



Government of West Bengal
Office of the Principal

GAIGHATA GOVERNMENT POLYTECHNIC

Vill- Debipur, P.O.-Chandpara Bazar, P.S. & Block-Gaighata, 24Pgs(N). Pin:743245

Email: gaighatapolywb@gmail.com

Tel.: 03215 250393

Memo No.: GaigGP/10-Notice/239/2025

Date: 30.12.2025

NOTICE

Reference Memo No. WBSCTVESD/TED/2025-26/1116, Dated 18.12.2025

General Guidelines for the Invigilators

Guidelines regarding forthcoming external examinations of theoretical subjects for odd semester diploma students (Regular & Casual) in Engineering & Technology / MOPM / 3DAG (Academic Session 2025-26)

The WBSCT&VE&SD has decided to conduct External Theoretical Examinations for the odd semester Diploma students (Regular & Casual) in Engineering and Technology (Academic Session 2025-26) in January, 2026 at Gaighata Government Polytechnic.

- i) Carrying mobile phones or any reading material by the invigilators is strictly prohibited. The invigilators are expected to be vigilant and take frequent rounds in the exam hall.
- ii) Invigilators shall make announcement in the Examination hall that the use of electronic devices by the students shall not be permitted in the Examination hall. In this context, electronic devices include and are not limited to mobile phones, tablet devices, laptops, data storage watches ('smart-watches') with means for inputting or storing information and or capable of transmitting or receiving information.
- iii) The invigilators are expected to be tactful while dealing with complex situations and not to disturb the tranquility in the exam hall. In case of any problem he/she may bring the matter to the notice of the Centre-in Charge/Observer.
- iv) Invigilator should arrive at the venue at least 30 minutes before the start of the examination.
- v) Invigilator should remain in the Examination Hall throughout the period of the examination and shall make necessary announcements before, during and at the end of the Examination.
- vi) The invigilators must ensure that no student will be allowed to seat for the examination if he/she appears after the start of examination.
- vii) The invigilators must ensure that no student will be allowed to leave the examination hall during the examination for whatever purpose without submitting the answer script. In case of any emergency in this regard, the Centre-in-Charge will take the decision.
- viii) The invigilators must ensure that no student will be allowed to enter the examination hall if they are found to possess anything other than admit card, ID card, non-programmable calculator, pen, pencil and instrument box. Proper frisking should be done.
- ix) The invigilators must ensure that no bags / books are allowed in the examination hall.
- x) Attendance of the students must be recorded in presence of invigilators during the examinations.
- xi) The Invigilators are advised to follow the Memo No. GaigGP/10-Notice/238/2025

Dated 30.12.2025

Debnath 30/12/2025

DEBABRATA DEBNATH
Principal-in-Charge
Gaighata Govt. Polytechnic
Gaighata, 24 Pgs.(N)
Debnath Debnath
Principal-In-Charge
Gaighata Govt. Polytechnic
Govt. of (W.B.)
Gaighata, North 24 Pargan



Government of West Bengal

Office of the Principal

GAIGHATA GOVERNMENT POLYTECHNIC

Vill- Debipur, P.O.-Chandpara Bazar, P.S. & Block-Gaighata, 24Pgs(N). Pin:743245

Email: gaighatapolywb@gmail.com

Tel.: 03215 250393

Memo No.: GaigGP/10-Notice/238/2025

Date: 30.12.2025

NOTICE

Referance Memo No. WBSCTVESD/TED/2025-26/1116, Dated 18.12.2025

General Guidelines for the students

Guidelines regarding forthcoming external examinations of theoretical subjects for odd semester diploma students (Regular & Casual) in Engineering & Technology / MOPM / 3DAG (Academic Session 2025-26)

The WBSCT&VE&SD has decided to conduct External Theoretical Examinations for the odd semester Diploma students (Regular & Casual) in Engineering and Technology (Academic Session 2025-26) in January, 2026 at Gaighata Government Polytechnic.

i) All concerned students must carry the following documents:

a) Admit Card

b) Id Proof (Aadhar Card/Voter Id/Pan Card)

The students are allowed into the exam hall after properly verifying Admit Card and ID card of the students.

ii) All concerned students must display their ID card and Admit on the top right hand corner of the desk, so that an invigilator/Observer can check it.

iii) No student will be allowed to enter the examination hall if they are found to possess anything other than admit card, ID card, non-programmable calculator, pen, pencil and instrument box.

iv) Students must enter the examination hall 30 (thirty) minutes before the commencement of the examination.

v) No students should be allowed to enter the examination hall after commencement of examination.

vi) The students will not enter the examination centre with mobile phones. If anyone is caught entering the examination centre with a mobile phone, then the student's examination will be cancelled and the concerned students will be debarred from appearing subsequent examinations, if applicable.

vii) The students will be marked as **R.A. (Reported Against)** if any one of the below mentioned reasons occur during the examination. The reasons are:

- Entering the examination hall with a mobile phone,
- Cheating and other malpractice or using dishonest means,
- Harassing the invigilators or staff by the students,





Government of West Bengal
Office of the Principal

GAIGHATA GOVERNMENT POLYTECHNIC

Vill- Debipur, P.O.-Chandpara Bazar, P.S. & Block-Gaighata, 24Pgs(N). Pin:743245
Email: gaighatapolywb@gmail.com Tel.: 03215 250393

- d) Destroying the examination centre's property,
e) Tearing the answer scripts, secretly taking it outside the examination hall,
f) Repeated talking with other students in the examination hall during the examination ignoring the warning of invigilators.

viii) The use of electronic devices by the students shall not be permitted in the Examination hall. In this context, electronic devices include and are not limited to mobile phones, tablet devices, laptops, data storage watches ('smart-watches') with means for inputting or storing information and or capable of transmitting or receiving information.

IX) No student will be allowed to leave the examination hall during the examination for whatever purpose without submitting the answer script.

X) No student will be allowed to enter the examination hall if they are found to possess anything other than admit card, ID card, non-programmable calculator, pen, pencil and instrument box.

XI) No bags / books are allowed in the examination hall.

Debnath 30/12/2025

(DEBABRATA DEBNATH)
Principal-in-Charge
Gaighata Govt. Polytechnic
Gaighata, 24 Pgs.(N)
Debabrata Debnath
Principal-In-Charge
Gaighata Govt. Polytechnic
Govt. of (W.B.)
Gaighata, North 24 Pargan



**WEST BENGAL STATE COUNCIL OF TECHNICAL & VOCATIONAL EDUCATION
AND SKILL DEVELOPMENT**

(A Statutory Body under the Government of West Bengal Act XXVI of 2013)
Department of Technical Education, Training & Skill Development, Government of West Bengal
Karigari Bhawan, 4th & 5th Floor, Plot No. B/7, Action Area-III, Newtown, Rajarhat, Kolkata-700160

Memo No. WBSCTVESD/TED/2025-26/1116

Date: 18.12.2025

NOTIFICATION

Guidelines for the concerned Institutes and examinees regarding forthcoming external examinations of theoretical subjects for the odd semester diploma students (Regular & Casual) in Engineering & Technology/MOPM/3DAG (Academic Session 2025-26)

The WBSCT&VE&SD has decided to conduct external theoretical examinations for the odd semester diploma students (Regular & Casual) in Engineering & Technology/MOPM/3DAG (Academic Session 2025-26) in January 2026 at the respective diploma Institutes.

General guidelines for the aforesaid examinations are placed here in under for convenience of all concerned.

1. Guidelines for Institutes :

- i) Saraswati Press Ltd. (SPL) shall deliver the confidential materials directly to the local Police station (Safe Custody) of the examination centers.
- ii) SPL will supply question papers directly to the local Police station of the concerned Institutes by **10.01.2026**. SPL will supply Blank answer scripts and loose sheets in sealed packets to the Institutes by **06.01.2026**.
- iii) The packets containing question papers will be distributed to the Institutes in sealed packets of 20 copies in each packet.
- iv) Two members of the examination committee of the concerned Institute have to be present at the Police station during receipt of the confidential materials. One member of the team must be a teaching faculty. The members of the examination committee have to verify the confidential materials in the safe custody in presence of Police Personnel.
- v) One room has to be earmarked for all confidential activities related to the examinations. All teaching and non-teaching staff are prohibited from entering the aforesaid confidential room with mobile phones.
- vi) Concerned Institutes must send room wise seat plan of their examination halls latest by **06.01.2026**. Seating arrangement should be made in strict compliance with the following principles :
 - a) If benches are placed for seating arrangement, only two examinees are seated per bench with adequate space between them.
 - b) If desks are placed for seating arrangement, only one examinee is seated per desk & the gap between two desks should be enough to maintain dignity of examination.
 - c) A definite place should be assigned to each candidate and / or the desk allotted for the candidate should have the supplied Table Sticker pasted on it.
 - d) Adequate space should be allowed between two rows and candidate must not be seated on opposite side of the same table.
- vii) All concerned Institutes have to circulate the Public Examinations (Prevention of Unfair Means) Act, 2024 (Attached herewith) to all concerned students of their Institutes for prevention of any unfair means during the aforesaid examination.

- viii) Students with mobile phones are strictly prohibited from entering the examination centre. Following **THREE-LAYER** checking must be done to prevent entry of students with mobile phones in the examination hall.

LAYER I: Entry Point Screening (At the Gate/Entrance)

- a) A dedicated security checkpoint must be established at the entrance of the examination center. Each student must be required to pass through a security check, where a security personnel will conduct a visual inspection and ensure no mobile phones are visible or concealed.
b) All bags must be thoroughly checked by security personnel.
c) Students must be required to place all their belongings, including mobile phones, in a designated holding area or locker before entering the examination hall.

LAYER II: Identification and Bag Inspection (At the Examination Hall Entrance)-

- a) Before students enter the examination hall, they must be asked to show their examination admit cards and undergo a secondary inspection. An additional bag check will be conducted to ensure no mobile phones or unauthorized items are hidden within clothing or belongings. Students must be instructed to switch off their phones and deposit them in designated areas (if any students forget to submit them during initial checks).

LAYER III: Final Verification by Invigilators (Inside the Examination Hall)

Upon entering the examination hall, invigilators must conduct a final check to ensure no mobile phones have been smuggled inside. Random checks may be conducted by invigilators. Clear and visible signage must be placed inside the hall, reminding students that mobile phones are strictly prohibited.

Girl students are to be checked for mobile phones only by lady staff/ teachers/ invigilators.

- ix) The sealed packets of question papers must be opened only at the respective examination halls in presence of the Centre-in-Charge/Observer/One examinee of the hall.
- x) Question paper distribution will start only after invigilators and Centre-in-Charge are completely certain that no student is carrying a mobile phone.
- xi) Minimum two invigilators should be allotted in each examination hall.
- xii) Institutes should hold the examination in the classes which have CCTV installed and functioning as far as practicable. The CCTV should be switched on at all time of holding the examination and daily record must be sent to the Council by the concerned examination centres. Concerned Institutes should provide access of CCTV to the respective Observer(s) during examinations.
- xiii) In case there is any complaint of lawlessness, cheating and other malpractice from any examination centre, the result of the concerned examination centre may stand 'WITHHELD'.

2. Guidelines for Examinees:

- i) All concerned students must carry the following documents:
a) Admit Card
b) Id Proof (Aadhar Card/Voter Id/Pan Card)
The students are allowed into the exam hall after properly verifying Admit Card and ID card of the students.
- ii) All concerned students must display their ID card and Admit on the top right hand corner of the desk, so that an invigilator/Observer can check it.
- iii) No student will be allowed to enter the examination hall if they are found to possess anything other than admit card, ID card, non-programmable calculator, pen, pencil and instrument box.
- iv) Students must enter the examination hall 30 (thirty) minutes before the commencement of the examination.
- v) No students should be allowed to enter the examination hall after commencement of examination.

3. Guidelines for Centre-in-Charge:

- i) The Centre-in-Charge shall ensure all necessary arrangements in the Examination Halls at the Centre for smooth conduction of examination. Discipline of the examination centre must be maintained by the Centre-in-Charge. Discipline should also be so enforced that instances of adoption of unfair means of any kind or such malpractice can be prevented.
- ii) To prevent entry to the examination centres with mobile phones, the Centre-in-Charge is requested to inform the students in advance that the students will not enter the examination centre with mobile phones. If anyone is caught in the examination hall during examination with a mobile phone, then the student's examination will be cancelled and the concerned student(s) will be debarred from appearing subsequent examinations, if applicable.
- iii) Every Centre-in-Charge is requested to mark the students R.A. (Reported Against) if any one of the below mentioned reasons occur during the examination. The reasons are:
 - a) Entering the examination hall with a mobile phone,
 - b) Cheating and other malpractice or using dishonest means,
 - c) Harassing the invigilators or staff by the students,
 - d) Destroying the examination centre's property,
 - e) Tearing the answer scripts, secretly taking it outside the examination hall,
 - f) Repeated talking with other students in the examination hall during the examination ignoring the warning of invigilators.
- iv) Centre-in-Charge must send the name of the Observers who fail to report at the examination centre(s) by 10 am to the Council for necessary action.
- v) Centre-in-Charge will be responsible for safe custody of answer scripts after each day of examination.

4. Guidelines for Invigilators:

- i) Non teaching staff should not be posted as invigilators.
- ii) Subject teachers should not be posted as invigilators in the examination halls where the students are writing/ write the examination in that subject.
- iii) Carrying mobile phones or any reading material by the invigilators is strictly prohibited. The invigilators are expected to be vigilant and take frequent rounds in the exam hall.
- iv) Invigilators shall make announcement in the Examination hall that the use of electronic devices by the students shall not be permitted in the Examination hall. In this context, electronic devices include and are not limited to mobile phones, tablet devices, laptops, data storage watches ('smart-watches') with means for inputting or storing information and or capable of transmitting or receiving information.
- v) The invigilators are expected to be tactful while dealing with complex situations and not to disturb the tranquility in the exam hall. In case of any problem he/she may bring the matter to the notice of the Centre-in-Charge/Observer.
- vi) Invigilator should arrive at the venue at least 30 minutes before the start of the examination.
- vii) Invigilator should remain in the Examination Hall throughout the period of the examination and shall make necessary announcements before, during and at the end of the Examination.
- viii) The invigilators must ensure that no student will be allowed to seat for the examination if he/she appears after the start of examination.
- ix) The invigilators must ensure that no student will be allowed to leave the examination hall during the examination for whatever purpose without submitting the answer script. In case of any emergency in this regard, the Centre-in-Charge will take the decision.
- x) The invigilators must ensure that no student will be allowed to enter the examination hall if they are found to possess anything other than admit card, ID card, non-programmable calculator, pen, pencil and instrument box. Proper frisking should be done.

xi) The invigilators must ensure that no bags / books are allowed in the examination hall.

xii) Attendance of the students must be recorded in presence of invigilators during the examinations. A blank format of Attendance sheet is attached here in under as **Annexure-I**.

5. Answer scripts packing & submission Instructions:

i) After completion of each day's examinations, answer scripts must be shorted branch wise and shorted answer scripts must be kept in separate packets. **Answer scripts of all concerned branches of a common subject must not be kept in a single packet.** The packets containing answer scripts must be signed by the Observer and Centre-in-charge and sealed in presence of the Centre-in-Charge and Observer of the examination centre immediately after completion of each day's examination. Each sealed packet of answer scripts of the students must also contain two copies of question paper of the respective subject, one duly filled in and signed Attendance Sheet and one blank Marks foil for the appearing students in prescribed format (attached herewith as **Annexure-II**). A standard Top Sheet must be attached on each sealed packet. A blank format of Top Sheet is attached here in under as **Annexure-III**.

ii) Answer scripts of the students marked as R.A. must be separately packed and necessary proofs must be attached with the answer scripts of the concerned students. Written confession of the R.A. students must also be attached with the answer scripts. Sealed packed containing answer scripts of the R.A. students must be sent to the Council's office at Karigari Bhawan, (4th Floor, Room No: 408), Plot No. B/7, Action Area-III, Newtown, Rajarhat, Kolkata-700160 by special messenger latest by **03.02.2026**.

iii) There will be no separate packet for the answer scripts of casual candidate.


iv) Signed and sealed packets containing answer scripts of the students have to be submitted to the respective Centralized Distribution Centres (CDCs) through hired vehicle latest by **04.02.2026**. Necessary guidelines regarding submission of answer scripts of the said examination will be issued in due course of time.

v) Concerned Institutes must email the details of the answer scripts of their students in prescribed **Excel File** format (attached here in under as **Annexure-IV**) to the concerned Centralized Distribution Centres (CDCs) latest by **04.02.2026**.

vi) Concerned Institutes must submit branch wise hard copies of blank Marks foil for each subject of the appearing students in prescribed format (attached herewith as **Annexure-II**) to the respective Centralized Distribution Centres (CDCs) during submission of answer scripts at CDCs.

vi) All other modalities of the aforesaid examinations will be same as that of the even semester external theoretical examination held in May 2025.

Head of the Institute of all concerned Institutes must take note of the above and do the needful for successful completion of the examinations.



Senior Administrative Officer (Technical Education)
WBSCT&VE&SD

Memo No. WBSCTVESD/TED/2025-26/1116(2/4)

Date: 18.12.2025

Copy forwarded for information to:

1. The Chairperson, WBSCT&VE&SD
2. The Director, DTET
3. CAO, WBSCT&VE&SD
4. SAO (Examination), WBSCT&VE&SD


Senior Administrative Officer (Technical Education)
WBSCT&VE&SD



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-13022024-252006
CG-DL-E-13022024-252006

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 1] नई दिल्ली, सोमवार, फरवरी 12, 2024/ माघ 23, 1945 (शक)
No. 1] NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024

No. 1 OF 2024

[12th February, 2024.]

An Act to prevent unfair means in the public examinations and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Public Examinations (Prevention of Unfair Means) Act, 2024.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (I) In this Act, unless the context otherwise requires,—

(a) “candidate” means a person who has been granted permission by the public examination authority to appear in public examination and includes a person authorised to act as a scribe on his behalf in the public examination;

(b) “communication device” shall have the same meaning assigned to it in clause (ha) of sub-section (I) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(c) “competent authority” shall mean the Ministry or a Department of the Central Government administratively concerned with the public examination authority;

(d) “computer network”, “computer resource” and “computer system” shall have the meanings respectively assigned to them in clauses (j), (k) and (l) of sub-section (I) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(e) “conduct of public examination” shall include all the procedures, processes and activities, as may be prescribed, for being adopted for the conduct of public examination;

(f) “institution” means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, by whatever name it may be called, which is other than the public examination authority and the service provider engaged by such authority.

Explanation.—For the purposes of this clause, it is clarified that “company” includes a company as defined in clause (20) of section 2 of the Companies Act, 2013; or a limited liability partnership firm as defined in clause (n) of sub-section (I) of section 2 of the Limited Liability Partnership Act, 2008;

18 of 2013.

7 of 2009.

(g) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(h) “organised crime” means an unlawful activity committed by a person or a group of persons indulging in unfair means in collusion and conspiracy to pursue or promote a shared interest for wrongful gain in respect of a public examination;

(i) “person associated with a service provider” means a person who performs services for or on behalf of such service provider irrespective of whether such person is an employee or an agent or a subsidiary of such service provider, as the case may be;

(j) “prescribed” means prescribed by rules made under this Act;

(k) “public examination” means any examination conducted by the public examination authority, as specified in the Schedule, or conducted by such other authority as may be notified by the Central Government;

(l) “public examination authority” means an authority as specified by the Central Government by a notification, from time to time for conducting the public examinations;

(m) “public examination centre” means such premises, which is selected by the service provider or otherwise selected by the public examination authority, to be used for conduct of public examination and which, amongst others, may include any school, computer centre, institution, any building or part thereof and the same shall include the entire periphery and land appurtenant thereto which may be used for security and other related reasons for conduct of the public examinations; and

(n) “service provider” means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, including its associates, sub-contractors and provider of support of any computer resource or any material, by whatever name it may be called, which is engaged by the public examination authority for conduct of public examination.

(2) Words and expressions used herein but not defined and defined under any other law for the time being in force, shall have the same meanings as assigned to them in those laws.

CHAPTER II

UNFAIR MEANS AND OFFENCES

3. The unfair means relating to the conduct of a public examination shall include any act or omission done or caused to be done by any person or group of persons or institutions, and include but not be restricted to, any of the following acts for monetary or wrongful gain—

Unfair means.

- (i) leakage of question paper or answer key or part thereof;
- (ii) participating in collusion with others to effect leakage of question paper or answer key;
- (iii) accessing or taking possession of question paper or an Optical Mark Recognition response sheet without authority;
- (iv) providing solution to one or more questions by any unauthorised person during a public examination;
- (v) directly or indirectly assisting the candidate in any manner unauthorisedly in the public examination;
- (vi) tampering with answer sheets including Optical Mark Recognition response sheets;
- (vii) altering the assessment except to correct a *bona fide* error without any authority;
- (viii) willful violation of norms or standards set up by the Central Government for conduct of a public examination on its own or through its agency;
- (ix) tampering with any document necessary for short-listing of candidates or finalising the merit or rank of a candidate in a public examination;
- (x) deliberate violation of security measures to facilitate unfair means in conduct of a public examination;
- (xi) tampering with the computer network or a computer resource or a computer system;
- (xii) manipulation in seating arrangements, allocation of dates and shifts for the candidates to facilitate adopting unfair means in examinations;
- (xiii) threatening the life, liberty or wrongfully restraining persons associated with the public examination authority or the service provider or any authorised agency of the Government; or obstructing the conduct of a public examination;
- (xiv) creation of fake website to cheat or for monetary gain; and
- (xv) conduct of fake examination, issuance of fake admit cards or offer letters to cheat or for monetary gain.

Conspiracy for unfair means.

4. No person or group of persons or institutions shall collude or conspire to facilitate indulgence in any such unfair means.

Disruption to conduct public examination.

5. (1) No person, who is not entrusted or engaged with the work pertaining to the public examination or conduct of public examination or who is not a candidate, shall enter the premises of the examination centre, with intent to disrupt the conduct of the public examination.

(2) No person authorised, engaged or entrusted with the duties to conduct public examination shall, before the time fixed for opening and distribution of question papers—

(a) open, leak or possess or access or solve or seek assistance to solve such question paper or any portion or a copy thereof in unauthorised manner for monetary or wrongful gain;

(b) give any confidential information or promise to give such confidential information to any person, where such confidential information is related to or in reference to such question paper for monetary or wrongful gain.

(3) No person, who is entrusted or engaged with any work pertaining to public examination shall, except where he is authorised in furtherance of his duties so to do, reveal or cause to be revealed or make known to any other person any information or part thereof which has come to his knowledge for any undue advantage or wrongful gain.

Other offences.

6. If any person or group of persons or institution commits any unfair means or offence under sections 3, 4 and section 5, the service provider shall forthwith report the offence to the concerned police authorities and also inform the public examination authority:

Provided that if the service provider resorts to unfair means and commits the offence or is involved in facilitating an offence, the public examination authority shall report the same to the concerned police authorities.

No premises other than examination centre shall be used for public examination.

7. It shall be an offence for the service provider or any person associated with the service provider to cause any premises, other than the examination centre, authorised by the public examination authority, to be alternatively used for the purpose of holding public examination, without the written approval of the public examination authority:

Provided that nothing contained in this section shall be an offence where any change in the examination centre without prior consent of the public examination authority is due to any *force majeure*.

Offences in respect of service providers and other persons.

8. (1) Any person, including the person associated with a service provider, shall be deemed to have committed an offence if he individually or in collusion with any other person or group of persons or institutions assists any person or group of persons or institutions in any manner unauthorisedly in the conduct of public examination.

(2) Service provider or any person associated with it shall be deemed to have committed an offence if he fails to report incidence of any unfair means or commission of any offence.

(3) Where an offence committed by a service provider is, *prima facie*, established during investigation to have been committed with the consent or connivance of any director, manager, secretary or other officer of such service provider, such person shall also be liable to be proceeded against:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

CHAPTER III

PUNISHMENT FOR OFFENCES

9. All offences under this Act, shall be cognizable, non-bailable and non-compoundable.

Cognizable offences.

10. (1) Any person or persons resorting to unfair means and offences under this Act, shall be punished with imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed, as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Punishment for offences under this Act.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) The service provider shall also be liable to be punished with imposition of a fine up to one crore rupees and proportionate cost of examination shall also be recovered from such service provider and he shall also be barred from being assigned with any responsibility for the conduct of any public examination for a period of four years.

(3) Where it is established during the investigation that offence under this Act has been committed with the consent or connivance of any Director, Senior Management or the persons in-charge of the service provider firm, he shall be liable for imprisonment for a term not less than three years but which may extend to ten years and with fine of one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(4) Nothing contained in this section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

11. (1) If a person or a group of persons including the examination authority or service provider or any other institution commits an organised crime, he shall be punished with imprisonment for a term not less than five years but which may extend to ten years and with fine which shall not be less than one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Organised crimes.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) If an institution is involved in committing an organised crime, its property shall be subjected to attachment and forfeiture and proportionate cost of examination shall also be recovered from it.

CHAPTER IV

INQUIRY AND INVESTIGATION

12. (1) An officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police shall investigate any offence under this Act.

Officers empowered to investigate.

(2) Notwithstanding anything contained in sub-section (1), the Central Government shall have the powers to refer the investigation to any Central Investigating Agency.

CHAPTER V

MISCELLANEOUS

Members, officers and employees of public examination authority to be public servants.

13. The Chairperson, Members, officers and other employees of the public examination authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

Protection of action taken in good faith by any public servant.

14. No suit, prosecution or other legal proceedings under this Act, shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers:

Provided that the public servants in the service of any public examination authority shall be subject to administrative action in terms of service rules of such public examination authority:

Provided further that nothing shall prevent proceeding against such public servants where, *prima facie* case exists for establishing commission of an offence under this Act.

Provisions of this Act to be in addition to other laws.

15. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force:

Provided that the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law in force.

Power to make rules.

16. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) to lay down procedures, processes and activities for being adopted for conduct of the public examination;

(b) any other matter which is to be or may be prescribed.

Laying of rules.

17. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session, immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions within three years, not inconsistent with the provisions of this Act, as appear to it to be necessary for removal of difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

CHAPTER VI

AMENDMENT TO THE CRIMINAL LAW (AMENDMENT) ORDINANCE, 1944

19. In the Criminal Law (Amendment) Ordinance, 1944, in the Schedule, after serial number 5 and entries relating thereto, the following serial number and entries shall be inserted, namely:—

Amendment of
Ordinance 38 of
1944.

"6. An offence punishable under the Public Examinations (Prevention of Unfair Means) Act, 2024."

THE SCHEDULE

[See section 2 (k)]

ANY EXAMINATION CONDUCTED BY—

1. Union Public Service Commission.
2. Staff Selection Commission.
3. Railway Recruitment Boards.
4. Institute of Banking Personnel Selection.
5. Ministries or Departments of the Central Government and their attached and subordinate offices for recruitment of staff.
6. National Testing Agency.
7. Such other authority as may be notified by the Central Government.

DR. RAJIV MANI,
Secretary to the Govt. of India.