

CHAPTER IV

CONDUCT OF EXAMINATIONS AND THE TERMS AND CONDITIONS FOR APPOINTMENT OF EXAMINERS [Under Section 28(2)(b)]

A. EVALUATION

1. *Evaluation of Student Performance*

The successful completion of a course/programme of study for the award of degree/diploma/certificate will be determined on the basis of the performance of students enrolled in the relevant course/programme in the manner laid down in these Ordinances.

2. *Methods of Evaluation*

Unless otherwise specified, the performance of a student enrolled in a course/programme will be assessed:

- (1) In every programme, self assessment of each unit shall be done by the student. This evaluation shall not be included in examination result.
- (2) Continuously on the basis of sessional work which shall be assessed with the help of Examiner or Computer. The Evaluation of practical work, seminar, workshop or project will be done separately.
- (3) Mode of assessment to determine the level of performance of students pursuing different courses/programmes will be based on overall sessional assessment of student performance. A student is required to complete his sessional work before appearing in sessional examinations.
- (4) Sessional work is evaluated by two methods. First by expert Examiner appointed by the University known as Examiner Evaluated Assignment (EEA) and secondly by Computer, known as Computer Evaluated Assignment (CEA).
- (5) The instructions to candidates about the nature and type of assignments and the schedule for their submission shall be

prescribed in the relevant programme guide or the course itself.

B. GRADING

- (1) There is numerical marking system in the University. If need be it may be changed into Grading system.
- (2) The student performance both in continuous evaluation as well as terms end examination for each programme, will be in numerical marking and Division shall be assigned in the final examination as indicated below:

I Division	60% and more
II Division	48% and above, below 60%
III Division	36% and above, below 48%
Unsuccessful	Below 36%

C. APPOINTMENT OF EXAMINERS/PAPER SETTERS/ MODERATORS

- (1) Board of School of Studies shall draw up panels of paper-setters, moderators and examiners for each course on the recommendation of Board of Studies and submit them to the Examination Committee who shall appoint the paper-setters, moderators and examiners from such panels for a period of three years. Provided that only those persons who have at least 5 years of teaching/ academic experience shall be eligible for inclusion in the panel.

Provided that the Vice-Chancellor in special circumstances may appoint paper setters, examiners and moderators.

D. CONDUCT PROCEDURE

- (1) The term-end examinations shall ordinarily be conducted twice a year in each course programme on such dates in the months of July and January and at such places as may be notified by the University from time to time. A candidate who has prosecuted the course of study for the required duration and who has submitted the required number of assignments shall be eligible to appear at the term-end examination in the course concerned.
- (2) Each candidate will be required to fill in the Examination form and forward the same to the University within the limits of the time notified.
- (3) The University may allow a candidate to change the examination center provided he/she applies atleast 30 days before the commencement of the examination on the prescribed form with requisite fee for the purpose.

- (4) The conduct of examination shall be in accordance with the regulations framed by the University for the purpose.

Rates of Remuneration

- (1) The remuneration to be paid to paper setters, moderators, examiners and evaluators of student assignments, answer scripts, projects, etc. shall be as fixed by the Executive Council from time to time on the recommendation of Finance Committee.
- (2) The remuneration to be paid to various categories of persons appointed for the conduct of Examinations shall be such as may be prescribed by the Executive Council from time to time on the recommendation of Finance Committee.

E. CONDUCT OF EXAMINATIONS

The provisions of following U.P. Universities Act, 1965 (U.P. Act XXIV of 1965) shall apply Mutatis, Mutandis in connection with the conduct of examinations of U.P. Rajarshi Tandon Open University.

The Uttar Pradesh Universities (Provisions regarding Conduct of examination) Act, 1965 (U.P. Act XXIV) of 1965 as amended by the Uttar Pradesh State Universities Act, 1973.

An Act to make provision for certain matter in connection with the conduct of examination by certain Universities in Uttar Pradesh.

It is hereby enacted in the Sixteenth Year of Republic of India as following:-

1. **Short Title and extent** - (1) This Act may be called the Uttar Pradesh Universities (Provisions Regarding Conduct of Examinations) Act, 1965.
2. **Definition**:- In this Act, unless the context otherwise requires -
 - (a) 'Centre means any institution, or part thereof, or any other place, fixed by the University for the purpose of holding its examinations and included the entire premises attached thereto;
 - (b) "Invigilator" means a person who assists the Superintendent of a centre in conducting and supervising an examination of a centre;
 - (c) "Superintendent of a Centre" means a person appointed by the University to conduct and supervise its examinations held or to be held at a centre, and includes an Additional Superintendent or Associate Superintendent of such Centre;

- (d) "University" means a University established by or under an Uttar Pradesh Act and declare by the State Government by notification in the Gazette to be a University to which this Act applies.

3. **Superintendents and invigilators to be public servants** : Every Superintendent of a centre and every invigilator shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code during the course of an examination or examinations conducted by the University for a period of one month prior to the commencement of and of six months immediately following examination or examinations.
4. **Assault, etc. on Superintendent or Invigilator** : An assault on, or use of criminal force to a Superintendent or an invigilator during the period mentioned in section 3 shall be deemed to be an obstruction voluntarily caused to a public servant in the discharge of his public function punishable under section 186 of the Indian Penal Code '(Act No. XLV of 1860)' and shall, notwithstanding anything contained in the Code of Criminal Procedure, 1893 (Act No. V of 1989), be cognizable offence.

CHAPTER V

MANAGEMENT OF COLLEGES AND STUDY CENTRES ADMITTED TO THE PRIVILEGES OF THE UNIVERSITY [Under Section 28(2)(c)]

- (1) The Management of Colleges and Study Centres admitted to the privileges of the University will be done in a manner as prescribed by the Board of recognition and approved by the Executive Council.

CHAPTER VI

DISCIPLINE AMONGST STUDENTS [Under Section 5(xx)]

A. Maintenance of discipline amongst students

- (1) The Powers regarding discipline and disciplinary action in regard to students of the University shall vest with the Vice-Chancellor. The Vice-Chancellor may delegate all or any of his powers, as he may deem fit.
- (2) Without prejudice of the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his power, by order, direct that any student or students be expelled or rusticated for a specified period and not admitted to a course or course of study in the University or a recognized institution for a stated period; or be punished with a fine for an amount to be specified in the order, or, debar him from taking an examination or examinations conducted by the University or a recognized institution for one or more years or that the examination result of the student or students concerned be cancelled.

B. Discipline among students in relation to University Examinations

- (1) During an examination the candidates shall be under the disciplinary control of the Superintendent of the centre who shall issue the necessary instructions. If a candidate disobeys instructions or misbehaves with any member of the supervisory staff or with any of the invigilators at the centre, he may be expelled from the examination for the session.
- (2) The Superintendent shall immediately report the facts of such a case with full details of evidence to the Registrar who will refer the matter to the Examination Committee. The committee will make recommendations for disciplinary action as it may deem fit to the Vice-Chancellor.

- (3) Everyday, before an examination begins, the invigilators shall call upon all the candidates to search their persons, tables, desks, etc. and ask them to hand over all papers, books, notes or other reference material which they are not allowed to have in their possession or accessible to them in the examination hall. Where a late-comer is admitted this warning shall be repeated to him at the time of entrance to the examination hall. They are also to see the each candidate has his identification card with him.
- (4) A candidate shall not use unfair means in connection with any examination.
- (5) The following shall be deemed to be unfair means:
- (a) Talking to another candidate or any person, inside or outside the examination hall, during the examination hours without the permission of a member of the supervisory staff.
 - (b) Leaving the examination hall without delivering the answer book and or continuation sheet, if any, to the Superintendent or Supervisor concerned, and taking away, tearing off or otherwise disposing off the same or any part thereof.
 - (c) Writing on blotting paper or any other piece of paper, a question or matter connected with or relating to a question or solving a question on anything excepting the answer book or the continuation sheet supplied to the candidate.
 - (d) Using abusive or obscene language in the answer books.
 - (e) Deliberately disclosing one's identity or making any distinctive marks in the answer book for that purpose.
 - (f) Making an appeal to the Examiner through the answer book.
 - (g) Possession by a candidate or having access to book, notes, paper or any other material, whether written, inscribed or engraved, or any other device, which could be of help or assistance to him in answering any part of the question paper.

- (h) Concealing, destroying, disfiguring, rendering illegible, swallowing, running away with, causing disappearance of or attempting to do any of these things in respect of any book, notes, paper or other material or device, used to attempted to be used for assistance or help in answering a question or a part thereof.
- (i) Passing on or attempting to pass on, during the examination hours, a copy of a question, or a part thereof, or solution to a question paper or a part thereof, to any other candidate or to any person.
- (j) Smuggling into the examination hall an answer book or a continuation sheet, or taking out or arranging to send an answer book or continuation sheet, or replacing or attempting to get replaced the answer book or continuation sheet, during or after the examination with or without the help in connivance with any person connected with the examination, or through any other agency, whatsoever.
- (k) Receiving or attempting to receive, with or without the help of or in connivance with any member of the supervisory or other staff or any person, a solution to a question or to a part thereof.
- (l) Approaching or influencing directly or indirectly a paper setter, examiner, evaluator, moderator, tabulator or any other person connected with the University examination with the object, directly or indirectly.
- (m) Any attempt by a candidate or by any person on his behalf to influence, or interfere with, directly or indirectly, the discharge of the duties of a member of the supervisory or inspecting staff of an examination center before, during or after the examination. Provided that without prejudice to the generality of the Provision of the clause any such person as is referred to therein who:
 - (i) abuses, insults, intimidates, assaults any member of the supervisory or inspecting staff, or threatens to do so:
 - (ii) abuses, insults, intimidates, assaults any other candidate or threatens to do so: shall be deemed to have interfered with or influenced the discharge of the duties of the Supervisory and inspecting staff.

- (n) Copying, attempting to copy, taking assistance or help from any book, notes paper or any other material or device or from any other candidate, to do any of these things or facilitating or rendering any assistance to any other candidate to do any of these things.
- (o) Presenting a thesis, dissertation, practical or classwork note-book wherever required, not prepared or produced by the candidate himself.
- (p) Arranging to impersonate for any person, whosoever he may be, or impersonating for the candidate at the examination.
- (q) Forging a document or using a forged document knowing it to be forged in any matter relating to the examination.
- (r) The Executive Council may declare any other act of omission or commission to be unfair means in respect of any or all the examinations.
- (6) If the Vice-Chancellor is satisfied that there has been a mass-scale copying or use of unfair means, on a mass-scale at a particular centre(s), he may cancel the examination of all the candidates concerned and order re-examination.
- Note:** Where the invigilator incharge is satisfied that $33\frac{1}{3}\%$ or more students involved in using unfair means or copying in a particular Examination/Hall, it shall be deemed to be a case of mass copying.
- (7) (a) The Superintendent of the examination centre shall report to the Registrar without delay and on the day of occurrence, if possible, each case where use of unfair means in examination is suspected or discovered with full details of the evidence in support thereof and the statement of the candidate concerned, if any, on the forms supplied by the Registrar for the purpose.
- (b) A candidate shall not be forced to give a statement but the fact of his having refused to make a statement shall be recorded by the Superintendent and shall be got attested by two other members of the supervisory staff, on duty, at the time of occurrence of the incident.
- (c) A candidate detected or suspected of using unfair means in the examination may be permitted to answer the question paper, but

on separate answer book. The answer book in which the use of unfair means is suspected shall be seized by the Superintendent, who shall send both the answer books to the Registrar with his report. This will not affect the concerned candidate appearing in the rest of the examinations.

- (8) All the cases of alleged use of unfair means shall be referred to Examination Committee.
- (9) All decisions taken by the Examination Committee will be placed before the Vice-Chancellor for approval.
- (10) The Examination Committee may recommend that:
- (i) The Examination for the session or paper in respect of which a candidate is found to have used unfair means be cancelled.
- (ii) The Examination for the session or paper or the entire examination of a candidate in respect of which he is found to have used unfair means be cancelled.
- (iii) The entire examination of a candidate in respect of which he is found to have used unfair means be cancelled and the candidate shall further be disqualified from appearing at any University examination for a period of one year.
- (iv) The entire examination of a candidate in respect of which he is found to have used unfair means be cancelled and he shall further be disqualified from appearing at any University examination for a period of three years.