

**THE JAMMU AND KASHMIR BOARD OF PROFESSIONAL ENTRANCE
EXAMINATIONS RULES, 2014**

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**THE JAMMU AND KASHMIR BOARD OF PROFESSIONAL ENTRANCE
EXAMINATIONS RULES, 2014**

Administrative Reforms and Trainings Department 'Notification SRO-168 dated 10th of June, 2014.— In exercise of the powers conferred by section 23 of the Jammu and Kashmir Board of Professional Entrance Examinations Act, 2002, the Government hereby makes the following rules namely:—

1. *Short title, commencement and extent.* —(1) These rules may be called the Jammu and Kashmir Board of Professional Entrance Examinations Rules, 2014.

(2) These shall come into force from the date of their publication in Government Gazette.

(3) These rules shall govern the matters relating to the functioning of the Board of Professional Entrance Examinations including the conduct of entrance tests, and making selection of candidates for admission to courses mentioned in rule 3 of these rules and the matters incidental thereto.

(4) Words or expressions used in these rules but not defined herein, shall have the same meaning as assigned to them respectively in the Jammu and Kashmir Board of Professional Entrance Examinations Act, 2002, and the Jammu and Kashmir Reservation, Act 2004 or the rules made thereunder.

2. *Definitions.* —(1) In these rules, unless the context otherwise requires,—

- (a) 'Act' means the Jammu and Kashmir Board of Professional Entrance Examinations Act, 2002 ;
- (b) 'available seat' means a seat against which admission is to be made in respect of a course in professional institutions ;
- (c) 'Board' means the Board constituted under section 3 of the Jammu and Kashmir Board of Professional Entrance Examinations Act, 2002 ;
- (d) 'candidate' means an applicant who makes an application for appearing in the entrance test conducted by the Board ;
- (e) 'competent authority' means the authority competent to issue a reserved category certificate under the Jammu and Kashmir Reservation Rules, 2005 ;
- (f) 'counseling' means an opportunity provided to the candidates on the basis of their merit for indicating the choice/preferences about allotment of seats/streams/colleges/institutions ;

- (g) 'entrance test' means the test conducted by the Board under these rules to determine eligibility of the candidates for recommending admission to a particular course ;
- (h) 'merit' means the merit as determined under rule ;
- (i) 'prescribed' means prescribed under these rules ;
- (j) 'qualifying examination' means examination on the basis of which a candidate becomes eligible to appear in the entrance test ;
- (k) 'reserved categories' means the categories for which reservation in admissions is made under the Jammu and Kashmir Reservation Act, 2004 and the rules made thereunder ;
- (l) 'shortfall seat' means a seat which remains vacant due to non-joining of the candidate who stands selected through counseling, or otherwise, in any course/stream/college;
- (m) 'vacant seat' means a seat which remains vacant due to non-availability of a candidate ;
- (n) 'waiting list' means the list of the candidates, both open and reserved category, over and above the available seats against which admission has been recommended, who can be considered against short fall seat(s).

(2) The following words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Jammu and Kashmir Board of Professional Entrance Examinations Act, 2002:—

- i. Board ;
- ii. Chairman ;
- iii. Controller of Examinations ;
- iv. Financial Advisor/Chief Account Officer ;
- v. Government ;
- vi. Law Officer ;
- vii. Member ;
- viii. Professional Courses ;
- ix. Professional Institutions ;

x Secretary ;

xi State.

3. *Courses.*— The Board is competent to conduct entrance test for recommending admission to Professional Courses in Professional Institutions as defined in clauses (g) and (h) of section 2 of the Act and such other courses as notified by Government from time to time.

¹[4. *General Eligibility for Admission.*— Any candidate interested in appearing in any entrance test, conducted by the Board, must possess Domicile Certificate issued under the Jammu and Kashmir Grant of Domicile Certificate (Procedure) Rules, 2020 and such age and qualification, including of category certificate and experience, as prescribed by the Government for such course from time to time.]

5. *Reservation for candidates for admission to various Professional Courses.* —(1) The reservation of admissions shall be applicable only in Government run colleges as notified by the Government from time to time, unless otherwise prescribed specifically or notified for any private College.

(2) The percentage of seats to be allotted to each category shall be such as notified by the Government from time to time.

(3) The benefit of reservation shall be available to the concerned candidate only if the attested photo copy of the valid category certificate is attached with the non-scanable form and category Code mentioned in the original application form (both scanable and non-scanable form) at the time of its submission before the expiry of the last date.

(4) Where a category certificate has not been issued by the designated authority, the candidate shall not be given an opportunity to validate it after the expiry of the last date for submission of the application form.

(5) No notice shall be given to a candidate whose category certificate has been found invalid by the Board and such a candidate shall be considered in open merit, if found otherwise eligible.

(6) The category certificate issued after the expiry of the last date shall in no case be accepted.

(7) No under process certificate shall be accepted/entertained at any cost.

(8) Where a candidate has valid category certificate at the time of submission of the form but its validity period is to expire before the date of counselling, such

1. Rule 4 substituted by S.O. 175 of 2020 dated 20.5.2020.

candidate shall get his certificate renewed by or before the date of counselling, otherwise he/she will not get benefit of the category.

(9) Where a candidate fails to submit reserved category certificate along with the “Application Form”, his/her application will be considered under Open Merit category.

(10) A candidate can apply/opt for one reserved category only and choice regarding reserved category once exercised shall be final and at no stage shall be allowed to be changed.

(11) A candidate will be considered only for one reserved category for selection against the seats reserved for that category for which code has been recorded at relevant Serial No. of the application form even if he/she is eligible to be considered for seats available in more than one category.

(12) Where a candidate mentions his category code in the scanable form and indicates another category code on non-scanable form, he/she shall be considered only for the category given in scanable form.

(13) The Board shall follow a rotational policy of odd / fractional seats of contiguous categories by clubbing them together to make it a whole number seat which shall be allotted to the candidate of the clubbed categories by following rotational policy between male and female candidates where such reservation is provided under rules.

(14) The fractional seats of contiguous categories other than given herein above shall be clubbed together to make it whole number (1 seat) which shall be allotted to the candidate of the clubbed categories.

(15) The Board shall try as far as possible to incorporate the seat matrix for each course in the year in which admission is made.

6. *Competent authority.*— Authorities competent for issuing reserved category certificates shall be such as notified by the Government from time to time:

Provided that in the case of Children of Defense Personnel other than core service, a candidate having a certificate that his/her father is working in Defence Establishment (Military Engineering Service or other service of like nature) where salary is paid out from Defence Estimates is not entitled to the benefit of CDP Category. Where this certificate is wrongly accepted and the candidate gets admission on the basis of this certificate, the admission of such candidate will be cancelled as and when this mistake comes to the knowledge of Board or brought to its notice :

Provided further that the candidates having “Outstanding Proficiency in Sports” must submit their certificates to the Secretary, J& K Sports Council for awarding points which will be then officially forwarded to the Board by the Sports Council. The Board shall not be responsible where a candidate fails to submit certificates to the Council or Council fails to forward the points of a candidate to the Board. It shall be the sole responsibility of the candidate to ensure that his/her sports points are forwarded by the Council to the Board.

7. *Other Conditions.* —(1) The Board shall neither be responsible for any mistake committed by a candidate during filling up of application or counselling form under any circumstances what so ever nor shall it accept the plea of the candidate that he/ she was misguided by any official of the Board.

(2) Where the information given by the candidate in the non scanable form is in conflict with the information given in the scanable form, the information given in the scanable form shall be treated as final.

(3) The information furnished by the candidate in the application form/ counselling form shall be deemed to have been given by him/ her and shall in no case be attributed to any official of the Board.

8. *Procedure for transaction of business.* —(1)The Board shall meet as often as may be necessary for the transaction of its business as may be brought formally or informally before it. Formal agenda will be got prepared and circulated in advance by the Secretary or any other officer nominated by Chairman for consideration of Board. The Board may meet and consider such matters as may be brought up before it even in the absence of a formal agenda. However, action on decisions taken in the absence of a formal agenda, not circulated in advance, shall not be taken until minutes thereon are confirmed.

(2)All procedural matters relating to the business of the Board, including the fixation of schedules for the examinations, counselling and/or fixing dates for the meetings of the Curriculum, and Advisory Committees shall be decided upon by the Chairman on the recommendation of Controller of Examinations. As soon as the dates for such examinations/ schedules are finalized, all members of the Board shall be apprised of the same.

(3) If the Chairman is unable to be present at a meeting of the Board on account of his being on leave or for any other reason, the period of absence being not more than 10 days, the senior most member shall, until the Chairman resumes his duties, perform the duty of the Chairman :

Provided that in case the Chairman/member does not take part in any selection or meeting of the Board for reasons of close kinship with a candidate, the next

senior most member of the Board shall perform the duties of the Chairman in such selection/meetings.

9. *Quorum of the Board.*— Where the number of members is even, one half of the number with the addition of one shall constitute quorum for the meeting. Where the number is odd, the quorum shall be such number as may exceed half the total number of members.

10. *Decision of the Board.* —(1) Decision at the meeting of the Board shall be taken in keeping with the views of majority of members thereof. The Chairman shall have casting vote in case of tie. Where a case is circulated and a difference of opinion exists, the case shall be again referred to the dissenting member(s). In case such member(s) stick(s) to the views already expressed by him/them, the case shall be put up as a regular agenda item at a meeting of the Board for final decision.

(2) It shall be open to any member who dissents from the decision of the majority, to place on record his/her dissent and reasons for his dissent.

11. *Record of decisions.* —(1) All decisions of the Board shall be recorded by the Secretary. The draft of the minutes of the meeting shall be put up by the Secretary to the Chariman for approval; thereafter the minutes shall be circulated to members and subsequently brought up for formal confirmation at the next meeting of the Board.

(2) The Board may refer any matter to any individual member or to a committee of members for examination and report. It may also take advice/assistance from any other person, as it may deem fit and necessary.

(3) The decision/advice of the Board shall wherever necessary be communicated to the concerned department in the form of a letter signed by the Secretary.

12. *Curriculum Committees.* —(1) There shall be constituted a 'Curriculum Committee' of experts of subject specialized by the Board from amongst Principals, HODs, senior concerned faculty members of the Higher Secondary Institutions, Colleges or University.

(2) The Committee shall have such number as to represent each subject of the course concerned and shall meet at least once in a year.

(3) The Committee shall be for a period of two years.

(4) The meeting of the Committee shall be chaired by the Chairman.

13. *Functions of Curriculum Committee.*— The Committee shall perform such functions as may be assigned to it by the Board and may recommend—

- (i) syllabus of papers for entrance examinations ;
- (ii) marks distribution of the course contents ;
- (iii) the pattern of the question papers ;
- (iv) maximum marks in each paper ;
- (v) duration of time for each paper ;
- (vi) any other measure necessary for carrying out entrance test more effectively.

14. *Constitution of Advisory Committee.* —(1) The Advisory Committee shall be constituted by the Government under sub-section (1) of section 22 of the Act.

(2) The Committee shall have the life of two years.

(3) The Committee shall comprise the following:—

(A) *Ex-officio Members:*

- (i) Chairman ;
- (ii) Controller of Examinations ;
- (iii) Secretary of the Board ; and
- (iv) Chairman, Permanent Statutory Committee or his nominee.

(B) *Academics from amongst the—*

- (i) Dean Academic Affairs of Jammu and Kashmir Universities and SKIMS.
- (ii) Dean College Development Council of Jammu and Kashmir Universities.
- (iii) Heads of the Departments of Jammu and Kashmir Universities.
- (iv) Principals of the Colleges and Higher Secondary Schools having Specialization in subjects of Physics, Chemistry, Biology, Mathematics and English.
- (v) Principals of the Government Medical Colleges of Jammu, Srinagar and ASCOMS.

- (vi) Principals of Government Dental Colleges of Jammu, Srinagar and IDS Jammu.
- (vii) Professors of Universities of Jammu and Kashmir having Specialization in subjects of Physics, Chemistry, Biology, Mathematics and English.
- (viii) Associate Professors of universities of Jammu and Kashmir and Colleges having Specialization in subjects of Physics, Chemistry, Biology, Mathematics and English.
- (ix) Lecturers of Higher Secondary Schools having Specialization in subjects of Physics, Chemistry, Biology, Mathematics and English ; and

(C) Govt. Officers:

- (1) Administrative Secretaries to Government incharge of ARI & Trainings Department, General Administration Department, Health and Medical Education Department, Higher Education Department, Technical Education Department, his or their nominee, not below the rank of Additional Secretary.
- (2) The quorum of the Advisory Committee shall be five excluding the ex-officio members.
- (3) The meeting of the Advisory Committee shall be convened at least once a year on such date, venue and time as may be decided by the Chairman of the Board.
- (4) The number of members to be invited in an Advisory Committee meeting shall be decided by the Chairman of the Board.
- (5) The Secretary of the Board shall prepare the Agenda which will be discussed in the meeting and minutes of the meeting shall be approved by the members of the Advisory Committee and issued after approval of the Chairman.
- (6) The Advisory Committee shall meet at least once in each academic year.

15. *Functions of the Advisory Committee.*— The functions of the advisory Committee shall include—

- (a) to frame policies for the smooth and transparent functioning of the Board ;
- (b) to devise policies to ensure efficient conduct of the entrance tests by the Board ;
- (c) to suggest measures for maintenance of records of the entrance tests conducted by the Board ;
- (d) to approve any plan submitted by the Board to ensure timely conclusion of the admission process and counseling thereof ;
- (e) to approve any contingency plan prepared by the Board to strengthen the existing infrastructure ;
- (f) to approve any proposal prepared by the Board for consideration of the Government ; and
- (g) to approve Annual Report prepared by the Board.

16. *Coordination Committee for Conduct of Entrance Test.* —(1)The Chairman for his assistance shall appoint a Coordination Committee of officers to be nominated by him.

(2) The Committee shall coordinate all the activities relating to the conduct of entrance test(s) right from the date of issue of notification for the conduct of entrance test.

(3) The Controller of Examinations shall act as Convener of the Coordination Committee.

(4) The Committee shall perform such other duties as the Chairman may assign from time to time.

(5) The Convener of the Committee shall keep the Chairman posted about the progress of each activity and seek his guidance wherever required.

17. *Administrative and Financial Powers.* —(1) The Chairman shall be competent to:—

- (a) suspend delinquent official(s) of the Board ;

- (b) censure delinquent officials after issuing show cause notice and holding proper inquiry ;
- (c) sanction leave of any kind of the officers including members of the Board ;
- (d) sanction deputation of officers and other staff on official duty within and outside the state ;
- (e) authorize expenditure within the budget allocation for purchase of furniture, stationery and liveries to the staff and printing of forms and brochures ;
- (f) authorize expenditure on account of :—
 - (i) traveling allowances ;
 - (ii) medical reimbursement ;
 - (iii) honorarium as per the rules and norms of the Government to official and non-official members ;
 - (iv) ex-gratia payment to employees ;
 - (v) refreshment charges/off day allowance to staff working on holidays and after office hours ;
 - (vi) advertisement charges ;
 - (vii) repair and maintenance of all equipment including furniture and fixtures ;
- (g) approve tenders and contracts ;
- (h) write off irrecoverable losses and value of unserviceable stores up to the value of the Rs. 50,000/- ;
- (i) exercise an overriding power in respect of any thing done or proposed to be done in the Board while dealing with the day to day business of the Board ;
- (j) authorize all payments connected with conduct of examinations including payment to question paper setters/moderators and evaluators/ secret agencies ;

- (k) authorize any other expenditure not covered above as may be required for smooth working of the Board ;
- (l) authorize re-appropriation from one major/minor head to another except salaries and allowances ; and
- (m) exercise such other administrative and financial powers as are vested with the Principal Secretaries to Government.

(2) In absence of any member, the Chairman shall exercise full powers of the Board as provided under sub-sections (1) and (2) of section 9 the Act.

(3) In addition to the powers mentioned in sub-section (1) of section 12 of the Act, the Controller of Examinations shall be responsible to:—

- (a) prepare enrolment statements of applicants appearing in the entrance tests ;
- (b) arrange centres for conduct of tests in the cities of Jammu and Srinagar ;
- (c) make arrangements for the deployment of Police around the location of centers to check undue interference by unwanted people ;
- (d) arrange and procure various articles as required by the centres for conduct of examinations ;
- (e) arrange meeting(s) of the Chief Superintendents and Superintendents and Assistant Superintendents of various centres and explain to them the modalities for conduct of test ;
- (f) supply to the Superintendents a copy of centre notice and guidelines for superintendents/supervisory staff on the basis of which they shall visit the centres one day before the examination, prepare seating arrangement chart to be pasted outside the hall and mark roll numbers on the desks as per seating arrangement chart ;
- (g) visit all the centres in order to ensure that the examination is conducted fairly and keep the Chairman informed ;
- (h) outsource various services including end to end services relating to conduct of entrance test to the private (Secret) agencies ;
- (i) arrange for computerization of data relating to the conduct of the entrance test, evaluation of the answer sheets, determination of order of merit of the candidates, fixing the seat selection schedule, arranging

counselling process, issue of admission orders to the candidates etc. under the supervision of the Chairman ;

- (j) arrange the payment of remuneration to the personnel engaged in matters relating to the conduct of entrance tests, seat selection and maintenance of accounts pertaining there to ;
- (k) ensure safe custody and proper maintenance of records of the entrance tests and process of seat allotment ; and
- (l) perform such other duties as the Chairman may assign from time to time.

(4) In addition to the powers mentioned in sub-section (5) of section 11 of the Act, the Secretary of the Board shall:—

- (a) exercise administrative/disciplinary control over the subordinate staff of the Board and personnel engaged on contract :

Provided that the Secretary shall issue show cause notice and call explanation of the employee before disciplinary action is taken ;

- (b) correspond with various departments of the Secretariat and Principals of the professional institutions/colleges, seeking information for the conduct of entrance tests and completion of admission ;
- (c) submit, with the prior approval of the Chairman, proposals to the administrative department for decision/orders ;
- (d) sanction expenditure not exceeding Rs. 10,000 on each item (as per rules) for purchase of stationery, printing of forms, purchase of furniture and other requirements of the office after approval of chairman.

18. *Rendering of Accounts by the Controller of Examinations.* —(1) The accounts against the advances drawn by the Controller of Examinations for setting of question papers / keys, moderation, printing of question papers or payment made to the private (secret) agency for doing end to end works and payments to computer agency for doing examination related works and all connected confidential work including details of travel, shall be compiled by him and submitted to the Chairman along with the relevant vouchers. The Chairman, after satisfying himself shall admit the accounts.

(2) A certificate shall be recorded by the Controller of Examinations and counter signed by the Chairman, which shall remain in the office as Voucher towards the expenditure for purpose of accounting and audit.

(3) After issue of the certificate as stated above, the vouchers and receipts maintained by Controller of Examinations shall be destroyed.

19. *Functions of Financial Advisor / Chief Accounts Officer.* —(1) The Financial Advisor/Chief Accounts Officer shall be responsible to—

- (i) see that the accounts of the Board are maintained strictly under rules ;
- (ii) reconcile withdrawals from the payments into bank/treasury in respect of the Board office ;
- (iii) operate bank accounts ; and
- (iv) perform any other function as may be assigned to him by the Chairman from time to time.

(2) The Financial Advisor/Chief Accounts Officer shall be the Drawing and Disbursing Officer of the Board.

20. *Destruction of Examination Records.* —(1) Chairman shall constitute a Committee consisting of at least three officers of the Board for destruction of records pertaining to entrance tests unless any such record is required in connection with any proceedings pending before any competent court or authority.

(2) All Application forms and OMR answer sheets of candidates selected/ not selected shall be destroyed after three months after declaration of result of entrance test.

(3) The Committee members shall furnish a Certificate to the effect that all such record has been destroyed in their presence. The certificate after perusal of the Chairman shall be preserved in record.

(4) It shall be obligatory on the part of the Board to destroy the aforementioned record each year excepting the portion as may be required in connection with any proceedings pending before any competent court or authority.

21. *Constitution of Committees.*— The Board may constitute such committees as necessary for conduct of various activities (such as coordination, purchase etc.) of the Board.

22. *Procedure for Conduct of Examination.* —(1) *Collection of data from the Professional Institutions.*— At least three months before the commencement of an academic session all institutions offering professional courses shall intimate the Board of Professional Entrance Examinations, (up to specified date), the total number of seats available for which selection is required to be made.

(2) *Issuance of Notification.*— Application for permission to appear in an examination shall be invited by the Controller of Examination/Secretary by publishing a notification in the two local dailies of the State as well as placing it on the website of the Board.

(3) *Submission of Application.*— Every application shall be submitted on the form as prescribed by the Board and shall, besides other things specified in the form in the information brochure, be accompanied by other documents as specified in the Notification.

(4) *Refund of Examination Fee.*— A claim for refund of fee in full shall be entertained only in case a candidate dies before he/she takes the entrance test and the claim is preferred by the legal heirs within six months of the date of entrance test.

(5) *Issue of Admit Card.* —(a) On receipt of application form complete in all respects, the Controller of Examinations shall, if the candidate is eligible, allot him/her Roll Number and issue Admit Card to appear in the examination.

(b) Admit Card bearing photograph of the candidate and indicating name, parentage, allotted roll number, category and centre of examination shall be issued to the eligible candidates or will be downloaded by the candidate himself/herself. Mere possession of admit card shall not *ipso facto* confer eligibility on a candidate who may otherwise be not eligible for appearing in the entrance examination.

(6) *Appointment of Examiners.*— The entrance test papers shall be set by such of the examiners as may be appointed by the Board on the recommendations of the Controller of Examinations. The examiners shall be paid such remuneration as may from time to time be approved by the Board on the recommendations of Controller of Examinations. All examiners shall be required to strictly adhere to the instructions for setting the question papers and these instructions for setting the question papers shall be deemed to form part of these rules.

(7) The conduct of examination and confidential work including paper setting, moderation, printing, evaluation and result preparation may be out-sourced by the Board on the recommendation of the Controller of Examinations.

(8) *Appointment of Supervisory Staff.*— The Controller of Examinations with the approval of Board shall appoint supervisory staff including supervisors, invigilators, Superintendent, Dy. Superintendent, Assistant Superintendent from the higher education Institutions as per the requirement in examination centres.

(9) *List of candidates permitted to be supplied to the Supervisors.*— As far as practicable before the commencement of the examination, the Controller of Examinations shall supply to the Superintendents, appointed to conduct the examination at each centre, a list of the candidates with full roll numbers who are to appear at that centre and the subject/s in which they are taking the examination.

(10) *Admission to the Examination Hall.*— No candidate shall be admitted to the examination hall unless he/she holds admit card issued by the Controller of Examinations. Should the Superintendent be in doubt about the identity of the particular candidate, he/she may require him/her identity and if the candidate fails to satisfy him/her, he/she may allow him to sit in the examination provisionally. The Superintendent shall thereupon immediately report the fact to the Controller of Examinations for orders of the Chairman.

(11) *Duplicate Admit Card.*— The Controller of Examinations may, if he/she is satisfied that the admit card issued to a candidate has been lost or destroyed, issue a duplicate admit card to him/her on payment of such fee as may be prescribed by the Board from time to time, through the mode as prescribed in the information brochure. Till such time the duplicate card is issued, the Superintendent may provisionally permit the candidate to take the examination after proper identification, provided that the name of such candidate is included in the list supplied to the Centre. The Superintendent shall forthwith report this fact to the Controller of Examinations. If, however, it has subsequently found that no admit card was accorded to the candidate for one reason or the other, the candidate cannot claim any right of his/her having taken the examination in the subject. Before allowing such candidates to take the examination the Superintendent shall obtain clear undertaking to this effect from the concerned candidate.

(12) *Taking of question paper outside the examination hall.*— Candidate shall not be allowed by the Superintendent to leave the examination hall during entire examination. No person other than the examinee shall be allowed to read the question paper in the examination hall.

(13) *Deletion of invalid questions and methodology in evaluating such questions.*— If during the course of examination/after the completion of examination but before final stage of evaluation, any question is reported to be admittedly wrong or has wrong options/more than four options or has all options

correct or is having a major printing error in questions/options, such of the questions shall not be evaluated for declaration of results. However, where two answers to a question are correct, the candidates attempting any one of the questions will be awarded marks.

(14) *Counseling of candidate.*— In case of enough number of candidates available for lesser number of seats, the counselling for recommending the selection of the candidates will be conducted after short listing the candidates to be called in order of merit.

23. *Duties and functions of Supervisory Staff, Observer and Monitoring Squad.*— All the supervisory staff members engaged for conduct of examinations are required to strictly adhere to the instructions contained in the booklet titled 'Conduct of Entrance Examinations' of the Board and these instructions shall be deemed to form a part of these rules.

24. *Unfair means.*— Use of unfair means by a candidate includes:—

- (a) possessing of papers, notes or books, communication devices, electronic equipment/gadget or any other material with the intention of receiving assistance or giving assistance ; or
- (b) communicating or attempting to communicate with any of the examiners in any manner whatsoever, with the object of influencing him/her or having made an appeal to the examiner in his answer book for special consideration, or of disclosing the identity or making peculiar marks in his answer book for that purpose, or of using indecent language in the answer book.

25. *Unfair means by candidates.*— The Controller of Examinations shall after considering the report of the Superintendents/Examiners, the incriminating material, defence put forth and/or evidence or material adduced/advanced by the candidate, make out a report of facts and inferences and make recommendations for consideration to the Chairman for a decision for the purpose.

26. *Show Cause Notice.*— The cases involving use of unfair means reported by the Superintendents/Examiners shall be examined in detail by the Controller of Examinations. Subject to his satisfaction about the existence of a *prima facie* case, he shall cause a show cause notice to be issued and served upon the candidate to allow him an opportunity to explain his conduct. He may also grant the candidate an opportunity of being heard in person or through an authorized counsel.

27. *Punishment.* —(1) Any candidate who is found to have used or attempted to use unfair means as defined in sub-clause (a) of rule 24:—

- (a) If he is first time offender, be declared as having failed in that examination and may also be disqualified from appearing in one such and/or other examination held by the Board in future, depending upon the extent and degree of default ; and
- (b) If he is a repeat offender, be declared as having failed in that examination and shall also be disqualified from appearing in one or more such and/or other examinations held by the Board in future, depending upon the extent and degree of default.

(2) Any candidate who is found to be guilty of misbehavior or found to have acted or attempted action described in sub-clause (b) of rule 24 shall be declared as having failed in the concerned paper and, in case of repetition thereof, shall be declared as having failed in the full examination.

(3) Any candidate who:—

- (i) impersonates or misrepresents any other candidate in connection with the entrance examination ; or
- (ii) smuggles an answer book or continuation sheet into the examination hall or replaces the answer book or continuation sheet during or after the examination with or without the connivance of the supervisory staff ;
- (iii) possesses a solution to a question set in paper through the connivance of official of the Board or the supervisory staff or outside agency ;
- (iv) obtains any question paper or contents thereof by any means, before the conduct of examination, with or without the connivance of any officials of the Board or an outside agency ;
- (v) got selected to any professional course due to impersonation, misrepresentation or other deceitful or fraudulent means,

shall be liable to be disqualified by the Board and the admission secured by such means shall be cancelled forthwith.

28. *Inspections.*— The Board may appoint any person to inspect the conduct of examination at any centre and advise the Superintendent and report his observations to the Chairman.

29. *Amanuensis.*— Candidates must write the paper in their own hand. In no circumstance will they be allowed to help of an amanuensis.

30. *Instructions for candidates.*— Candidates shall answer questions in a clear and legible hand and strictly act upon the instructions printed on the OMR sheet and such instructions shall be deemed to form part of these rules.

31. *Dispatch of Scripts by the Supervisor.*— On expiry of the time allowed for a paper or when all the examinees have finished the paper earlier, the Supervisory staff shall collect all the answer books, put them in a cloth or cloth-lined cover or water and moisture resistant envelop, affix seals thereon and deposit them with the designated central place for onward transmission to the Controller of Examinations for preparation of results.

32. *Announcement of results.*— The Controller of Examinations shall, with the approval of the Board, arrange the announcement of the results of all the examinations as early as possible and get these results published in the two local dailies of the State and also notify these on the official website of the Board.

33. *Scrutiny of marks.*— Any candidate, who has taken the examination, may apply to the Controller of Examinations for re-totalling of his marks. Such applications shall be made within 7 days of declaration of the result along with fee prescribed.

34. *Interpretation.*— If any question of interpretation of these rules arises, the decision of the Government in the Administrative Reforms and Trainings Department shall be final.

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