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Cabinet Approves Tougher Anti-Paper Leak Amendments with Fast-Track Courts to Strengthen Integrity of Public Examinations

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Recent Developments:

- **Union Cabinet** has approved the draft **Public Examinations (Prevention of Unfair Means) Amendment Bill, 2026** to strengthen the **Public Examinations (Prevention of Unfair Means) Act, 2024**.
- The proposed amendments prescribe **imprisonment up to 10 years, fine up to ₹10 crore, time-bound investigation and trial**, and **statutory fast-track courts** for paper leak and organised examination fraud cases. The Bill is expected to be introduced in Parliament shortly.

About the Public Examinations (Prevention of Unfair Means) Act, 2024:

Background:

- **The Public Examinations (Prevention of Unfair Means) Act, 2024** is India's first dedicated central legislation to prevent **paper leaks, organised cheating, impersonation, tampering and examination-related fraud** in public examinations.
- The Act came into force on **21 June 2024**.
- The law seeks to protect the **credibility, fairness and transparency** of recruitment and admission examinations conducted by central agencies.

Coverage of the Act:

- **Union Public Service Commission (UPSC)** examinations.
- **Staff Selection Commission (SSC)** examinations.
- **Railway Recruitment Board (RRB)** examinations.
- **Institute of Banking Personnel Selection (IBPS)** examinations.
- **National Testing Agency (NTA)** examinations and other notified public examinations.

Major Offences Covered:

- **Question paper leakage, answer key disclosure, impersonation, unauthorised access to examination systems.**
- **Manipulation of computer networks, examination centres, service providers and digital infrastructure.**
- **Organised cheating, collusion, financial assistance and facilitation of unfair means.**

Existing Penal Provisions under the 2024 Act:

Punishment for Individuals:

- **Section 10** provides **3–5 years' imprisonment** and **fine up to ₹10 lakh** for persons using unfair means.

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Punishment for Organised Crime:

- **Section 11** prescribes **5–10 years' imprisonment** and **minimum ₹1 crore fine** for organised examination fraud networks.

Need for Amendments:

Implementation Challenges:

- **Investigations and trials remained prolonged**, reducing the deterrent value of the law.
- **No statutory fast-track courts** existed exclusively for examination offences.
- **Absence of mandatory timelines** delayed investigation and judicial disposal.
- **Organised paper leak syndicates** continued exploiting procedural delays.
- **Growing public concern** over repeated examination irregularities weakened confidence in recruitment and admission systems.

Key Provisions of the Proposed Amendment Bill, 2026:

Stricter Punishments:

- **Maximum imprisonment** increased to **10 years** for serious offences.
- **Maximum financial penalty** enhanced to **₹10 crore** for organised examination fraud.
- **Higher liability** proposed for examination centres, agencies and service providers involved in malpractice.

Time-Bound Investigation and Trial:

- **Investigation** must be completed within **2 months**.
- **Trial** must be completed within **3 months** after filing of the chargesheet.
- **Entire judicial process** is proposed to conclude within **5 months**, ensuring speedy justice.

Fast-Track Courts:

- **Statutory backing** has been proposed for **Special Fast-Track Courts** dedicated to examination offences.
- **State Governments**, in consultation with the **Chief Justice of the concerned High Court**, will designate **Sessions Courts** as Fast-Track Courts.
- Initial implementation has been announced in jurisdictions where major paper leak cases are presently under trial.

Institutional Accountability:

- The amendments expand accountability beyond individual candidates to include **exam authorities, institutions, service providers and organised criminal networks** involved in examination fraud.

Background of the Amendment:

Immediate Trigger:

- The amendments follow public concern arising from the **NEET-UG 2026 paper leak controversy** and reported irregularities in other examinations.
- Student organisations demanded **stronger legal safeguards, institutional reforms and quicker prosecution** of offenders.
- The Government announced legislative reforms to reinforce the integrity of competitive examinations.

Significance of the Amendments:

Strengthening Examination Integrity:

- **Higher criminal and financial penalties** enhance deterrence against organised paper leak syndicates.
- **Institutional accountability** discourages collusion by examination centres and service providers.

Speedier Justice Delivery:

- **Mandatory timelines** reduce procedural delays in investigation and trial.
- **Fast-track courts** improve certainty and effectiveness of legal enforcement.

Improving Governance:

- **Dedicated judicial mechanisms** strengthen implementation of examination laws.
- **Time-bound disposal** promotes administrative efficiency and accountability.

Enhancing Public Trust:

- **Transparent legal enforcement** restores confidence among students, parents and recruiting agencies.
- **Credible examinations** support merit-based recruitment and educational admissions.

Challenges in Implementation:

Judicial Capacity:

- **Fast-track courts** require adequate judges, prosecutors, staff and infrastructure.
- Existing judicial backlog may affect effective implementation.

Administrative Capacity:

- Investigating agencies must possess **adequate manpower, forensic capability and cyber investigation expertise** to meet statutory timelines.

Balancing Fair Trial:

- **Expedited proceedings** must continue to uphold **principles of natural justice and due process**.

Technological Security:

- Examination agencies must strengthen **digital encryption, cybersecurity, confidential paper handling and real-time monitoring** to prevent future leaks.

Institutional Reforms:

- Sustainable prevention requires **transparent examination processes, stronger internal audits, secure logistics and accountability mechanisms**, alongside criminal penalties.

Constitutional and Governance Dimensions:

Relevant Constitutional Provisions:

- **Article 14** ensures equality before law through fair and merit-based examinations.
- **Article 16** guarantees equality of opportunity in public employment.

- **Article 21** protects procedural fairness affecting educational and employment opportunities.
- **Article 309** empowers Parliament and State Legislatures to regulate recruitment to public services.

Way Forward:

Comprehensive Reform Measures:

- Adopt **end-to-end encrypted digital examination systems** with multi-layer security protocols.
- Strengthen **independent audit mechanisms** for examination agencies.
- Establish **Special Investigation Units** with cyber-forensic expertise for examination fraud.
- Improve **coordination among police, judiciary and examination authorities** for timely prosecution.
- Develop **standard operating procedures (SOPs)** for secure paper printing, storage, transportation and digital monitoring.
- Promote **technology-driven surveillance, AI-based anomaly detection and secure digital infrastructure** to minimise organised fraud.

Value Addition for UPSC:

Quick Facts:

- **Act Enforced:** 21 June 2024.
- **Nature:** India's first dedicated central anti-paper leak legislation.
- **Major Agencies Covered:** UPSC, SSC, RRB, IBPS, NTA and other notified public examinations.
- **Existing Punishment:** 3–5 years' imprisonment with fine up to ₹10 lakh for individuals; 5–10 years' imprisonment with minimum ₹1 crore fine for organised crime.
- **Proposed Amendments:** Up to **10 years' imprisonment, ₹10 crore fine, 2-month investigation, 3-month trial, statutory fast-track courts** and enhanced institutional accountability.