

MAHARASHTRA ACT No. XXXI of 1982. An act to provide for preventing malpractices, at University Board and other specified examination.....221-223

The following Act of the Maharashtra Legislature, having been assented to by the President on the 11th October, 1982, is hereby published for general information.

D.N.CHAUDHARI.
Joint Secretary to the Government at Maharashtra.
Law and Judiciary Department

MAHARASHTRA ACT NO. XXXI OF 1982

(First published, after having received the assent of the President in the "Maharashtra Government Gazette" on the 14th October, 1982)

An Act to provide for preventing malpractices at University, Board and other specified examinations.

WHEREAS, both house of the state legislature were not in session:

AND WHEREAS the Governor of Maharashtra was satisfied that circumstance excised which rendered it necessary for him to take immediate action to have a special law in this state to provide for preventing malpractices at examinations held or proposed to be held by any University or the Board or any other authority specified by the State Government in this behalf, including leakages of question papers or copying at such examinations, and for matters connected therewith, and therefore, promulgated the Maharashtra prevention of Malpractices at University, Board or other specified Examinations ordinance, 1982, on the 25th may 1982. :

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AND WHEREAS it is expedient to replace the said ordinance by an act of the state Legislature: It is hereby enacted in the Thirty-third year of the Republic of India as follow:-

Short title
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1. (1) This Act may be called the Maharashtra prevention, of malpractices at University, Board and other specified examinations Act. 1982.

(2) It shall be deemed to have into come force on the 25th may, 1982.

Definitions

2. In this Act, unless the context otherwise requires,-

- a) "Board" means the Maharashtra State Board of Secondary and Higher Secondary Education Boards Act, 1965 or any of its Divisional Boards:
- b) "Examination" means any examination held or proposed to be held by any University or the Board and includes such other examination held or proposed to be held by such other authority as may be specified in this behalf, from time to time, by the state Government by notification in the Official Gazette.
- c) "University" means any University established by law in the State of Maharashtra.

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Duties of
Paper
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3.(1) Any person who is appointed as a paper setter at any examination shall not supply or cause to be supplied the question paper drawn by him or a copy thereof or communicate the contents of such paper to any person or give publicity thereto in any manner, except in accordance with the instructions given to him in writing by his appointing authority in this behalf.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

Duties of
Persons
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question
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4. (1) Any person who is entrusted with the work of printing, cyclostyling, typing or otherwise producing copies of any question paper set for the purposes of any examination shall not supply or cause to be supplied a copy thereof or communicate the contents thereof to any person or give publicity thereto in any manner; except in accordance with the instruction given to him in writing by the authority which entrusted the work to him.

(2) Any person who contravenes the provision of sub-section(1) shall, on conviction, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

5. (1) Any person who is entrusted with the custody, or is other wise, in possession of any question papers set-up for the purposes of any examination shall not supply or distribute or cause to be supplied or distributed any copy thereof or communicate the contents thereof to any person or give publicity thereto in any manner, except in accordance with the instructions given to him in writing by the authority which entrusted the custody or gave possession thereof to him.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

6. Whoever has in his possession any question paper set or purported to beset for any examination and supplies or causes to be supplied or offers to supply a copy thereof, or communicates or offers to communicate the contents thereof, to any person, whether for any consideration or otherwise, or gives publicity thereto in any manner, except in accordance with the instructions issued in writing by an authorized officer of the University, Board or other authority concerned with the examination, at any time before the examination is held, shall on conviction be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand ruppees, or with both.

7. Whoever is found in or near an examination hall by the invigilator or any other person appointed to supervise the conduct of the examination, copying answer to the question paper set at the examination from any book, notes or answer papers of other candidates of appearing at the examination for any other candidate or using any other unfair means shall on conviction be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundreded rupees or with both.

8. Whoever abets any offence punishable under this Act shall be punishable with the punishment provided for the offence.

9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 all offences under this Act shall be cognizable offences and shall be non-bailable.

10. Notwithstanding anything contained in the code of Criminal Procedure, 1973 all offences under thins Act shall be tried in a summary way by Metropolitan, Magistrate or any Judicial Magistrate of the First Class and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trail:

Provide that in the case of conviction for any offence in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence imprisonment for nay term for which such offence is punishable under this Act.

11. (1) The Maharashtra Prevention of Malpractices at University Board and other specified Examinations Ordinance, 1982 is herby repealed.
(2) Notwithstanding such repeal, anything done or any action taken (including any notification issued) under the said Ordinance shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of this Act.

Duties of
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Repeal of
Mah. Ord.
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Instruction
UNIVERSITY OF MUMBAI

ARE YOU A CANDIDATE APPEARING FOR UNIVERSITY EXAMINATIONS THIS YEAR? IF SO, ATTENTION PLEASE.

You will benefit by **READING SLOWLY AND CAREFULLY** the following:-

1. You know examinations are to test your knowledge. **USE OF UNFAIR MEANS** like copying and helping to copy in the examination hall is a malpractice. You are punishable under law, if you use of help in the use of unfair means. You will attract the attention of **MAHARASHTRA ACT No. XXXI OF 1982.**
2. Please write your correct Seat Number at the place provided at the centre of answer book only. And confirm that you have written your correct seat number. if the seat number is written wrongly the student will be solely responsible for errors in result and the representation in this regard will not be considered.
3. Please not that your answer-books are sent under code numbers to the examiners. Hence, do not **WRITE** your seat number at any place in the answerbook, except at the centre of answerbook where space is provided for candidate's seat number.
4. Do not give undue pressure while writing your seat number at the centre of answerbook. Such an Act on the part of the candidate will amount to revealing identity.
5. Students must score out (by pen) the blank portion of every page, all blank pages of the answerbooks as well as supplement (if any) after competition of writing answers to the questions.
6. **DO NOT REVEAL YOUR IDENTITY IN ANY FORM IN THE ANSWERS WRITTEN BY YOU OR IN ANY OTHER PART OF THE ANSWER BOOK.**
7. Writing your number or name or putting your signature amounts to revelation of identity **USE** of religious invocations of any writing that is not relevant to the answers; outside the part of the answers will be treated as attempts to reveal identity.
8. Though underlining of answer for focusing attention is permitted, use of varied links, except for illustrations and figures must be avoided. **DO NOT** use any symbol like encircling the question or using colors arrows for P.T.O.: these will all be considered as attempts to readily identify the specific answerbook.
9. The answer-books will be scrutinized before sending to examiners. If the University authorities are convinced that any candidate has attempted to reveal his/her identity by specific means, stated above or by any other means the answer-books may not be sent to the examiner for evaluation and the candidate's name reported for use of unfair means.
10. Bringing written notes and printed pages to the Examination hall during the theory and practical examinations is an offence. "It was in your pockets or hand-bag and you did not notice, or that you did not make use of it" is no excuse. Possession of any written notes and printed matter on a subject of the Examinations, inside the Hall is improper and illegal.
11. Possession of "**PAGER & MOBILE TELEPHONES**" In the examination hall during theory and practical of the examinations is strictly prohibited. if the candidate are found in possession of the "**PAGER OR MOBILE TELEPHONES OR ANY OTHER SIMILAR DEVICE**" while in the examination, such Act on their part will be considered as use of unfair means.
12. Avoid writing on your palms, on the body, or on the clothes. If you are seen with such writing inside the hall, you are liable for punishment.
13. Any evidence of written/printed matter in your possession in the examination Hall can **LAND YOU IN THE JAIL.** "I am sorry, I did not know" will not cut any ice with the authorities.

14. DO NOT COPY answers from neighbor students. Do not ask other in the hall for answers. If caught, you can be punished with IMPRISONMENT for six months, and/or fine upto Rs, 500-.
15. DO NOT ALLOW other candidates to copy from your answer paper. DO NOT lend him/her your answerbook, even, if he/she is a very good friend or close relative. Helping others is as much an offence as copying by yourself. The punishment will be the same: IMPRISONMENT for six months, and/or fine upto Rs. 500/-.
16. If caught in any malpractice indulged by you or in helping others, you will be taken to POLICE station immediately. Same treatment, whether you are male or female.
17. DO NOT BRING WRITTEN ANSWER BOOKS into the Examination Hall. If caught, you are liable for punishment under MAHARASHTRA ACT No. XXXI OF 1982 and Maharashtra Universities Act, 1994.
18. DO NOT YOUR FRIEND OR ANY OTHER PERSON TO APPEAR IN THE EXAMINATION ON YOUR BEHALF. Both will be liable for punishment under the MAHARASHTRA ACT No. XXXI OF 1982 AND MAHARASHTRA Universities Act, 1994.
19. All offence in the examination hall are NON-BAILABLE and cognizable. Trial in court shall be summary. Your name may appear in the newspaper for your malpractice.
20. In addition to Police action, and punishment under the Maharashtra Act XXXI, 1982, the University will also enquire into your use of unfair means. The University also will punish you, by declaring your result for the Examination void, and by debarring you for subsequent Examinations.

If you practice UNFAIR MEANS, YOU ARE A LOSER ALL THE WAY. You fail in the examination, you are debarred, you are punished by the court and you CANNOT SHOW YOUR FACE to friends, relatives and neighbours.

STUDY WELL, WORK HARD, WRITE EXAMINATIONS ON YOUR OWN. YOU WILL COME OUT WITH FLYING COLOURS.

We wish you the BEST OF LUCK in the Examination.

MUMBAI – 400 098.
FEBRUAVRY, 2009

Prof. Vilas B. Shinde
CONTROLLER OF EXAMINATIONS

UNIVERSITY OF MUMBAI**ORDINANCE 5050:**

1. (a) On receipt of a report regarding use of unfair means by any student 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 Recognized 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.

(b) Where the examinations of the University courses are conducted by the constituent colleges/ Recognised Institutions on behalf of the University, the 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, either or any University course in any College/Institution rather 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 Collage/Institution prize or medal to him/her or by imposition of fine or in any two or more of the aforesaid ways.

(c) On receipt of report regarding malpractices used or lapses committed by any paper-setter, 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 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 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.

2. Competent Authority:

(i) The Board of Examinations of the University constituted under the provisions of Section 31(3) 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.

(ii) The 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.

3. Definition-Unless the context otherwise requires:

(a) "Student" means and includes a person who is enrolled as such by the University/College/Institution for receiving instruction qualifying for any degree, diploma or certificate awarded by the University. It includes ex-student and student registered as candidate (examinee) for any of the degree, diploma or certificate examination.

(b) "Unfair means" includes one or more of the following acts or omissions on the part of student/s during the examination period.

- i. Possessing unfair means material and or copying there from.
- ii. Transcribing any unauthorised material or any other use thereof.
- iii. Intimidating or using obscene language or threatening or use of violence against invigilator or person on duty for the conduct of examination or manhandling him/her or leaving the examination hall without permission of the supervisor or causing disturbances in any manner in the examination proceedings.
- iv. Unauthorisedly communicating with other examinees or anyone else inside or outside the examination hall.
- v. Mutual/Mass copying
- vi. Smuggling-put, either blank or written, or smuggling-in of answerbooks as copying material.
- vii. Smuggling-in blank or written answerbook and forging signature of the Jr. Supervisor thereon.
- viii. Interfering with or counterfeiting of University/College/Institution seal, or answer books or office stationary used in the examinations.
- ix. Insertion of currency notes in the answerbooks or attempting to bribe any of the persons connected with conduct of examinations.
- x. Impersonation at the University/College/Institution examination.
- xi. 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.
- xii. Or any other similar act/s and/or omission/s which may be considered as unfair means by the competent authority.

(c) "Unfair means relating to examination" means and includes directly or indirectly committing or attempting to commit or threatening to commit any act or coercion, undue influence or fraud or malpractice with a view to obtaining wrongful gain to him) or to any other person or causing wrongful loss to other person/s.

(d) "Unfair means material" means and includes any material whatsoever, related to the subject of the examination, printed, typed handwritten or otherwise on the person or on clothes, or body of the student (examiner) or on wood or other material, in any manner or in the form of char, diagram, map or drawing or electronic aid etc. which is not allowed in the examination hall.

(e) "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.

- (f) "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. Provide report to that effect is submitted by the Sr. Supervisor or Chief Conductor or any other authorised person to the Controller of Examinations or Principals or Head of the Institution concerned or any officer authorised in this behalf.
- (g) "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 (f) above, the presumption shall be that the material did relate to the subject of the examination.
- (h) "Chief Conductor" means 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 authorised by him or person appointed as in charge of examination, by prior approval of the University.
4. During examination examinees and other students shall be under disciplinary control of the Chief Conductor/s.
5. **Chief conductor/s of the Examination Center shall, in the case of unfair means, follow the procedure as under:-**
- i) The student 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 answerbook.
 - ii) 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.
 - iii) Statement of the student and his/her undertaking in the prescribed format and statement of the concerned Jr. Supervisor and Sr. Supervisor shall be recorded in writing by the Chief Conductor or (Appendix-c). If the student refuses to make statement or to give undertaking the concerned Sr. Supervisor and Chief Conductor shall record accordingly under their signatures.
 - iv) Chief Conductor shall take one or more of the following decisions depending upon seriousness/gravity of the case:
 - (a) In the case of impersonation or valence, expel the concerned student from the examination and not allow him/her to appear for remaining examination.
 - (b) Obtain undertaking from the student to the effect that 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.
 - (c) May report the case to the concerned Police Station as per the provisions of Maharashtra Act No. XXXI 1982-An Act to provide for preventing mal-practice at University; Board and other specified examinations.
 - (d) Confiscate his/her answerbook mark it as "suspected unfair means case" and issue him/her fresh answerbook duly marked,
 - v) All the materials and list of material mentioned in sub-clause (i) and the undertaking with the statement of the student and that of the Jr. Supervisor as mentioned in clause no (ii) and (iii) and the answer

books shall be forwarded by the Chief Conductor, along with his report to the concerned Controller of Examination/Principal/Head of the Institution, as the case may be in a separate and confidential sealed envelope marked "Suspected unfair means case."

- vi) In case of unfair means of oral type the Jr. Supervisor and the Sr. Supervisor or concerned authorized person shall record the facts in writing and shall report the same to the Concerned controller of Examinations/Principals/Head of the Institution as the case may be.

6. Procedure to be followed by Examiner during Assessment:

If the examiner at the time assessment of answerbook suspects that there is a prima-facie evidence that the student/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 Chairman in the subject, alongwith the evidence, to the Controller of Examinations/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."

7. Case of unfair means having prima-facie, reported to the University/College/Institution by the Chief Conductor/ Jr./ Sr. Supervisor and or examiners shall be inquired into by the Committee appointed by the Board of Examinations/Principal/Head of the Institution, as the case may be. In the event cases of unfair means reported through any other sources, 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 shall scrutinise the case, collect preliminary information to find out whether there is 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 prime-facie case it shall place the same before the Unfair Means Inquiry Committees 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 Committees, Police Authorities and Court of Justices and shall deal with the case till it is finally disposed of.
8. Examination Result/s of the concerned student/s involved in such cases shall be held in reserve till the Competent Authority takes final decision in the matter and the concerned student/s and the College/Institution to which he/she belongs to, shall be informed accordingly.

9. Appointment of unfair means Inquiry Committee:

- i) For the purpose of investigating unfair means resorted to by students at the University examination the Board of Examination shall appoint a Committee in terms of the provisions made under Section 32(6) (a) of the Maharashtra Universities Act 1994. The term of the committee shall be five years subject to provision of Section 42 and 43 of the said Act.
- ii) For the purpose of investigating unfair means resorted to by students at the examination held by the College/Institution the Unfair Means Inquiry Committee appointed by the College/Institution shall consist of five teacher (other than the Principal/Head) to be nominated by the Principal/Head of the Institution, one of whom shall be designated as Chairperson. The members appointed on the College/Institution Examination Committee shall not be appointed as members on the Unfair Means Inquiry Committee.
- iii) 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 regards to the penal action to be taken against the student/s after taking into account the reported facts and findings of the case by the committee and after ensuring whether reasonable opportunity has been given to the concerned implicated student in his/her defence the principal of nature justice has been followed and recommended quantum of punishment is in accordance with the guidelines laid down in this behalf.

10. Procedure of the Committee should be as under:

- i) The controller of examinations of the University/Principals the college or Head of the cognized Institution, or the officer authorized by them, as the case may be shall inform the student 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 leveled against him/her should not be held as proved and the punishment stimulated in the show cause notice be imposed.
- ii) The student 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 student himself/herself only shall Present his/her case before the Committee.
- iii) The documents that are being taken into consideration or are to be relied upon for the purpose of proving charge/s against the student should be shown to him/her by the Inquiry Committee, if the student presents himself/herself before the Committee. The evidence, if any, should be recorded in presence of delinquent.
- iv) Reasonable opportunity, including oral hearing shall be given to the student in his/her defence before the Committee. the reply/explanation give by the student to show cause notice shall be considered by the Committee before making final recommendation in the case.
- v) The Committee should follow the above procedure in the spirit of the Principle of natural justice.
- vi) After serving a Show Cause Notice, if the implicated student 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 defense. Even after offering two chances if 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.
- vii) The Committee shall submit its report to the concerned competent authority along with its recommendations regarding punishment to be inflicted or otherwise.

11. Punishment:

The competent authority concerned i.e. the board of examinations in the cases of University examination the concerned 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 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.

- a) Annulment of performance of the student in full or in part in the examination he/she has appeared for.
- b) Debarring student from appearing for any examination of the University or College or Institution for a stipulated period not exceeding five years.
- c) Debarring student from taking admission for any course in the university or college or institution for a stipulated period not exceeding five years.

- d) Cancellation of the University or Collage or Institution Scholarship/s or award/s or prize or medal etc. awarded to him/her in that examination.
- e) In addition to the above mentioned punishment competent authority may impose a fine on the student declared guilty. If student concerned fails to pay the fine within a stipulated period, the competent authority may impose on such a student additional punishment/penalty as it may deern fit.
- f) As far as possible the Quantum of punishment should be as prescribed (category wise) in Appendix-a
- g) The student concerned be informed of the punishment finally imposed on him/her in writing by the competent authority or by officer authorized by it in this behalf, under intimation to the college/institution he/she belongs to.

12. The Broad Categories of Unfair Means Resorted to by Students at the University / College / Institution Examinations and the Quantum of Punishment for each Category thereof.

S. No.	Nature of Malpractice	Quantum of Punishment
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 categories of malpractices at Sr. No.(2) to Sr. No.(12) in addition to the punishment prescribed thereat.
2)	Actual copying from the copying material.	Exclusion of the student from University or College or Institution examination for one additional examination.
3)	Possession of another student's answerbook	Exclusion of the student from University or College or Institution examination for one additional examination. (BOTH THE STUDENTS)
4)	Possession of another student answer book + Actual evidence of copying therefrom.	Exclusion of the student from University or College or Institution examination for two additional examination.(BOTH THE STUDENTS)
5)	Mutual /Mass copying.	Exclusion of the student from University or College or Institution examination for two additional examination.
6)	(i) Smuggling-out smuggling-in of answerbook as copying material. (ii) Smuggling-in of written answer book based on the question paper set at the examination. (iii) Smuggling-in of written answerbook and forging signature of the Jr. Supervisor thereon.	Exclusion of the student from University or College or Institution examination for two additional examination. Exclusion of the student from University or College or Institution examination for three additional examination. Exclusion of the student from University or College or Institution examination for Four additional examination.
7)	Attempt to forge the signature of the Jr. Supervisor on the answer book or supplement.	Exclusion of the student from University or College or Institution examination for four additional examinations.
8)	Interferring with or counterfeiting of University / College / Institution seal, or answerbooks or office stationery used in the examinations.	Exclusion of the student from University or College or Institution examination for four additional examinations.
9)	Answerbook, main or supplement written outside the examination hall or any other insertion in answer book.	Exclusion of the student from University or College or Institution examination for four additional examinations.
10)	Insertion of currency notes/to bribe or attempting to bribe any of the person/s connected with the conduct of examinations.	Exclusion of the student from University or College or Intuition examination for four additional examinations. (Note:- This money shall be credited to the Vice-Chancellor's Fund)
11)	Using obscene language threat at the examination center by student at the University / College /Institution examination to Jr. / Sr. Supervisors / Chief Conductor or Examiner.	Exclusion of the student from University or College or Institution examination.

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| <p>12) (a) Impersonation at the University / College / Institution examination.
(b) Impersonation by a University / College / Institute student at S.S.C. / H.S.C. any other examination.</p> | <p>Exclusion of the student from University or College or Intuition examination for five additional examinations. (both the students if impersonator is University or College or Institute student).</p> <p>Exclusion of the impersonator from University or College or Intuition examination for five additional examination.</p> |
| <p>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.</p> | <p>Annulment of the performance of the student the University or College or Institution examination in full.</p> |
| <p>14) Found having written on palms or on the body or on the clothes while in the examination.</p> | <p>Annulment of the performance of the student at the University or College or Institution examination in full.</p> |
| <p>15) All other malpractices not covered in the aforesaid categories.</p> | <p>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.</p> |

16) If on 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 examinations 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 can be imposed on such student. This enhanced punishment may extend to double the punishment provided for the offence when committed at the second or subsequent examination.

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.

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 included performance at term work project work with its term work oral or practical and dissertation examinations unless malpractice used there)

13. Malpractices used or lapses committed by any paper-setters, examiners, moderators, referees, teachers or any other persons connected with the Conduct Performance of Examination .

(I) Competent Authority :

- (a) 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 the examination conducted by the University .
- (b) The management (includes the trustees, managing body or Governing Body) of the constituent affiliated/conducted college or recognized Institution 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 examination conducted by the constituent affiliated/conducted colleges or Recognized Institution on behalf of the University.

(II) Definition- unless the context otherwise Requires:

- (a) "paper-setter, examiner, moderator, refer 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.
- (b) Malpractice/lapses includes one or more of the following acts or omissions on the part of the person/s included in (a) relating to the examination:-
- (i) Leakage of question/s or question paper set at the University/College/Institution examination before the time of examination.
 - (ii) Examiner/Moderator intentionally awarding marks to student in assessment of answer books dissertation or project work to which the student is not entitled or not assigning marks to the student to which the student is entitled.
 - (iii) Paper-setter omitting questions, Sr. no. of question, reseating question or setting question outside the scope of syllabus.
 - (iv) Examiner/referee showing negligence in detecting malpractice used by student/s.
 - (v) Jr. Supervisor, Sr. Supervisor, Chief Conductor showing negligence/apathy in carrying out duties or aiding/abetting/allowing/instigating students to use malpractice/s.
 - (vi) Or any other similar act/s and or omission/s which may be considered as malpractices or lapses by the competent authority.
- (c) "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 to him/her or to any other person or causing wrongful loss to other person/s or omitting to do what he/she is bound to do as duties.
- (d) 'College', means conducted, constituent or affiliated college or recognized institution of a University.

(III) Investigating Committee:

- (i) The Committee appointed by the Board of Examinations under the provisions of Section 32(6)(a), 42 and 43 of the Maharashtra Universities Act 1994, to investigate 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.
- (ii) 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.

(IV) Procedure for Investigation:

- (i) 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 examinations, reported to the University/College/Institution shall be scrutinized by the concerned Officer/Incharge of the Sub-Section/Unit to which the case is primarily pertained at the Examination Section of the University/College/Institution, collect preliminary information to find out whether there is 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.
- (ii) The Competent Authority of the Officer authorized by it in this behalf, shall inform the implicated person (paper-setter, examiner, moderator, teacher or any other person connected with the conduct of examination) in writing of the act of malpractices used and or lapses or committed by him/her at the examination and shall ask him/her to show cause as to why the charge/s leveled against him/her should not be held as proved and the punishment stipulated in the Show Cause Notice be imposed.
- (iii) 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 leveled against him/her therein. The concerned person himself/herself only shall present his/her case before the Committee.
- (iv) 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 presence of the delinquent.
- (v) 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.
- (vi) The Committee should follow the above procedure in the spirit of principle of natural justice.
- (vii) 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. Even after offering two chances, if the concerned person fails to appear before the committee, the committee shall take decision in his/her case in his/her absentia on the basis of whatever evidences/documents which are available before it and same shall be binding on the concerned implicated person.
- (viii) The committee shall submit its report to the concerned authority alongwith its recommendations regarding punishment to be inflicted on the concerned person or otherwise.

(V) 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 impose any one or more of the following

punishments on the implicated person found guilty of using malpractice/s or committing lapses at the examination :-

- (i) Declaring disqualified 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 specified period.
- (ii) 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.
- (iii) 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.
- (iv) The competent authority or the Officer authorized in this behalf, shall inform the concerned person of the decision taken in his/her case and the punishments imposed on him/her.
- (v) An appeal made within 30 days of imposition of the punishment, other than the punishment referred to in clause No. (iii) 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 pertaining to the college/institutions examination and their decision in the appeal shall be final and binding.
- (vi) The Competent Authority shall supply a typed copy of the relevant extract of 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.
- (vii) The court matters in respective cases of malpractices/lapses should be dealt with by the respective competent authority.
- (ix) As far as possible the quantum of punishment should be prescribed category-wise as hereunder:-

14. Action for Malpractices and lapse on the part of the Paper-Setter, Examiner, Moderator, Referee, Teacher or any another person connected with the Conduct of University/College/Institution Examination/s.

Appendix B

S. No.	Nature of Malpractice/Lapses	Punishment
(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.
(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	Disciplinary action the guilty/responsible person/s as per the prevailing rules/standard code by the concerned authorities.

- examination.
- (3) Favours a student (examinee) by examiner, moderator, referee in assessment of answerbooks/dissertation/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 + disciplinary action by the concerned authorities.
- (4) Examiner/Moderator/referee intentionally / negligently not assigning the student in assessment of his/her answerbooks/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.
- (5) Paper-setter omitting question at the time of finalization of question paper set at examination of repeating Sr. No. of question while writing. Disqualification from any examination work for a period of three years.
- (6) Paper-setter setting questions outside the scope of the syllabus. Disqualification from any examination work for a period of three years.
- (7) While assessing answerbook examiner showing negligence in detecting malpractices used by the student/s. As decided by the authorities of the University/College/Institution.
- (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.
- (9) Sr. Supervisor/Chief Conductor showing apathy in carrying out duties related to examination (e.g. not taking rounds to the examination hall at 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.
- (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.
- (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.
- (12) The competent authority, in addition to the above mentioned punishment, may impose a fine on the concerned person if declared guilty.
- (13) The competent authority may report the case of the concerned implicated person to the appropriate Police Authorities as per the provision of the Maharashtra Act No. XXXI of 1982.

UNIVERSITY OF _____

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

Name in Full : _____

Address : _____

Examination :

Paper No. & Subject :

Seat No. :

To

The Controller of Examinations

University of _____

Sir

I, appeared at the above examination held on _____ at the

_____ College

(Centre) in the Morning / Evening session.

I give below my statement as follows :-

Place :

Date :

Time :

Signature of the Candidate

UNIVERSITY OF _____

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

Block NO : _____

Examination : _____

Subject : _____

Date : _____

To
The Controller of Examinations,

Sir

I, the undersigned, Jr. Supervisor appointed on the above-mentioned Block at the
_____ examination held at _____ college
(Centre), am hereby making report against Candidate No. _____ Shri/Kum.
_____ at the examinations, as follows :-

Yours faithfully,

(Jr. Supervisor)

Date :

Time :

Name & Address of the Junior Supervisor

On the basis of the report made by the Jr. Supervisor, 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.

Signature of Sr. Supervisor

Name :

Date :

Forwarded to the Controller of Examinations, University of _____

_____ For necessary action.

Seal of the College / Institute / University (Centre)

Place :- _____

Date :- _____

Encl. :- _____

Signature of Chief Conductor

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

University of Mumbai



Ordinances relating to Examination

ORDINANCE 5042 Grace Marks for passing in each head of passing (Theory/Practical /Oral /Sessional) External/Internal)

The examinee shall be given the benefit of grace marks only for passing in each head of passing (Theory / Practical / Oral / Sessional) in External or Internal examination as follows:

Head of Passing	Grace Marks upto
Upto – 50	2
51-100	3
101-150	4
151-200	5
201-250	6
251-300	7
301-350	8
351-400	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 of semester/year.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCIH, NCTE UGC etc.

ORDINANCE 5043 Grace Marks for getting Higher class

A candidate who passes in all the subjects and heads of passing in the examination without the benefit of either gracing or condonation rules and whose total number of marks falls short for securing Second Class / Higher Second Class or First Class by marks not more 1% of the aggregate marks of that examination or up to 10 marks, which ever is less; shall be given the required marks to get the next higher class or grade as the case may be.

Provided that benefits of above mentioned grace marks shall not be given, if the candidate fails to secure necessary passing marks in the aggregate head of passing also, if prescribed,

in the examination concerned.

Provided further that benefits of above mentioned grace marks shall be given to the candidate for such examination/s only for which provision of award of class has been prescribed.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCIH, NOTE etc.

ORDINANCE 5044 Grace marks for getting distinction in the subject only

A candidate who passes in all the Subjects/Heads of passing in the examination without benefit of either gracing or condonation rules and whose total number of marks in the subject/s falls short by not more than three marks for getting distinction in the subject/s shall be given necessary grace marks up to three in maximum two subjects, subject to maximum 1% of the total marks of that Head of Passing whichever is more, in a given examination.

Provided that benefit of the above mentioned grace marks shall be given to the candidate only for such examination/s for which provision for distinction in a subject has been prescribed.

Provided further that this gracing is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCIH, NOTE etc.

ORDINANCE 5045 Condonation

If a candidate fails in only one head of passing, having passed in all other heads of passing, his/her deficiency of marks in such head of passing may be condoned by not more than 1% of the aggregate marks of the examination or 10% of the total number of marks of that head of passing in which he/she is failing, whichever is less. However condonation, whether in one head of passing or aggregate head of passing be restricted to maximum up to 10 marks only.

Condonation of deficiency of marks be shown in the Statement of Marks in the form of asterisk and Ordinance number.

Provided that this condonation of marks is concurrent with the rules and guidelines of professional statutory bodies at the All India level such as AICTE, MCI, Bar Council, CCIM, CCIH, NOTE etc.

ORDINANCE 5046 Moderation*

1. The Moderation System shall be applicable to all the facilities for under graduate and post graduate examinations.

2. 100% moderation of the answer book shall be carried out in the case of candidates failing by 10% of marks of the aggregate marks of that paper.
3. In case of professional facilities/courses, 100% moderation shall be carried out in case of candidates obtaining 70% and above marks. For non-professional Facilities/courses 100% moderation shall be carried out in case of candidates obtaining first class and above marks.
4. The moderation of answer books of at least 5% of total number of candidates obtaining marks between minimum passing marks and marks required for first class distinction shall be carried out on random sample basis.
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.
6. Moderation work shall be carried out simultaneously with the central assessment of answer books at CAPs
 1. Where marks awarded by the moderator vary from those awarded by original examiner, the marks awarded by the moderator shall be taken as final.
 2. Each University shall formulate detailed scheme of moderation on the basis of guidelines given above.

ORDINANCE 5047 Vigilance Squads

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 Examinations to :
 - (i) Ensure that the University Examinations are conducted as per norms laid down.
 - (ii) Observe whether the Senior Supervisors and Block-Supervisors are following scrupulously instructions for conduct of the University examinations.
 - (iii) Check the students who try to resort to malpractices at the time of University Examinations and report such cases to the University.
2. The Vigilance Squad is authorized to visit any Examination Centre without prior intimation and enter office of the Incharge of the 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 identify card, fee receipt, hall tickets etc. to ascertain the authenticity of the Candidate. The Vigilance Squad shall be authorized to detect use of malpractices and unfair means in the University Examination.
3. The Vice-Chancellor shall appoint Vigilance Squad which may include-Senior Teachers of Affiliated College/Recognized Institution/University Teachers and desirably one lady

- teacher; and any other person as the Vice-Chancellor considers appropriate.
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 Principal. The Vigilance Squad/s may make suggestions in the matter of proper conduct of examinations, if necessary.
 5. The 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 the law of enforcing authority.

ORDINANCE 5048 Amendments of Results

(A) Due to errors

In any case where it is found that the result of an examination has been affected by errors, the Controller of Examination shall have power to amend such result in such manner as shall be in accordance with the true position and to make such declaration as is necessary. 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.

Error means-

- (i) Error in computer/data entry, printing or programming and the like.
- (ii) Clerical error, manual or machine, in totaling or entering of marks on ledger/register
- (iii) Error due to negligence or oversight of examiner or any other person connected with evaluation, moderation and result preparation

(B) 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 Examination been party of privy to or connived at such malpractice, fraud or improper conduct, the Board of Examination 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.

ORDINANCE 5049 Appointment of Papersetters, Examiners, Senior Supervisors

and conduct of examination etc.

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.
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 accepted by the papersetter/examiner/moderator.
3. The papersetters/examiners/moderators shall follow all the directions 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
4. There shall be two senior supervisors at each examination centre, one internal and one external, having minimum of three years of experience of teaching/working in senior college. Out of these two, one shall be the external supervisor to be appointed by the university and the other shall be the internal senior supervisor.
5. The Principal of the concerned college shall himself/herself be the Chief Conductor. Where substitute arrangement is required it shall be done only by prior permission of the University. However, the principal shall alone be responsible for any lapse/lapses occurring during the conduct of the examination.
6. The external senior supervisor appointed by the university shall report to the Principal of the college where examination centre is located one day earlier to ensure the arrangements for the conduct of examinations.
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.
8. He shall also ensure that the students are not resorting to unfair means/practices. In case incidences occur, he shall immediately report the cases of unfair means to the Controller of Examinations along with his report. He should not leave the examination centre during the examination period.
9. He shall ensure that the answer book is distributed to the students 10 minutes before the start of the examination.

10. The examination forms of the students shall be accepted by the 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 along with the fees so collected, by demand draft.
11. After the receipt of examinations 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.
12. The principal shall, immediately after the examination is over, despatch the answerbooks to the CAP centre/concerned examiner, as per the instructions of the university from time to time.
13. The directors of the Cap appointed by the university shall receive to bundles of answerbooks sent by the principals of the concerned examination centre.
14. The directors of the CAP shall arrange for the assessment of the answerbooks centrally as per central assessment programme prescribed by the university.
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 received by the University from time to time.
16. As soon as the mark lists are received in the University examination branch the same should be processed immediately.
17. The results of the concerned examinations shall ordinarily be declared within the specified period as prescribed in Maharashtra Universities Act, 1994, and shall despatch the result along with the statement of marks and passing certificates to the colleges for distributing the same to the concerned students.
18. The answer papers of examinations shall be preserved for a period of atleast 6 months from the date of declaration of result of the examinations concerned.

मुंबई विद्यापीठ



दुरध्वनी - ०२२-२६५४३४१४/२६५२६२८५
ई-मेल - coe4you@exam.mu.ac.in

परिक्षा नियंत्रकांचे कार्यालय,
महात्मा ज्योतीबा फुले भवन,
विद्यानगरी, मांताकृझ (पूर्व),
मुंबई - ४०० ०९८.

क्र./परिक्षा/प.नि.का./ १३५३ / २०१३

दि.२१ सप्टेंबर, २०१३

परिपत्रक

विषय :- अपंग, सेरेब्रल पास्लीनेबाधीत तसेच अध्ययन अक्षमता अशा आजारांनी ग्रस्त व्यक्तींना परीक्षांमध्ये सवलती देणेबाबत....

संदर्भ :- मा. मुंबई उच्च न्यायालय यांचे दि.१६ नोव्हेंबर, २००६ चे आदेश

सर्व महाविद्यालयांचे प्राचार्य, संचालक तथा विभागप्रमुख यांना कळविण्यात येते की, आपापल्या महाविद्यालयात/संस्थेत शिक्षण घेत असलेल्या अपंग, दृष्टिहीन, अल्पदृष्टी, अस्थिव्यंग, सेरेब्रल पास्लीने बाधीत व्यक्ती तसेच अध्ययन अक्षमता (Learning Disability) जसे Dyslexia, Dysgraphia & Dyscalculia अशा आजारांनी बाधीत व्यक्तींना परीक्षांमध्ये विविध प्रकारच्या सवलती देण्यात याव्यात असे आदेश शासनाकडून वेळोवेळी प्राप्त झालेले आहेत. त्या अनुषंगाने खालीलप्रमाणे मार्गदर्शक सुचना देण्यात येत आहे.

अ) अपंग विद्यार्थ्यांकरिता :- (दृष्टिहीन, अल्पदृष्टी, अस्थिव्यंग, सेरेब्रल पास्लीने बाधीत)

- १) अपंग परिक्षार्थीला लेखी परीक्षेसाठी लेखणीकाची सवलत देण्यात यावी यासाठी शासनाच्या दि.२० डिसेंबर, २००६ रोजीच्या परिपत्रकात दिलेल्या मार्गदर्शक तत्वांप्रमाणे कार्यवाही करावी.
- २) लेखी परीक्षेच्या कालावधीमध्ये दर एक तासाला २० मिनिटे अतिरिक्त वेळ देण्यात यावी, म्हणजेच तीन तासांच्या परीक्षेसाठी ६० मिनिटे अतिरिक्त देण्यात यावी.
- ३) दृष्टिहीन उमेदवारांना उत्तपत्रिका लिहीताना ब्रेललिपीचा वापर करण्याची/संगणक/ टंकलेखन यंत्र वापरण्याची मुभा राहिल.

ब) अध्ययन अक्षमता (Learning Disability) :-

- ४) अध्ययन अक्षमता असलेल्या विद्यार्थ्यांना त्यांना आवश्यकता असल्यास लेखनिक पुरविण्यात यावा.
- ५) या विद्यार्थ्यांना परीक्षेच्या कालावधीच्या २५% अतिरिक्त वेळ देण्यात यावी. सदर अतिरिक्त वेळ किमान १५ मिनिटे परंतु जास्तीत जास्त ३० मिनिटांपर्यंत देण्यात यावी.
- ६) अध्ययन अक्षमता असलेल्या विद्यार्थ्यांच्या Spelling Mistakes, Grammatical Errors, Incomplete Sentence, गणितीय चुका यांच्यामध्ये लेखी परीक्षेचे पेपर तपासताना सवलत देण्यात यावी.
- ७) अशा विद्यार्थ्यांना परीक्षेमध्ये उत्तीर्ण होण्यासाठी आवश्यक असल्यास एकूण २० गुणांपर्यंत वाढीव गुण देण्यात यावे.

मुंबई विद्यापीठ



दुरध्वनी - ०२२-२६५४३४१४/२६५२६२८५
ई - मेल - coe4you@exam.mu.ac.in

परीक्षा नियंत्रकांचे कार्यालय,
महात्मा ज्योतीबाब फुले भवन,
विद्यानगरी, सांताक्रुझ (पूर्व),
मुंबई - ४०० ०९८.

- ८) अध्ययन अक्षमता असलेल्या विद्यार्थ्यांच्या उत्तरपत्रिकांवर पृष्ठ क्र.३ वर वरच्या वाजुस अध्ययन अक्षमता (Learning Disability) असे मोठ्या अक्षरात नमुद करून सदर उत्तरपत्रिका स्वतंत्र लिफाफ्यात बंद करून मुल्यांकनासाठी पाठवावी. सदर लिफाफ्यावर देखील अध्ययन अक्षमता (Learning Disability) असे स्पष्ट नमुद करून लिफाफ्यात असणा-या उत्तरपत्रिकांची एकूण संख्या नमुद करणे आवश्यक असेल याची नोंद घ्यावी.
- ९) अध्ययन अक्षमता असलेल्या विद्यार्थ्यांना द्यावयाच्या सवलतीबाबत शासनाच्या दि.०४ ऑगस्ट, २००४ रोजीच्या परिपत्रकातील सविस्तर सुचना कृपया पहाव्यात.


क) सर्वसाधारण सुचना :-

- १०) अतिरिक्त वेळेबाबत उमेदवारांचा गोंधळ किंवा संप्रभ टाळण्यासाठी अशा विद्यार्थ्यांची शक्यतो तळमजल्यावर स्वतंत्र बैठक व्यवस्था करण्यात यावी.
- ११) असे परीक्षार्थी व लेखणीक हे शक्यतो एकाच विद्याशाखेचे असावेत मात्र लेखणीकाची शैक्षणिक पात्रता परीक्षार्थीपेक्षा एक पायरी/टप्पा/वर्ग खालचा/कमी असावा.
- १२) परीक्षार्थी अपंग, अध्ययन अक्षमता असलेल्या उमेदवार लेखणीक घेणार असल्याबाबत लेखी अर्ज परीक्षा केंद्राच्या प्राचार्यांना करणे आवश्यक आहे.
- १३) अपंगत्व अथवा अध्ययन अक्षमता असलेल्या परीक्षार्थी यांनी अशा प्रकारच्या असमर्थतेबाबतचे सक्षम वैद्यकीय अधिकारी (Civil Surgeon / Govt. Medical Officer) यांचे प्रमाणपत्र सोबत जोडून, सदर सवलत हवी असल्याबाबतचा लेखी अर्ज प्राचार्यांना करणे आवश्यक आहे.
- १४) त्याचबरोबर अलिकडेच प्राप्त झालेल्या भारत सरकारच्या सामाजिक न्याय विभागाच्या दि.२६ फेब्रुवारी, २०१३ रोजीच्या कार्यालयीन परिपत्रकात दिलेल्या तपशीलवार सुचनांप्रमाणे आवश्यक असलेली कार्यवाही प्राधान्याने करावी.

सर्व प्राचार्य, संचालक तथा विभागप्रमुख यांना सुचित करण्यात येते की, उपरोक्त परिपत्रकातील तसेच दि.०४ ऑगस्ट, २००४, दि.२० डिसेंबर २००६ व भारत सरकार, सामाजिक न्याय विभागाचे परिपत्रक क्र. F.No.16-110/2003-DD.III दि.२६ फेब्रुवारी, २०१३ रोजीच्या परिपत्रकांतील सविस्तर सुचनांचे तंतोतंत पालन करावे. तसेच सदर परिपत्रक सर्वांच्या माहितीसाठी सर्व सुचना फलकांवर प्रदर्शित करावे.

सदर सर्व सुचना वरीष्ठ व कनिष्ठ अधिकारी तसेच पर्यवेक्षक यांना आपण स्वतः द्याव्यात.

धन्यवाद,


परीक्षा नियंत्रक

सहपत्र : दि.०४ ऑगस्ट, २००४, दि.२० डिसेंबर २००६ व दि.२६ फेब्रुवारी, २०१३ चे परिपत्रक

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Such Insp

Concessions to students with Learning Disability, in the Govt., Govt.-aided / Professional and Non-professional colleges in Non-agricultural universities / Engineering / Polytechnics and Teachers Training Colleges.

Govt. of Maharashtra
Higher and Technical Education Dept.
Circular No.USC 2004/(86/04) Extra Ord. 4,
Mantralay Annex, Mumbai 400 032.
7th August 2004.

- 1) Ref: 1) Govt. Resolution School Education Department No.SSC 1099/151/99 HSC- 2 Dt 28th Nov.2000.
- 2) Govt. Resolution, School Education Dept. No.MISC-1021(1501) Primary Education 5 dt. The 13th November 2001.
- 3) Govt. circular, School Education Dept. No.MISC1021/1501- Primary Education 5 dt. The 23rd September 2003

Preamble - Various Concessions to Learning Disabled students upto Std.XII have been given vide Govt. Resolutions referred to above. The proposal of giving same concessions to the students having learning disability, studying in Colleges / Engineering (Degree/Diploma) and Teachers Training Colleges, was under consideration of the Govt.

Govt. Resolution: The Govt. has taken a decision to give following concessions to the students having learning disability in Govt./Govt.- aided / Professional and Non-professional/Colleges under Non- Agricultural Universities / Engineering / Polytechnics and Teachers Training Colleges. Accordingly, all concerned are informed that students having Dyslexia, Dyscalculia, Dysgraphia are included as students with learning disability and are being given following concessions:

Concessions to students with Learning Disability :

- 1) Oral examination of students with Learning Disability should be taken by the Professors concerned at the time of unit tests and semester / term examinations. Marks obtained should be noted / recorded and their annual average be worked out. On the basis of these marks, promotion to the next class will be decided.
- 2) All students with Learning Disability should be provided writers at the time of written examination. They should also be given half an hour extra time than the stipulated time at each examination.
- 3) The students with Learning Disability should be given examination center near their houses.
- 4) The student should be exempted from drawing figures, maps, charts, graphs etc. in the written examination. They will get the facility of adjusting the marks of these questions and sub questions / supplementary questions.
- 5) These students will be permitted to submit certificates from the concerned recognized/authorized institutions to the effect that they have completed the required work-experience / social service and practicals.

✓ 6) A maximum of 20 marks should be given as grace marks for passing to these LD students who have failed in the examination.

✓ 7) Students with disabilities like Dyslexia and Dysgraphia should be permitted to select one subject under work - experience in lieu of one language from the total compulsory languages.

✓ 8) These students will have concessions in mistakes in such matters as spellings and arithmetical calculations.

✓ 9) These students should be given 25 per cent more time i.e. (15 minutes) for one-hour paper but maximum 30 minutes more time for two or more hours papers in the Annual Examination.

Action to be taken by the concerned officers for the students with Learning Disability:

- 1) Directors / Joint Directors concerned should hold a meeting of professors and principals of the colleges in their jurisdiction in the beginning of every academic year and give them detailed information / instructions about the facilities extended by the Govt. to the students with Learning Disability. As far as possible, the office bearers of the Maharashtra Dyslexia Association should be invited to this meeting.
- 2) The professors concerned should certify the students as having learning disability on the basis of certificates issued by the Govt. / Govt. recognized Medical Officers.
- 3) Once the medical officers have issued certificates to the students that they have learning disability, the colleges should not demand such certificates again and again.
- 4) It is essential that the concerned principals should furnish the list of students appearing for examination along with the Learning Disability Certificates to the Universities concerned and to the Director at the beginning of the Academic Year itself.
- 5) The Universities / Examination Boards will make available to the students and their parents the authorized curriculum on basis of which the examinations would be held.
- 6) All concerned should take precautions that the eligible students are not deprived of the concessions granted by the Govt. to the students with Learning Disability.
- 7) Vice-chancellors of all Non-agricultural Universities under the Higher and Technical Education Dept. should take action to implement these orders.

By order and in the name of the Governor of Maharashtra.

(V. G. Dalvi)
Under Secretary to Govt.

क. अकआ/प्र-७/लेखनिक/परीक्षा/
०६-०७/२१५१
अपंग कल्याण आयुक्तालय,
महाराष्ट्र राज्य, ३ चर्चरीड, पुणे-१
दिनांक: - २० डिसेंबर, २००६.

परिपत्रक / महत्वाचे
मा. मुंबई उच्च न्यायालय प्रकरण प्राधान्य

विषय: वुष्टिहीन, अल्पवुष्टि आणि अस्थिव्यंग, सॅरेब्रल पास्लीने बाधीत झालेल्या व्यक्ती, लिटीग्यास सक्षम नसल्यास त्यांच्या मागणीप्रमाणे परीक्षेसाठी लेखनीक पुराविणे व अतिस्विक्त वेळ देणेबाबत.

- संदर्भ:- १) अपंग व्यक्ती (समान संधी, हक्काचे संरक्षण आणि संपुर्ण सहभाग) अधिनियम १९९५
- २) मा. मुंबई उच्च न्यायालय यांचे याचिका क्रमांक ७०/२००२ व १२९/२००३ प्रकरणात दिनांक १६ नोव्हेंबर, २००६ चे आदेश.
- ३) मुख्य आयुक्त, अपंग कल्याण, सामाजिक न्याय व अधिकारीता मंत्रालय, भारत सरकार, नवी दिल्ली यांचे इंग्रजी पत्र क्र. २७-ओ.आर/ (३) / सीसीडी / ९९, दिनांक १४/०५/२००३ व क्र. २७ - ओ.आर/ (३) / सीसीडी / ९९ / ६६०८, दिनांक ०२/०८/२०००.
- ४) महाराष्ट्र शासन, सामाजिक न्याय व विशेष सहय्य विभाग परिपत्रक क्रमांक अपंग-२००६/प्र. क्र. १०५/सुधार-३, दिनांक ९ डिसेंबर, २००६.

अपंग व्यक्ती (समान संधी, हक्काचे संरक्षण आणि संपुर्ण सहभाग) अधिनियम १९९५ मधील तरतूदीनुसार व मा. मुंबई उच्च न्यायालय घालून करण्यात आलेल्या जनहित याचिका क्रमांक ७०/२००२ व १२९/२००३ संदर्भात प्रकरण प्राधान्य मा. मुंबई उच्च न्यायालयाने दिलेल्या आदेशानुसार सर्व मंत्रालयीन प्रशासकीय विभागात त्यांच्या अस्तित्वातील असलेला अपंगांचा अनुभव तातडीने भरण्याचे आदेश आहेत. सदर न्यायालयीन प्रकरणात असे विसून आले आहे की, वुष्टिहीन, अल्पवुष्टि आणि अस्थिव्यंग, सॅरेब्रल पास्लीने बाधीत झालेल्या व्यक्ती, यांच्या पध्दनीकरीता ज्या पदाबाबत लेखी परीक्षा घेण्यात येतील त्यावेळी त्यांना लेखनिकाचे सहाय्य घेण्यास परवानगी देण्यात येत नाही, यामुळे सदर व्यक्तींवर होणारा अन्याय टाळण्याच्या दृष्टीने सर्व नियुक्ती प्राधिका-याना कळविण्यात येत आहे की, अपंग व्यक्ती (समान संधी, हक्काचे संरक्षण आणि संपुर्ण सहभाग) अधिनियम १९९५ मधील प्रकरण क्रमांक ५ व ६ मधील तरतूदीनुसार वुष्टिहीन, अल्पवुष्टि आणि अस्थिव्यंग, सॅरेब्रल पास्लीने बाधीत झालेल्या व्यक्ती यांना लेखनिक उपलब्ध होण्यासाठी पुढीलप्रमाणे कार्यवाही करावी.

शैक्षणिक परीक्षा / नेमपूकीसाठी घ्यावयाची परीक्षा यासाठी अपंग उमेदवारांना लेखनिकाची सवलत देण्याबाबत मार्गदर्शक तत्वे.

- १) अपंग उमेदवाराला परीक्षेसाठी लेखनिक हा परीक्षा घेणा-या प्राधिका-याने पुरवावा अथवा उमेदवाराने त्याची ह्छा असल्यास स्वतः लेखनिकाची व्यवस्था करावी.
- २) परीक्षेच्या वेळी पर्यवेक्षक आणि समयवेक्षक यांनी योग्य ते पर्यवेक्षण करून फसवणूकीचे किंवा तत्सम गैर प्रकार होणार नाहीत याची दक्षता घ्यावी.
- ३) प्रत्यक्ष अडचणी विचारात घेवून जर परीक्षा घेणा-या प्राधिका-याने लेखनिक पुरविला असल्यास, त्या प्राधिका-याने त्या लेखनिकाची सक्षमता त्यासून निश्चित करून घ्यावी.
- ४) परीक्षा घेणा-या प्राधिका-याने नेमपूकीच्या जाहिरातीमध्ये लेखनिक उपलब्ध करून देण्याबाबत सुस्पष्ट उल्लेख करावा.

- ५) उमेदवाराने परीक्षा आयोजित करणाऱ्या संबंधित यंत्रणेकडून लेखनिक घेजार आठे किंवा उमेदवार स्वतः लेखनिकाची व्यवस्था करणार आठे याचा अर्जात स्पष्ट उल्लेख करावा.
- ६) परीक्षा घेणाऱ्या यंत्रणेने परीक्षेच्या आवश्यकते प्रमाणे लेखनिकाची नियड करून जिल्हा/विभागीय किंवा राज्य पातळीवर त्याचे पॅनेल तयार करावे.
- ७) लेखनिकाचे पॅनेल हे आवश्यकते प्रमाणे त्याऱ्या शाखेनुसार उदा. कला, वाणिज्य, विज्ञान, गणित, अभियांत्रिकी, वैद्यकीय इ. विषयाप्रमाणे करावे व फक्त सक्षम आणि पात्र लेखनिकाया त्या पॅनेल मध्ये समावेश करावा.
- ८) शक्यतो परीक्षार्थी व लेखनिक हे एकाच शाखेचे असावेत.
- ९) उमेदवाराने स्वतःचा लेखनिक आपला असेल व जर तो लेखनिक आणि उमेदवार एकाच शाखेचे असातील तर तो लेखनिक उमेदवाराचे शैक्षणिक पात्रते पेक्षा एक पायरी / टप्पा कमी असावा. मात्र लेखनिक व उमेदवार भिन्न शाखेचे असल्यास त्यास ही अट लागू राहणार नाही.
- १०) वर उल्लेखलेल्या शिवाय इतर कोणतेही निर्बंध लेखनिकाच्या नियडीवर असू नयेत.
- ११) काही अपवादात्मक परीस्थितीत परीक्षा सुरु होणाऱ्या ऐनवेळी लेखनिक बदल्यास मान्यता देण्याचे अधिकार मुख्य समवेक्षक यांना राहतील.
- १२) वेगवेगळ्या विषयाच्या पेपरसाठी एका पेक्षा अधिक लेखनिक वापरता येणार नाहीत. मात्र वरील ११ प्रमाणे अपवादात्मक परीस्थितीमध्ये बदल करण्याची परवानगी देण्यात येईल.
- १३) लेखनिकाच्या मान्यतः पत्रात खालील माहिती / तपशील मनुड करण्यात यावी.
 १. परीक्षेसाठी उमेदवारास घावयाचा जावा वेळ
 २. लेखनिकाच्या वेगळे / स्वतंत्र बसण्यासाठी करण्यात आलेली व्यवस्था
 ३. प्रत्येक पेपरवर परीक्षेचा दिनांक, विषय याबरोबरच लेखनिकाचे नाव इ. तपशील छापण्यात येणार असल्याची माहिती
 ४. अपवादात्मक परीस्थितीत लेखनिक बदलणे आवश्यक असल्यास, त्यासाठी सक्षम प्राधिकारी यांचा पत्ता व दुरध्वनी क्रमांक
- १४) लेखनिकास अल्पोपहार घ्यावयाचा असल्यास त्याने तो परीक्षेच्या अगोदर किंवा नंतर घ्यावा.
- १५) उमेदवार व लेखनिक यांना परीक्षेच्या वेळा बदल संपूर्ण माहिती देण्यात यावी.
- १६) अतिरिक्त वेळ :-
 १. लेखी परीक्षा एक तासाची असल्यास त्यासाठी किमान २० मिनिटे अतिरिक्त वेळ देण्यात यावा.
 २. त्याच प्रमाणे परीक्षेचा कालावधी एक तासापेक्षा अधिक असल्यास अतिरिक्त वेळाना प्रत्येक तासाला २० मिनिटे अतिरिक्त वेळ याप्रमाणे गणना करावी.
- १७) परीक्षेच्या वेळी उमेदवारांचा गोडळ व संध्रम टाळण्यासाठी परीक्षा सुरु होणाऱ्या पूर्वी योग्य अशी बैठक व्यवस्था करण्यात यावी.
- १८) अर्जासाठी बसण्याची व्यवस्था शक्यतो तळ यजल्यावर करण्यात यावी.

- १९) प्रश्न पत्रिकेमध्येील मूळ प्रश्नांत दृष्य बाबी समाविष्ट असल्यास अथवा उमेदवाराकडून अशा दृष्य बाबीचा अर्थ लावणे किंवा दृष्य बाबीचे सादरीकरण करणे अपेक्षित असल्यास अशा प्रश्नाचे ऐवजी पयथी प्रश्न पुरविण्यात यावेत. मात्र उमेदवारास उत्तर देण्यासाठी पयथी प्रश्नाचे ऐवजी मूळ प्रश्न निवडण्याची सुभा राहिल.
- २०) दृष्टीहीन उमेदवारांना उत्तर पत्रिका लिहीताना ब्रेलचा वापर करण्याची किंवा संगणक अथवा टंकलेखन यंत्र वापरण्याची सुभा राहिल. ब्रेल लिपीमधील उत्तर पत्रिकेचे मुल्यांकन हे ब्रेल लिपी जाणवणा-या तज्ञ / परीक्षक यांच्याकडून करावे, शक्य झाल्यास प्रश्न पत्रिका ब्रेल लिपीमध्ये अथवा डिजिटल टेक्स्ट (Digital text) मध्ये पुरविण्यात यावी.
- २१) एस.एस.सी / एच.एस.सी. परीक्षा मंडळे, सर्व विद्यापीठे, सर्व शैक्षणिक संस्था आणि सर्व नियुक्ती प्राधिकारी यांनी वरील सूचनांचे पालन करावे.

तरी वरील परिपत्रकाचे अवलोकन करून संबंधितांनी त्याची त्वरीत योग्य ती अंमलबजावणी कारावी व सदर विद्यार्थ्यांना दिलेल्या सुविधा सवलतीचा तपशील विद्यापीठाकडे वेळोवेळी पाठवावा.

सही

अयुक्त, अर्ण कल्याण,
महाराष्ट्र राज्य, पुणे.

प्रत : माहिती व कार्यवाहीस्तव सादर.

- १) मा. प्रधान सचिव, सामाजिक न्याय व विशेष सहाय विभाग, मंत्रालय, मुंबई ३२.

प्रति : माहिती व कार्यवाहीस्तव.

- १) सर्व अपर मुख्य सचिव / प्रधान सचिव / सचिव मंत्रालयीन प्रशासकीय विभाग
- २) सर्व विभागीय अयुक्त
- ३) सर्व जिल्हाधिकारी
- ४) मुख्य कार्यकारी अधिकारी, सर्व जिल्हा परीषदा
- ५) विभागीय समाज कल्याण अधिकारी (सर्व)
- ६) विशेष जिल्हा समाज कल्याण अधिकारी, मुंबई शहर / उपनगर
- ७) सर्व समाज कल्याण अधिकारी, जिल्हा परीषद
- ८) सर्व सेवायोजन अधिकारी, जिल्हा सेवायोजन केंद्रे

F.No. 16-110/2003-DD.III
Government of India
Ministry of Social Justice & Empowerment
Department of Disability Affairs

Shastri Bhawan, New Delhi
Dated: 26th February, 2013

Office Memorandum

Subject: Guidelines for conducting written examination for Persons with Disabilities.

The undersigned is directed to say that Chief Commissioner of Persons with Disabilities (CCPD) in its order dated 23.11.2012 in case No. 3929/2007 (in the matter of Shri Gopal Sisodia, Indian Association of the Blind Vs. State Bank of India & Others) and in case No.65/1041/12-13 (in the matter of Score Foundation Vs. Department of Disability Affairs) had directed this Ministry to circulate guidelines for the purpose of conducting written examination for persons with disabilities for compliance by all concerned. In compliance of the above order, this Ministry hereby lays down the following uniform and comprehensive guidelines for conducting examination for the persons with disabilities as recommended by CCPD:-

- I. There should be a uniform and comprehensive policy across the country for persons with disabilities for written examination taking into account improvement in technology and new avenues opened to the persons with disabilities providing a level playing field. Policy should also have flexibility to accommodate the specific needs on case-to-case basis.
- II. There is no need for fixing separate criteria for regular and competitive examinations.
- III. The facility of Scribe/Reader/Lab Assistant should be allowed to any person who has disability of 40% or more if so desired by the person.
- IV. The candidate should have the discretion of opting for his own scribe/reader/lab assistant or request the Examination Body for the same. The examining body may also identify the scribe/ reader/lab assistant to make panels at the District/Division/ State level as per the requirements of the examination. In such instances the candidates should be allowed to meet the scribe a day before the examination so that the candidates get a chance to check and verify whether the scribe is suitable or not.

16-110/2003-DD.III
Page 5
11/3/13


- V. Criteria like educational qualification, marks scored, age or other such restrictions for the scribe/reader/lab assistant should not be fixed. Instead, the invigilation system should be strengthened, so that the candidates using scribe/reader/lab assistant do not indulge in mal-practices like copying and cheating during the examination.
- VI. There should also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency. The candidates should also be allowed to take more than one scribe/reader for writing different papers especially for languages.
- VII. Persons with disabilities should be given the option of choosing the mode for taking the examinations i.e. in Braille or in the computer or in large print or even by recording the answers as the examining bodies can easily make use of technology to convert question paper in large prints, e-text, or Braille and can also convert Braille text in English or regional languages.
- VIII. The candidates should be allowed to check the computer system one day in advance so that the problems, if any in the software/system could be rectified.
- IX. The procedure of availing the facility of scribe should be simplified and the necessary details should be recorded at the time of filling up of the forms. Thereafter, the examining body should ensure availability of question papers in the format opted by the candidate as well as suitable seating arrangement for giving examination.
- X. The disability certificate issued by the competent medical authority at any place should be accepted across the country.
- XI. The word "extra time or additional time" that is being currently used should be changed to "compensatory time" and the same should not be less than 20 minutes per hour of examination for persons who are making use of scribe/reader/lab assistant. All the candidates with disability not availing the facility of scribe may be allowed additional time of minimum of one hour for examination of 3 hours duration which could further be increased on case to case basis.
- XII. The candidates should be allowed to use assistive devices like talking calculator (in cases where calculators are allowed for giving exams), tailor frame, Braille slate, abacus, geometry kit, Braille measuring tape and augmentative communication devices like communication chart and electronic devices.

- XIII. Proper seating arrangement (preferably on the ground floor) should be made prior to the commencement of examination to avoid confusion or distraction during the day of the exam. The time of giving the question papers should be marked accurately and timely supply of supplementary papers should be ensured.
- XIV. The examining body should also provide reading material in Braille or E-Text or on computers having suitable screen reading softwares for open book examination. Similarly online examination should be in accessible format i.e. websites, question papers and all other study material should be accessible as per the international standards laid down in this regard.
- XV. Alternative objective questions in lieu of descriptive questions should be provided for Hearing-impaired persons, in addition to the existing policy of giving alternative questions in lieu of questions requiring visual inputs, for persons with Visual Impairment.

2. It is requested to ensure that the above guidelines are scrupulously followed while conducting examination for persons with disabilities. All the recruitment agencies, Academics/Examination Bodies etc. under your administrative control may be advised appropriately to ensure compliance of implementing these guidelines. Action taken in this regard may be intimated to this office.

3. The above guidelines are issued with the approval of Hon'ble Minister (Social Justice & Empowerment).

Yours faithfully,


(Jagdish Kumar)

Deputy Secretary to the Govt. of India

To

1. Secretary of all Ministries/Department.
2. Secretary, UPSC, Shahjahan Road, New Delhi.
3. Chairman, SSC, Block No.12, CGO Complex, Lodhi Road, New Delhi-110003.
4. Chairman, University Grants Commission with a request to issue necessary instructions to all universities including Deemed Universities for compliance.
5. All National Institutes and RCI under administrative control of Department of Disability Affairs, Ministry of SJ&E, New Delhi

✓ Copy to : CCPD, Sarojini Bhawan, Bhagwan Dass Road, New Delhi with reference to order dated 23.11.2012 in case No. 5929/2007 and in case No.65/1041/12-13.

University of Mumbai



Examination Section
M.J.PhuleBhavan,
Vidyanagari, Kalina,
Santacruz (East),
Mumbai - 400 098.

CIRCULAR:

No. Exam./Sc./FH/CE/3001 of 2019.

A reference and attention is invited to the Regulation 8917 and Section 56 (1) (L) of the Maharashtra Public Universities Act, 2016 and the Heads/Directors of the University Departments/Institutions, Principals/Directors of affiliated/recognized Colleges/Institutions, Professor-cum-Director, Institute of Distance and Open Learning (IDOL) and Principals/Co-ordinators of University Sub-centers at Ratnagiri/Thane and University conducted Colleges are hereby informed that candidates who does not appear in F.Y. & S.Y. B.A./B.Com./B.Sc. and self financed course (Three years integrated) in some or all the courses medical ground or for representing the College/University in Sports, Cultural activities, N.S.S., N.C.C. or Sports Training camps conducted by the recognized bodies/competent authorities or for any other reason which is considered valid under exceptional circumstances and to the satisfaction of the Principals or Head of the Institutions/Department such candidates are eligible for additional examination.

Considering the apropos provisions all the concerned are hereby informed that additional examinations of Semester end of March/April 2019 examination of the First and Second Year B.A./B.Com./B.Sc. and self financed (Three years) degree courses of such students be conducted at respective concerned colleges/Institutions/Departments itself including setting of question paper, assess answerbook etc. and to declare the results, accordingly.

Mumbai - 400 098
15th May, 2019

Sd/-
Dr. Vinod Patil
Director
Board of Examinations & Evaluation

To

The Heads/Directors of the University Department/Institutions, Principals/Directors of affiliated/recognized Colleges/Institutions, Professor-cum-Director, Institute of Distance and Open Learning (IDOL) and Principals/Co-ordinations of University Sub-centers at Ratnagiri/Thane and University conducted Colleges.

Copy forwarded for information to :

1) The Director, Department of Student's Development

Dr. Vinod Patil
Director
Board of Examinations and Assessment

UNIVERSITY OF MUMBAI
M.J. Phule Bhavan
Exam Bhuvan, Vidyanagari
Santacruz (E) Mumbai-400 098

(MU Exam Mission – 2020)

CIRCULAR
No. Exam/DBOEE/ICC/2020-21-02

Subject : Regarding the organization of Final Semester / Year students of Mumbai University's academic year 2019-20 and their various backlog exams.

In connection with the above mentioned subject, the Principals of all the colleges / Directors of the recognized institutes affiliated to the University of Mumbai are informed that all the colleges should take action as mentioned below as per the strategic decision taken by various competent authorities of the University for conducting the final semester / year students and their backlog examinations of the academic year 2019-20.

- 1) For the students who have entered the final semester / year postgraduate and diploma examinations in the academic year 2019 20 and their backlog examinations (for Degree Semester - 1 to Semester - 5 / Semester - 1 to Semester - 7 / Semester - 1 to Semester - 9 Degree Period 3, 4 and 5 Year and Postgraduate Semester - 1 to Semester - 3) the same students who have submitted the examination forms should be examined.
- 2) The college should collect the information of the final semester students of its college (for example Mobile number, Email, PRN number, Online Examination equipment like Laptop, Computer, Smart Phone, Internet and where is the student at present etc.). This circular is accompanied by a guide specimen in the above context. However, the colleges should immediately modify the pattern as required and send it to the students to collect the information.
- 3) The Arts, Commerce and Science Colleges which have conducted the college level examinations of the above mentioned students backlog exams (Semester - 1 to Semester - 4, Semester - 1 to Semester - 6, Semester - 1 to Semester - 8 for 3, 4 and 5 Year Degree and Semester - 1 to Semester - 2 for Postgraduate) in February / March 2020 should not be re-taken.
- 4) The Final Semester / Year Practical / Project / Oral examinations of the college which were conducted in March 2020 should not be taken again.
- 5) For proper organization of examinations, the University has prepared the stream wise clusters of colleges (Traditional Colleges, Management, Engineering, Architecture, Pedagogy, Physical Education, Law, Pharmacy, Fine Arts etc.) and one college in each cluster as the lead college has to carry out the responsibility of planning the examination as determined by the University.
- 6) Colleges whose students have submitted their examination forms to the university but have not paid the examination fee such colleges should pay the examination fee to the university immediately.

- 7) For the examinations conducted by the university, the students who have filled up the examination forms, they have been given seat numbers. It should be used by colleges for examinations.
- 8) The various reports required by the colleges for taking the exams have been made available on the MKCL Portal. Also, some exam reports will be sent to colleges in the traditional way.
- 9) If the colleges have not recorded the marks online for the courses which have internal examinations (Internal Exams / Team Work), then they should register the marks online by 15th September 2020.
- 10) Students who entered the final semester were informed to upload the results of the Lower Exam online but the colleges which did not complete the entries in it should do so immediately.
- 11) Final Semester / Year or Backlog's Practical, Project, Viva-Voce Examination, each college should conduct the oral examination online (Zoom App, Google Meet, Skype etc. Meeting Apps) or as required by telephone with the help of their college teachers from 15th September 2020. A set of questions should be prepared for the oral examination. Records should be kept regarding the attendance of students in the examination. The marks of these examinations should be uploaded immediately on the MKCL Portal or on the Website of the University as per the examination.
- 12) The schedule of online theory examination should be prepared by the lead college in consultation with the colleges in the cluster in such a way that the examinations of all the colleges in the cluster will be conducted at the same time and all colleges should bring this schedule to the notice of the students.
- 13) Backlog exams should be started from 25th September, 2020 while preparing the schedule of online theory exams and regular exams should start from 1st October, 2020 and all theory exams should be completed by 17th October, 2020.
- 14) All final term theory exams should be conducted based on the syllabus taught in the college till 13th March, 2020.
- 15) All Theory Examinations will be conducted online with Multiple Choice Questions as decided by the University Authority and for those students who do not have the facility to take online exams, alternative arrangements should be made for taking online exams. The local administration should be requested if the assistance of the local administration is required to create an alternative arrangement. If all the above mentioned options are not possible, the exams will be conducted using the offline method in exceptional circumstances.
- 16) All online theory exams will be conducted for a period of one hour for 50 marks.
- 17) Under the guidance of the Dean of the University, Associate Dean and Principal of Lead Colleges, a Question Bank will be prepared for each subject (Marathi / English, as per the required medium) with the help of the college teachers and with the help of technology Multiple Question Paper Sets will be made available for the examination.

- 18) Every college should create a technical facility for taking online exams at their level. Also for the preparation and experience of the students take practice exams by giving sample MCQ questions.
- 19) Necessary facilities for online theory exams should be provided for students with disabilities (for example 20 minutes extra time, approval for writer etc.).
- 20) Each college should start the assessment process immediately after the online theory examination of each subject and prepare the marks of the students. Since the assessment of Theory Examination is of 50 marks, it should be converted into Maximum (60, 75, 80, 100 etc.) of the relevant subject and uploaded in the online system of the University within two days.
- 21) Students who for some reason could not give the online theory exam should be given the opportunity to give the exam again by taking a joint decision through Lead College.
- 22) As the Theory Examination is conducted in the form of Multiple Choice Questions, each college should inform its students that Revaluation cannot be facilitated.
- 23) If the help of local administration is required for conducting the examination, the necessary measures should be taken by contacting the concerned Collector, Tehsildar, Police Department and Electricity Department.
- 24) Each college should make appropriate arrangements for the students to get counseling during the examination, to solve their possible problems and doubts as well as to get self-explanatory information about the syllabus, sample question papers and the examinations to be conducted in a new way.
- 25) If the principals of the colleges have any queries / problems, they should contact the lead college principals of the respective clusters and inform them about it. The Principal of Lead College should contact the Director of the University, Board of Examinations and Evaluation / Dean of the concerned faculty / Cluster wise faculty / Associate dean and resolve these doubts / problems.

All the principals should co-operate with the University to ensure that the examinations of the University are passed smoothly and on time by strictly following all the above.

Place : Mumbai – 400 032.
Date : 08 September, 2020

(Dr. Vinod Patil)
Director
Board of Examinations and Assessment

Copy for information and appropriate action –

1. Principals of all Arts, Science and Commerce Colleges affiliated / operated with the University of Mumbai and Directors of Accredited Institutions.
2. Secretary 1) Vice Chancellor 2) Pro-Vice Chancellor 3) Registrar 4) Board of Directors, Examination and Evaluation 5) Finance and Accounts Officer

Student information format

- Student Name: _____
- PRN No: _____
- Program Category : (B.Com/M.Com./ BA/MA/BSc/MSc etc.) _____
- Email address : _____
- WhatsApp No: _____
- Parent/Guardian Contact Number : _____
- Do you Have ? (Yes / No)
 - a. Smartphone
 - b. Laptop/Tab
 - c. Desktop
 - d. Internet Connectivity
 - e. Any other gadget
- Can you arrange Mobile or Laptop for Exam in case of non-availability? (Yes / No)
- Your current Location details:
 - 1. City/Town/Village: _____
 - 2. Taluka: _____
 - 3. District: _____
 - 4. State: _____
 - 5. If you are out of town, when are you coming back? _____
- Differently Abled? (Yes / No)
If yes, facilities required as per Examination Rules: _____

- If you have ATKT of Lower examinations, please give details: _____



Circular No. Exam/DBOEE/ICC/2020-21-04

CIRCULAR-II

In continuation of Circular No. Exam/DBOEE/ICC/2020-21-02 dated Sept. 08, 2020, the Principals / Directors of the affiliated Colleges / Institutions and all concerned are hereby informed that the overall guidelines in reference to framing of MCQ bank and role of Lead Colleges and Cluster in conduct of online examinations during Sept. 25 -Oct 17, 2020 for the Academic Year 2019-20 are as follows :-

I. Constitution of Clusters and appointment of Lead College

The concept of Cluster and Lead College, with due approval of Academic Council, is to bring together the group of affiliated Colleges in a given geographical region offering similar programmes (Arts, Commerce and Sciences, Management Engineering, Pharmacy, Architecture, Law, Education, Special Education, Physical Education, Fine Arts, Applied Arts etc.) and facilitate the synchronization and cooperation with respect to the execution of various academic, examination, co-curricular, extra-curricular and other higher education policies decided by various statutory bodies of University of Mumbai. The concept permits principle of synergism in terms of sharing of information, human resources, and infrastructure. It also encourages the colleges to achieve excellence in higher education in consonance with the policies of higher education as given by the University itself or the relevant Government Directives.

As per the decisions of Statutory Bodies (BOEE, AC and MC) and subsequently as per the circular No. Exam/DBOEE/ICC/2020-21-02, Lead Colleges have been assigned the task of cluster-wise conduct of online MCQ examination of Final Year / Final Semester students during Sept. 25 -Oct 17, 2020 for the Academic Year 2019-20.

II. Guidelines to Lead Colleges for Preparing the Question Bank for Final Year / Final Semester students:

- 1) As per the decisions of Statutory Bodies (BOEE, AC and MC), University of Mumbai has adopted the format of Multiple-Choice Questions (MCQ) for external evaluation of Final Year / Final Semester students and their backlog examinations to be conducted during Sept. 25 -Oct 17, 2020 for the Academic Year 2019-20.

- 2) MCQ, with due versatility, validity and reliability, are the effective and efficient way to assess learning outcomes.
- 3) Final Year / Semester MCQ paper will be based on the syllabus covered till March 13, 2020. For backlog examinations [For UG: Sem. I to V/ Sem. I to VII, Sem. I to IX and for PG: Sem. I to III], the paper setting should be on entire syllabus.
- 4) Under the guidance of Deans and Associate Deans of respective faculty, the Lead Colleges with due involvement of related subject/ course teachers from colleges within the Clusters should prepare the comprehensive MCQ Bank for each subject/ course [English/ Marathi or as per the medium of instruction] for above mentioned examinations.
- 5) Inter-cluster support for University Clusters maybe utilised to facilitate preparation of large base of MCQ Bank.
- 6) Use authentic references (e.g. text or reference book or journals) for framing the MCQ.
- 7) While setting the MCQ Bank, due attention should be given to cover all the modules/chapters/ units of the syllabus with proper weightage for each unit.
- 8) The level of students (diploma/undergraduate/ postgraduate) and equitable distribution of the difficulty level of the questions (easy, average, difficult) should be kept in mind while framing the MCQ.
- 9) The answer key / solution of the MCQ should be invariably provided along with the MCQ Bank as separate Answer Key Bank.
- 10) MCQ Bank should be large enough to draw in randomized manner the multiple question paper sets with minimal repetition, equitable distribution of the difficulty level of the questions and due coverage of modules/chapters/ units of the syllabus through use of software.
- 11) MCQ papers will comprise of 25-40 MCQ (number of MCQ to be chosen as per the requirement of particular course). It will be of 1-hour duration and maximum 50 marks.
- 12) Each MCQ consists of a definite Problem Statement and a list of four suggested solutions known as Alternatives or Options. The 4 alternatives consist of one correct or best alternative, which is the answer. Thus, ensure that every MCQ has 4 alternatives and make sure that there is only one correct answer.
- 13) Express the full problem and put all the relevant material in the MCQ while avoiding negative phrasing/ wording in the MCQ. The question should be written in the clearest, compact and unambiguous way. Thus, the MCQ should be meaningful by itself and must not contain irrelevant material and excessive wording [i.e. it should contain only material essential for answering the question].
- 14) The MCQ should be free from spellings, grammatical mistakes and technical errors. The MCQ or alternatives should not include any statement/ wording which is likely to hurt social and religious feelings.

- 15) All alternatives should be plausible, stated clearly and concisely, mutually exclusive, independent, free from clues about which option is correct. Do not repeat in each of the alternatives information that can be included in the question/ problem statement.
 - 16) While ensuring the correctness of the right answer, it may also be ensured that other alternatives/ options are definitely wrong.
 - 17) Care must be exercised in writing the incorrect answer options (the distractors) thus do not include alternatives that are obviously wrong.
 - 18) Number the alternatives of each question as alphabetical-a., b., c., d. or A., B., C., D. (or alphabets in related languages/ medium of instruction of Question Paper). Do not have bullets or numerical 1,2,3,4 for numbering the alternatives.
 - 19) The alternatives should be presented in a logical and meaningful order to avoid a bias toward certain positions.
 - 20) The alternatives such as 'All of the above', 'None of these' or 'None of the above', 'Other than those given as options', 'true/ false' and 'a & b' should not be used. Avoid overlapping alternatives.
 - 21) These guidelines are general in nature and some subject specific freedom may be exercised while framing MCQ Bank.
 - 22) Sample MCQs should be prepared and provided to develop the understanding/awareness about exam pattern amongst final year/ final semester students. Mock test should be conducted to provide practice and feel of Online MCQ Examinations to students.
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III. Other Guidelines for the Lead College:

- 1) The Lead College should play the role of mentor, planner and facilitator rather than executor.
- 2) The Lead College will identify the human resources and technical support available within its cluster for smooth conduct of online examinations.
- 3) Under the guidance of Deans and Associate Deans of respective faculty, the Lead Colleges with due involvement of related subject/ course teachers from colleges within the Clusters should prepare the comprehensive MCQ Bank for each subject/ course [English/ Marathi or as per the medium of instruction] for Final Year / Final Semester regular and backlog examinations [For UG: Sem. I to V/ Sem. I to VII, Sem. I to IX and for PG: Sem. I to III]. It may assign the task to senior teachers within the cluster of verification and moderation of the MCQ Bank. Inter-cluster support for University Clusters maybe utilised to facilitate preparation of the large base of MCQ Bank.

- 4) The Lead College will analyse the requirements of the colleges within the cluster and formulate the Online Exam Time-Table accordingly [Avoid arranging exams on 2nd (National holiday) and 4th October (UPSC Exam)] while adhering to the schedules prescribed by the University.
- 5) Sample MCQs should be provided by the Cluster to develop the understanding/awareness about exam pattern amongst the final year/ final semester students.
- 6) The Lead College will follow instructions received from the DBOEE from time to time.

III. Guidelines for the Colleges within the Cluster:

- 1) The college is responsible for the planning and conduct of the online examinations in consultation with the Lead College within the time frame/schedule prescribed by the University.
- 2) The colleges and their teachers, under the guidance of Deans and Associate Deans of respective faculty and the Lead Colleges, will participate in framing the MCQ Bank for each subject/ course as per the guidelines prescribed by the University.
- 3) Mock test should be conducted by Colleges to provide practice and feel of Online MCQ Examinations to students.
- 4) In consultation with Lead college, the colleges should facilitate the technical infrastructure for conduct of the online examination, complete the assessment within the time and upload the marks obtained by the students after due conversion in tune with max. marks of the concerned course.
- 5) The Principal is required to work in consultation with the Lead College and coordination of the colleges in cluster while complying with the instructions and the requirements specified in the University circular. It should not act based on the oral instructions from anyone or the messages spread on any social media platform. In case of any doubt/difficulty/ clarification, the Principal should talk to the Principal of Lead College who in turn will interact with the respective Dean or Associate Dean of the University.

IV. Guidelines for the Students:

- 1) The students must ensure that they make themselves properly aware of the syllabus, paper pattern, timetable and technical platform used by the college. Thus they must take the examinations as per the time-table schedule prescribed by the college and should make requisite arrangements (Smartphone/ Laptop/Tab/ Desktop/any other gadget, Internet Connectivity) to appear for the online examination.

- 2) Students should not resort to the use of unfair means while attempting the examination. Colleges will initiate action for use of unfair means as per University rules and regulations
- 3) Since this is an online examination, there will not be any revaluation.
- 4) Students should refer to and follow instructions given by Colleges and University. Do not believe in messages spread on any social media platform.

Date – 13th September, 2020

Place – Mumbai


(Dr. Vinod Patil)

Director

Board of Examinations and Evaluation

Copy to –

The Principals / Directors of the affiliated Colleges / Institutions and all concerned.

Copy for information and necessary action to :-

All Deputy Registrars and Assistant Registrars Examination section

Copy for information to :-

Deans in the Faculty of Humanities, Science and Technology, Commerce and Management, Interdisciplinary.

Copy for information to :-

(1) P.A. to Hon'ble Vice-Chancellor (2) P.A. to Hon'ble Pro Vice-Chancellor

(3) P.A. to Registrar (4) P.A. to Director, Board of Examinations and Evaluation



Circular No. Exam/DBOEE/ICC/2020-21-07

CIRCULAR-II

In continuation of Circular No. Exam/DBOEE/ICC/2020-21-02 dated Sept. 08, 2020 and Circular No. Exam/DBOEE/ICC/2020-21-04 dated Sept.13, 2020 the Principals / Directors of the affiliated Colleges / Institutions and all concerned are hereby informed that the guidelines with regards to safety, security, administrative and technical requirements of platform/software for conducting online examinations during Sept. 25- Oct. 17, 2020 for the academic year 2019-20 are as follows

- I. All the colleges were asked to conduct the survey of available facilities/resources. (Smart Mobile Phone, Laptop, Tab, Desktop, internet connectivity etc.) with students which are the prerequisites for or appearing for online examinations. In the absence of those facilities, the students have been asked whether they can make some alternative arrangements. In the extreme condition of the non-availability of the resources, the list of such students with their details are required to be shared to the Lead College to undertake the decision on facilitation of local arrangements/ support in consonance with local government authorities.**
- II. The colleges will have to ensure that the online examination platform/system that will be used by them for the conduct of the final semester/final year and the backlog examinations should meet the following Safety, Security & Administrative support to Students and Technical requirements:**
- 1) System should be available on mobile, laptop and desktop.
 - 2) Ease of use for students, teachers and administrative staff.
 - 3) Minimum bandwidth requirements of the platform.
 - 4) Locking of application/secured application.
 - 5) Solution for resuming to sessions in case of network failure.
 - 6) Immediate download of the result for each examination.
 - 7) Bulk upload of question bank for paper setters/coordinators.
 - 8) Configurable Question paper as per unit wise and difficulty level weightage.

- 9) Configurable proctoring for those students without camera facility.
- 10) Google forms with definite Proctoring System may be used
- 11) Start time as well as end time can be prescribed/specified but has to be activated and de-activated manually if needed.
- 12) The order/sequence of appearing/display of the questions can be randomized i.e. the order in which the question appears to different students or the same student if he/she takes the examination again will differ from one student to another or from one attempt to another.
- 13) The order/sequence of the options within the question can also be randomized.
- 14) After the completion of the time duration, the evaluation data can be exported in excel format.
- 15) Helpdesk to address the issues during examination.
- 16) Multilingual support.
- 17) Specify minimum internet speed and data requirements (i.e. Bandwidth requirements).
- 18) If proctored face locking must/optional.

Accordingly, the Lead Institute and concerned college should inform students to get themselves well prepared. Circulate general instructions and step by step procedure/manual/ video to faculty and students to minimize the operational difficulties.

Date – 16th September, 2020

Place – Mumbai



(Dr. Vinod Patil)

Director

Board of Examinations and Evaluation

Copy to –

The Principals / Directors of the affiliated Colleges / Institutions and all concerned.

Copy for information and necessary action to :-

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