

University of Mumbai

Examinations Section, Mahatma Jotirao Phule Bhavan, Vidyanagari, Kalina,
Santacruz (East), MUMBAI - 400 098



No. Exam./Photo & Rev./Univ./VCD/ 4637 of 2010

Rules and Procedure for providing the Photo/Xerox copies of assessed answer-book/s to the examinee and Process of Revaluation of the Answer-book/s of the examinee who apply for the revaluations

(Examinations Conducted by the University)

WHEREAS as per the Order of the Hon'ble High Court of judicature at Bombay passed by a division bench consisting of their Lordship Chief Justice Dalvir Bhandari and Justice D. Y. Chandrachud, while hearing a group/bunch of petitions filed by students from different faculties, directing the University to restart revaluation in all faculties that has been scrapped since 2002, it was decided to restart the revaluation system in order to bring transparency on the examination system, and accordingly the Vice-Chancellor of University of Mumbai issued Directions No. Exam./Rev./VCD/785 of 2004 dated 17th November, 2004,

AND

WHEREAS considering the delay being caused due to the modalities and procedure of revaluation, it was decided to modify the procedure of issuing Xerox copy and revaluating the answer books,

AND

WHEREAS the Board of Examinations at its meeting held on 7th April, 2007 vide item No.6, appointed a committee to review the existing revaluation process and to suggest modifications for making the process more effective and faster,

AND

WHEREAS the said committee suggested the modifications and recommendations in that behalf and prepared a revised draft of the Vice-Chancellor's Directions to that effect,

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AND

WHEREAS considering the observation passed by the Hon'ble High Court in Writ Petition bearing No. 52 Of 2009 dated 31st August 2009, regarding completion of the process of revaluation expeditiously, and considering the importance and urgency of the matter,

AND

WHEREAS the said draft is finally approved by the Board of Examinations at its meeting held on 22nd October 2009 vide item No.04,

AND

WHEREAS, making of the new Rules and Regulations in this respect by the Management Council will take some time,

Now therefore, I, Dr. Chandra Krishnamurthy holding the charge of the Vice-Chancellor, University of Mumbai in exercise of powers conferred upon me under sub section (8) of section (14) of the Maharashtra Universities Act, 1994, hereby issue the revised **Directions in supersession of the earlier Directions No. Exam./Rev./VCD/785 of 2004 dated. 17th November, 2004 as under:-**

1. This direction may be called "Rules and procedure for Supply of Photo/Xerox copy of answer book/s to the examinee and for revaluation of the answer books of the examinee."
2. These directions shall come into force from the examinations to be held from the First Half of the Year 2010.
3. In this directions unless the context otherwise requires :
 - (a) "Act" means Maharashtra Universities Act, 1994.
 - (b) "Directions" means a direction issued in accordance with the provisions of sub-section (8) of section 14 of the Act.
 - (c) "College" means a College conducted by the University or affiliated to the University, situated in the University area, including autonomous College,

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academic institution/Department of higher learning not being a College, associated with and admitted to the privileges of the University including autonomous institution, University Institution and recognized institution, University department of higher learning, research or specialized studies, recognized to be so by the University and imparting undergraduate/post-graduate instructions or guidance for research.

- (d) "Principal" means a head of 'the College' {as defined in rule 3(c)}.
 - (e) "Examinee" means the examinee, who has appeared for the examination conducted by the University during the current session.
 - (f) "Answer book/s" means the answer book/s used by the examinee/s for answering the questions of theory paper of the examination.
 - (g) The "32 (5) (a) Committee" means a committee constituted by the Board of Examinations in accordance with the provisions of Clause (a) of sub-section (6) of Section 32 of Maharashtra Universities Act, 1994, in order to appoint paper-setters, examiners and moderators.
 - (h) The "32 (6) (a) Committee" means a committee constituted by the Board of Examinations in accordance with the provisions of Clause (a) of sub-section (6) of Section 32 of Maharashtra Universities Act, 1994, in order to investigate and recommend disciplinary action for malpractices and lapses against the person or persons involved in the malpractices directly or indirectly.
4. **Applying for Photo/Xerox copy of answer book and applying for Revaluation will be two independent processes.**
5. Applying for the Photo/Xerox copy of the answer book or having Photo/Xerox copy of the answer book shall not be a pre-requisite for applying for revaluation of the answer book in the said subject.

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6. The student can independently apply for Revaluation or Photo/Xerox copy or both simultaneously.

PART - I

Rules and Procedure for providing the Photo/Xerox copy/ies of assessed answer-book/s

7. The facility of obtaining Photo/Xerox copy/ies of assessed and/or moderated answer book/s by the examinee is extended with a view to bring transparency in the examinations system and ensure its credibility.
8. This facility, thus provided, shall be for theory papers only of all the examinations conducted by the University in the current session.
9. Under these rules applying for the Photo/Xerox copy/ies of answer-books shall not be permitted in respect of :
- The examinations conducted by the University at Post-graduates level in the faculties of Medicine, Ayurved, Dentistry and Unani Medicine.
 - The examinations conducted by the Director of the Institute of Distance Education/Principals of constituent/affiliated Colleges or Directors/Heads of University Departments/Recognized Institutions on behalf of the University.
 - The scripts of practical examination / sessional work / project work / dissertation / internal assessment / term work (including theory part) and in Viva voce /oral / practical examinations. However within seven (07) working days from the date of declaration of the results or on issue of the statement of marks by the College the candidate shall be allowed to apply in the prescribed format for the head wise internal split of his marks obtained at such examinations along with payment of non-refundable fee of Rs.100/- by cash or D.D. drawn in favour of the Principal of the respective College to which the candidate has registered for the said course; and the provisions of Rule 10 to Rule 24 shall be applicable mutatis mutandis, to

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the extent they shall be applicable, for supply of the head wise internal split of the marks, except that of applying for revaluation.

10. The Photo/Xerox copy/ies shall be sought by submission of application in the prescribed form along with the non-refundable fee of Rs.100/- per answer- book by the examinee. The said fee shall be remitted by cash or by D.D. drawn in favour of the Principal of respective Colleges to which the candidate to which the candidate belongs or through which the candidate has submitted the examination form. The examinees belonging to the reserved categories shall be granted 50% concession in the fee.
11. The prescribed application form for obtaining Photo/Xerox copy/ies of answer book shall have to be filled and signed by the applicant examinee only and shall be submitted to the respective College to which the candidate belongs or through which the candidate has submitted the examination form within seven (07) working days from the date of the declaration of result of the examination or receipt of the statement of marks by the College / institute, whichever is later.
12. Incomplete application forms shall be rejected without assigning any reason whatsoever and the fees paid along with the application form neither shall be refunded nor will any representation be entertained.
Note - a) It will be the responsibility of the College to distribute the statement of marks immediately on receipt from the University.
b) It will also be the responsibility of the student to collect the statement of marks from the College and apply for photo/Xerox copy/ies or / and revaluation within stipulated time.
c) No application after the due date will be entertained on any ground whatsoever.
13. The Principal of the College or Head of Department will publish the last date of submission of application for photocopy of each examination on the notice board.

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14. The respective College to which such applications for the Photo / Xerox copy/ies are submitted shall forward to the Controller of Examinations of University of Mumbai, the list of such applicants **within ten (10) working days** from the date of declaration of result or receipt of the statement of marks by the College, whichever is later (i.e. within three (3) working days from the last date of submission of forms), in such format and as per such procedure as shall be prescribed by the Controller of Examinations, along with Rs. 80/- per Photo / Xerox copy of the answer book / subject and retain Rs. 20/- per Photo / Xerox copy of the answer book / subject as the administrative expenses at the College out of Rs. 100/- per application received from the students.
15. The University shall endeavor to supply Photo/Xerox copy/ies of answer books as far as possible **within twenty five (25) working days from the date of receipt of application** to the University from the respective College through which the candidate has made the application for Photo/Xerox copy/ies of the answer book/s.
16. The Principal of the College shall publish the list of students on the Notice Board, whose Photo/Xerox copies are received from the University in the College.
17. The Photo/Xerox copy/ies shall be handed over by such respective College to the applicant examinee in person only and under no circumstances to any other person.
18. While obtaining the Photo/Xerox copy/ies from such respective College the applicant examinee shall have to produce the original receipt of submission of application form and to establish his/her identity, to the Principal or the Officer of the College authorized by him.
19. On receipt of Photo/Xerox copy/ies the applicant examinee shall be the sole custodian of it and under any circumstances the examinee shall not part with the custody/possession of the same and also shall not use the same for any other purpose/s.
20. The Photo/Xerox copy/ies so obtained by the examinee shall be for his/her exclusive and relevant use. Neither the said examinee nor any other person can use the said copy to

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dispute or challenge the quality of assessment or quantum of marks assigned to the answers therein.

21. If the examinee is found guilty of indulging in any unfair act/attempt he/she shall be liable to be tried before the Unfair Means Inquiry Committee of the University and the decision taken by the authorities based on the recommendation of the said committee shall be final.
22. If his/her indulgence/commission in unfair act/attempt is proved, the examinee shall be liable for the punishment ranging from: (i) cancellation of his/her marks in the said subject, either originally granted or granted on revaluation as the case may be, (ii) annulment of examination/s for a stipulated period of maximum up to 5 examinations, (iii) cancellation of his/her result of the examination etc.
23. On receipt of the photocopy if the discrepancy of following nature is noticed by the examinee, he should apply to the University through the Principal in the prescribed form along with the said photocopy and copy of the question paper **within seven (07) working days** from the date of publication of notice by the Principal of the respective College under clause No. 12 hereinabove, to be forwarded to the Controller of Examinations.

- i) Mistake in totalling
- ii) Non assessment of a question / sub-question if required

After due verification, the Controller of Examinations shall make necessary rectification in the marks allotted to the said subject and consequently in the result of the candidate without charging any further fee for rectification.

24. On receipt of the notice of the rectification of the result by the college as per the provisions above the Principal of the College shall forthwith intimate the candidate of such rectification, the candidate can apply for revaluation **within seven (07) working days** from the date of receipt of the rectified result, if he/she by such rectification becomes eligible for revaluation in the said subject, subject to other limitations

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contained herein; and the Principal of the College shall forward such application for revaluation within ten (10) working days from the date of receipt of the rectified result.

25. In case of non-assessment of question / sub-question the original assessor or if the answer book is moderated the moderator will be called for rectification. It will be binding on the concern examiner / moderator to attend the call of the University and it will also be the responsibility of the Principal to relieve the examiner / moderator under intimation to the Controller of Examinations to attend University on the given date or within four (04) working days if no specific date is communicated. Not attending the call of the University within stipulated period will be treated as misconduct and penalty of Rs. 100/- per day will be imposed on all concerned and recovered from the pay by the Principal on receipt of the intimation from the Controller of Examinations and the same will be deposited with the University. The concern examiner / moderator will be entitled for only travelling allowances.
26. The examinee is free to apply for Photo/Xerox copy/ies of answer books of as many subjects as he / she desires.

PART- II

Rules and Procedure for the Revaluation of the Answer-book/s

27. If the examinee is not satisfied with the marks awarded, he/she may independently apply for revaluation to the University through College in the prescribed form within the period and as the manner prescribed hereinafter, whether or not he/she has applied for Photo/Xerox copy/ies of the same.
28. This revaluation facility shall be for theory papers only of all the examinations conducted by the University for the respective current session.
29. Under these rules the revaluation of answer books shall not be permitted in respect of

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- i) The examinations conducted by the University at Post-graduates level in the faculties of Medicine, Ayurved, Dentistry and Unani Medicine.
 - ii) The examinations conducted by the Director of the Institute of Distance Education/Principals of constituent/affiliated Colleges or Directors/Heads of University Departments/Recognized Institutions, on behalf of the university,
 - iii) The marks awarded to the scripts of practical examination/ sessional work / project Work / dissertation / internal assessment/term work (including theory part) and in viva voce / oral / practical examinations.
30. A candidate can apply for the revaluation of the answer book of the subject only if he/she has secured at least 20% of the total marks in that subject or 40% of the marks required for passing in the said subject, whichever is less or the grade equivalent to the above criteria where grades are assigned to the theory papers.
31. The prescribed application form for revaluation of answer book can be obtained from the respective College to which the candidate belongs or through which the candidate has submitted the examination form.
32. The non refundable prescribed fees of Rs. 500/- per subject/answer book for the purpose of revaluation shall be paid by the examinee. The said fee shall be remitted by cash or by D.D. drawn in favour of the principal of respective College to which the candidate belongs or through which the candidate has submitted the examination form. The candidates belonging to the reserved categories shall be given 50% concession in the fees, provided a certified copy of the caste certificate is enclosed.
33. The prescribed application form for revaluation of answer book duly filled in and signed by the applicant examinee only is to be submitted to the concerned college office along with the statement of marks, prescribed fees as above and question paper/s for which he/she intends to apply for revaluation, **within seven (07) working days** from the date of the declaration of the result of the respective examination or from the date on which the

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college issued the statement of marks, whichever is later. Incomplete form and form not accompanied by relevant documents may be rejected without assigning any reason whatsoever.

34. The respective College to which such applications for the revaluation are submitted shall forward the list of such applicants along with forms and documents, to the Controller of Examinations, University of Mumbai **within fourteen (14) working days** from the date of declaration of result of respective examination or from the date on which the College received the statement of marks, whichever is later, in such format and as per such procedure as shall be prescribed by the Controller of Examinations, along with Rs. 450/- per subject for revaluation on retaining with itself Rs. 50/- per subject as the administrative expenses out of Rs. 500/- as fees for revaluation per subject.
35. The applications for revaluation received after the last date shall not be accepted by the University under any circumstances, whatsoever.
36. On receipt of the applications for revaluation from the Colleges, the subject wise consolidated information and list of the examiners for the process of revaluation shall be prepared. The examiners shall be appointed by the Controller of Examinations from the examiners panel approved by Board of Examinations on the recommendation by the Dean of the Faculty or the Chairman of the concerned Board of Studies for the process of revaluation.
37. The processing and co-ordination of the revaluation cases will be done by the Revaluation Unit; the verification and rectification, if required, in these cases will be done by the Revaluation Unit; assessment of the Revaluation process will be done by arranging the CAP and marks statement will be send to the CCF for processing and result/s will be declared with new result file of the revaluation by the respective Results Units of the Examinations Section.
38. Effect shall be given to the change in original marks on revaluation, as under:-

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(i) The marks obtained after revaluation shall be accepted by the Principal of the respective college, if the marks assigned to a paper as a result of revaluation, increase or decrease in revaluation by ten percent (10 %) or more than the marks originally obtained by the candidate in the paper without any grace, and in such cases the marks originally obtained by the candidate in the paper shall be treated as null and void and the marks obtained by the candidate after revaluation shall be accepted as the marks obtained in that paper. The fractions shall be ignored for the purpose of computing the ten percent (10%) difference in marks.

Notwithstanding what is stated above, the marks obtained after revaluation shall be accepted by the University, if the candidate gets benefit of passing the subject/examination or change of class or grade in that paper or in the overall result at the said examination with or without grace marks under the provisions of relevant Ordinances or as resolved by the examiners in the said subject.

(ii) Notwithstanding what is contained in clause 38(i) where the difference between the marks originally obtained by the candidate in the paper with corrections, if any, made during the process of revaluation without any grace marks and the marks obtained after revaluation will be accepted up to twenty five percent (25%) of the maximum marks assigned to that paper (Ignoring the fractions, if any). If the difference between the marks originally obtained by the candidate in the paper, if any, made during the process of revaluation without any grace marks, and marks obtained after revaluation increase or decrease by twenty five percent (25%) ignoring the fractions, if any, of the maximum marks assigned to that paper, a second revaluation of the said answer books be done by a third examiner from the panel of examiners for the said subject, in such an event the average marks of the first and second revaluations shall be accepted by the University as the final marks for the said subject.

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(iii) An answer book shall be sent for second revaluation to another senior examiner appointed by the Controller of Examinations in consultation with the Dean of faculty or Chairperson of the Board of Studies of the University if on the first revaluation a candidates marks are decreased below the passing marks or the marks required for securing a class from originally secured marks required for passing or for the particular class and the marks assigned by the third examiner in the second revaluation be treated as the final marks in the said subject.

(iv) The revised marks obtained by a candidate after revaluation, as accepted by the University shall be taken into account for the purpose of amendment of his results only and the said result shall be communicated to the student/s through Principal of the respective college.

39. The Principals of the Colleges shall be bound to make available the teachers required for revaluation on top priority basis on the day and date communicated by the Controller of Examinations.
40. It will be mandatory for the teachers of the Colleges to attend the revaluation work on top priority basis. If any teacher fails to comply with the orders, it shall be treated as misconduct and such teacher shall be liable for disciplinary action. If the Principal of the College fails to relieve the teacher for revaluation or the teacher fails to attend the work of revaluation, penalty of Rs. 100/- per day may be imposed on all concerned and the same shall be recovered from the pay by the Principal of the College or any other authority responsible to draw the salary and the same shall be credited to the University funds as directed from time to time.
41. The remuneration for examiner/s appointed shall be paid at the rate of Rs. 20/- per answer book and Rs. 120/- as travelling allowances per day; or the lump sum remuneration of Rs. 320/- shall be paid to the examiner if the answer books available for revaluation at the revaluation centre are less than 10 (ten) when the examiner visits the revaluation centre

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from other colleges. The examiner/s from the University Department shall not be entitled for the travelling allowance.

42. The answer books already revaluated shall not be moderated or further re-revaluated, unless so directed by the Vice-Chancellor, in exceptional cases.
43. The whole process of revaluation shall be completed as far as possible within a period of forty five (45) working days from the date of receipt of the application for revaluation by the University.
44. **THE PHOTO/XEROX COPY OF THE REVALUATED ANSWER-BOOK/S SHALL NOT BE PROVIDED TO THE EXAMINEE/S.**
45. Pending the process of revaluation, and subject to the availability of the seats in the college, the student may be admitted to the next higher class to which he could have been admitted if he/she had passed in the said examination or had been granted A.T.K.T. for admission to the next class in the original examination as per the rules applicable for the stream and faculty of his education, as per the following norms:-
- (i) The student may be admitted to the next higher class to which he could have been admitted if he/she had passed in the said examination or had been granted A.T.K.T. for admission to the next class in the original examination as per the rules applicable for the stream and faculty his/her education, if he/she had originally obtained required passing marks in the papers in which he/she had applied for revaluation,
 - (ii) The college shall be entitled to charge fees of Rs. 500/- at the time of granting admission *to such students* to the next class before declaration of the result of the revaluation,
 - (iii) Such admission shall be provisional; and automatically stands cancelled on receipt of the result of revaluation process, if the student is not declared passed in the requisite number of the subjects on revaluation which would entitle him/her to

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take admission in the next higher class, and in such case the fees originally collected by the college or any part of the same shall not be refunded.

46. In case if the student is declared pass in the requisite number of the subjects on revaluation which would entitle him/her to take admission in the next class as per the Ordinances / regulations, the provisional admission will be regularized in the college:-
- (i) In case of the reserved category student or other students who are entitled to get the fee concession, on appropriating the amount equal to the amount of fees which the College can collect from the student and the balance amount shall be refunded to the student at the time of confirmation and continuation of his/her admission. (ii) In case of other students, the said amount shall be deducted from the total fees which the College or the institution is entitled to collect from the student as per the rules applicable.
47. Pending the declaration of the result of the revaluation, the students who have taken admission to next higher class, as mentioned above, shall be allowed to appear at the examination of the next class and their results of the next examinations shall be declared only on their passing in the requisite number of the subjects on revaluation which would entitle them to take admission in the next class; and in case the students does not succeed in passing in such requisite number of subjects, their admission to the examinations of the next class, their performance and results of the same shall be treated as null and void.
48. Examiners and/or moderators, if found careless in the original assessment, the appropriate action will be taken as per the rules and regulations of the University.
49. The Controller of Examinations will prescribe the detailed office / administrative procedure.

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This VCD shall come into force with immediate effect i.e. First Half 2010 Examinations and shall remain in force till new rules and regulations in pursuant to the subject matters dealt with in this VCD are made by the appropriate authorities

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Date: 05th April, 2010

(Dr. CHANDRA KRISHNAMURTHY)
Ag. VICE-CHANCELLOR

No. Exam /Photo & Rev./College/VCD/ 4637-A of 2010

To,

The Directors / Heads of the University Departments, Professor-cum-Director of Institute of Distance & Open Learning, The Principals, Sir J.J. College of Architecture and the Principals / Directors of the affiliated colleges / Institutes are requested to implement the above VCD immediately.

Copy forwarded with compliments for information to:-

1. The Secretary to His Excellency Chancellor of University of Mumbai, Rajbhavan, Malbar Hill, Mumbai.
2. The Principal Secretary, Higher & Technical Department, Government of Maharashtra.
3. The Secretary to the Chairman, University Grant Commission, Delhi, Bahadur Shah Zafar Marg, New Delhi. 110002.
4. The Director of Higher Education, Higher Education Maharashtra State, Central Building Pune, 411001.
5. The Director of Technical Education, Directorate of technical Education, Maharashtra State Mahapalica Marg, Mumbai.
6. The Joint Director, Higher Education, Mumbai Region, Mahapalica Marg, Mumbai.

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7. The Joint Director, Technical Education, Mumbai Region, Khetwadi, Bandra. Mumbai.
8. The Deans of faculties of Arts, Science, Commerce, Law, Technology & Fine Arts of University of Mumbai.

Copy to:-

The Director (CCF), the Director (Students Welfare), Director (Adult & Continuation Education & Extension), the Co-ordinator (Ratnagiry Sub centre), All Deputy Registrar, All Assistant Registrar, Assistant Registrar (Ratnagiry Sub centre), Executive Secretary to the Vice Chancellor, Personal Assistant to the Pro-Vice Chancellor, Personal Assistant to the Registrar, Personal Assistant to the Director (BCUD), Personal Assistant to the Controller of Examinations, Personal Assistant to the Finance & Accounts Officer.

Mumbai - 400 098
Date: 05th April, 2010

(Prof. Vilas B. Shinde)
Controller of Examinations