

¹THE [MADHYA PRADESH] RECOGNIZED
EXAMINATIONS ACT, 1937²

(M.P. ACT No. X of 1937)

(Published in the "*Central Provinces Gazette*", dated the 12th February 1937)

An Act to provide for the prevention of leakage of questions set at recognized examinations.

Preamble:- Whereas it is expedient to make provision for the prevention of the leakage of questions set at recognized examination ;

And whereas the previous sanction of the Governor- General required by sub-section (3) of section 80-A of the Government of India Act has been obtained for the passing of this Act ;

Statement of objects and Reasons. In past years there has often been a leakage of questions set for recognized examinations. These examinations have on several occasions had to be cancelled and re-held owing to leakage of question, and this has caused extra expense and much inconvenience to all concerned particularly to the candidates who had to undergo a second examination. In spite of the exercise of all possible vigilance on the part of the authorities concerned, it has not been found possible either to prevent these leakages or in most cases to bring the offenders to book. It is, therefore desirable to make the unauthorized possession of examination papers a punishable offence.

The Bill is drafted on the lines of Burma Public Examination Bill of 1935.

1. The Act was extended to the whole of Madhya Pradesh by S.3.(1) of the M.P. Extension of Laws Act, 1958 (23 of 1958), vide items 39 of Part A of the schedule of the said Act, with effect from 1st January, 1959; vide Government of M.P. Law department Notification No. 41777-XXI-A(Dr.), dated 31-12-1958, published on page 17 of the M.P. Gazette Extraordinary, dated 1-1-1959.

2. For Statement of Objects and Reasons and Report of Select Committee, see Central Provinces Gazette, dated the 17th July 1936, and 25th September, 1936, part II, pages 253-254 and page 454, respectively. For discussion, see Central Provinces Legislative Council Proceedings, dated the 6th August 1936 and 6th November 1936, page 723, of Vol XII of 1936, and page 15 of Vol. XIII of 1936 respectively.

It is hereby enacted as follows :-

1. Short title, extend and commencement :- (1) This Act may be called the ¹ (Madhya Pradesh) Recognized Examination Act, 1937.

² [(2) It extends to and shall be in force in the whole of ¹[Madhya Pradesh].

2. Definition :- In this Act; unless there is anything repugnant in the subject or context. “recognized examination “ means any of the examinations enumerated in the Schedule and includes an examination held under the authority of ³ [any Government], or by any body constituted under any enactment.

3.Restriction on copies of question paper and offer of information :- No person, who is not lawfully authorized or permitted by virtue of his duties so to do, shall before the time fixed for the distribution of copies of a question paper to examinees at a recognized examination, --

- (i) procure, attempt to procure or possess, such question paper or a portion of such paper or a copy thereof ; or
- (ii) impart, or offer to impart, information which he knows or has reason to believe, relates to or is derived form such question paper.

4.Penalty :- Whoever contravenes the provisions of section 3 shall be punishable with simple imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

5.Cognizance of offences :- No court shall take cognizance of any offence against this Act except on the complaint of such person as may be authorized by the State Government in this behalf either generally or for a specified class of cases, made within six months of the date on which the offence is alleged to have been committed.

6. Trial to offence :- No offence punishable under this Act shall be triable except by a Magistrate of the first class.

7. Power to amend schedule :- The State Government may, by notification, add to, or exclude from, the Schedule any examination.

THE SCHEDULE

(See section 2)

1. High School and Intermediate Examination of the Mahakoshal, Madhya Bharat and Ajmer Boards of Secondary Education.
2. A University Examination.
3. Cambridge Examination conducted by the Cambridge University Syndicate.

1.Substituted by S. 3(1) of the M.P. Extension of Laws Act, 1958 (23 of 1958) for “Central Provinces”.

2.Substitute by S.3 93) ibid. for ____

“(2)” It extends to the whole of Mahakoshal region.

(3) It shall come into force on such date “as the State Government may, by notification appoint in this behalf”.

The Act came into force in the former State of Madhya Pradesh on the 15th March 1937. see its Education Department Notification No. 335, dated the 6th March 1937, published in part I. p. 268 of the Central Provinces Gazette, dated the 12th March 1937.

3.Substituted by A.O. 1937 for “the Government.”

4.Substituted by S. 3(3) of the M.P. Extension of Laws Act, 1958 (23 of 1958) for original schedule.

4. Short-hand and Type-writing Examination
5. Vernacular Middle Examinations.
6. Normal School Certificate Examination.
7. National Cadet Corps And Auxiliary Cadet Corps Examination.
8. Industrial Schools Test Trade Course Certificate Examination.
9. Physical Training Certificate Examination.
10. Examination conducted by the Prayag Mahila Vidyalaya or Hindi Sahitya Sammelan , Prayag.
11. Examinations conducted by the Registrar of Departmental Examinations, Education Department.]
