

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

NOTIFICATION 11/2003

**AMENDED ORDINANCE 1/2002 CONDUCT OF EXAMINATIONS
APPLICABLE FOR MAY 2003 EXAMINATION IS AS FOLLOWS**

**Sd/-
CONTROLLER OF EXAMINATIONS**

AMENDED ORDINANCE 1/2002 REGARDING CONDUCT OF EXAMINATIONS

1. DEFINITIONS

In this Ordinance relating to the conduct of examinations, unless there is anything repugnant in the subject or context,

- 1.1 "Academic Year" means a year commencing on such date in June and ending with such date in May of the year following as may be decided by the Academic Council.

1.2 "Admission to an Examination" means the issuance of an admission card to a candidate in token of his having completed all the conditions laid down in the relevant Ordinance(s), by a Competent Authority of the University. Provided that, a candidate who does not fulfil all such conditions may, at the discretion of the Competent Authority of the University, be admitted provisionally, however, in case all conditions are not fulfilled by him subsequently, his admission shall be liable to be cancelled.
1.3 "Applicant" means a person who has submitted an application to the University in the prescribed form for admission to an examination.
1.4 "Candidate" means a person, who has been admitted to an examination by the University.
1.5 "Collegiate Candidate" means an applicant who has applied for an admission to University Examination through an affiliated College/Department/Recognised Institution, in which he/she has been prosecuting a regular course of studies.
1.6 "Examinee" means a person who actually presents himself/herself for an examination or a part thereof to which he/she has been admitted.
1.7 "Examination fee" means the fee inclusive of the fee payable for the statements of marks as may be prescribed by the competent authority from time to time.
1.8 "Repeater Student" is a student, who, having once been admitted to an examination of this University, is again required to take the same examination by reason of his failure or absence thereat and shall include a student who may have joined a College / Department / Recognised Institution again in the same class.
1.9 1.9.1 "Under-Graduate Examination" means an examination leading to the Graduate Degree of the University.
1.9.2 "Post Graduate Diploma Examination" means an examination leading to Post Graduate Diploma of the University.
1.9.3 "Post Graduate Degree Examination" means an examination leading to Post Graduate Degree of the University.

1.9.4 "Super Speciality Examination" means an examination leading to the Super Speciality Degree of the University after the Post Graduation.
1.10 "Verification" means recounting and re-totalling of marks of all answer(s) evaluated earlier, including assessment and allotment of marks to any un-assessed answer(s) in the concerned answer book.
1.11 "Attempt" means either partial or complete appearance by a candidate at an examination. Mere remittance of examination fees shall not amount to an attempt at an examination.
1.12 "Unfair means committee " means the committee to investigate into the cases of unfair means which shall be constituted under section 31 (6) (a) of the Act.
1.13 "Student" means and includes a person who is enrolled as such by the University / Affiliated college / Recognised Institution, for receiving instructions, qualifying for any degree, diploma or certificate awarded by the University.
1.14 Moderation of Answer sheet Moderation is a process in which a second senior examiner reevaluates an answer sheet section wise irrespective of the marks given by the first Examiner. It gives the same benefit to the student as in the case of revaluation.
1.15 Moderation of Question Papers : Moderation of Question Papers is a process where a moderator Moderates the Question papers previously set by the paper setters.
2. Save as otherwise specifically provided, the conditions prescribed for admission to examinations under this Ordinance shall apply to all persons who seek to take the examinations of the University.
3. A collegiate candidate, desirous of taking an University examination, unless otherwise provided in any Ordinance, shall prosecute a regular course of study in one or more Colleges / Departments / Recognised Institutions affiliated to the University for the course leading to the examination for which he/she applies for not less than the period prescribed in the concerned Ordinance. Explanation: 'Prosecution of a regular course of study', means attendance at not less than 75% of the lectures delivered in each subject of the course of instruction and 80% in practical work for the examination during the total academic period. Attendance in both cases shall be calculated till such date before the commencement of the written examination or upto the end of the academic term whichever is later.
4. The Principal / Dean shall send to the Controller of Examinations a certificate of completion of required attendance and other requirements of the applicant as prescribed by the University from his college, two weeks before the date of the commencement of the written examination.

5. Notwithstanding anything in any Examination Ordinance, the following provisions shall apply in regard to the deficiency in attendance at lectures and practicals for the course of study in the various faculties, namely -
5.1 A deficiency of attendance at lectures or practicals maximum to the extent of 10% may be condoned by the Principal / Dean on being satisfied that the same deficiency in attendance was due to circumstances beyond the control of the student. The Principal / Dean shall submit to the Controller of Examinations, two weeks before the commencement of the examination, a list of such students whose deficiency has been condoned stating the reasons thereof.
5.2 In no case the deficiency above 10% shall be condoned.
6. A collegiate candidate shall submit his application form for admission to the examination through the Principal / Dean of his college along with prescribed fees.
7. The Principal / Dean shall forward such forms and fees to the Controller of the Examinations on or before the date notified by the University.
8. Application forms received after the prescribed date will not be accepted.
9. Candidates who have migrated from other Universities or Boards shall produce a Migration Certificate from the concerned University or Board along with two copies of their attested photo copies with the application for admission to an examination in the University.
10. The Syllabi and the scheme for the University Examinations shall be such as may be prescribed from time to time by the Academic Council.
11. The Management Council shall notify the academic terms, vacations and holidays for the Academic year at or before the commencement of the said academic year.
12. The Management Council shall notify the University Holidays and the discretionary / special holidays in a particular academic year.
13. The Syllabus and the Text-books, if any, to be prescribed or recommended in connection with any subject in which the University conducts examination shall be determined from time to time by the Academic Council on the recommendation of Faculties and Boards of Studies. All changes in the Syllabi or in the scheme of examinations shall be notified for general information before the commencement of the courses leading to the examination.
14. No question shall be put at any University Examinations calling for or necessitating a declaration of religious faith and / or belief on the part of the examinee.

15. i) A candidate who is unable to present himself for an examination or a part thereof shall not be entitled to any refund of his/her fees. However, an applicant who is found ineligible for an examination shall be entitled to refund of $\frac{3}{4}$ the of the net examination fee paid. ii) If a candidate suppresses some vital information or gives false information to appear at an examination for which he/she is not eligible or entitled, the total amount of fee paid by him/her shall be forfeited. He/She may be debarred for one term from appearing in further examination and / or a fine of Rs.500/- will be imposed. However, in case of subsequent indulgence of similar nature, the period of debarment may be extended up to three terms.
16. All examinations except <i>viva-voce</i> shall be conducted by means of printed or cyclostyled question papers including such other modality as may be prescribed by the University from time to time. They shall be set to the examinees on the same day and at the same time and hour at all examination centres.
17. Notwithstanding anything contrary to this Ordinance, no person shall be admitted to an University Examination if he / she has already passed the same examination or corresponding examination of any other University, which has been recognised as equivalent to that examination.
18. The University shall prepare and publish a Schedule of Examinations for each and every course conducted by itself at least 3 months before the examinations. Explanation : "Schedule of Examination" means a table giving details about the time, day and date of commencement of each paper which is a part of a scheme of examinations. The practical examination schedule shall be declared separately.
19. All arrangements for the conduct of the Examinations shall be made by the Board of Examinations.
20. Examiners shall be appointed by the Board of Examinations in accordance with the provisions of Section 31(5)(a) of the Maharashtra University of Health Sciences Act, 1998. In case of refusal from the person so appointed, the Vice-Chancellor, shall appoint substitute examiners.
21. Each Board of Studies shall submit to the Committee constituted under Section 31(5)(a) of Maharashtra University of Health Sciences Act, 1998, a panel of not less than six names, along with their addresses, suitable for appointment as Paper Setters/Examiners in each paper of each subject/Practical assigned to that Board of Studies.
22. The Controller of Examinations shall maintain a permanent list of teachers in the University along with their academic qualifications, teaching experience in examination in which they have acted as

examiner, moderator, paper setter in the past and such other information as may be relevant.
23. Internal and External Examiners :- An "Internal Examiner" means a person who is a teacher in the same College / Department / Recognised Institute of Health Sciences affiliated to this University or is a teacher in College / Department / Recognised Institute of health sciences situated within the geographical jurisdiction of concerned non-agriculture University as included in schedule appended to the Act. "The External Examiner" means, examiner who is not covered under the definition of internal examiner.
24. Intimation of appointment to the examiners shall be accompanied by a copy of the instructions/guidelines relating to the examination for which they are appointed, as also information regarding the remuneration which they will be entitled to draw, if they act as examiners. The examiners shall also be furnished with a list of all matters, which they are expected to attend to and shall be required to send to the Controller of Examinations.
25. Each paper setter shall set and submit to the Controller of Examinations, the required number of copies of question papers that he/she sets in a sealed cover, enclosed within another sealed cover within prescribed period. He/She shall also furnish a certificate to the effect that he / she has destroyed all the notes and manuscripts in connection with the question paper(s) he/she has set. Copyright of any question paper set by an examiner shall vest with the University.
26. Paper-setters, who do not set and submit their question papers to the Controller of Examinations within the prescribed time limit shall, ipso facto, cease to be examiners.
27. Examiners shall be appointed for examinations to be held in that academic year; however they shall be eligible for reappointment. The examiners shall be required to maintain confidentiality about their appointment at examination and marks awarded by them to examinees.
28. A confidential record of mistakes committed by examiners shall be preserved by the Controller of Examinations for future guidance / necessary action.
29. The question papers, unless otherwise specified, shall be set in English.
30. The Principal / Dean of the Health Sciences College / Recognised Institution where the practical examination is to be held shall make all arrangements for the conduct of the practical examination at that centre.
31. Every examination centre shall satisfy the following minimum conditions :- (i) The place shall have a Post Office; (ii) The applicant-college shall have :- (a) A telephone (b) A Fax machine (c) E-mail (where the facility can be availed.) (d) Computer with printer.

(e) Duplicator/Copier facilities (f) A steel almirah with a locker for safe custody of question papers and other confidential material. (g) Any other means of communication as may be conveyed from time to time.
32. The Vice-Chancellor shall ordinarily appoint the Principal / Dean of College or the Head of the Institution which is designated as a centre of examination, as the Centre-in-charge / Chief Supervisor for the University Examinations at that Centre. He/She shall also appoint another suitable person as an independent observer to one or more centres.
33. In exceptional cases the Vice-Chancellor may appoint a person as the Centre-in-charge for the University Examinations at a centre even though he/she may not be a teacher in that college/institution.
34. The Controller of Examinations shall be responsible for the proper arrangements connected with the conduct of all examinations of the University.
35. The Centre-in-charge(s) shall be responsible for the smooth conduct of the examinations at that centre. All expenses incurred in connection with the conduct of the examinations at a centre shall be borne by the University as per rules, towards which purpose the Centre-in-Charge may draw such advances from the University as deemed necessary. The Centre-in-charge shall submit a detailed audited account of the expenses incurred by him/her as soon as the examinations are over at that centre and in no case beyond one month of the date of the last paper at that centre. The accounts shall be submitted in the prescribed forms supplied to the Centre-in-charge by the Accounts Section of the University along with the cheque towards the first advance. The Accounts Section shall also supply the copy of the rules and payable rates of remuneration for the conduct of examinations to the Centre-in-charge.
36. No person other than the examinees, invigilators and such other persons as may be permitted by the Centre-in-charge of a centre, shall be allowed to enter the premises of the Examination centre. The Centre-in-charge shall take all necessary steps to ensure this.
37. Examinees at all examinations shall strictly abide by the instructions that may be issued to them by the competent authority from time to time.
38. The Controller of Examinations shall supply sufficient number of copies of question and answer papers required at each centre to the Centre-in-charge in reasonable time.
39. The Centre-in-charge shall send the sealed question & answer papers to such place(s) and person(s) as may be directed by the Controller of Examinations.
40. The results of the examinees shall be tabulated in a prescribed form.
41. The results of each examination shall be prepared by a person, here in after referred to as tabulator/Computer Programmer.
42. Tabulator/Computer Programmer shall be appointed by the Vice-Chancellor. Tabulator/Computer Programmer shall be either teachers of Health Sciences Colleges affiliated to the University or staff

members of the University office or both or an agency nominated by the Vice-Chancellor.
43. The results tabulated by the tabulators/Computer Programmer shall be scrutinised by a person hereinafter called the "Scrutineer".
44. Terms of Tabulators and Scrutineers
44.1 The rates of remuneration payable to the Tabulators or Scrutineers shall be fixed by Management Council from time to time.
44.2 The Tabulator / Computer Programmer shall perform the following duties :
a) Posting of marks obtained by an examinee in the tabulation Register.
b) Totalling of posted marks.
c) Indicating failures in accordance with the provisions of the Ordinance.
d) Stating the result at the specified place. (Explanation: The result for purposes of this Ordinance includes Pass, Fail, Distinction, Exemption and such other terms as may be prescribed by the Ordinance).
e) Preparation of list of examinees entitled for any awards or prizes;
f) Preparation of the result-sheet in the proforma prescribed for its publication.
44.3 "Scrutineer" means a person who is appointed by the Vice-Chancellor and who actually does the work of scrutiny of the results. "Scrutiny" means and includes :-
44.3.1 checking of posting made by the tabulators from the original statement submitted by the examiner;

44.3.2 checking of totals/aggregates posted by tabulator/Computer Programmer;
44.3.3 checking of appropriate marking indicating failures;
44.3.4 checking of result prepared by the Tabulator (both in the Tabulation Register and the Result Sheet) including Distinction, Pass, Fail, Exemption etc. and
44.3.5 checking of the list of Awards prepared by the Tabulators .
45. The <i>Vice-Chancellor</i> shall, for the examinations of every year, appoint a Committee for moderation of results, if required, which shall consist of -
i) The Vice-Chancellor / Pro-VC if any (Chairman)
ii) One member nominated by the Vice-Chancellor/Pro-VC
iii) The Dean of the Faculty concerned
46. The Vice-Chancellor / Pro-VC, if any, shall have the power to convene a meeting of the Committee whenever he/she deems it necessary.
47. The Moderation Committee shall set norms of moderation and scrutinise moderation of results which shall be placed before the Board of Examination for approval, if required.
48. A Special Examination Committee consisting of three local members shall be appointed by the Board of Examinations each year to approve the results of examinations. The Chairman of the committee shall be from amongst its members. No result shall be declared by the Board of Examinations unless it is approved by the Special Examination Committee.
49. Functions of the Special Examination Committee :
49.1 The Special Examination Committee may interpret the provisions of any Ordinance, Rules and Regulations in so far as it is necessary for declaration of results, but it shall not make any alterations or changes in the Ordinance, Rules or Regulations. The interpretation of the Committee shall be placed before the Vice-Chancellor whose decision thereon shall be final.

49.2 The Committee shall, after considering the discrepancies pointed out by the Tabulators/Computer Programmer and Scrutineers, make its recommendations to the Moderation Committee constituted by the Vice-Chancellor from year to year, for moderation of the results, if required.
49.3 In exceptional cases, the Special Examination Committee may suggest any amendment or modification of any examination Ordinance, which, in its opinion is necessary.
50. Verification of Answer-Books :- The Answer-books may be scrutinised for verification of the correctness of the total of marks recorded and for verification that all answers have been assessed. However, on verification, if any answer(s) is/are found unassessed, the Vice-Chancellor shall cause such answers to be checked and the marks allotted for such answers shall be accounted towards total marks obtained by the examinee.
51. If, as a result of such verification, it is found that the result of the examinee needs to be changed at the examination, the Vice-Chancellor shall publish a supplementary list embodying the results of such verification. The fee paid by the Examinee in such cases shall be refunded completely.
52. Before a reply is sent to the applicant, the report of the verification of the answer-books by the scrutineers shall be counter-checked and signed by a Special Examination Committee.
53. Application for verification from an examinee shall be submitted to the Controller of Examinations within fifteen days from the date of declaration of the result concerned. In no case application for verification shall be entertained after expiry of 15 days from the date of its declaration. Verification of the written answer books shall be caused by the Vice-Chancellor as per the guidelines, mechanism as may be laid down from time to time.
54. If, the discrepancy in the application form of an examinee for admission to an examination is not removed by him/her within two months of the declaration of the result of that examination, his/her admission to that examination shall be liable to be cancelled.
55. The Vice-Chancellor may decide spot-evaluation of answer books of each examination in such faculties at one or more centres.
56.1 Maximum number of attempts and period for passing first professional examination : For the professional courses where the first University examination is conducted after one year, the applicant shall pass the first professional examination in five attempts or within three years from the date of admission whichever is earlier. For the professional courses where the first University examination is held after one and half year, the applicant shall pass the first professional examination in five attempts or three and half years from the date of admission whichever is earlier. Thereafter the examinee shall automatically stand debarred from the respective course.

56.2 Heads of passing of various courses in their respective faculties will be as under :-

56.2.1 Medical:-

- i. Theory + Oral
- ii. Practical
- iii. Internal Assessment (Theory + Practical)

56.2.2 Dental :-

- i. Oral + Theory
- ii. Theory + Oral + Internal Assessment (Theory)
- iii. Practical/Clinical
- iv. Practical/Clinical + Internal Assessment (Practical)

56.2.3 Homoeopathy :-

- i. Oral
- ii. Theory
- iii. Practical
- iv. Internal Assessment (Theory + Practical)

56.2.4 Ayurved & Unani :-

- i. Theory
- ii. Practical/Oral
- iii. Internal Assessment (Theory + Practical)

56.2.5 Allied Sciences (All courses) :-

- i. Theory
- ii. Practical
- iii. Internal Assessment (Theory + Practical)

56.3 The candidate to be eligible to pass in a subject shall pass in all heads of passing in the respective subject in the same attempt.
56.4 Scheme and pattern of examination of various faculties will be as listed in respective subject syllabus.
57. The Standard of passing : A candidate to be eligible to pass the examination must have obtained not less than 50% of marks in each of the passing heads of the respective subject.
57.1 Distinction : 75% and above marks obtained out of the maximum marks allotted to a subject.
57.2 A candidate shall be eligible for the award of distinction only if he/she has obtained 75% or more marks in an examination attempted as a whole.
58. ATKT : There shall be no ATKT in any case in any class for any faculty.
59. INTERNAL ASSESSMENT : Theory and Practical internal assessment marks shall be added as follows.
59.1 The number and marking pattern (Theory and practical marks distribution) of the periodicals / terminal & preliminary examination should be as per the syllabus.
59.2 After every examination for internal assessment, the result should be submitted within 15 days of the examination to the University with following formalities.
59.2.1 Result sheet should bear the signature of the students in front of their names and marks awarded.
59.2.2 The result sheet should be duly signed by the examining teacher/s and the head of the department and countersigned by the Dean/Principal of the college.
59.2.3 The result sheet should have date mentioned on it.
59.2.4 The result sheet should be sealed properly.

59.3	The result of each examination should be put up on the notice board of the department of college for a period of one week. Theory answer papers should be distributed to the students after declaration of the result of each examination for perusal of students and then they should be re-collected.
59.4	The final result of the internal assessment examinations should be submitted to the University in the format within specified period before the start of University examination.
59.5	All the answer books, question papers and related documents should be retained with the college for at least one year after the declaration of the University examination result.
59.6	A committee should be formed at the college level to deal with the problems related to the internal assessment examinations. This committee should comprise of at least three professors and should be constituted by the Dean/Principal of the college.
59.6.1	In case of absence of student/s for any of the internal assessment examinations, the committee should decide about the genuineness of the reason for absence of the student/s for the examination like sickness certificates or some other equally important reason submitted by the student. After verifying the genuineness of the reason for the absence, the committee may allow the candidate to appear for the additional examination.
59.6.2	In case of any complaint from the candidate regarding the internal assessment examination, a written complaint should be lodged with the H.O.D./Dean. Such complaints should be discussed in the committee meeting. The decision of the committee will be communicated to the student.
59.6.3	A candidate who is not satisfied with the decision of the committee at college level can appeal to the University for redressal of his grievances.
59.7	One additional examination should be arranged in the entire period of the course to help the student to avail the opportunity of compensating the loss due to his/her absence in any one of the internal assessment examinations (periodical/terminal/preliminary). Those candidates whose genuineness of reason for the absence is verified and who are permitted by the committee to appear for the additional examination can appear for such examination. Such an additional examination should be arranged after preliminary examination and before University examination in any case before submitting final result of Internal Assessment Examination to the University.

60. Grace Marks

60.1 Grace Marks for one or multiple heads of passing for Dental, Ayurved, Unani, Homoeopathy and Allied Health Sciences Faculties only.

Grace Marks for Passing in each head of passing

The examinee shall be given the benefit of grace marks only for passing in each head of passing as under :-

Head of Passing Marks	Grace Marks upto
01 to 50	2
051 to 100	3
101 to 150	4
151 to 200	5
201 to 250	6
251 to 300	7
301 to 350	8
351 to 400	9
and 401 and above	10

Provided that the benefit of such gracing marks given in different heads of passing shall not exceed 1% of the aggregate marks in that examination.

Provided further that the benefit of gracing of marks under this Ordinance, shall be applicable only if the candidate passes the entire Examination in the same attempt.

Applicable to Dental Faculty Only to avoid double gracing :- Grace Marks will be allotted to one head of passing and if that head of passing gets merged with another head of passing, the Grace Marks allotted to the Second head of passing will be the **net grace marks, after deducting** the grace marks allotted to the first head of passing.

60.2 Grace Marks for Condonation for Dental, Ayurved, Unani, Homoeopathy and Allied Health Sciences faculties only.

Where an examinee is failing in only one head of passing, having passed in all other heads of passing without using grace marks under section 60.1 of this ordinance, his/her deficiency of marks in such head of passing may be condoned by awarding 5 grace marks or up to 5 % of the maximum marks of that head of passing, subject to the following conditions:

- a) **For Dental & Allied Health Sciences faculties these grace marks should not exceed 5.**
- b) **For Ayurved, Unani & Homoeopathy faculties these grace marks should not exceed 10.**
- c) **Provided further that the benefit of gracing of marks under this provision shall be applicable only if the candidate passes the entire examination.**

60.3 For Medical faculty Grace Marks policy of MCI will be followed as modified from time to time. The present policy is as under :-

‘The grace marks up to a maximum of five may be awarded to a student who has failed only in one subject but has passed in all other subjects.’ These five marks shall be distributed in different heads of passing of that subject.

61. Moderation

61.1 The Moderation System shall be applicable to all the faculties for under graduate examinations only. For post graduate (Degree and Diploma) examinations since there is assessment by two examiners, moderations shall not be applicable.

61.2 100% moderation of the answer books shall be carried out in case of candidates failing by 10% of marks of the aggregate marks of that paper.

61.3 In case of all faculties and courses, 100% moderation shall be carried out in case of candidates obtaining 75% and above marks.

61.4	The moderation of answer books of at least 5% of total number of candidates obtaining marks between <i>minimum passing marks and marks required for first class / distinction</i> shall be carried out on random sample basis.
61.5	One moderator shall be appointed per five examiners. However Chairman, Board of paper setters will act as the moderator, where there are less than five examiners.
61.6	Moderation work shall be carried out simultaneously with the Central Assessment of answer books at CAP.
61.7	Where marks awarded by the moderator vary from those awarded by original examiner, the marks awarded by the moderator shall be taken as final.
61.8	University shall formulate detailed scheme of moderation on the basis of guidelines given above.
62. Vigilance Squads	
62.1	The Vigilance Squad/s of not less than three and not more than four members shall be appointed by the Vice-Chancellor to visit the Centres of University Examination to
62.1.1	ensure that the University Examinations are conducted as per norms laid down.
62.1.2	observe whether the Senior Supervisors and Block-Supervisors are following scrupulously instructions for conduct of the University examinations.
62.1.3	check the students who try to resort to malpractices at the time of University Examinations and report such cases to the University.
62.2	The Vigilance Squad is authorised to visit any Examination Centre without prior intimation and enter office of the Incharge of Examination Centre to check the record and other material relating to the conduct of examination. They can enter in any block of Examination for checking the candidates identity card, fee receipt, hall tickets etc. to ascertain the authenticity of the candidate. The Vigilance Squad shall be authorised to detect use of malpractices and unfair means in the University Examination.

62.3	The Vice-Chancellor shall appoint Vigilance Squad which may include – Senior Teachers of affiliated College/Recognized Institution/University Teachers and <i>desirably one lady teacher; and any other person as the Vice-Chancellor considers appropriate.</i>
62.4	The Chairman of Vigilance Squad/s shall submit the report on surprise visit directly to the Vice-Chancellor with a copy to the concerned Dean/Principal. The Vigilance Squad/s may make suggestions in the matter of proper conduct of examinations, if necessary.
62.5	The Dean/Principal of the College where the centre of examination is located shall be responsible for the smooth conduct of examination. He shall ensure strict vigilance against the use of Unfair means by the students and shall be responsible for reporting such cases to the University as well as to the law enforcing authority.
63. Amendment of Results	
63.1	Due to errors In any case where it is found that the result of an examination has been affected by errors, the Controller of Examinations shall have power to amend such a result in such a manner as shall be in accordance with the true position and to make such declaration as is necessary, <i>with the necessary approval of Vice-Chancellor / Pro Vice-Chancellor, provided the errors are reported / detected within 6 months from the date of declaration of results. Errors detected thereafter shall be placed before the Board of Examinations.</i>
Error means -	
<i>i) error in computer/data entry, printing or programming and the like.</i>	
<i>i) clerical error, manual or machine, in totalling or entering of marks on ledger / register.</i>	
<i>(iii) error due to negligence or oversight of examiner or any other person connected with evaluation, moderation and result preparation.</i>	

63.2. Due to fraud, malpractices etc.

In any case where the result of an examination has been ascertained and published and it is found that such result has been affected by any malpractices, fraud or any other improper conduct whereby an examinee has benefited and that such examinee, has in the opinion of the Board of Examinations been party or privy to or connived at such malpractice, fraud or improper conduct, the Board of examinations shall have power at any time, notwithstanding the issue of the Certificate or the award of a Prize or Scholarship, to amend the result of such examinee and to make such declaration as the Board of Examination considers necessary in that behalf.

64. Appointment of Papersetters, Examiners, Senior Supervisors and conduct of examination etc.

64.1 No person can claim appointment as papersetter/examiner/moderator or any other examination work as a matter of right. Appointments of persons as papersetters/examiners/moderators shall be ordinarily made at the time of annual examination. However, if it is necessary to do so, the appointment of papersetters may be made at the time of October examinations.

64.2 The papersetters/examiners/moderators shall not refuse to accept the assignment of the examination work. They shall also ensure that their availability for assignment is communicated to the University, in the prescribed time limit. If no communication is received within the prescribed time limit, it will be presumed that the assignment is not accepted by the papersetter / examiner / moderator.

64.3 The papersetters/examiners/moderators shall follow all the Ordinances given by the University from time to time in respect of pattern of question papers, setting of question papers, model answers scheme of marking etc.

64.4 There shall be two senior supervisors at each examination centre, one internal and one external, having minimum of **five** years of experience of teaching/ working in **Health Sciences Institute/ College**. Out of these two, one shall be the external supervisor to be (**center observer**) appointed by the University and the other shall be the internal supervisor (**Centre Incharge**) **also to be appointed by the University**.

64.5 The Dean/Principal of the concerned college shall himself / herself be the chief Conductor/Centre Incharge. Where substitute arrangement is required, it shall be done only by prior permission of the University. However, the Dean/Principal shall alone be responsible for any lapse/ / lapses occurring during the conduct of examination. The eligibility conditions of appointment of examiners will also apply to centre in charge.
64.6 The external senior supervisor (centre observer) appointed by the University shall report to the Dean/Principal of the college where examination centre is located one day earlier to ensure the arrangements for the conduct of examinations.
64.7 He shall ensure that the stationery required for the conduct of examinations, question papers etc. are received at the examination centre. He shall also ensure that the packets of question papers are intact and duly sealed and are opened in his presence 20 minutes before the start of the examinations.
64.8 He shall also ensure that the students are not resorting to unfair means / practices. In case any undesirable incidents occur, he shall immediately report the cases of unfair means to the Controller of Examinations alongwith his report. He should not leave the examination centre during the examination period.
64.9 He shall ensure that the answer books are distributed to the students 10 minutes before the start of the examination.
64.10The examination forms of the students shall be accepted by the Dean/Principal within the time prescribed by the University from time to time. The forms so accepted shall be submitted to the University within a week from the last day of acceptance of forms in the college alongwith the fees so collected, by demand draft.
64.11The receipt of examination forms in the University, the name list, summary and Admit cards of the students shall be sent to the concerned examination centres by the University generally 15 days before the commencement of the concerned examination.
64.12 The Dean/Principal shall, immediately after the examination is over, despatch the answerbooks to the University where coding will be done and will be sent to different CAP centres.

64.13	The Directors of the CAP appointed by the University shall receive the bundles of answer books sent by the University .
64.14	The directors of the CAP shall arrange for the assessment of the answerbooks centrally as per Central Assessment Programme prescribed by the University.
64.15	The Director of the CAP shall submit the mark lists to the Controller of Examinations as provided in the CAP scheme and as per the instructions issued by the University from time to time.
64.16	As soon as the marklists are received in the University examination section, the same should be processed immediately.
64.17	The results of the concerned examinations shall ordinarily be declared within the specified period as prescribed in Maharashtra University of Health Sciences Act, 1998 and the University shall dispatch the result alongwith the statement of marks and passing certificates (wherever necessary) to the colleges for distributing the same to the concerned students.
64.18	The answer papers of examinations shall be preserved for a period of at least 6 months from the date of declaration of result of the examinations concerned.
65. Unfair means Resorted to by the Candidate	
65.1	General
65.1.1	On receipt of a report regarding use of unfair means by any candidate at any University examination, including breach of any of the rules laid down by the University Authorities, for proper conduct of examination, the Board of Examinations shall have power at any time to institute inquiry and to punish such unfair means or breach of the rules by exclusion of such student from any University examination or from any University course in a College or Recognised Institution or in the University Department or from any Convocation for the purpose of conferring degree either permanently or for a specified period, or by cancellation of the result of the student in the University examination for which the student appeared or by deprivation of any University Scholarship held by him/her or by cancellation of the award of any University prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways within a period of one year.

65.1.2	Where the examinations of the University courses are conducted by the constituent Colleges/Recognised Institutions on behalf of the University, the Dean/Principal/Head of the concerned constituent College/Institution, on receipt of a report regarding use of unfair means by any student at any such examination, including breach of any of the rules laid down by the University Authorities or by the College/Institution for proper conduct of examination, shall have power at any time to institute inquiry and to punish such unfair means or breach of any of the rules by exclusion of such a student from any such examination or any University course in any College/Institution either permanently or for a specified period or by cancellation of the result of the student in the College/ Institution examination for which he/she appeared or by deprivation of any College/Institution Scholarship or by cancellation of the award of any College/Institution prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways.
65.1.3	On receipt of report regarding malpractices used or lapses committed by any papersetter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination held by the University or Colleges or Recognised Institution including breach of the rules laid down for proper conduct of examination, the Board of Examinations, in the cases of the University examinations or the Management Body in the cases of the examinations conducted by the College/Institution on behalf of the University, as the case may be, shall have power at any time to institute inquiry and to punish such malpractices or lapses by declaring disqualified the concerned papersetter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination work either permanently or for a specified period or by referring his/her case to the concerned authorities for taking such disciplinary action as deemed fit as per the rules provided for or in any two or more of the aforesaid ways.

65.2 Competent Authority
65.2.1 The Board of Examinations of the University constituted under the provision of Section 30 (3) of Maharashtra University of Health Sciences Act,1998 shall be the competent authority to take appropriate disciplinary action against the students using, attempting to use, aiding, abetting, instigating or allowing to use unfair means at the examination conducted by the University.
65.2.2 The Dean/Principal of the constituent College or Head of the Recognised Institution shall be the competent authority to take appropriate disciplinary action against the student/s using, attempting to use, aiding, abetting, instigating or allowing to use unfair means at the examination conducted by the College or Institution on behalf of the University.
65.3 Definition –Unless the context otherwise requires :
65.3.1 “Unfair means” include one or more of the following acts of commission or omissions on the part of student/s during the examination period.
65.3.1.1. Possessing unfair means material and or copying there from.
65.3.1.2. Transcribing any unauthorised material or any other use thereof
65.3.1.3. Intimidating or using obscene language or threatening or use of violence against invigilator or person on duty for the conduct of examination or man-handling him/her or leaving the examination hall without permission of the supervisor or causing disturbances in any manner in the examination proceedings.
65.3.1.4 Unauthorisedly communicating with other examinees or any one else inside or outside the examination hall.
65.3.1.5 Mutual / Mass copying.
65.3.1.6 Smuggling-out, or smuggling-in of either blank or written answer books as copying material.

65.3.1.7	Smuggling-in blank or written answer book and forging signature of the Jr. Supervisor thereon.
65.3.1.8	Interfering with or counterfeiting of University/College/ Institution seal, or answer books or office stationery used in the examinations.
65.3.1.9	Insertion of currency notes in the answer books or attempting to bribe any of the person connected with conduct of examinations.
65.3.1.10	Impersonation at the University/College/Institution examination.
65.3.1.11	Revealing identity in any form in the answer written or in any other part of the answer book by the student at the University or College or Institution examination.
65.3.1.12	Or any other similar act/s of commission and/or omission/s which may be considered as unfair means by the competent authority.
65.3.2	“Unfair means relating to examination” means and includes directly or indirectly committing or attempting to commit or threatening to commit any act of coercion, undue influence or fraud or malpractice with a view to obtaining wrongful gain for oneself or to any other person or causing wrongful loss to other person/s.
65.3.3	“Unfair means material” means and includes any material whatsoever, related to the subject of the examination, printed, typed, handwritten or otherwise found on the person or on clothes, or body of the examinee or on wood or other material, in any manner or in the form of chart, diagram, map or drawing or electronic aid etc. which is not allowed in the examination hall.
65.3.4	“Possession of unfair means material by a student” means having any unauthorised material on his/her person or desk or chair or table or at any place within his/her reach, in the examination centre and its environs or premises at any time from the commencement of the examination till its conclusion.

65.3.5	“Student found in possession” means a student, reported in writing , as having been found in possession of unfair means material by Jr. Supervisor, Sr. Supervisor, member of the vigilance Committee or Examination Squad or any other person authorised for this purpose, in this behalf, even if the unfair means material is not produced as evidence because of it being reported as swallowed or destroyed or snatched away or otherwise taken away or spoiled by the student or by any other person acting on his behalf to such an extent that it has become illegible, provided report to that effect is submitted by the Sr. Supervisor or Chief Conductor or any other authorised person to the Controller of Examinations or Dean/Principal or Head of the Institution concerned or any officer authorised in this behalf.
65.3.6	“Material related to the subject of examination” means and includes, if the material is produced as evidence, any material certified as related to the subject of the examination by a competent person and if the material is not produced as evidence or has become illegible for any of the reasons referred to in clause (67.3.5) above, the presumption shall be that the material did relate to the subject of the examination.
65.3.7	“Chief Conductor” means Dean/Principal of the College concerned or Head of the University Department or Recognised Institution concerned, where concerned examination is being conducted, and any other person duly authorized by him or person appointed as in-charge of examination, by prior approval of the University.
65.4	During examination, examinees and other students shall be under disciplinary control of the Chief Conductor/s.
65.5	Chief Conductor/s of the Examination Centre shall, in the case of unfair means, follow the procedure as under:
65.5.1	The examinee shall be called upon to surrender to the chief Conductor, the unfair means material found in his or her possession, if any, and his/her answer book.
65.5.2	Signature of the concerned student shall be obtained on the relevant materials and list thereon. Concerned Sr. Supervisor and the Chief Conductor shall also sign on all the relevant materials and documents.

	65.5.3 Statement of the student and his/her undertaking in the prescribed format (Appendix- I & II) and statement of the concerned Jr. Supervisor and Sr. Supervisor (Appendix - III) shall be recorded in writing by the Chief Conductor. If the student refuses to make statement or to give an undertaking, the concerned Sr. Supervisor and Chief Conductor shall record accordingly under their signatures.
	65.5.4 Chief Conductor shall take one or more of the following decisions depending upon seriousness/gravity of the case :
	65.5.4.1In the case of impersonation or violence, expel the concerned student from the examination and not allow him/her to appear for the remaining examination.
	65.5.4.2Obtain undertaking from the examinee to the effect that the decision of the concerned competent authority in his/her case shall be final and binding and allow him/her to continue with his/her examination
	65.5.4.3May report the case to the concerned Police Station (Appendix - IV) as per provisions of Maharashtra Act. No. XXXI 1982 - An act to provide for preventing mal-practices at University; Board and other specified examinations.
	65.5.4.4Confiscate his/her answer book, mark it as “suspected unfair means case” and issue him/her fresh answerbook duly marked.
	65.5.4.5All the materials and list of material mentioned in sub-clause (65.5.1) and the undertaking with the statement of the student and that of the Jr. Supervisor as mentioned in clause No. (65.5.2) and (65.5.3) and the answerbook/s shall be forwarded by the Chief Conductor, alongwith his report, to the concerned Controller of Examinations / Dean / Principal / Head of the Institution, as the case may be, in a separate and confidential sealed envelope marked “ suspected unfair means case”.
65.5.5	65.5.4.6 In case of unfair means of oral type, the Jr. Supervisor and the Sr. Supervisor or concerned authorised person shall record the facts in writing and shall report the same to the concerned Controller of Examinations/Dean/Principal/Head of the Institution, as the case may be.

65.6 Procedure to be followed by Examiner during Assessment

If the examiner at the time of assessment of answerbook suspects that there is a prima-facie evidence that the examinee/s whose answerbook/s the examiner is assessing appears to have resorted to unfair means in the examination, the examiner shall forward his/her report, preferably through the **CAP Director** along with the evidence, to the Controller of Examinations/**Dean**/Principal/Head of the Institution, as the case may be, with his/her opinion in separate confidential sealed envelope marked as “Suspected unfair means case”.

65.7 A prima facie case of unfair means reported to the University/College/Institution by the Chief Conductor/ Centre Incharge/Jr. / Sr. Supervisor and or examiners shall be inquired into by the Committee appointed by the Board of Examinations / Dean / Principal / Head of the Institution, as the case may be. In the event cases of unfair means are reported through any other sources, the concerned Officer/In-charge of the sub-section/Unit to which the case primarily pertained, at the Examination Section of the University/College/Institution shall scrutinise the case, collect preliminary information to find out whether there is a prima-facie case so as to fix up primary responsibility for framing a charge sheet and then shall submit the said case with his/her primary report to the concerned Competent Authority. If the Competent Authority is satisfied that there is a prima- facie case it shall place the same before the Unfair Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section/Unit, through which the case has originated or to whom the case is pertaining to, shall be the Presenting Officer of the case before the Inquiry Committees, Police Authorities and Court of Justice and shall deal with the case till it is finally disposed of.

65.8 Examination Result/s of the concerned student/s involved in such cases shall be withheld till the Competent Authority arrives at a final decision in the matter and the concerned examinee/s and the College/Institution to which he/she belongs to, shall be informed accordingly.

65.9 Appointment of Unfair Means Inquiry Committee
65.9.1 For the purpose of investigating unfair means resorted to by examinees at the University examination, the Board of Examinations shall appoint a Committee in terms of the provisions made under Section 31(6)(a) of the Maharashtra University of Health Sciences Act, 1998. The term of the Committee shall be not more than five years subject to provisions of section 39 & 40 of the said Act.
65.9.2 For the purpose of investigating unfair means resorted to by examinees at the examination held by the College/Institution, the Unfair Means Inquiry Committee appointed by the College/Institution shall consist of five teachers (other than the Dean/Principal/Head) to be nominated by the Dean/Principal/Head of the Institution, one of whom shall be designated as Chairperson. The members of the College/Institution Examination Committee shall not be appointed members on the Unfair Means Inquiry Committee.
65.9.3 The Unfair Means Inquiry Committee will function as a recommendatory body and submit its recommendations in the form of a report to concerned competent authority, which will issue final orders with regard to the penal action to be taken against the examinee/s after taking into account the reported facts and findings of the case by the Committee and after ensuring that reasonable opportunity has been given to the concerned implicated examinee in his/her defence, that the principle of natural justice has been followed that and the recommended quantum of punishment is in accordance with the guidelines laid down in this behalf.
65.10 Procedure of the Committee should be as under
65.10.1 The Controller of Examinations of the University/Dean/Principal of the College or Head of the Recognised Institution, or the Officer authorised by them, as the case may be, shall inform the examinee concerned in writing of the act of unfair means alleged to have been committed by him/her, and shall ask him/her to show cause as to why the charge/s levelled against him/her should not be held as proved and why the punishment stipulated in the show cause notice should not be imposed.
65.10.2 The examinee may appear before the Inquiry Committee on a day, time and place fixed for the meeting, with written reply/explanation to the show cause notice served on him/her therein. The examinee himself/herself only shall present his/her case before the Committee.

65.10.3	The documents that are being taken into consideration or are to be relied upon for the purpose of proving charge/s against the examinee should be shown to him/her by the Inquiry Committee, if the examinee presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of the delinquent examinee.
65.10.4	Reasonable opportunity, including oral hearing, shall be given to the student in his/her defence before the Committee. The reply/explanation given by the student to the show cause notice shall be considered by the Committee before making final recommendation in the case.
65.10.5	The Committee should follow the above procedure in the spirit of the principles of natural justice.
65.10.6	After serving a show cause notice, if the implicated examinee fails to appear before the Inquiry Committee on the day, time and place fixed for the meeting, the student may be given one more opportunity to appear before the Committee in his/her defence. If even after offering two chances, the student concerned fails to appear before the Committee, the Committee shall take decision in his/her case in absentia, on the basis of the available evidence/documents, which shall be binding on the student concerned.
65.10.7	The Committee shall submit its report to the concerned competent authority alongwith its recommendations regarding punishment to be inflicted or otherwise.
65.11	Punishment The Competent Authority concerned i.e. the Board of Examinations in the cases of University examination, the concerned Dean/Principal in the cases of College examination, and the Head in the cases of examination held by the Recognised Institution, after taking into consideration the report of the Committee shall pass such orders as it deems fit including granting the student benefit of doubt, issuing warning or exonerating him/her from the charges and shall impose any one or more of the following punishments on the student/s found guilty of using unfair means:
65.11.1	Annulment of performance of the examinee in full or in part in the examination he/she has appeared for.
65.11.2	Debarring examinee from appearing for any examination of the University or College or Institution for a stipulated period not exceeding five years.

65.11.3	Debarring examinee from taking admission for any course in the University or College or Institution for a stipulated period not exceeding five years.
65.11.4	Cancellation of the University or College or Institution Scholarship/s or award/s or prize or medal etc. awarded to him/her in that examination.
65.11.5	In addition to the above mentioned punishment, the competent authority may impose a fine on the examinee declared guilty. If the examinee concerned fails to pay the fine within a stipulated period, the competent authority may impose on such a examinee additional punishment/penalty as it may deem fit.
65.11.6	As far as possible the quantum of punishment should be as prescribed (category-wise) below.
65.11.7	The examinee concerned be informed of the punishment finally imposed on him/her in writing by the competent authority or by the Officer authorised by it in this behalf, under intimation to the College/Institution he/she belongs to and to the Centre Incharge.

65.12. The Broad Categories of Unfair Means Resorted to by examinee at the University / College / Institution Examinations and the Quantum of Punishment for each Category Thereof.

Sr. No	Nature of Malpractice	Quantum of Punishment
65.12.1	Possession of copying material.	Annulment of the performance of the student at the University / College/ Institution examination in full * (Note :- This quantum of punishment shall apply also to the following nature of malpractices at Sr. No. (II) to Sr. No. (XII) in addition to the punishment prescribed thereat.
65.12.2	Actual copying from the copying material.	Exclusion of the student from University or College or Institution examination for one additional examination .
65.12.3	Possession of another student's answer book	Exclusion of the student from University or College or Institution for one additional examination. (BOTH THE STUDENTS)
65.12.4	Possession of another student's answer-book+actual evidence of copying therefrom.	Exclusion of the student/s from University or College or Institution copying examination for two additional examinations (BOTH THE STUDENTS)
65.12.5	Mutual/Mass copying	Exclusion of the student from College or Institution University or College or Institution examination for two

		additional examinations.	
65.12.6 (a)	Smuggling-out or smuggling in of answer book as copying material	Exclusion of the student from University or College or Institution examination for two additional examinations.	
(b)	Smuggling-in of written answer book based on the question paper set at the examination.	Exclusion of the student from University or College or Institution examination for three additional examinations.	
(c)	Smuggling-in of written answer-book and forging signature of the Jr. Supervisor thereon.	Exclusion of the student from University or College or Institution examination for four additional examinations. Period of exclusion shall be counted as towards attempt/s.	
65.12.7	Attempt to forge the signature of the Jr. Supervisor on the answerbook or supplement.	Exclusion of the student from University or College or Institution examinations for four additional examination.	
65.12.8	Interfering with or counterfeiting of University /College/Institution seal, or answerbooks or office stationery used in the examinations.	Exclusion of the examinee/s from University or College or Institution examination for four additional examinations.	

65.12.9	Answerbook, main or supplement, written outside the examination hall or any other insertion in answerbook.	Exclusion of the examinee from University or College or Institution examination for four additional examinations.
65.12.10	To bribe or attempting to bribe any of the person/s connected with the conduct of examinations.	Exclusion of the examinee from University or College or Institution examination for four additional examinations.
65.12.11	Using obscene language/violence/ threat at the examination centre by a student at the University/College/ Institution examination to Jr./Sr. Supervisors/Chief Conductor or Examiners.	Exclusion of the examinee from University or College or Institution examinations for four additional examinations.
65.12.12 (a)	Impersonation at the University/ College/Institution examination.	Exclusion of the examinee from University or College or Institution examination for five additional examinations (both the students if impersonator is University or

		College or Institute student).
(b)	Impersonation by a University/ College/Institute student at S.S.C./ H.S.C./ any other examinations.	Exclusion of the Impersonator from University or College or Institution examination for five additional examinations.
65.12.13	Revealing identity in any form in the answer written or in any other part of the answerbook by the student at the University or College or Institution examination.	Annulment of the performance of the student at the University or College or Institution examination in full.
65.12.14	Found having written on palms or on the body, or on the clothes while in the examination.	Annulment of the performance of the examinee at the University or College or Institution examination in full.
65.12.15	All other malpractices not covered in the aforesaid categories.	Annulment of the performance of the student at the University or College or Institution Examination in full, and severe punishment depending upon the gravity of the offence.
65.12.16 If on a previous occasion a disciplinary action was taken against a student for malpractice used at examination and he/she is caught again for malpractices used at the examination, in this event, he/she shall be dealt with severely. Enhanced punishment can be imposed on such students. This enhanced punishment may extend to double the punishment provided for the offence, when committed at the second or subsequent examination. 65.12.17 Practical/Dissertation/Project Report Examination Student involved in malpractices at Practical/ Dissertation/Project Report examinations shall be dealt with as per the punishment		

provided for the theory examination.

65.12.18 The Competent authority, in addition to the above mentioned punishments, may impose a fine on the student declared guilty.

* (Note : The Term “Annulment of Performance in full” includes performance of the student at the theory as well as annual Practical examination, but does not include performance at term work, project work with its term work, oral or practical & dissertation examinations unless malpractice is used thereat.)

65.13 Malpractices used or Lapses Committed by any Paper- Setters, Examiners, Moderators, Referees, Teachers or any other persons connected with the Conduct of Examination

65.13.1 Competent Authority :

65.13.1.1 The Board of Examinations shall be the competent authority to take appropriate disciplinary action against the paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing to use malpractice/s at the examinations conducted by the University.

65.13.1.2. **Local Managing Committee/Advisory Committee** (includes the Trustees, Managing Body or Governing Body) of the constituent / affiliated / conducted college or Recognised Institution **constituted as per Section 67 of Maharashtra University of Health Sciences Act, 1998** shall be the competent authority to take appropriate disciplinary action against the paper setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of **internal** examinations committing lapses or using, attempting to use, aiding, abetting, instigating or allowing to use malpractice/s at the **internal** examination conducted by the constituent / affiliated / conducted colleges' or Recognised Institution on behalf of the University. **The action taken should be reported to the University within two weeks.**

65.13.2 Definition : Unless the context otherwise requires

65.13.2.1 “Paper-setter, examiner, moderator, referee and teacher” means and includes person/s

duly appointed as such for the examination by the competent authority and the term “any other person connected with the conduct of examination” means and includes person/s appointed on examination duty by the competent authority.

65.13.2.2 Malpractice/lapses includes one or more of the following acts of commission or omissions on the part of the person/s included in (67.13.2.1) relating to the examination :

- a. Leakage of question/s or question paper set at the University / College / Institution examination before the time of examination.
- b. Examiner / Moderator intentionally awarding marks to student in assessment of answerbooks, dissertation or project work to which the student is not entitled or not assigning marks to the student to which the student is entitled.
- c. Paper-setter omitting a question, Sr.No. of question, repeating question or setting question outside the scope of syllabus.
- d. Examiner / Referee showing negligence in detecting malpractice used by student/s.
- e. Jr. Supervisor, Sr. Supervisor, Chief Conductor/ Centre Incharge showing negligence / apathy in carrying out duties or aiding / abetting /allowing / instigating students to use malpractice/s.
- f. Or any other similar act/s of commission and or omission/s which may be considered as malpractices or lapses by the competent authority.

65.13.2.3 “Malpractice or lapse relating to examination” means and includes directly or indirectly committing or attempting to commit or threatening to commit any act of unfair means, fraud or undue influence with a view to obtaining wrongful gain for himself/herself or for any other person or causing wrongful loss to other person/s omitting to do what he/she is bound to do as duties.

65.13.2.4 'College' means, constituent or affiliated college or recognised institution of a University.

65.13.3 Investigating Committee

65.13.3.1 The Committee appointed by the Board of Examinations under the provisions of Section **31(6)(a), 39 and 40** of the **Maharashtra University of Health Science Act, 1998** to investigate into unfair means resorted to by student/s at the University examinations shall also investigate the cases of malpractices used and/or lapses committed by the paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations at the University examinations.

65.13.3.2 Similarly, a Committee appointed by the College or Institution to investigate unfair means resorted to by student at the concerned examinations shall also investigate malpractices/lapses on the part of paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations conducted by the affiliated / conducted College or institution on behalf of the University.

65.13.4 Procedure for Investigation

65.13.4.1 The cases of alleged use of unfair means or lapses committed by the paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations, reported to the University/College / Institution shall be scrutinized by the concerned Officer / In-charge of the sub-Section / Unit to which the case is primarily pertained at the Examination Section of the University / College / Institution, who will collect preliminary information to find out whether there is a prima-facie case so as to fix up primary responsibility for framing a charge-sheet and then shall submit the said case with his primary report to the concerned competent authority. If the competent authority is satisfied that there is a prima-facie case, it shall place the same before the Unfair Means Inquiry Committee for further investigation. The concerned Officer of the Sub-Section / Unit through which the case has originated or the case is pertaining to, shall be the Presenting Officer of the case before the Inquiry Committee, Police Authorities and Court of Justice and shall deal with the case till it is finally disposed of.

65.13.4.2 The Competent Authority or the Officer authorised by it in this behalf, shall inform the implicated person (paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination) in writing about the act of malpractices used and alleged or lapses committed by him / her at the examination and shall ask him/her to show cause

as to why the charge/s levelled against him/her should not be held as proved and why the punishment stipulated in the Show Cause Notice should not be inflicted on him/her.

65.13.4.3 The concerned person be asked to appear before the Inquiry Committee on a day, time and place fixed for meeting, with written reply/explanation to the show cause notice served on him/her and charge levelled against him/her therein. The concerned person/himself/herself only shall present his/her case before the committee.

65.13.4.4 The documents that are being taken into consideration or to be relied upon for the purpose of proving charge/s against the concerned person shall be shown to him/her by the Inquiry Committee if he/she presents himself/herself before the Committee. The evidence, if any, should be recorded in the presence of the delinquent.

65.13.4.5 Reasonable opportunity, including oral hearing, shall be given to the concerned person in his/her defence before the Committee. The reply/explanation given to the show cause notice shall also be considered by the Committee before making final report/recommendation.

65.13.4.6 The Committee should follow the above procedure in the spirit of principle of natural justice.

65.13.4.7 If the concerned person fails to appear before the Committee on the day, time and place fixed for the meeting, he/she be given one more opportunity to appear before the committee in his/her defence. If, even after offering two chances, the concerned person fails to appear before the Committee, the Committee shall take decision in his/her case in his/her absence on the basis of whatever evidences/documents which are available before it and the same shall be binding on the concerned implicated person.

65.13.4.8 The Committee shall submit its report to the concerned competent authority along with its recommendations regarding punishment to be inflicted on the concerned person or otherwise.

65.13.5 Punishment

The competent authority, after taking into consideration the report of the Committee, shall pass such orders as it deems fit, including granting the implicated person benefit of doubt, issuing warning or exonerating him/her from the charge/s and shall inflict any one or more of the following punishments on the implicated person found guilty of using malpractice/s or committing lapses at the examination: -

- 65.13.5.1 Declaring disqualified the concerned paper-setter, examiner, moderator, referee, teacher or any other person connected with the conduct of examination, from any examination work either permanently or for a specific period.
- 65.13.5.2 Imposing fine. If the concerned person fails to pay the fine within a stipulated period, the Competent Authority may impose on such a person additional punishment / penalty as it may deem fit.
- 65.13.5.3 Referring his/her case to the concerned disciplinary authorities for taking such disciplinary action as deemed fit as per the rules governing his/her service conditions.
- 65.13.5.4 The competent authority or the Officer authorised in this behalf, shall inform the concerned person of the decision taken in his/her case and the punishments imposed on him/her.
- 65.13.5.5 An appeal made within 30 days of imposition of the punishment, other than the punishment referred to in clause No.(67.13.5.3) above, shall lie with the Board of Examinations if the case is pertaining to the University examination or with the Management of the College or Institution, if the case is pertaining to the college/institutions examination and their decision in the appeal shall be final and binding.
- 65.13.5.6 The Competent Authority shall supply a typed copy of the relevant extract of the fact-finding report of the Inquiry Committee, as well as the documents relied upon (if not strictly confidential), pertaining to his/her case to the appellant / petitioner, if applied for in writing.
- 65.13.5.7 The court matters in respective cases of malpractices/ lapses should be dealt with by the respective competent authority.

65.13.5.8As far as possible the quantum of punishment should be prescribed category-wise as hereunder :-

65.14 Action for Malpractices and lapses on the part of the Paper-Setter, Examiner, Moderator, Referee, Teacher or any other person connected with the Conduct of University / College / institution Examinations.

S. No.	Nature of Malpractices / Lapses	Punishment
65.14.1	Paper -setter found responsible for leakage of the question set in the University / College/ Institution examination/s whether intentionally or due to the negligence before the time of examination.	Disqualification from any examination Work + disciplinary action by concerned authorities as per the rules applicable.

65.14.2	Leakage of question / question paper set in the University / College/ Institution examination before the time of examination at the University/ College/Institution or examination centre by any person/s connected with the conduct of the examination.	Disciplinary action against the guilty /responsible person/s as per the prevailing rules / standard code by the concerned authorities.	
65.14.3	Favouring a student (Examinee) by examiner moderator,referee in assessment of answer books/dessertation/Project Report /Thesis by assigning the student marks to which the student is not entitled, at the University / College/ Institution examination.	Disqualification from any examination Work and disciplinary action by concerned authorities.	

65.14.4	Examiner / Moderator / Referee intentionally / negligently not assigning the student in assessment of his/her answer-books / dissertation /Project work, the marks to which the student is entitled to at the University / College / Institution examinations.	Disqualification from any examination work + disciplinary action by the concerned authorities.	
65.14.5	Paper-setter omitting question at the time of finalisation of question paper set at examination or repeating Sr. No. of question while writing .	Disqualification from any examination work for a period of three years.	
65.14.6	Paper-setter setting questions outside the scope of the syllabus.	Disqualification from any examination work for a period of three years.	

65.14.7	While assessing answerbooks examiner showing negligence in detecting malpractices used by the student/s.	As decided by the authorities of the University / College/ Institution.	
65.14.8	Guiding Teacher showing negligence in supervision of dissertation / Project work(e.g. use of manipulated data by a student)	As decided by the authorities of the University / College / Institution	

65.14.9	Sr. Supervisor / Chief Conductor showing apathy in carrying out duties related to examinations (e.g. not taking a round to the examination hall at the Examination Centre during examination period or opening the packet of question paper before prescribed time)	As decided by the authorities of the University / College / Institution.	
65.14.10	Jr. Supervisor helping student in copying answers while in the examination or showing negligence in reporting cases of copying answers by students when on supervision duty.	Disqualification from any examination work upto a period of three years + disciplinary action by the concerned authorities as per the rule if he/she is a University / College / Institution employee.	

65.14.11	Jr. Supervisor helping student (examinee) in mass-copying while on examination duty.	Permanent disqualification from any examination work + disciplinary action by the concerned authorities as per the rule if he/she is a University/College/ Institution employee.
65.14.12 The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person, if declared guilty. 65.14.13 The competent authority, may report the case of the concerned implicated person to the appropriate Police Authorities as per the provision of Maharashtra Act No. XXXI of 1982.		
66. Central Assessment Programme Scheme 66.1 Preliminary : The conduct of examinations and declaration of results is one of the important activities of the University. The Scheme of Central Assessment Programme is being introduced by way of this Ordinance with a view to (1) declaring the results in the shortest possible time, (2) increasing the reliability of the results, (3) maintaining uniformity and consistency in the assessment, (4) increasing accuracy and efficiency in the declaration of results and (5) creating confidence amongst the students about the assessment system. The Central Assessment Programme shall consist of the following stages : 66.1.1. Pre-assessment work 66.1.2. Assessment and Moderation process 66.1.3. Post-Assessment work 66.1.1 PRE-ASSESSMENT: 66.1.1.1 To Fix the venue of the Central Assessment Programme (CAP) : The venue of the CAP shall be decided by the University. It shall be on the University campus / in Affiliated College / Recognised Institute / any other place.		

66.1.1.2 Appointment of CAP Director :

The Director for the Central Assessment Programme shall be appointed by the University from amongst the following :

- a. Dean/Principal of the concerned Affiliated College or his nominee from amongst the senior faculty members.
- b. Head of the concerned Recognized Institute
- c. Head of the concerned University Department or his nominee not below the rank of Reader

The Director shall communicate his acceptance along with the undertaking in the prescribed form (Appendix - VI)

66.1.1.3 Invitation to Examiners / Moderators :

The University shall provide a list indicating the number of students appearing for each subject and other relevant information to the Director. The Director / Controller of Examinations shall ascertain the number of examiners and moderators required per subject. The Director shall make arrangements regarding the space and the supporting staff required for the CAP.

The Director of CAP/Controller of Examinations shall send invitation letters to all the examiners and moderators shown in the lists finalized by the University well in advance so as to enable the examiners and moderators to communicate their acceptance. In case of any difficulty in doing so, the Director, CAP shall consult the Controller of Examinations and take decision. All the instructions regarding CAP shall also be sent to the examiners and moderators. In case of shortage of examiners/ moderators as reported by the Director, CAP, the substitute appointments of examiners/ moderators shall be made by the **CAP Director from the list of examiners provided by the University/** Controller of Examinations.

66.1.1.4 Collection of Answer books :

It is the responsibility of the **Dean/Principal** of the College/Director of the recognized Institute to see that the answer books of the examinations held at his/her centres are sent promptly to CAP Centres / **University** as per instructions given by the University from time to time.

66.1.1.5 Preparation for CAP

- i) The Director of CAP shall make adequate arrangements to receive answerbooks coming from the University / examination centres from time to time.
- ii) On receipt of the answerbooks at the CAP venue / **University**, the staff employed for this work shall check the number of answerbooks, Junior Supervisor's Reports and ascertain as to whether the number of candidates present and absent indicated in the report are correct. In case of any discrepancy, it shall be resolved in consultation with the Deputy Registrar(Exams.)/or an Officer nominated by the Controller of Examinations.
- iii) It shall be seen and verified that all the answerbooks of the subject, are received from the centres of examinations / **University**. This shall be checked with the subjectwise and centrewise summaries of the examination concerned . In case of non-receipt of answerbooks from any examination centre / **University** , **the Controller of Examinations** / the CAP Director shall take immediate steps for receiving the said answerbooks from the concerned examination centre/**University**.
- iv) The bundle of answerbooks so prepared shall preferably be computer - coded, masked and the coded sheets shall be inserted in the bundles of answerbooks. The Junior Supervisor's report shall be taken out and kept in a separate file. Papers or bundles tied or presented in a doubtful manner be separated and further decision regarding their evaluation be taken in consultation with the Controller of Examination.

66.1.2 **ASSESSMENT AND MODERATION PROCESS :**

The University shall issue instructions to the concerned on the following:

66.1.2.1 Consistency and uniformity in assessment.

66.1.2.2 Remedial measures in respect of discrepancies detected / noticed in the question Paper.

66.1.2.3 Unfair means noticed by the assessor/s.

66.1.2.4 Administrative, financial and organizational details

66.1.3 **POST - ASSESSMENT:**

The University shall issue instructions on the following :

66.1.3.1 Decoding / unmasking of assessed answer books.

66.1.3.2 Scrutiny and verification of assessed answer books.

66.1.3.3 Preparation and schedule of submission of mark lists to the University.

Upon the promulgation of this Ordinance in terms of its operational effect, Ordinance No. 4/1999 shall stand repealed.

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APPENDIX - I

**MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES,
NASHIK**

**Statement of candidate who is alleged to have used Unfair Means at the University
Examination**

Full Name :
(in Block Letters) Surname First Name Father's / Husband's Name

Address :

Examination :

Paper No. & Subject :

Seat No. : No. In words :

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.

Sir,

I appeared at the above examination held on
.....
.....
college (Centre) in the Morning / Evening session.

I give below my statement as follows:-

.....
.....
.....
.....
.....
.....
.....
.....

Place :

Date : **Time :** **Signature of the Candidate**

.....

CONFIDENTIAL

APPENDIX - II

FORM OF UNDERTAKING

Full Name of the Candidate :
(in Block Letters) Surname First Name Father's/Husband's Name

Permanent / Local Address :
.....
.....
.....

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.
Sir,

I, the undersigned student of
College / Institution appearing for Examination at the
..... College
(Centre), do hereby state on solemn affirmation as under:-

I understand that I am involved in an alleged use of Unfair Means in the Examination Hall and therefore, a case against me is being reported to the University.

That inspite of the registration of a case of Unfair Means against me, I request the University authorities to allow me to appear in the present paper and the papers to be set subsequently and/or at the University examination to be held hereafter.

In case my request is granted, I do hereby agree that my appearance in the examination will be provisional and subject to the decision of the University Authorities in the matter of disposal of the case of alleged use of Unfair Means referred to above.

I also hereby agree that in the event of myself being found guilty at the time of investigation of the said case, my performance at the examination to which I have been permitted to appear provisionally, consequent upon my special request, is liable to be treated as **null and void.**

In witness whereof I set my hand to this undertaking.

Signature of the Candidate

Date :

.....

Before me

.....

**Chief Conductor of the Centre
and Rubber Stamp of the College / Institution / University**

Date :

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APPENDIX - III

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

Report of the Jr. Supervisor / Sr. Supervisor / Chief Conductor / Centre Incharge

Block No. :

Examination :

Subject :

Date :

To,
The Controller of Examinations,
Maharashtra University of Health Sciences,
Mhasrul, Dindori Road,
Nashik-422 004.

Sir,

I, the undersigned Jr. Supervisor appointed on the abovementioned Block at the
..... Examination held at College
(Centre), am hereby making report against Candidate No. Shri. / Kum.
..... at the examination, as follows:-

Yours faithfully,

(Signature Jr. Supervisor)

Date :
.....

Time :
.....

Name & Address of the Junior Supervisor

.....
.....

.....
On the basis of the report made by the Jr. Supervisor / Flying Squad, I am of the opinion that there is a prima facie case of Unfair Means resorted to by the aforesaid Candidate No..... and therefore, the case be forwarded to the University for investigation.

Forwarded to the Controller of Examinations, Maharashtra University of Health Sciences, Nashik for necessary action.

.....
**Seal of the College / Institute /
University (Centre)**

.....
**Signature of the Chief Conductor /
Centre Incharge**

Place :

Date :

Encl. :

.....
Signature of the Centre Observer

(N.B. : Kindly enclose a copy of the relevant question paper)

.....

CONFIDENTIAL

APPENDIX - IV

To,

The Inspector / Sub-Inspector,

..... Police Station,

.....

.....

Sub. :- Complaint against the student for the alleged use of Unfair Means at the
..... examination held in the

Sir,

On behalf of Maharashtra University of Health Sciences, Nashik, the
..... examination held in the First Half / Second Half of 200...
is conducted in the premises of the

..... College / Institute / University. I have been
authorised by the University of vide letter No.
..... dated addressed to the Dean
/ Principal by to take action under the
provisions of Maharashtra Act XXXI of 1982, an Act to provide for preventing malpractices at
University, Board and other specified examination.

I furnish herewith the details of the following student/s who has / have used Unfair
Means at the examination.

1. Name of the Student :
2. Examination Seat No. :
3. Name of the College through which he/she appeared for the examination :
4. Name of the subject, Date & Time :
5. Name of the Jr. Supervisor :
6. Name of the Sr. Supervisor who detected the case :
7. Material found with the candidate :
8. Other information if any in connection with the case :

According to Section-7 of the Maharashtra Act XXXI of 1982 - An act to provide for preventing malpractices at University / Board and other specified examinations, Shri. / Kum. has committed the offence at the examination and therefore, I lodge a complaint against him (Name of the person) at the Police Station

Yours faithfully,

.....
.....
Chief Conductor / Centre Incharge
Name of the Centre :
.....

Place :

Date :