



ST. XAVIER'S TECHNICAL INSTITUTE, MAHIM

Government Aided Autonomous Minority Institute, Approved by A.I.C.T.E.

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Decision regarding 'Penalties to the Examinees for various instances of malpractice' in 29th Examination Committee Meeting of Winter 2017 held on 5th January, 2018.

Regarding the 'Penalties to the Examinees for various instances of malpractice', the Chairman asked to put in implementation the new revised penalties regarding malpractices of MSBTE from Summer 2018 onwards (with due consideration for the following changes such as 'St. Xavier's Technical Institute, Mahim' or 'the institute' in place of 'MSBTE', 'L.A.C' in place of 'R.A.C', 'course' in place of 'subject', 'SPN' in place of 'Roll Number / Enrollment Number'.

Also, the punishment awarded will be applicable to the semester/s in whose course/s the candidate was registered for malpractice, all other semesters if any, attempted by the candidate will not have effect of the punishment on them. This was approved in the Governing body meeting held on 18th May 2018 and was ratified in the action taken report of 30th Examination Committee Meeting held on 31st May 2018 at 11.00 a.m. in Directors Chamber, MSBTE, Mumbai.).

NOTE:

Forfeited mobile phone or any other electronics gadget or any part of that device will be returned back only after the candidate has undergone the awarded punishment duration.

If in case the candidate is applying for the leaving certificate immediately after the award of the punishment or during the ongoing time period of the punishment awarded then, appropriate comment regarding the punishment awarded must be mentioned on the leaving certificate.

Annexure I

THE PENALTIES TO THE EXAMINEES, STAFF AND INSTITUTIONS FOR VARIOUS INSTANCES OF MALPRACTICE

Sr. No.	NATURE OF MALPRACTICE	QUANTUM OF PUNISHMENT
1	Examinee/s making marks /signs, Writing Roll Numbers, name or using any other means of disclosing identity with a clear intent of getting illegal / undue benefits/frequent changes in ink without supervisor's permission.	Cancellation of the result /performance of the guilty examinee in the subject/course during whose examination he/she caught. (Subject/Course)
2	Examinee making an appeal to the examiner revealing both, former's name and address.	Cancellation of the result /performance of the guilty examinee in the subject/course during whose examination he/she caught. (Subject/Course)
3	Examinee Writing in provocative or abusive and /or threatening language in the answer-book.	Cancellation of full performance in the entire examination/s in which the examinee has appeared. (1+0)
4	Examinee or his/her associate/s influencing the Examiner/ Moderator / similar Authority connected with the examination with a clear intent of getting illegal /undue benefits.	Cancellation of full performance in the entire examination/s in which the examinee has appeared and debarring him from appearing in subsequent one examinations. (1+1)
5	Examinee(s) communicating or talking with another Examinee/s during examination session.	Cancellation of the result /performance of the guilty examinee in the subject/course during whose examination he/she caught. (Subject/Course)
6	Examinee tampering with Answer-books /torned pages of own or another examinee inside or outside the examination hall.	Cancellation of the result/performance in the current examination/s of the alleged examinee involved in such action for candidate appearing examination. (1+0)
7	Examinee caught during the examination session while in possession and/ or copying from the copying material scribbled on/question paper/ articles / clothes/ body parts.	Cancellation of full performance in the current examination/s. (1+0)
8	Examinee caught during the examination session while in possession and/or copying from the copying material in the form of written or printed material / stored in electronic gadget like mobile phone, smart watch, I pad etc.	Cancellation of full performance of the alleged examinee in the current examination/s in which he/she has appeared, plus debarment from appearing in the next one examination. (1+1)

Sr. No.	NATURE OF MALPRACTICE	QUANTUM OF PUNISHMENT
9	Examinee(s) found exchanging (giving or taking) answer books with other examinee(s).	Cancellation of performance of the examinee found guilty in the current examination/s plus debarment from appearing in the next one examination. (1+1)
10	Examinee 'X' found in possession of answer-book/ supplement of another examinee 'Y', forcibly or without his/her (Y's)knowledge.	Cancellation of the performance in current examination/s, plus debarment from appearing in the next one examination/s, in respect of examinee 'X' (1+1) exonerating examinee 'Y', provided he/she has not connived with 'X'.
11	<u>Impersonation:</u> i) Examinee who impersonates.	Following actions shall be taken: a) Cancellation of the performance in present examination/s plus debarment of the guilty examinee from appearing in the next two examinations provided he/she is a bona fide student of BOARD. Further, he/she should be handed over to the police. (1+2) b) Matter should be communicated to the employer of the impersonating examinee, provided he/she is employed and not a bona fide student of BOARD. c) In case the examinee is unemployed and is a student undergoing education with examination authority other than Board, the information should be given in writing to the concerned examination authority.
	ii) Bona fide examinee who is impersonated.	Cancellation of the performance in such examinee in current full examination plus debarment from appearing in the next two examinations. Further, he/she should be handed over to police and FIR be lodged against the examinee by the officer-in-charge of the Examination Center. (1+2)
12	Examinee found inserting previously written pages smuggled in from outside, in the answer book.	Cancellation of the full performance in current examination/s, plus debarment from appearing in the next two examinations. (1+2)
13	Examinee found with answer-book/s having two different handwritings, one of the examinee's own and the other of a different person.	Cancellation of the full performance in current examination/s, plus debarment from appearing in the next two examinations. (1+2)

Sr. No.	NATURE OF MALPRACTICE	QUANTUM OF PUNISHMENT
14	Cases of mass copying during the examination period, reported from examination center.	Result of examinee/s involved is to be withheld for conducting an Inquiry. Punishment shall be awarded as deemed fit on scrutiny of the Inquiry Report.
15	Cases of copying /mass copying reported by the examiners from R.A.C.	Result of the involved examinees to be withheld for conducting inquiry. Punishment shall be awarded as deemed fit on scrutiny of the Inquiry Report.
16	Examinee attaching currency notes to his/her answer-book with /without a request to the examiners to assess their answer -books favorably.	Cancellation of the performance in current examination plus debarment from appearing in next one examination and forfeiture of the entire amount and depositing the same in Board's appropriate account. (1+1)
17	Examinee throwing the question paper/ any other copy material to the other examinee, after writing the answer/s on it.	Cancellation of the performance in current examination plus debarment from appearing in next one examination. (1+1)
18	Examinee destroying his/her own answer book or supplement/s or any copy material in possession after being caught under malpractice.	Cancellation of the full performance in current examination/s plus debarment from appearing in the next two examination. (1+2)
19	Examinee smuggling out his/her own answer book or supplement or blank answer book/s and/or supplement/s.	Cancellation of the full performance in current examination plus debarment from appearing in the next two examinations. (1+2)
20	Free copying or using unfair means, with or without connivance of the management by a group of two or more examinees, during an examination session.	Cancellation of the result/performance of the involved examinees with their debarment from appearing in next two examinations along with the punishment as deemed fit on scrutiny of enquiry report. Separate enquiry to be set up. (1+2)
21	Examinee attempting to send Question Paper or its contents out of Examination hall by any means.	Cancellation of the full performance in current examination plus debarment from appearing in the next three examinations. (1+3)
22	Examinee possessing any weapon, explosives, similar material and/or under the influence of any narcotic drugs etc. in examination hall or bringing any of them in the examination hall or causing any kind of violence in the examination hall.	Cancellation of the result /performance in current examination/s and debarment from appearing in next five examinations. A complaint should be lodged with the police by the Officer-in-Charge of examination. (1+5)

Sr. No.	NATURE OF MALPRACTICE	QUANTUM OF PUNISHMENT
23	Examinee possessing mobile phone or any electronics communication gadget or I-pod or any similar device in examination hall.	Cancellation of the full performance in current examination/s & forfeiture of the device or gadget. (1+0) . Penalizing the institute as pronounced by special committee.
24	Tampering with the Certificate of marks or their copies and any other documents issued by BOARD .	Cancellation of performance in the examination and debarment of the examinee for next five examinations and filing Police complaint by the concerned Institute/ authority against the candidate involved in such activities. (1+5)
25	Conduct of mischief or causing deliberate disturbance in examination hall. (e.g. making noise, disturbing others etc.)	Cancellation of performance in the subject/course during whose examination he/she caught. (Subject/ Course)
26	The examinees threatening/ intimidating the staff associated with examination.	Cancellation of the full performance in current examination plus debarment from appearing in the next two examinations. (1+2)
27	All other cases not covered above shall be dealt independently on the basis of severity of the cases reported to M.S.B.T.E., and all such cases to be placed before Special Committee and punishment be awarded as deemed fit.	

NOTE : Cancellation of the performance of current examination means cancellation of the entire performance of that examination. If the examinee has appeared in more than one examination simultaneously, as regular/ex-student and has been found guilty in one of the examination, his/her performance in all such examinations simultaneously attempted at the instance shall stand cancelled. The term granted to the alleged examinee and term-work marks, sessional/test marks etc. allotted to him/her shall remain unaffected, unless specifically cancelled by the penalty awarded.

Further, the candidate shall not be allowed to join any course/programme of this Board during the period of punishment imposed on him/her.

A Police Complaint may be lodged against the examinee or a person who is found involved in destroying or attempting/facilitating to destroy the evidence of the malpractices or answer books and/or supplements or any relevant documents.