

## VCD / 1 of 2016

Rules & Procedure for providing the Photocopies of assessed Answer-book(s)  
to the examinee & Process of Revaluation of the Answer-Book(s)

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 the 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 17<sup>th</sup> November, 2004, and **further issued Directions No. Exam./Rev./VCD/4637 of 2010 dtd. 5<sup>th</sup> April, 2010,**

AND

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

AND

WHEREAS **it is required to review the existing revaluation process and to suggest modifications for making the process more effective and faster due to demands from various segments, students and teachers.**

AND

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

AND

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

Now therefore, I, **Dr. Sanjay V Deshmukh**, 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 / 4637 of 2010 dated 5<sup>th</sup> April, 2010** as under:-

1. These directions may be called “Rules & Procedure for providing the Photocopies of assessed Answer-book(s) to the examinee & Process of Revaluation of the Answer-Book(s).”
2. These directions shall come into force with immediate effect i.e. from the examinations to be held in the **First Half of the Year 2016**.
3. In these directions unless the context otherwise requires:
  - (a) “Act” means Maharashtra Universities Act, 1994.
  - (b) “Directions” means directions 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, 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 student, who appeared for the examination conducted by the University during the current session.
  - (f) The “32 (5) (a) Committee” and 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 (5) and sub-section (6) of Section 32 of Maharashtra Universities Act, 1994, respectively in order to appoint paper-setters, examiners and moderators. And in order to investigate and recommend disciplinary action for malpractices and lapses against the person or persons involved in the malpractices directly or indirectly.

**PART – I**  
**General Rules**

4. Applying for Photocopy of answer book and applying for Revaluation will be two independent processes.
5. Applying for the Photocopy of the answer book or having Photocopy of the answer book shall not be a pre-requisite for applying for revaluation of the answer book in the said subject.
6. **The Examinee can independently apply for Revaluation or photocopy or both simultaneously, if he desires so.**
7. The Examinee who desires to apply for revaluation are requested to note that, his / her original marks will become **null & void** as soon as he submits his application for the revaluation.
8. The Examinee shall check the University website, time to time for the various details regarding his / her result status / information / list etc., as the entire process of photocopy of revaluation is carried out through online system. It is the responsibility of the Examinee to verify the online detail. No complaint will be entertained in this respect after due date is over.
9. However, The University may adopt any other procedure for acceptance of the application / fees, which will be circulated for the information of examinees.

**PART – II**

**Rules & Procedure for providing the Photocopy(ies) of assessed answer-book(s)**

10. The facility of obtaining Photocopy(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.
11. Under these rules applying for the Photocopy(ies) of answer-books shall be permitted in respect of :
  - (i) For theory papers of all the examinations conducted by the University in the current session.

- (ii) The examinations conducted by the Director of the Institute of Distance Education / Principals of constituent / affiliated Colleges or Directors / Heads of University Department / Recognized Institutions on behalf of the University, in the current session.
  - (ii) The Scripts of practical examination / session work / project work / dissertation / internal assessment / term work (including theory part) **wherever the written scripts are available**, in the current session.
12. The Examinee(s) shall apply for the photocopy to the Principal / Directors of the respective College / Institution to which the candidate has registered for the said course in the prescribed format along with the non-refundable fee prescribed for the purpose by Controller of Examinations, as per the procedure & the manner decided by the University, time-to-time. The examinee belonging to the reserved categories shall be granted 50% concession in the Fees.
  13. The Principal / Directors of the respective College / Institutions to which the candidate has registered for the said course shall process the applications of practical examination / session work / project work / dissertation / internal assessment / term work (including theory part) wherever the written scripts are available as per the procedure laid down here-in-after *mutatis mutandis*.
  14. The Principal / Directors of the respective College / Institutions shall accept the prescribed application form for obtaining Photocopy(ies) of answer book(s) of the examinations conducted by University within Ten (10) working days from the date of the declaration of result of the examination. He shall forward these applications to the University within **next three days. No application after the due date will be entertained on any ground whatsoever.**
  15. Incomplete application forms, applications with false Information, unsigned applications 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 in such cases.
  16. The University shall endeavor to supply Photocopy(ies) of answer books as far as possible within twenty five (25) working days from the date of receipt of application(s) to the University.

17. On receipt of Photocopy(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).
18. The Photocopy(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 dispute or challenge the quality of assessment or quantum of marks assigned to the answer there-in.
19. If the examinee is found guilty of indulging in any 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.
20. If his / her indulgence / commission in unfair act / attempt are proved, the examinee shall be liable for the punishment ranging from:
  - (i) Cancellation of his / her marks in the said subject either original or after revaluation,
  - (ii) Cancellation of his / her result in full of the said examination,
  - (iii) Annulment of examination(s) maximum up to 5 exams.
21. On receipt of the photocopy, if the discrepancy of following nature is noticed by the examinee, he should apply to the University **within seven (07) working days** to the Controller of Examinations along with the **fees of Rs.100** as Grievance Redressal fee.
  - i) Mistake in totaling
  - ii) Non assessment of question / sub-question
  - iii) Improper photocopy
22. 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 such rectification & also declare the same on University website.
23. It will be binding on the concern examiner / moderator to attend the call of the University and be present for revaluation work. It will also be the responsibility of the Principal / Director to relieve the examiner / moderator to attend University **on the given date or within next three (03) working days**.

24. Not attending the University Revaluation work within stipulated period will be treated as misconduct. Appropriate action and / or penalty of Rs.100/- per day will be imposed on concerned teacher and also the concerned Principal, if he / she does not relieve the teacher in time.
25. The examinee is free to apply for Photocopy(ies) of answer books of as many subjects as he / she desires.

### **PART - III**

#### **Rules and Procedure for the Revaluation of the Answer- book(s)**

26. If the examinee is not satisfied with the marks awarded, he / she may apply for revaluation to the University / Institutions / College in the prescribed form within the prescribed period and in the manner prescribed here-in-after.
27. The revaluation facility shall be for theory papers of all the examinations conducted by the University for the respective current session **and the applications received within prescribed time limit.**
28. Under these rules the revaluation of answer books shall also be permitted in respect of;
- 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 / session work / project Work / dissertation / internal assessment / term work ( including theory part ) **wherever written scripts are available.**
29. All Examinees can apply for the revaluation of the answer book(s) with whatever marks he / she secured **and even the Zero Marks.**
30. The Examinee can apply for the revaluation of the his / her answer book(s) of the **as many subjects as he / she desires.**
31. The Examinee shall apply for Revaluation in the prescribed form along-with prescribed fee and in the manner & procedure decided by the University.

32. The candidates belonging to the reserved categories shall be given 50 % concession in the fees, provided the Principal of the concern college certify the same.
33. For the examinations conducted by the University, the prescribed application form for revaluation of answer book should be submitted to the college, **within Ten (10) working days** from the date of the declaration of the result of the respective examination. **No documents are to be attached with application.**
34. For the examinations conducted by the college / Department / Institutions, and also for practical examination / sessional work / project Work / dissertation / internal assessment / term work (including theory part) **wherever written scripts are available**, the prescribed application form for revaluation of answer book should be submitted to the respective college / Department / Institutions, **within Ten (10) working days** from the date of the declaration of the result of the respective examination.
35. Examinee has to endorse all details / marks correctly in the application form. Any false information, if observed at any time, the application will be summarily rejected. No refund will be entertained in such cases.
36. The examinee shall submit the application and remit the prescribed fees in the manner & procedure decided by University. The Principal of the concerned College shall verify the application data, especially the reserved category cases, certify & forward the applications of the examinations conducted by the University **within next five days**, to the University. The applications of the examinations conducted by the respective college / Department / Institution shall process the applications as per the manner and process defined by this VCD *mutatis mutandis*.
37. The processing and co-ordination of the revaluation cases will be done by the concern Unit. The verification and rectification, if required, in these cases will be done by the concern Unit. Assessment of the Revaluation process will be done by arranging the CAP. Marks statement will be send to the Revaluation Unit / 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. The applications for revaluation received after the last date shall not be accepted by the University under any circumstances, whatsoever.

39. Effect shall be given to the change in original marks on revaluation, as under:-

- (i) The marks obtained after revaluation shall be accepted, if the marks **awarded** to a paper as a result of revaluation, increase or decrease in revaluation by ten percent (10%) or more than the maximum marks assigned to that paper, and in such case(s) 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 / rounded off as the case may be 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 39(i) where the difference between the marks originally obtained by the candidate in the paper 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.

However, if the difference between the marks originally obtained by the candidate in the paper, without any grace marks, and marks obtained after revaluation increase or decrease by more than twenty five percent (25%) of the maximum marks assigned to that paper, a second revaluation of the said answer book(s) be done by a third examiner from the panel of examiners for the said subject. In such an event the marks assigned by the third examiner in the second revaluation be treated as the final marks in the said subject.

- (iii) An answer book shall also be sent for second revaluation to another examiner ( third examiner ) if on the first revaluation, a candidate's marks are decreased below the passing marks and in the such event 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 will be communicated to the student(s) through **University website**.

#### **PART – IV**

#### **Other Rules**

40. The Principals of the Colleges / Departments / Institutions 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.
41. 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.
42. 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 and the same shall be credited to the University funds.
43. The remuneration for examiner(s) appointed shall be paid at the rate of Rs.25/- per answer book and Rs.200/- as Local travelling allowance per day; or the lump sum remuneration of Rs.450/- shall be paid to the examiner if the answer books available for revaluation at the revaluation center are less than 10 (ten) when the examiner visits the revaluation center from other colleges. The examiner(s) from the University Department shall not be entitled for the travelling allowance.

44. The answer books already revaluated shall not be moderated or further re-evaluated, unless so directed by the Vice-Chancellor, in exceptional cases.
45. 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.
46. The Photocopy of the Revaluated Answer-Book(S) shall not be provided to the Examinee(S) in any case.
47. 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 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.
48. 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.

49. 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. 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.
50. 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 however, their results of the next examinations shall not be declared if they could not pass the requisite number of the subjects on revaluation which would entitled 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 **the results of the same shall be treated as null and void.**
51. Examiners and / or moderators, if found careless in the original assessment, it will be treated as the unfair means of the examinations and the appropriate action will be taken as per the rules and regulations of the University.
52. This VCD shall come into force with immediate effect i.e. **First Half 2016** 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.
53. With the issuance of this VCD, earlier VCD 4637 & 4636 of 2010 stands repealed.

Sd/-

Mumbai.

Date : 01 / 07 / 2016

**Dr. Sanjay Deshmukh**  
**Vice-Chancellor**



# University of Mumbai

Ref. No.: AA / ICD / 2016-17 / 101

Date : 01 / 07 / 2016

To,

All the Directors / Heads of the University Departments, Director of IDOL Director of JBIMS, Director of ADMIMS, Director of GICD, The Principal of Sir J. J. College of Architecture and all the Principals / Directors of the affiliated colleges / Institutes are requested to implement the VCD for Rules & Procedure for providing the Photocopies of assessed Answer - book(s) & Process of Revaluation of the Answer - Book(s) immediately. ( copy attached )

( Datta D. Ghuge )

I/c. Controller of Examinations

Copy forwarded with compliments for information to :

1. The Secretary to His Excellency & Chancellor of University of Mumbai.
2. The Principal Secretary, Higher & Technical Education Department.
3. The Secretary to the Chairman, University Grant Commission, Delhi.
4. The Director of Higher Education, Pune – 411 001.
5. The Director of Technical Education Mumbai.
6. The Joint Director, Higher Education, Mumbai Region, Mumbai.
7. The Joint Director, Technical Education, Mumbai Region, Mumbai.
8. The Deans of faculties ( Co-ordinators ) of Arts, Science, Commerce, Technology, Management & Fine Arts of University of Mumbai.

Copy to :

1. Executive Secretary to the Vice - Chancellor.
2. Personal Assistant to the Pro-Vice – Chancellor.
3. Personal Assistant to the Registrar.
4. Personal Assistant to the Director (BCUD)
5. Personal Assistant to the Controller of Examinations
6. Personal Assistant to the Finance & Accounts Officer.
7. The Director (CCF), the Director (Students Welfare), Director (Adult & Continuation Education & Extension), the Co-ordinator (Ratnagiri Sub Centre).
8. All Deputy Registrars and All Assistant Registrars.

( Datta D. Ghuge )

I/c. Controller of Examinations.