention the quantum of punishment as per rules which may be awarded to the candidate and while sending his reply personal hearing may also be granted to him/her provided he makes written request for it. He/she will send reply directly to the Controller of Examination of the university by speed post within fourteen days from the date of dispatch of the show cause notice. The show cause notice demanding explanation from the candidate shall be sent by speed post at the registered/permanent address of the candidate and E-mail will be sent if possible. Unless such speed post letters are received back undelivered it would be presumed that the notice has been duly served on the candidate.

- v. The procedure laid down above and meant for cases detected or suspected by the Invigilator shall also be the same in case a candidate is detected or suspected to use in or attempt to use unfairmeans by the Superintendent/Additional/Deputy Superintendent of the Examination Centre or any member of the Flying Squad or any person appointed by the Vice-Chancellor.
- vi. After the expiry of the time of notice, the COE shall submit all the relevant materials together with the reply of the candidate, if any before the Unfairmeans Committee constituted by the Vice-Chancellor. On the date fixed for hearing (if necessary as demanded) which will ordinarily be not less than 14 days from the date of dispatch of the show cause notice, the committee shall meet at the notified place on the date and time specified in the said notice for giving personal hearing of the person(s) concerned. The statement/reply of the of the candidate will be examined by

- the committee which may also seek and record further clarification, if necessary from the Invigilator/ Centre Superintendent/any other member of the supervisory staff, who may be present at the time of the incidence of using unfairmeans.
- vii. In, no case the candidate shall be allowed to be represented by a lawyer or any other person. Also no adjournment of the hearing will be granted to the candidate, unless deemed necessary by the committee, further, it will not be obligatory for the University to furnish a copy of the incriminating material or any other material recovered from the possession of the candidate, however the candidate will be shown the incriminating material at the time of hearing if he so desires.
 - viii. The Committee will record it's recommendations regarding the punishment to be awarded to the candidate on the basis of the report(s) and statement(s) of Invigilator(s), members of the Flying squad or the supervisory staff, the statement, if any, of the candidate, the remarks of the Centre Superintendent and also the statements recorded at time of personal hearing if the candidate had desired.
 - ix. If during the course of enquiry, the committee while examining a particular case (s) comes to the conclusion that the candidate (s) resorted to copying from the answer book (s) of any/other candidate (s) or where the committee is of the opinion that such copying could not have been done without the connivance/negligence of the Invigilator (s), any other number (s) of the Supervisory staff the committee may recommend such disciplinary action as it deems fit against the invigilator(s) or the members of the Supervisory staff after giving him/them an opportunity of personal hearing. The committee may, for reasons to be recorded, also recommend to the Vice-Chancellor/Board of Management if any action is desired to be taken against an examiner or any member of the supervisory staff or any other person involved in a case of unfairmeans and disorderly conduct.

- x. The said report and recommendations of the Committee shall be placed before the Board of Management which shall be final authority to take such action it may think necessary in each case or before the Vice-Chancellor if authorized to do on behalf of the Board of Management.

6. **Punishment to candidate guilty of unfair means and/or disorderly conduct:—**

- a) If a candidate is found guilty of seeking admission to an examination by making a false representation pertaining to his eligibility to appear at the examination he shall be disqualified from appearing at any examination for a period of two to four years including the present examination.
- b) Where a candidate is found having in his possession or within his reach any material relevant to the syllabus of the examination paper concerned but has not copied from or used it :-

i) If the behavior of the candidate on being caught is satisfactory	The punishment may be relaxed to the extent of cancellation of the examination of that particular paper (theory or practical as the case maybe) and he/she will be treated as having obtained 'Zero' mark in that paper with all the consequences to follow. However, if the candidate so desires, he/she will be given the option of appearing in the subsequent whole exam, by cancelling the present examination as a whole.
ii) If the behavior of the candidate on being caught is unsatisfactory	Cancellation of present whole annual examinations with all the consequences to follow.

c) Where a candidate is found to have copied from or used the material caught:

i) If the behavior of the candidate on being caught is satisfactory:	Present whole annual examination shall be cancelled and candidate shall be further debarred from subsequent next whole annual examinations with all the consequences to follow. If the material found in possession of the candidate and/or the extent of copying done by the candidate is of insignificant nature the punishment may be relaxed to the extent of cancellation of present examination only.
ii) If the behavior of the candidate on being caught is unsatisfactory	Present whole annual examination shall be cancelled and he/she shall be further debarred from two subsequent next whole annual examinations with all the consequences to follow.

Explanations:—

1. If the candidate uses resistance or violence against the invigilator or any person on examination duty or consistently refuses to obey the instructions of the Superintendent, the above punishment may be enhanced to the gravity of the offence.
2. The "phrase present Examination is cancelled" refers to cancellation of only theory papers and practical (whenever held). However, if a candidate has offered dissertation/viva-voce/field work in lieu of any paper, the same will not be cancelled in case the whole examination is cancelled.
3. Paragraphs b and c are applied for annual examination.

d) If a candidate is found talking to another candidate or to any unauthorized person inside or outside the examination hall, during the examination hours without the permission of member of the supervisory staff, his examination in that particular paper may be cancelled.

e) If a candidate is found reading or possesses some incriminating material relevant to the syllabus of the paper in the Verandah/Urinal, etc. his examination in that particular paper/or his whole examination depending on the gravity of the offence shall be cancelled.

f) If a candidate leaves the examination hall:—

- i) Before the expiry of half an hour after the commencement of the examination and/or,
- ii) Without obtaining the permission of the invigilator and/or,
- iii) Without handing over the answer book to the invigilator, and/or,
- iv) Without signing the attendance sheet, his examination in the paper concerned may be cancelled.

g) If a candidate during the course of practical examination presents to the examiner practical or class work, or note book, which does not belong to him, that particular examination shall be cancelled.

h) If a candidate:-

- i) Tears off, or otherwise disposes of his answer-books or any part thereof inside or outside the examinations shall, or.
- ii) Incites/compels any other candidate to leave the examination hall, or attempts to disturb, or disrupts the conduct of examination or indulges in any kind of activity in the campus of the Examination Centre which is in violation of the sanctity or purpose of the examination, he shall be disqualified from appearing or passing in any

University examination depending on the nature and gravity of the offence.

- i) If a candidate on being caught by invigilator, a member of the flying squad or any other authorized member of the supervisory staff, run away from the examination hall along with the piece of paper/material in his possession or destroys any piece of paper believed to be of doubtful nature by the member of the supervisory staff either by swallowing/throwing it away, or by any other means, he shall be disqualified from appearing/passing in any University examination for a period up to two years including the present one.
- j) If a candidate is found guilty of:-
 - i) Smuggling in a answer book in whole or in part inside the examination hall or,
 - ii) Taking out or arranging to send outside the examination hall, an answer-book or question paper, in whole or in part, or,
 - iii) Replacing his answer-book or getting it replaced in whole or in part during or after the examination, or,
 - iv) Impersonation of a candidate or being impersonated by any person. He shall be disqualified from appearing/passing in any University examination for a period of two to three years including the present examination.

Explanation: A person other than the candidate assisting him in the above shall be liable to such action as may be decided by the Vice-Chancellor/the Board of Management.

- k) If a candidate is found guilty "of disobeying the instructions of the Invigilator/Centre Superintendent or (any other person authorized by him) or if he occupies a seat other than that allotted to him without permission of the proper authority the examination of that particular paper may be cancelled.

- l) If a candidate deliberately writes any other candidate's Roll Number on his answer book, he shall be disqualified from appearing/passing any University examination for a period up to two years including the present examination.
- m) When a candidate is found guilty of misconduct, misbehavior and/or indiscipline in connection with the examination before, during or after the examination hours, inside or outside the examination centre, the extent of punishment may vary from the cancellation of the present paper to disqualifying him from appearing/passing in any University examination for a period upto two years including the present examination depending upon the nature and gravity of the offence.
- n) If a candidate carries into the examination hall/centre any weapon, carrying of which in examination campus is prohibited and does handover or caught with the same by his invigilator or any other authorized member of the supervisory staff, he shall be disqualified from appearing/passing in any University examination up to two years including the present one depending up to the nature and gravity of the offence.
- o) Where a paper or any other material connected with the examination or use of any other unfair means is found or detected even after the examination is over, the candidate concerned may be disqualified from appearing/passing in any University examination up to three years including the present one depending upon the nature and gravity of the offence.
- p) Cases of use of unfair means or of disorderly conduct not covered under the above categories from or those which in the opinion of the committee appointed by the Board of Management deserves some other punishment, shall be decided by the Board of Management.

q) When a candidate is found guilty of disobeying the instructions of the invigilator/ Centre Superintendent (or any other person authorized by him) or deliberately changing his seat with another candidate or of misconduct indiscipline or misbehavior including any kind of disturbance for other examiners in the examination hall or for indulging in any activity in the campus of the examination centre which is vocative of the sanctity and purpose of the examination, the Centre Superintendent may turn him out of the centre, cancel his day's examination and also further disqualify him from appearing at the examination in subsequent papers provided further that in all such cases, the report of each case shall be sent to the University for approval. The Board of Management may, however according to the gravity of offence will decide the punishment.

r) If the en masse unfair means is reported / observed, the Centre superintendents of the respective college / institute will be responsible for any inadversity. The action regarding cases of malpractices during examinations, may lead to cancellation of examination centre and disaffiliation of the Concern College/Institute.

7. Appellate authority, period & procedure

- i. Appellate authority - Vice-Chancellor.
- ii. Period – 10 days from the issue of letter about decision of the case.
- iii. Procedure – Student in question can submit the appeal to condone the punishment on a plain paper. The affected party (student) has to submit all the related documents with the appeal. The appeal may be returned to the applicant, if it is not accompanied by the required documents complete in all respect for removing the deficiencies & again filing the appeal after completion of the deficiencies in all respect to be

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resubmitted within seven days. In no case the candidate shall be allowed to be represented by a lawyer or any other person.

- iv. Time bar – provided that appellate authority may admit the appeal after the expiry of 10 days if it is satisfied that the appeal has been presented with satisfactory cause for delay in filing.
- v. Procedure of hearing of appeal –
 - a. The Appellant Authority will have the power to
 - i. accept the full appeal or part of it, or
 - ii. reject the full appeal or part of it, or
 - iii. after accepting the full appeal or part of it, the Appellant Authority
 - 1. can remand back with the direction to again enquire the matter by the same committee or other committee formed by the Appellant Authority or
 - 2. The Appellant Authority can decide the appeal by itself on well recorded grounds.
 - b. Full or part of the Appeal shall be accepted only if
 - i. Some additional material fact is brought forward, which was not considered by the Committee, and/or
 - ii. Error of judgment by the Committee is pointed out by the affected party.
 - c. The decision on appeal will be done on the merits and demerits, presented documents, opportunity of hearing & defense to the affected party.
 - d. The execution on the decision of appeal provided by the Appellant Authority will be done by COE.
 - e. The copy of the decision on the appeal will be given to affected party free of cost.

8. Power to remove difficulties

Vice-Chancellor will have the sole power to clarify in case of any confusion arises in the language of the rules in future.

9. Miscellaneous

Protection of action taken on good faith - No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under these rules.



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Member Secretary

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