

KARNATAKA ORDINANCE No. 1 OF 1982

THE KARNATAKA STATE CONDUCT OF EXAMINATION
ORDINANCE, 1982.

Arrangement of Sections

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SCHEDULE.

KARNATAKA ORDINANCE No. 1 OF 1982

THE KARNATAKA STATE CONDUCT OF
EXAMINATIONS ORDINANCE, 1982.

(Promulgated by the Governor in the Thirty third Year of the Republic of India and first published in the Karnataka Gazette Extraordinary on the Twenty seventh day of April, 1982).

An Ordinance to provide for penal action for adoption of unfair means of certain examinations held in the State and other matters connected therewith,

Whereas the Karnataka Legislative Council is not in session and only the Karnataka Legislature Assembly is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for penal action for adoption of unfair means at certain examinations held in the State and other matters connected therewith.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely :—

1. Short title and commencement.—(1) This Ordinance may be called the Karnataka State Conduct of Examinations Ordinance, 1982.

(2) It shall come into force at once.

2. Definitions.—In this Ordinance, unless the context otherwise requires.

(1) “recognised examinations” means an examination for the time being specified in the Schedule and includes evaluation, tabulation, publication of results and all other matters connected therewith; and

(2) “unfair means” in relation to any recognised examination means taking or giving or attempting to take or give any help other than one permissible, if any, under the rules applicable thereto from any material written, recorded or printed or from any person, in any form whatsoever.

3. Prohibition of the use of unfair means at examinations etc.—(1) No person shall adopt or take recourse to unfair means at any recognised examination.

(2) No person shall aid, abet or conspire in the use of unfair means at any recognised examination.

4. Restriction on copies of question paper and offer of information.—No person who is not lawfully authorised or permitted by virtue of his duties to do so, shall, before the time fixed for distribution of copies of a question paper to examinees at a recognised examination,—

(a) procure, attempt to procure or possess, such question paper or a portion of such paper or a copy thereof; or

- (b) impart or offer to impart, information which he knows or has reasons to believe, relates to or is derived from or has a bearing upon such question paper.

5. Prevention of leakage by person entrusted with examination work.—No person who is entrusted with any work connected with a recognised examination shall, except in the discharge of his duties, directly or indirectly divulge or cause to be divulged or known to any other person any information or part thereof which he has come in possession in the discharge of his duties.

6. Restriction on fake papers.—No person shall procure, possess, distribute or otherwise publicize or cause to be publicized any question paper as being the one or purporting to be the one that is to be given or likely to be given at an ensuing recognised examination.

7. Prohibition of loitering etc., near examination centre etc.—No person, save in the discharge of his duties or orders of his superiors, shall—

- (a) during the hours when a recognised examination is conducted at any recognised examination centre or where any evaluation or tabulation work relating to a recognised examination is done ; and
- (b) two hours preceeding the commencement of such examination, evaluation or tabulation work

on any date on which such examination is conducted or evaluation tabulation work is done,—

commit or cause to be committed any of the following acts within the premises of the recognised examination centre or at any place where evaluation or tabulation work is done or at any public or private place within a distance of one hundred metres of examination centre or the place of evaluation or tabulation work, namely :

- (i) Loiter ;
- (ii) distribute or cause to be distributed or otherwise publicize or cause to be publicized any paper or any other matters relating to such examination ; and
- (iii) indulge in such other activity as is likely to be prejudicial to the conduct of such examination or is likely to affect the secrecy there of :

Provided that nothing contained in this section shall apply in respect of **bona fide** activities of examinees appearing at the examination which is conducted at such examination centre.

8. Refusal of duties connected with examination prohibited.—No person assigned with invigilation work

or superintendence of any recognised examination at any centre or any other work connected with such examination or evaluation, tabulation or publication of results of such examination shall refuse to perform the duties assigned to him.

9. Penalty—Whoever contravenes any of the provisions of sections 3 to 8 shall on conviction be punished with imprisonment for a term which may extend to three months or with fine which may extend to three thousand rupees but shall not be less than five hundred rupees or with both.

10. Investigation etc.—(1) All offences under this ordinance shall be investigated by an officer of and above the rank of Inspector of Police.

(2) All offences under this Ordinance shall be cognizable and non-bailable.

SCHEDULE

[See section 2(2)]

(1) Examination conducted by or under the authority of any University established by an Act of the State Legislature.

2. Examination conducted by or under the authority of the Karnataka Secondary School Examination Board.

3. Examination conducted by the Karnataka State Board of Technical Education.

4. Examinations conducted by the Karnataka Pre-University Education Board.

5. Examinations conducted by the State Council for Vocational Education.

6. Such other examination as may be specified by the State Government, by notification in the Official Gazette.

KARNATAKA ORDINANCE No. 2 OF 1982

**KARNATAKA STATE UNIVERSITIES (AMENDMENT)
ORDINANCE, 1982**

Arrangement of Sections

Sections :

1. Short title and commencement.
2. Insertion of new section 34A.
3. Amendment of section 53.
4. Amendment of section 73.

KARNATAKA ORDINANCE No. 2 OF 1982

THE KARNATAKA STATE UNIVERSITIES
(AMENDMENT) ORDINANCE 1982

(Promulgated by the Governor of Karnataka in the Thirty third Year of the Republic of India and first published in the Karnataka Gazette Extraordinary on the 1st day of May 1982).

An Ordinance further to amend the Karnataka State Universities Act, 1976.

Whereas the Karnataka Legislative Council is not in session and only the Karnataka Legislative Assembly is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Karnataka State Universities Act, 1976 (Karnataka Act 28 of 1976) ;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely :—

1: Short title and commencement. —This Ordinance may be called the Karnataka State Universities (Amendment) Ordinance, 1982.

(2) It shall come into force at once.

2. Insertion of new section 34A.—In Chapter IV of the Karnataka State Universities Act, 1976 (Karnataka Act 28 of 1976) (hereinafter referred to as the principal Act), after section 34, the following new section shall be inserted, namely :—

“34A. Power of certain ex-officio members to nominate an officer to attend meetings of Senate etc.—Where an **ex-officio** member specified in items (4) to (10) of sub-section (1) of section 21 or items (ii), (iii), (x) and (xi) of section 24 or items (ix), (xiii) and (xv) of section 26 is unable to attend any meeting, as the case may be, of the Senate, Syndicate or the Academic Council, he may subject to the general or special orders of the Government, authorise in writing any officer to attend such meeting and the person so attending shall have the same rights at the meeting as that of the **ex-officio** member.”

3. Amendment of section 53.—In section 53 of the principal Act to sub-section (6) thereof, the following proviso shall, be inserted, namely :—

“Provided that on the recommendation of the University, permanent affiliation may be granted to a college which was affiliated continuously for a period not less than five years and fulfilled all the conditions of affiliation and attained the academic and admini-

strative standards prescribed by the University from time to time.”

4. Amendment of section 73.—In section 73 of the principal Act, for the words “one year and six months”, the words “two years” shall be substituted.