Appendix-H

Standard Operating Procedure for Dealing with Unfair Means and Mass Copying Cases

(Bye-laws Governing Examinations & Certification - 2012)

National Institute of Open Schooling
(An Autonomous Institution under Department of School Education & Literacy, MHRD, Govt. of India)
A-24-25, Institutional Area, Sector-62, NOIDA-201309
Appendix-H

Standard Operating Procedure

for

Dealing with Unfair Means and Mass Copying Cases

(Bye-laws Governing Examinations & Certification - 2012)

National Institute of Open Schooling
(An Autonomous Institution under Department of School Education & Literacy, MHRD, Govt. of India)
A-24-25, Institutional Area, Sector-62, NOIDA-201309
**STANDARD OPERATING PROCEDURE FOR DEALING WITH THE CASES OF UNFAIR MEANS AND MASS COPYING**

Examination is a normal activity in the life of a student. The examination should be taken as per the rules and regulations fixed for the purpose. No attempt should be made to use unethical practices during the examination as that will expose the candidate to face penalties which are quite stringent besides carrying a stigma through out the life. The Centre Superintendent & Invigilation staff should caution the students about this prior to the start of the examination everyday and make frequent announcements to discourage the students to use unfair means to avoid facing the consequences.

A candidate found indulging in any of the following activities shall be deemed to have used unfair means and his/her examination result shall be withheld. The decision of the UFM Committee in imposing penalty for the offence committed by the candidate shall be final and binding on him/her.

**UNFAIR MEANS ACTIVITIES DURING THE EXAMINATION**

1. Writing name, roll number or putting signature at a place other than the space provided for or putting any other mark in the Answer Book which may disclose, in any way, the identity of the candidate.
2. Appearing in an Examination Centre other than the allotted one without the permission of NIOS.
3. Possessing book(s), notes, papers or any other like material related in any way with the examination.
4. Receiving or giving assistance in copying, or in any form during the course of the examination.
5. Smuggling in or out of the examination hall an answer book etc. and tearing leaf/leaves from the answer book or tampering with the answer book in any way.
6. Using abusive/derogatory language orally or in the Answer Book/against the Centre Superintendent/Examiner/Invigilator or threatening/using violence towards Invigilators or Centre Superintendent.
7. Impersonation, i.e. sending some other person to take the examination on his/her behalf.
8. Communicating with the Examiner or any other person connected with the Examination, with the objective of unduly influencing him in any way.
9. Any other type of misconduct or a deliberate previous arrangement to indulge unfair practices in the examination.
10. Writing questions or answers on any paper other than the Answer Book.
11. Possessing cell phones during the examination.
12. Any other unethical and unlawful activity observed by the Centre Superintendent.
13. Any other case of Unfair Means detected at any stage during or after the examination.
A. **PROCEDURE TO BE FOLLOWED BY THE CENTRE SUPERINTENDENT IN BOOKING UFM CASES.**

1. **Issuance of Second Answer Book**

As soon as any case of unfair means comes to the notice of the Superintendent of the examination centre, he shall take possession of the Answer Book of the candidate along with paper or other material found in his possession and immediately provide the candidate a second Answer Book. The words “Second Answer Book” should be superscribed on the top of second answer book. The Superintendent shall record on the first Answer Book the time when the case was brought to his notice. He shall also record the time of issue on the second Answer Book.

2. **Explanation of the candidate**

While issuing the second Answer Book, the candidate shall be asked by the Centre Superintendent to submit his explanation in writing. In case the candidate refuses to give his statement, he should not be forced to do so, only the fact of his refusal and the time of occurrence of the incident should be recorded by the Invigilator/s on duty. The statement of the candidate if any and the statement of the Invigilator/s be attested by the Centre Superintendent with UFM proforma.

3. **Statement of the Invigilator**

The Invigilator, who detects the use of UFM by a candidate, shall also record his statement which shall be verified and signed by the Centre Superintendent and sent to the Regional Director along with UFM proforma.

4. **Material recovered from the candidate**

As far as possible precise information as to from where the material was recovered (in the pocket, desk, shoes etc.) should be mentioned in the statement of the Invigilator/s. The copying material so detected by an Invigilator should also be signed by the Invigilator and countersigned by the Centre Superintendent on each page and the total number of pages detected should be mentioned on the title of the Answer Book duly signed by the Invigilator and Centre Superintendent.

5. **Procedure to be followed in case of smuggling out an Answer Book**

In case a candidate has smuggled out an Answer Book, the Centre Superintendent should call for the student directly and try to secure the Answer Book. In case of non-availability of the Answer Book, the matter should be reported to the police in the format [Annexure B] and a copy of the FIR be sent to the office of the NIOS/concerned Regional Centre along with the statement of the Invigilator present in the room and also of the candidate. The statement of the peon/police constable etc., if any should also be forwarded.

6. **Other Cases of Unfair Means**

a) **Impersonation:**

In case of impersonation, the Centre Superintendent should send to the NIOS/Concerned Regional Centre, the statement of the person found to be impersonating, the Invigilator/s and the actual candidate, if possible. He may also report the matter to the police in the format as given in [Annexure B] and shall arrange for taking photographs of the impersonator from 3 angles (front, left and right) and send...
the same along with the case. The expenditure incurred in this connection shall be reimbursed by the NIOS.

b) Misconduct:

In cases of misconduct of a serious nature, the matter should be reported to the police, if necessary. Statement of the Invigilator/s and that of the peon/policeman concerned may be obtained and sent to the office of the National Institute of Open Schooling Regional Centre Concerned for further necessary action.

7. Documents required to be sent in UFM cases

All cases of UFM should be recorded in the form for reporting UFM cases as given in Annexure A. The form shall be accompanied by the following documents:

a) First and Second Answer Books
b) Explanation of the candidate
c) Statement of the Invigilator
d) Unfair means material found from the candidate

Note: All the columns of the proforma must invariably be filled in properly in order to strengthen the case, complying with the instructions given in the proforma.

8. Despatch of UFM Cases

A separate sealed cover should be sent to the Regional Centre along with the prescribed proforma in each case booked daily under UFM with a covering proforma as per Annexure C.

List of Penalties for Different Types of Offences Under UFM

<table>
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<tr>
<th>Unfair Activity</th>
<th>Penalties</th>
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<tbody>
<tr>
<td>1. Copying material in his/her possession but did not use it.</td>
<td>Current examination in the subject concerned to be cancelled and the candidate be debarred from appearing in the next October/April examination (and upto March/September in case of On Demand Exam) in the subject concerned.</td>
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<tr>
<td>2. Copying material brought in examination hall and used.</td>
<td>Entire current examinations in all the subjects to be cancelled and the candidate be debarred from appearing in the next October/April examination in any subject (and upto March/September in case of On Demand Exam).</td>
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<tr>
<td>3. Ran away with answer book or decamped with the answer book.</td>
<td>(a) Action against the examination centre to be initiated on the recommendation of UFM Committee if there is any fault of exam. centre and (b) Entire current exam. in all the</td>
</tr>
</tbody>
</table>
4. Impersonation

Entire Current examination to be cancelled in all the subjects and debarred from appearing for the next three years. Matter may be reported to the nearest Police Station in writing under proper receipt. If the centre is found involved in impersonation, FIR against the person concerned to be filed.

5. Use of abusive language in answer book or at the exam centre, threatening to the staff and indulgence/involvement in violence during examination.

Current examination to be cancelled as a whole and disqualified from appearing in the next two examinations. Matter may be reported to the nearest Police Station in writing under proper receipt.

6. Swallowing/destroying evidence including tearing of any answer book and also other examination material.

Examination to be cancelled as a whole and disqualified to appear in next two consecutive examinations.

7. Change of examination centre at his/her own will

Action against the Centre Superintendent/School and disqualifying the candidate for that examination as a whole.

8. Mass copying or indulging in any other group activity leading to Unfair Means.

Penalty as may be decided by the Unfair Means Committee.

9. The answer book is not written in candidate’s own handwriting.

Cancellation of the current examination as a whole and to debar him/her for the next three examinations.

10. Mass/Group coping booked on the basis of Special Evaluation

Current examination result in the subject concerned is cancelled and allowed to appear in the next Public examination.

11. Any other Unfair Means not covered above which jeopardize the sanctity of NIOS examination.

Penalty as may be recommended by the UFM Committee and approved by the Competent Authority.
**IMPORTANT NOTES**

1. The roll no. of the candidate booked under UFM on a particular day should be recorded in the attendance sheet as well as in the statement for dispatch of Answer Book to the Regional Centre concerned.

2. The candidate booked under UFM is not to be expelled from the examination centre in the paper of that particular examination.

3. Candidates found using any of the UFM are not to be debarred from appearing in the remaining papers of that particular examination.

4. Candidates can be physically searched by the Centre Superintendent/Invigilators/Members of the team of Observers deputed by the NIOS/concerned Regional Centre before or during the examination at any time. A female candidate should be searched by a female member only.

5. When a candidate goes to toilet etc. the invigilators must ensure that the Answer Book and Question Paper of the candidate has been left on his seat in the examination hall.

6. At the end of the examination, no candidate should be allowed to leave the room till all the answer books are collected, counted and found correct. If a candidate forces his way out with the answer books, the complete statement explaining the circumstances under which the candidate had left with the answer book should be made out. **In no case, this provision should be used to cover up the loss of Answer Book.** The statement should also contain the time of the incident and details of the case as to how the candidate took away the Answer Book/efforts made to recover the Answer Book should also be stated.

7. In respect of the cases detected by the members of the team of observers, the Centre Superintendent should forward the same to the NIOS/Concerned Regional Centre after giving an opportunity to the candidate concerned to give his explanation. For these cases also requisite proforma should be used.

8. Proper procedure must be followed while reporting the UFM cases.

9. In order to curb UFM/Mass copying, the staff on examination duty at the examination centre must display their I-card indicating that the individual is on examination duty to check the entry of outsiders. Similarly, the team of the observers will also carry their I-cards/Authority letter for disclosing their identity at the examination centre.

**B. Cases of Mass Copying**

Mass copying is different from the individual UFM cases. It is a group activity resorted to Unfair Means in the examination detected or reported at any stage during or after the examination.

Broad areas of the mass-copying are as under:-

i) Copying from the printed/photostate sheet circulated in the examination hall.

ii) Displaying copying material on the blackboard.

iii) Use of loud speaker from outside.

iv) Dictating answers by the Invigilators etc.

v) Any other evidence which proves mass copying.
LIST OF PENALTIES AGAINST THE CENTRES BOOKED UNDER MASS COPYING:

a) De-accreditation of the A.I.
b) In the case of institution other than AIs, the institution shall be black listed as recommended by UFM Committee.
c) Respective Boards will be requested for deaffiliation of the institution for resorting to unethical practices.
d) Publicity in the press against the Institutions involved in unethical practices during the exam. Indicating action taken against these institutions.

C. ACTION BY THE REGIONAL CENTRE ON UFM/MASS COPYING CASES

Individual UFM Cases:
1) UFM Answer Books received from the examination centre will not be given fictitious roll nos. and kept separately.
2) All Such Answer Books will be evaluated by the evaluators and signed by the team leader.
3) All cases of UFM will be forwarded together in one lot course-wise on the prescribed proforma as given in Annexure (D) and (E).

Cases of Mass Copying:
1) All Answer Books will be given Fictitious Roll Numbers and kept separately.
2) The Answer Book will be got evaluated by the evaluators and signed by the team leaders. The evaluators will also prepare their report in the proforma as given in Annexure F about the details of the question numbers, Enrolment no.of cases of copying and not copied roll nos. as per Annexure G. The Evaluators will identify specifically the question numbers in which the Mass Copying has taken place and also type of Mass Copying like diagram, language etc. found by them from various Answer Books.
3) All Answer Books along with the Reports of the Evaluators should be sent to the Director (Evaluation) after the evaluation work is completed in the spot evaluation centre in the prescribed proforma for forwarding mass copying cases as Annexure H.

D. ACTION BY THE HEAD QUARTER (EVALUATION DEPTT.) IN DEALING WITH UFM/MASS COPYING CASES.
1) All cases of UFM and Mass copying will be examined separately course/subject wise and region wise. No percentage for booking Mass Copying Cases is fixed.
2) There will be second evaluation by different set of subject experts to confirm the report of the evaluators on the first evaluation received from the Regional Centre.
3) Keeping in view the number of students booked under individual UFM/Mass Copying they will be sent a Show Cause Notice and asked to present themselves before the UFM Committee on different dates or send their written statement of defence as per Annexure I.
4) Results of the clear cases will be declared immediately on the receipt of recommendation of the UFM Committee and the students will be given suitable time to register themselves for the next examination subject to his/her eligibility for the same.

5) Approval of the Chairman, NIOS will be obtained on the recommendation of the UFM Committee for implementation.

6) Details of the Institutions booked under Mass Copying and penalty imposed in individual UFM cases, if any, will be sent to the AI's and Regional Centres for their information.

7) In the event of the following happenings in examination centres, strict action will be taken against the examination centre as well:

   a) The candidate decamps with the Answer Book.
   b) Missing Answer Book vis-à-vis, the number of students present.
   c) Allowing candidate of other examination centre to appear in the examination without the written permission of NIOS HQ/Regional Centre.
   d) Involvement in cases of mass copying.
Annexure-'A'

NATIONAL INSTITUTE OF OPEN SCHOOLDING EXAMINATION

FORM FOR REPORTING UNFAIR MEANS CASES
SECONDARY/SR. SECONDARY/VOCATIONAL

1. Centre No ...................................... Name of Centre .................................................. .
2. Roll No ........................................ Name of Candidate ............................................. .
3. Subject .............................................................. ................................. ............................ .
4. Date and Time of incident .......................... Date ........................ Time ........................ .
5. Mode of Unfair Means used in exam .................................................................
and circumstances in which caught:
   a) Type of copying
      material found from
      the candidate i.e. help
      book, loose
      printed/hand written
      sheets, No. of pages/
      loose sheets found be also indicated
   b) Place from where copying .................................................................
      material recovered,
      e.g. pant pocket, shirt
      pocket,-beneath
      desk or in the answer book,
      inside shoes/socks etc.
6. Any other information .................................................................

Sign. of the  Sign. of member  Sign of Incharge/ Witness of Centre
Candidate  of flying Squad/OSD  Observer  Superintendent/ Invigilator

1. Please make the report in duplicate,. One copy be attached with the answer book of the candidate
and the other copy be sent to the Concerned Regional Director the same day for necessary action.
2. If the candidate is caught copying, please encircle the portion copied in the Answer Book as well as
in the copying material and mention its page no. on the top of the Answer Book and the copying
material.
3. The 2nd Answer book should be issued to the candidate immediately and the candidate should not
be debarred from taking the future examinations. If the candidate refuses to accept the 2nd Answer
book please write down this fact in para 6 above and on the cover page of the first Answer Book of
the candidate.
4. The Flying Squad/OSD Incharge/Centre Supdt. should record the Roll No. of the candidate on the
material recovered and sign after numbering it.
5. The Incahrge should record on the Answer Book the fact and brief details of the UFM case.
NATIONAL INSTITUTE OF OPEN SCHOOLING EXAMINATION
SPECIMEN OF APPLICATION
TO LODGE F.I.R. TO THE POLICE

Reference No. ______________
Date ______________

The Station House Officer
___________________________________
___________________________________

Subject: Use of Unfair Means (UFM) in the Examination of National Institute of Open
Schooling.
Roll No____________________

Dear Sir/Madam,
_________________________ (Name) Roll No. ___________________ is appearing in the Secondary/
Sr. Secondary Examination of National Institute of Open Schooling being held in our Centre. Today the
_________________________ (Day)  (Date) in subject _____________ .

This candidate has resorted to use of Unfair Means by:
I. Misbehaving with the Invigilator/Undersigned;
II. Tearing off the answer-book and running away from the Centre;
III. Not depositing the answer-book and running away with the answer book.
IV. Allowing other person to take examination in his place.
V. Any other misconduct (please specify)

You are requested to look into the matter and take necessary action as per the law of the land.

Yours faithfully,

Name ___________________________________
Designation ______________________________
Address ___________________________________
________________________________________
________________________________________
Exam. Centre No. _________________________

OTHER PARTICULARS OF THE CANDIDATE ARE :

Name ____________________________
Address __________________________ 
____________________________________
Exam. Centre No. ________________
### NATIONAL INSTITUTE OF OPEN SCHOOLDING EXAMINATION

**SPECIMEN FORM FOR FORWARDING THE CASES OF UNFAIR MEANS CASES**

**Secondary/Senior Secondary/Vocational Examination**

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<tbody>
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<td>1.</td>
<td>Name of the candidate</td>
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<td>2.</td>
<td>Roll No.</td>
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<td>3.</td>
<td>Exam Centre no.</td>
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<td>4.</td>
<td>Date</td>
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<td>5.</td>
<td>Subject &amp; Paper</td>
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<tr>
<td>6.</td>
<td>Time of the Incident</td>
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<td>7.</td>
<td>Circumstances under which caught</td>
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<tr>
<td>8.</td>
<td>Unfair aids recovered</td>
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<tr>
<td>9.</td>
<td>Whether Statement obtained from the candidate?</td>
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<tr>
<td>10.</td>
<td>Whether 2nd Answer Book was issued?</td>
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<td>11.</td>
<td>Whether Statement of Invigilator obtained?</td>
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</table>

**Remarks of Centre Superintendent:**

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<td>Sig. of Centre Superintendent</td>
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<td>Name of Centre Superintendent</td>
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Exam Centre No. ____________________

Date ____________________

**Enclosures:**

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<tbody>
<tr>
<td>1.</td>
<td>First/Second Copies of Answer Book</td>
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<tr>
<td>2.</td>
<td>Statement of Candidate</td>
</tr>
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<td>3.</td>
<td>Statement of Invigilator</td>
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<tr>
<td>4.</td>
<td>Unfair aids/materials recovered</td>
</tr>
</tbody>
</table>

1/2 Copies ________________
Enclosed/not enclosed ________________
Enclosed/not enclosed ________________
Pages ________________
Enclosed ________________

(Note: Please use separate proforma for each case)
# Proforma for Reporting UFM Cases

**Annexure (D)**

Name of Expert ____________________
Residential Address ________________

National Institute of Open Schooling (Government of India)
A-24-25, Institutional Area, Sector 62, Noida (U.P.)

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Roll No.</th>
<th>Centre No.</th>
<th>Name of Candidate</th>
<th>Marks Obtained</th>
<th>Whether the candidate has copied from the attached material. If yes, record your observation and encircle the copied portion in the answer book as well as on the UFM material giving the Question No. of the answer copied and the Page No. of the material and the answer-book</th>
<th>Additional remarks, if any</th>
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<td>1&lt;sup&gt;st&lt;/sup&gt; Copy</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Copy</td>
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Signature of the Evaluation Expert
### NATIONAL INSTITUTE OF OPEN SCHOOLING

#### PROFORMA FOR FORWARDING UFM CASES COURSE-WISE

**SECONDARY/SENIOR SECONDARY**

Region_____________________

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Centre No.</th>
<th>Fictitious/Enrolment No. of the Candidate</th>
<th>Subject</th>
<th>No. of Answer Book</th>
<th>Marks Obtained</th>
<th>Report of the Evaluator/Team Leader</th>
<th>Material forwarded</th>
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<td>1. Answer Books</td>
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<td>2. Statement of the Candidate</td>
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<td>3. Statement of the Invigilator</td>
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<td>4. Details of material sent.</td>
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<td>5. Copy of F.I.R., if any.</td>
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Signature of the Evaluation Expert
**PROFORMA FOR FORWARDING CASES OF MASS COPYING (COURSE-WISE) SECONDARY/SENIOR SECONDARY/VOCATIONAL**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Centre No.</th>
<th>Subject Code</th>
<th>Subject</th>
<th>No. of Cases booked</th>
<th>No. of cases found copying</th>
<th>No. of cases not found copying</th>
<th>Material forwarded</th>
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Material forwarded:
1. Report of the Evaluator/Team Leader
2. Award List
3. No. of Answer Books

Region_________________

Regional Director
Report of the Expert Committee for review of Answer Books in respect of Examination Centre No. _______ ______ _______________ in the subject of ________________ (code No. __________)
for Secondary/Sr. Secondary Examination held in __________________________

An Expert Committee consisting of the following experts met on ____________ checked and scrutinized the Answer Books of all the candidates in respect of the above examination centre in the subject ________________ (Code __________)

The Expert Committee compared and checked all the individual Answer Books of each candidate to verify the truth in the alleged mass copying at the above centre. The Committee after checking all the individual Answer Books is of the view:

1. that there was copying/mass copying at the above mentioned exam centre as enclosed letter.
2. that there was no copying/mass copying at the above mentioned exam centre. Such cases are treated as normal case.

Details of the cases reviewed by the committee are given below:
Total No. of candidates = 
Proven cases of mass copying 
Normal cases = 

Signature of the subject experts
1. 
2. 
3. 
4. 
Details of cases revised by expert committee

<table>
<thead>
<tr>
<th>Centre No.</th>
<th>Subject</th>
<th>Page</th>
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Name & Signature of Experts:

1. 
2. 
3. 
4.
# Consolidated Proforma (Enrollment No./Subject wise)

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<tr>
<th>Enrolment No.</th>
<th>Subject 1</th>
<th>Subject 2</th>
<th>Subject 3</th>
<th>Subject 4</th>
<th>Subject 5</th>
<th>Subject 6</th>
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Signature
### Proforma for forwarding Cases of Mass Copying (Course-wise)
Secondary/Senior Secondary/Vocational

Region________________

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<th>S.No.</th>
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<th>Subject Code</th>
<th>Subject</th>
<th>No. of Cases booked</th>
<th>No. of cases found copying</th>
<th>No. of cases not found copying</th>
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<td>1. Report of the Evaluator/Team Leader</td>
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Regional Director
Annexure ‘J’

NATIONAL INSTITUTE OF OPEN SCHOOLING
A-24-25, Institutional Area, Sector 62, NOIDA (U.P.)

Ref: No._____________________

Dated _____________

To

Roll No.

Subject:

Sub : Use of Unfair means in the NIOS Examination held in April/October- (Secondary/ Sr.Secondary/Vocational/ODE)

Dear Student,

A case of Unfair means has been registered during the NIOS Examination held on April/October in which there is an allegations against you. The UFM Committee of NIOS will scrutinize the charges and impose suitable penalty, if proved.

Or

During the process of Special evaluation/scrutiny of Answer Books, a case of use of unfair means (involved in Mass/Group Copying) subjects mentioned above was reported against you. The UFM Committee of NIOS will scrutinize the charges and impose suitable penalty, if proved.

Or

A case of Unfair means has been registered during the NIOS Examination held in April/October in which there is an allegations that you have appeared unauthorized in the examination centre other than the allotted one. The UFM committee will scrutinize the charge and impose suitable penalty, if proved.

NIOS is considering your case under its rules, but before any decision is taken in this regard, you are hereby given an opportunity to appear in person and explain your conduct for above alleged unfair means in NIOS Exam before the Unfair means Committee on __________ at __________ at NIOS Headquarters, A 24/25, Institutional Area, Sector-62, NH-24, Noida (UP)

If you are unable to appear before the committee on said date and time personally, you may send your written statement so as to reach this office by ____________ positively for consideration of Unfair means Committee. No other person shall be allowed to represent you in the matter. You have to show your identity card and this letter before the committee. You may also send your representation through Fax No. 0120-4089850 and 4089847.

Please note that if you fail to present yourself or send your written statement by the said date, no further opportunity will be given to you and it will be presumed that you are not interested in challenging the allegations and a decision shall be taken by the Unfair Means Committee on merit without any further reference to you which shall be final and binding on you.

Please quote complete Reference No, Serial No., Roll No, Subject(s) etc. mentioned above in the matter. You have to bear the cost of Travel and other expenses at your own. No TA/DA and conveyance charges will be paid by NIOS

Yours faithfully,