

# **The Rajasthan Public Examination (Prevention of Unfairmeans) Act, 1992**

(Act No. 27 of 1992)

**Jaipur**

**1995**

**THE RAJASTHAN PUBLIC EXAMINATION (PREVENTION OF UNFAIRMEANS) ACT NO. 27 OF 1992.**

**An Act**

*to prevent the leakage of question papers and use of unfairmeans at public Examination and to provide for matters connected therewith and incidental thereto.*

Be it enacted by the Rajasthan State Legislature in the Forty-third year of the Republic of India as follows:—

1. *Short title, extent and commencement*—

- (1) This Act may be called the Rajasthan Public Examination (Prevention of Unfairmeans) Act, 1992.
- (2) It shall extend to the whole of the State of Rajasthan,
- (3) It shall come into force at once,

2. *Definition*—In this act—

- (a) “Examination Centre” means any *place fixed for* holding public examination and includes the entire premises attached thereto;
- (b) “public examination” means any of the examinations specified in the schedule.
- (c) “unfairmeans” in relation to an examination while answering question in a public examination, means the unauthorised help from any person or from any material written, recorded or printed, in any form, whatsoever, or the use of any unauthorised telephonic wireless or electronic or other instrument or gadget; and
- (d) the words and expressions used herein and not defined, but defined in the Indian Penal Code (45 of 1860) have the meanings respectively assigned to them in that code.

3. *Prohibition of use of unfairmeans*—No person shall use unfair-mean at any public examination.

4. *Unauthorised possession or disclosure of question paper*—No person who is not lawfully authorised or permitted by virtue of his duties so to do shall before the time fixed for distribution of question papers to examinees at a public examination—

- (a) Procure or attempt to procure or possess, such question paper or any portion or copy thereof or,
- (b) impart or offer to impart, information which he knows or has reason to believe to be related to, or derived from or to have a bearing upon such question paper.

5. *Prevention of leakage by person entrusted with examination Work*—No person who is entrusted with any work pertaining to public examination shall, except where he is permitted by virtue of his duties so

---

to do, directly or indirectly divulge or cause to be divulged or make known to any other person any information or part thereof which has come to his knowledge by virtue of the work being so entrusted to him.

6. *Penalty*—whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 4 or section 15 shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to two thousand rupees or with both.

7. *Penalty for offence with preparation to cause hurt*—whoever commits an offence punishable under section 6 having made preparation for, causing death of any person or causing hurt to any person or assaulting any person or for wrongfully restraining any person or for putting any person in fear of death or hurt or assault or wrongful restraint shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine which may extend to five thousand rupees.

8. *Power to amend Schedule*—The State Government may by notification in the Official Gazette, include in the Schedule any other public examination in respect of which it considers necessary to apply the provisions of this Act and upon the publication in the Official Gazette the schedule shall be deemed to have been amended accordingly.

### The Schedule

(Section 2)

1. Any examination conducted by the Board of Secondary Education for Rajasthan under the Rajasthan Secondary Examination Act, 1957 (Act No. 42 of 1957),
  2. Any examination conducted by any University established by law in India.
  3. Any examination conducted by the Rajasthan Public Service Commission or Union Public Service Commission.
-