



JSS Mahavidyapeetha

**JSS SCIENCE AND TECHNOLOGY UNIVERSITY**

(Established under the JSS Science & Technology University Act No. 43 of 2013)

**JSS Technical Institutions' Campus, Mysuru – 570 006**

**REGULATIONS PERTAINING TO  
MALPRACTICES IN THE UNIVERSITY  
EXAMINATIONS**

**August 2019**



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### **Regulations Pertaining to Malpractices in the University Examinations**

In exercise of the powers conferred by of JSSST University Rules and Bye Laws, JSSST University has framed Regulations pertaining to Malpractices in University Examinations.

#### **1. Short Title and Commencement:**

- a) These regulations shall be called the “JSSST University Regulations pertaining to Malpractice in the University Examinations, 2019.”
- b) They shall come into force with immediate effect.

#### **2. Definitions:**

- a) ‘Chief Superintendent’ shall mean any person appointed by the University, to be overall in charge of the examination Centre.
- b) ‘University’ shall mean JSSST University.
- c) ‘Disciplinary Authority’ shall mean the authority competent under these regulations to impose penalties on the student indulging in malpractice.
- d) ‘University Students’ or ‘Students’ shall mean and include all students studying in the Constituent Colleges/Departments/Faculties of the University, as well as candidates who register themselves for any courses, BE, M.Tech, MCA, MBA, PhD or other programs.

e) 'Examination Centre' shall mean any premises consisting of examination halls used for conduct of examinations.

f) 'Examination Hall' shall mean any Room, Hall, and Laboratory, Workshop or such other premises that may be used for holding of examinations.

g) 'Misconduct' is a generic term and shall mean conduct that is amiss, wrong or improper behavior or conduct and includes misdemeanor, delinquency, indiscipline and other acts amounting to offences involving moral turpitude or acts which adversely affect the prestige of the institution or University.

h) 'Malpractice' shall mean misconduct in relation to the conduct of any examination conducted by the University and includes any acts of omission or commission mentioned in these regulations.

i) 'Malpractice and Lapses Enquiry Committee' hereinafter referred to as MPLEC shall mean the Committee or standing committee appointed by the BOM or the Vice Chancellor for enquiring into any malpractice, misconduct or lapses committed by a University student.

j) 'Preliminary Enquiry' shall mean a fact finding enquiry in the nature of an investigation into any complaint or report, before initiating a regular enquiry under these Regulations and none of the provisions of these Regulations shall be applicable to such preliminary enquiry.

k) Any other expressions, words or phrases that may have been used in these regulations but not defined, shall have the meaning assigned to them in the regulations.

### **3. General:**

a) Every University student shall at all times take reasonable steps to ensure and protect the interest and prestige of the University, pursue his/her studies diligently in accordance with the rules, regulations, ordinances, bye laws and statutes of the University, maintain discipline and do nothing which is unbecoming of a University student, contravention of which shall be deemed to be tantamount to misconduct.

b) During the examination, candidates shall be under the disciplinary control of the Chief Superintendent of the Centre.

c) Every day, before commencement of the examination, instructions shall be given to all the candidates to search their persons, desks etc and to hand over all papers, books, notes, photo copies, reference material of any kind, mobile phones, pen scanners, blue tooth equipment, smart watches or any other material that may be used to copy. Late comers may be repeated the same instructions. Being in possession of any of these items shall be construed as intent to use unfair means and shall be dealt with as malpractice and action taken as per the regulations.

**4. Some Acts of Commission and Omission amounting to malpractice are as under: -**

a) Bringing in or being in possession of any document, paper, book photocopy, or any other material including electronic devices such as cell phones, digital diary, programmable calculator, pen scanner, Bluetooth equipment, smart watches etc. other than those permitted by the University, in the examination hall, at any time during the examination.

b) Taking or giving or attempting to take or give, any help from, or to any person or from any material, written, recorded, typed, printed or electronic or in any other form whatsoever.

c) Removing original sheets of an answer book and/or inserting new ones, or taking outside the examination hall any answer book issued at the examination or writing answers in any form on the question paper or admission ticket.

d) Copying answers of another candidate, or assisting any other candidate in copying answers either from his own answer book or from common or different sources.

e) Being a party to mass copying, that is to say, where, barring minor or insignificant deviations, the question chosen for answering, or the answers of himself and two or more students appearing simultaneously for the examination in the same hall are almost identical in content, sequence, or pattern, or are having such other telltale features in common.

- f) Using impersonation technique in any form to write answers in answer books.
- g) The presence of unusual marks, folding, creases, wrinkles or soiled appearances in one or more answer scripts or any other attempt to disclose identity; or writing on the question paper or any other paper some answers to the questions set in the question paper.
- h) Altering, defacing, tampering with the answer book, identity card, or admission ticket or any other relevant document or handing over or parting with his identity card or admission ticket to a third party during the examination period.
- i) In case of apprehension or attempt at apprehension by authorized persons or authority, for any suspected act of malpractice, offering resistance to such apprehension or escaping or attempting to escape or disobeying instructions, or declining to give written explanation when asked to do so, or destroying or substantially altering any material evidence seized, or about to be seized.
- j) Re-entering or attempting to re-enter examination hall, during the hours of examination, after he had left the same earlier, without permission or without proper escort.
- k) Being in possession of answer book outside the examination hall.
- l) Using abusive or obscene language, or behaving in a disorderly or unruly manner or using physical violence, in or around the examination hall.
- m) Using any means to communicate or attempting to communicate with the examiners, or officers of the examination, directly or indirectly with requests, threat, inducement, appeal or undue influence upon them for favor in the examination.
- n) Using or attempting to use any other unfair means to deceive, mislead or induce the authorities.
- o) Communicating with any candidate or any other person in or outside the examination hall with a view to take unfair assistance or aid to answer in the examination, by use of any means of communication.

## **5. Disciplinary Authorities:**

- a) The powers regarding discipline, disciplinary action and imposing punishments in regard to University students shall vest with the Vice-chancellor.
- b) The Vice Chancellor is empowered to impose any of the punishments to these students as specified in these regulations.
- c) The Vice Chancellor may refer any case for the decision of the Board of Management.

## **6. Procedure for Reporting of Malpractice:**

- a) When a case of malpractice is detected at examination halls by any person appointed to supervise the examination other than the Chief Superintendent (e.g.: Invigilator, Room superintendent, squad member, Dy Chief Superintendent, etc) he shall immediately send intimation to the Chief Superintendent and seize all documents and materials concerned which are suspected to be evidence of the malpractice and detain the Candidate. On arrival of the Chief Superintendent, he shall hand over the candidate and the evidence along with a brief report.
- b) If the candidate refuses to hand over the incriminating material or destroys or runs away with the material, the facts shall be recorded and duly witnessed by two members of the supervisory staff and the matter reported to the Controller of Examinations. If the candidate runs away, the assistance of police may be sought to apprehend and securing the presence of the candidate.
- c) The Chief Superintendent when he himself detects the malpractice or on getting the report, shall conduct a preliminary enquiry. Should the enquiry indicate the commitment of malpractice, he shall obtain written statement from the candidate along with the report of the Room Superintendent/invigilator and forward it to the Controller of Examinations.
- d) If the candidate refuses to give a written statement, the candidate shall be asked to record in writing his refusal to give a written statement. If he refuses to do even

that, the facts shall be recorded and signed by the Chief Superintendent, duly witnessed by two members of the Supervisory staff.

e) The Chief Superintendent shall forward a report, along with the answer script and all other incriminating documents, materials or substances, report of the Room Superintendent, statement of the candidate and any other relevant material, in a sealed envelope, to the Controller of Examinations by name, who shall place the same before the MPLEC.

f) The answer book of the candidate detected to be indulging in malpractice shall be seized by the Chief Superintendent and shall be sent to the Controller of Examinations in a separate sealed cover, super scribed "Alleged Malpractice Case," along with his report.

g) The Chief Superintendent shall expel the candidate detected to be indulging in malpractice.

h) If any case of malpractice is detected in the valuation Centre by the Custodian, Coordinator or other staff, the Custodian shall report the matter in writing along with all incriminating material and report of the staff who detected malpractice to the Controller of Examinations, by name.

i) In case the malpractice is detected by an examiner while evaluating an answer script, he shall return the script and other incriminating material, without further valuation, with reasons in writing, to the Controller of Examinations, through the custodian. If already valued, wholly or partially, the marks shall not be entered in the valuation sheet in which marks awarded to other candidates are furnished, but entered in a separate list which is sealed in a separate cover and sent along with other documents.

j) When a case of copying on a mass scale (more than 1/3 of the total candidates) at a particular examination hall is detected or reported, the Chief Superintendent shall ascertain the facts by a preliminary enquiry, report to the Controller of Examinations and cancel the examination of all the concerned candidates.

## **7. Constitution of MPLEC:**

- a) The Vice Chancellor shall constitute a Committee known as Malpractices Lapses Enquiry Committee (MPLEC).
- b) The Committee shall consist of five members as under: i. Dean of Faculty/ Principal of the college. ii. Senior Chairperson of the University Board. iii. Legal Adviser. iv. Lady member.) v. controller of Examinations as Member secretary.
- c) The term of the Committee shall be three years, unless otherwise specified in the order constituting the committee.
- d) The committee shall enquire into cases of alleged malpractices in University examinations, in accordance with procedures outlined in these regulations, and based on its findings, to recommend the imposition of appropriate penalties by the Disciplinary Authority, on the concerned student.

## **8. Procedure for Imposing Penalties:**

- a) No penalties may be imposed on a candidate except after an enquiry is held by the MPLEC.
- b) The Controller of Examinations, on getting a report of a case of malpractice, shall issue a notice in writing to the accused student concerned, setting forth the relevant facts in brief, frame definite charges and ask him to show cause as to why action under the Regulations should not be taken against him. The student shall also be instructed to appear before the MPLEC on a fixed date, time and place.
- c) The candidate shall be required to submit a written statement in his defense within the stipulated time specified.
- d) If the accused student fails to reply in writing and to turn up on the date fixed, the MPLEC may proceed with exparte decision and base its findings on the reports and other proceedings in the case and make appropriate recommendations to the Vice-Chancellor.
- e) Where the accused student admits the charge of malpractices, as set out in the show cause notice, in his written reply to the charges, the MPLEC may in its

discretion, accept the same and make suitable recommendations to the Vice-chancellor including the proposed penalty.

f) Where the student appears on the fixed date, but denies the charge of malpractices, the MPLEC shall proceed to carry out a detailed enquiry.

g) The MPLEC may in its discretion, summon and examine any person not cited or any document not produced before it already.

h) The statements of each witness shall be recorded separately. The MPLEC shall proceed to record its findings on each charge after taking into consideration the representations contained in the student's written reply in his defense, citing reasons for arriving at the findings. For purposes of proper identification, each witness examined and document exhibited shall bear an identifiable connotation and number (such as PW or DW or Exhibit No).

i) During the course of the inquiry, or on the completion of the inquiry, if the MPLEC finds that any other person or persons, ought to have been named as accused of malpractice, the MPLEC may in its discretion submit its report against the persons already presented before it, or postpone the further hearing till notice to such other person to show cause, is issued. The evidence already on record shall subject to all just exceptions be read as evidence against the person subsequently summoned.

j) The accused person shall not have the right or liberty to be assisted or represented by any legal practitioner or other person in the inquiry. But he shall have access to the papers or other materials produced during the inquiry. However, he shall not be entitled to get copies of any such documents or proceedings.

k) The MPLEC in its discretion may also deny inspection of any document, or material, on grounds such as preserving the confidentiality and secrecy associated with valuation or on other similar grounds.

l) Where the MPLEC finds that the accused student is trying to delay the proceedings by arising any tactic, or by unreasonably lengthy or irrelevant examination or cross examination of witnesses, the MPLEC shall have the

discretion to terminate the proceedings and proceed to give its findings with appropriate recommendations.

m) Where the proceedings relate to two or more students, the MPLEC may jointly inquire into such cases, and where one of the cases has been commenced or inquired into earlier, the evidence on record may be read as evidence in the other case, with liberty to the accused student or students to recall and examine any witness subject to their paying travelling allowance.

n) On completion of the enquiry, the MPLEC shall prepare a report recording its findings on each charge, together with reasons therefore and submit its report to the Vice Chancellor with its recommendation regarding the proposed penalty. However, if the proceedings of the inquiry establish a charge different from those originally framed, it may record its findings on such charges, provided that the findings on such charges shall not be recorded, unless the accused university student has admitted the facts constituting them or had the opportunity of defending himself against them.

q) The MPLEC may also express its views on the role played by any staff members of institutions, in the malpractice alleged, for appropriate action by the University.

r) On the basis of such findings arrived at by the Vice Chancellor, he may proceed to pass one or more penalties specified in the annexure after due consideration of the recommendations made by MPLEC. In case, the Vice Chancellor feels that, it is necessary or advisable to leave the matter for the decision of the Board of Management, he may direct the case to be placed before the Board of Management for its decision and the Board of Management may consider and impose one or more of the said penalties.

s) The proceedings and records of the MPLEC shall be preserved for a minimum period of 5 years from the date of submission of report of MPLEC to the University.

## **9. Communication of Orders, Imposing Penalties:**

The Controller of Examinations shall communicate the final decision of the Vice-Chancellor / BOM to the concerned University student, to his parents as well as to the heads of the department to which he belongs.

## **10. Review of the Case:**

There shall be no provision for review of the decision of the MPLEC.

Fine not less than Rs. 5000/- and not exceeding Rs. 15000/- and any one or more of the following punishment depending on the severity of the malpractice shall be imposed on the culprit:

Cancel the particular paper or subject only of the candidate concerned.

Cancel the entire examination of the candidate for that session/term.

Cancel the entire examination of the candidate of that session/term and also debar for next one examination.

## **Nature of Malpractices:**

1. If the person concerned is a student of the institution concerned but not taking the examination, the candidate shall be debarred from taking

2. Willfully writing wrong Register number

3. Deliberately disclosing one's identity, writing name of Gods, using colour thread, marking in color pencil or making any distinctive marks in the answer book for the purpose.

4 (a) Possession by a candidate or having access to books, notes (on any paper, question paper, hall ticket, ruler or on the person), paper, another student's answer book or any other material, whether written, inscribed, engraved or electronic or any other devices such as cell phones, digital diary, programmable calculator, pen scanner, Bluetooth equipment, smart watches etc., which could be of help or assistance to him in answering any part of the question paper. 4(b) Found copying using any of the material mentioned in 4 (a) above.

5 Attempting to or concealing, destroying, disfiguring, rendering illegible, swallowing, running away with answer script, notes, paper or other material or device, used or attempted to be used for assistance in answering a question.

6 Passing on or attempting to pass on, a copy of a question paper or a part thereof or solution to a question paper or a part thereof, to any other candidate or to any person. next three examinations.

If the person concerned is a staff of the Institution, disciplinary action shall be initiated against him by Head of the Institution and he/she may be debarred from examiner-ship specified period of time/ permanently.

7 Leaving the examination hall without handing over the answer book and / or continuation sheet, if any, to the Invigilator and taking away, tearing off or otherwise disposing off the same.

8 Making an appeal for consideration with or without any promise of consideration to the Examiner through the answer book or by any other means.

9 Insertion of pre-written answer papers.

10 Approaching or influencing directly or indirectly a question paper-setter, examiner, evaluator, moderator, tabulator or any other person connected with the University examination to leak out the question paper or any part thereof or to enhance marks or favorably evaluate or to change the award in favor of the candidate. If the person concerned outsider the Police may be informed for necessary action.

11 For offering or actually giving in cash or in kind any form of inducement to anyone connected with the conduct of University examinations or the valuation of the answer books or other tests to secure unfair or unlawful advantage.

12 Forging a document or using a forged document knowing it to be forged in any matter relating to 43 the examination.

13 Communicating in any manner, electronic or otherwise, answers or information, either from inside the hall or from outside, thereby helping the candidate or getting help to copy.

14 Smuggling into the examination hall an answer book or a continuation sheet or taking out or arranging to send an answer book or continuation sheet or replacing or attempting to get the answer book or continuation sheet replaced, during or after the examination with or without the help of any person or in connivance with any person connected with the examination or through any other agency.

15 Presenting a thesis, dissertation, practical or class work note-book not prepared by the candidate himself. Fine not less than Rs. 5000/- and not exceeding Rs. 15000/- and Cancel the entire examination of the candidate of that session and also his thesis, dissertation, practical or class work notebook, etc.

16 Tampering in the statement of marks, provisional and degree certificates issued by the University. Fine not less than Rs. 5000/- and not exceeding Rs. 15000/- and The tampered certificates be retained in the University and duplicate be not given. Matter be referred to police for further action, if warranted.

17 Impersonating any candidate at the examination, by present or past candidate or others or outsiders. Fine not less than Rs. 5000/- and not exceeding Rs. 15000/- and Cancel the entire examination of that session of both the candidates and also debar them for next two exams. In case of person other than student, matter to be referred to Police for further action.

18 A candidate or anyone on his behalf abuses, insults, intimidates, assaults any member of the supervisory or inspecting staff or threatens to do so or abuses, insults, intimidates, assaults any other candidate or threatens to do so. Fine not less than Rs. 5000/- and not exceeding Rs. 15000/- and Cancel the entire examination of the candidate of that session and also debar for next three exams. In case of other students, staff, outsiders, etc. the Head of the Institution shall report the matter to the Police.

19. For manhandling or injuring the Chief Superintendent, Invigilator and other examination officials or personnel (College or University).

**Guidelines for determining Examination Malpractices and Lapses committed by the Teaching and Non-Teaching Staff of the College, and the penalties to be imposed:**

To ensure the credibility of the examination process in the interest of its students, The JSSSTU has now come out with a comprehensive Examination Regulation, which fixes accountability on each individual, apart from students, involved in the process of examination.

Besides defining all types of examination malpractices on the part of non-teaching staff and teaching staff, it also prescribes the quantum of penalty and punishment for each type of mistake/malpractice and lapses.

Penalty will be imposed by the University Authorities based on the recommendations of the malpractices and lapses enquiry committee.

The following examination offences are punishable by a range of penalties/sanctions as may be recommended by the Malpractice and Lapses Enquiry Committee. Such penalties/ sanctions include,

- a) penalty amount, depending upon the nature and degree of lapses/malpractices shall range from Rs.5000 to Rs15, 000.
- b) Letter of reprimand/warning; forfeiture of salary or salary increment, forfeiture of promotion, suspension without pay for a given period, and exclusion from holding administrative position in the College for a given period.
- c) Debarring from all examination related activities, responsibilities, suspension, denying of promotion, yearly increment and dismissal from service after thorough investigation shall be considered by the University authorities.

Important types of Malpractices and Lapses by the Teaching and Non-Teaching Staff:

- a. Malpractice by examiners, question paper setters of university / college staff.

- b. Permitting or assisting in Mass copying
- c. Helping or assisting the candidate in using unfair means or to copy or by giving answers to questions or tutoring Accepting or demanding bribe and other considerations to boost or alter marks
- d. Tampering with the marks by the examiners or other staff d) Influencing and being influenced by Examiners to boost marks of candidates.
- e. Victimization of student(s) through examination.
- f. Loss of answer scripts by staff members especially if the scripts have been confirmed as given to the Internal Examiner after the examination for valuation.
- g. Leaking of Questions/papers.
- h. Delay in submitting examination questions as required. Leaving or coming late to the examination hall without the permission of the Controller of Examinations.
- i. Unauthorized handling of examination questions/question papers. Releasing examination results/marks to students or any unauthorized persons within and outside the College, before the results have been duly processed through the Controller of Examinations.
- j. Aiding and abetting students in examination malpractices. Attempt by staff to influence the marking of scripts or the award of marks by the internal or external examiners.
- k. Using students, research scholars and junior teachers to assist in the marking of examination scripts.
- l. Delay in marking and submitting the valued answer scripts with the marks sheets.  
Failure to report suspected case(s) of examination misconduct by staff or student.  
Handling of cases of examination misconduct/malpractice with prejudice.  
Failure to use the relevant marking scheme regarding student's answers scripts.

Absence from invigilation work/late reporting without permission.  
Interference in the investigation of examination misconduct / malpractices.  
Interfering in the work of squads.

m. Any other offence, malpractice or irregularity as may be determined by the Malpractice Enquiry Committee.

All other malpractices not covered in the above categories shall carry Punishment as deemed fit by the authorities of JSSST UNIVERSITY, Mysore.

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