

OAC–10: Code of Conduct for Malpractice in Theory and Practical Examinations

OAC–10.1: Authority for Imposing Penalty

The authority to impose penalties in cases of malpractice shall rest with the **Principal** and the **Governing Body** of the institution.

OAC–10.2: Procedure for Imposing Penalties

No penalty shall be imposed upon a candidate without the conduct of a proper enquiry, which shall follow the procedures outlined below:

1. The **Unfair Means Enquiry Committee** or the **Discipline Committee** shall formulate precise charges and communicate these, along with a statement of allegations on which the charges are based, to the concerned candidate **in writing**.
2. The candidate shall be required to submit a **written statement of defence** within a specified time and to indicate whether they wish to be heard in person.
3. In cases where the candidate has already **admitted to the malpractice** before the Chief Conductor of the Examination Cell, the **Principal** may directly issue the charge sheet. If the candidate accepts the charges without contest, the Vice-Chancellor may proceed to impose the prescribed punishment under the applicable ordinances.

Upon receipt of the defence statement—or if no response is received within the prescribed time—the Unfair Means Enquiry Committee shall proceed with the enquiry into the charges.

4. The Committee may nominate an **official or officer** to present the case supporting the charges. The candidate may present their case **in person** but shall **not be permitted to engage legal counsel**.
5. During the enquiry, the Committee shall examine relevant **documentary and oral evidence**. The candidate shall be granted the opportunity to **cross-examine** witnesses and present evidence in their defence. The representative of the Committee may likewise cross-examine the candidate and defence witnesses.
6. At the conclusion of the enquiry, the Committee shall submit a detailed **report of its findings** along with the supporting documents. The report shall include a **recommendation of the penalty** to be imposed, if the charges are substantiated.
7. The **Principal**, upon receiving the report, shall verify whether the recommended penalty aligns with existing regulations. If so, the matter shall be forwarded to the **Governing Body**, which will consider and impose the appropriate penalty. **No penalty shall be imposed without affording the candidate a fair opportunity to respond to the proposed action.**

OAC–10.4: Penalties

Penalties for various types of malpractice, as detailed in the schedule referred to in **OAC–10.5.2**, shall be imposed by the Principal.

Provided that no penalty shall be imposed without giving the candidate concerned a reasonable

opportunity to show cause against the proposed action.

OAC–10.5: Procedure for Reporting Unfair Means

1. Upon detection of malpractice during the examination, the **Block Supervisor or Invigilator** shall immediately **seize the incriminating material** along with the answer script or other relevant materials, and report the incident to the **Senior Supervisor or Chief Conductor**.
2. The candidate shall be allowed to **continue the examination** on a fresh answer book.
3. If the candidate refuses to surrender the incriminating material, or attempts to destroy it or abscond with it, the facts shall be **recorded and attested by two members of the supervisory staff**, and the matter reported to the Senior Supervisor or Chief Conductor without delay.
4. Should the candidate refuse to submit a written statement, they shall be asked to record their refusal. If they decline to do so, this shall also be **recorded in writing and attested** by two members of the supervisory staff.
5. The **Senior Supervisor or Chief Conductor** shall conduct a **summary enquiry** after the conclusion of the examination and record statements, including that of the candidate, in the presence of a faculty member not involved as the original Room Supervisor.
6. The Chief Conductor shall forward a **sealed report**, including:
 - The seized materials,
 - The candidate's answer script(s),
 - The Room Supervisor's report,
 - The candidate's statement (if any),to the **Controller of Examinations**, who shall present the case before the **Unfair Means Enquiry Committee** for further action under the Ordinance.

OAC–10.5.1: Role of Examiners in Reporting Suspected Unfair Means

(a) If an **Examiner** suspects the use of unfair means during evaluation, they shall:

- Return the concerned answer book or material to the **Controller of Examinations**,
- Provide a **written justification** for their suspicion,
- Mark the candidate's code number with the remark "**suspected unfair means case**" in the input form.

(b) The College shall endeavour to conclude all such proceedings **within six months**, or in any case, **prior to the commencement of the next scheduled examination**.

OAC-10.5 2 Schedule of Penalties to be imposed for various types of unfair means.

Theory Examination

Sr. No.	Nature of Unfair Means	Quantum of Punishment
1	Possession of copying material – Admitted	Annulment of the performance of the entire examination.
2	Possession of copying material – Denied	Annulment of the performance of the entire examination, plus disqualification for one additional attempt .
3	Possession of copying material with actual evidence of copying – Admitted	Annulment of the performance of the entire examination, plus disqualification for one additional attempt .
4	Possession of copying material with actual evidence of copying – Denied	Annulment of the performance of the entire examination, plus disqualification for two additional attempts .
5	Possession of another candidate's answer-book without evidence of copying – Admitted	Annulment of the performance of the entire examination, plus disqualification for one additional attempt (both candidates) .
6	Possession of another candidate's answer-book without evidence of copying – Denied	Annulment of the performance of the entire examination, plus disqualification for two additional attempts (both candidates) .
7	Possession of another candidate's answer-book with actual evidence of copying – Admitted	Annulment of the performance of the entire examination, plus disqualification for two additional attempts (both candidates) .
8	Possession of another candidate's answer-book with actual evidence of copying – Denied	Annulment of the performance of the entire examination, plus disqualification for three additional attempts (both candidates) .
9	Identical answers in answer-books – Admitted	Annulment of the performance of the entire examination, plus disqualification for one additional attempt (both candidates) .
10	Identical answers in answer-books – Denied	Annulment of the performance of the entire examination, plus disqualification

Sr. No.	Nature of Unfair Means	Quantum of Punishment
		for two additional attempts (both candidates) .
11	Answer-book (main or supplement) written outside the examination hall or containing unauthorized insertions – Admitted	Annulment of the performance of the entire examination, plus disqualification for four additional attempts .
12	Answer-book (main or supplement) written outside the examination hall or containing unauthorized insertions – Denied	Annulment of the performance of the entire examination, plus disqualification for five additional attempts .
13	Attempt to forge the signature of the Block Supervisor on the answer-book or supplement – Admitted	Annulment of the performance of the entire examination, plus disqualification for four additional attempts .
14	Attempt to forge the signature of the Block Supervisor on the answer-book or supplement – Denied	Annulment of the performance of the entire examination, plus disqualification for five additional attempts .
15	Insertion of currency notes in the answer-book – Admitted	Annulment of the performance of the entire examination, plus disqualification for four additional attempts . <i>Note: The money is to be credited to the University Fund.</i>
16	Insertion of currency notes in the answer-book – Denied	Annulment of the performance of the entire examination, plus disqualification for five additional attempts . <i>Note: The money is to be credited to the University Fund.</i>
17	Impersonation during the examination – Admitted	Annulment of the performance of the entire examination, plus disqualification for five additional attempts (both candidates) .
18	Impersonation during the examination – Denied	Annulment of the performance of the entire examination, plus disqualification for six additional attempts (both candidates) .

Sr. No.	Nature of Unfair Means	Quantum of Punishment
19	Use of obscene language, violence, or threats towards the Chief Conductor/Senior Block Supervisor or Examiners at the examination centre (regardless of whether the person is a candidate) – Admitted	Annulment of the performance of the entire examination, plus disqualification for four additional attempts .
20	Use of obscene language, violence, or threats towards the Chief Conductor/Senior Block Supervisor or Examiners at the examination centre (regardless of whether the person is a candidate) – Denied	Annulment of the performance of the entire examination, plus disqualification for five additional attempts .

10.5.2 Supplementary Provisions

a) Offences Not Explicitly Covered in the Schedule:

All cases of unfair means or malpractices not specifically enumerated in the schedule shall be dealt with **in accordance with the gravity and seriousness** of the offence. The competent authority shall exercise discretion in determining the nature and extent of the penalty, ensuring that the punishment is proportionate to the offence committed.

b) Repeat Offenders:

In instances where a student has previously been subjected to disciplinary action for malpractice during an examination and is subsequently found guilty of a similar or related offence, such a student shall be **subject to more stringent and enhanced punitive measures**.

The penalty in such cases may be **increased up to two to three times** the standard punishment prescribed for the act committed during the second or subsequent examination, depending upon the nature and recurrence of the offence.

