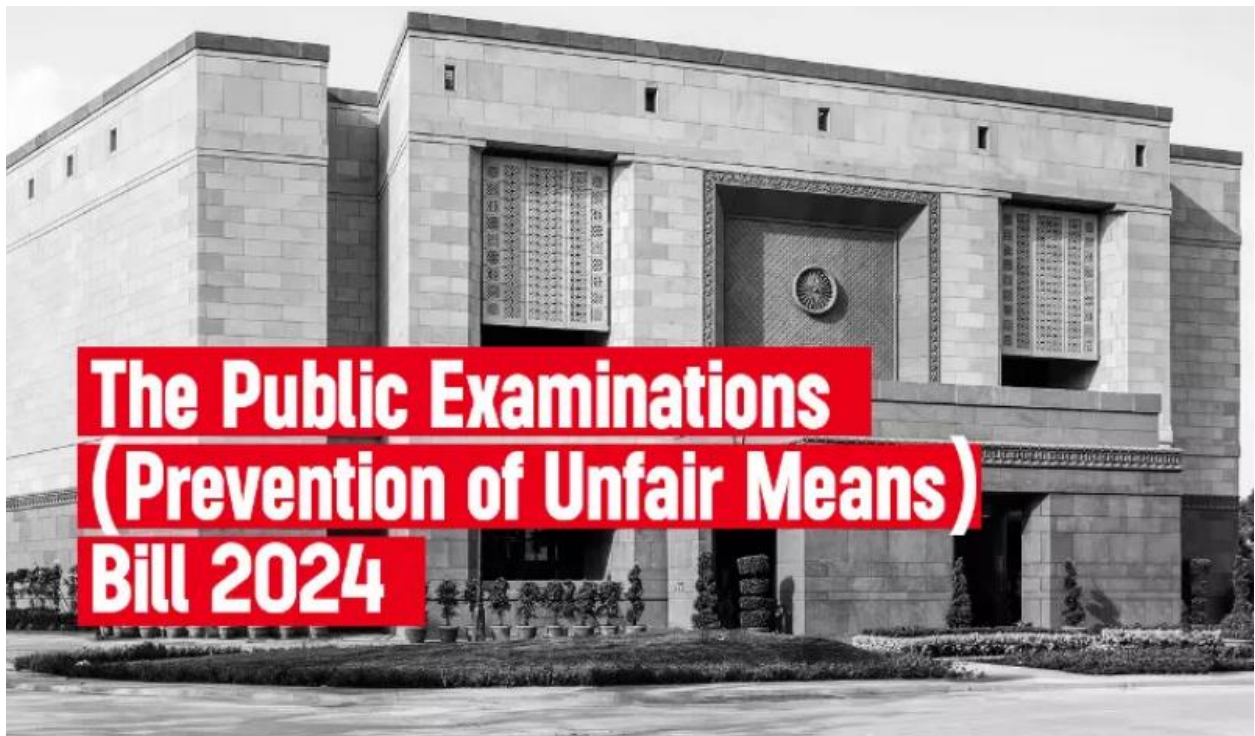


New Bill Targets Exam Malpractices with Strict Reporting and Penalty Framework

The Public Examinations (Prevention of Unfair Means) Bill 2024 seeks to improve transparency, fairness and credibility in the public examination systems of India. It prohibits using unfair means, malpractice, and organized cheating in government recruitment exams, with penalties of up to ₹1 crore in fines and five years in jail. The Bill goes into effect on June 21.

However, the act will not cover a UGC-NET 2024 examination that was cancelled on June 19 as it had been compromised and is under investigation by the Central Investigation Bureau (CBI).



(Image Source: [Here](#))

The Parliament passed the Bill on February 6, 2024.

Objectives and Key Provisions:

The Bill aims to put life into the hearts of millions and millions of educated and unemployed youth so that their true meritorious efforts will not go to waste forever in public examinations.

The Bill proposes to achieve this as follows:

- Central legislation to identify and remedy the loopholes in the examination process.

- A draft model that could serve as an example for all states and stop criminal organizations from staging public examinations at the state level in jest.

Definitions and Scope:

The Bill intends to define some crucial terms and set the ambit for its implementation.

- **Candidate:** A person authorized to present himself at any public examination (including those employed for writing answers on behalf of a disabled candidate).
- **Service Provider:** A public examination authority may also engage any other entity to conduct public examinations.
- **Unfair Means:** Acts or omissions committed for monetary or unlawful advantage, such as the leakage of question papers, illegal access to test materials, or tampering with answer sheets.

Unfair Means and Offences:

The Bill describes several types of unfair measures that are related to public exam fraud:

- Leakage of question papers or answer keys
- Conspiring to leak the exam materials
- Illegal access to examination material and possession of such material before an exam
- Offering solutions during an examination without authority
- Any kind of malpractice in answer sheets or meddling with assessments without prior permission
- Violating security protocols for cheating purposes
- Fiddling with seating arrangements and exam timetables
- Threatening or interfering with persons taking examinations

Penalties and Enforcement:

The Bill establishes a framework for reporting and punishing offences. Service providers must also report violations to the police and public examination bodies. Using force majeure and changing the examination centre without authorization is also illegal. Penal sanctions apply to individuals or institutions who engage in unfair practices and help or abet any of these malpractices. Similarly, directors, officers, or managers (as applied to service providers) are accountable for any infraction committed with their knowledge or cooperation.

Delegated Legislation:

The Bill allows the Central Government to prescribe, through rules, procedures and processes, for the conduct of all public examinations. This flexibility encourages addressing the procedural details for a new process that might not be feasible to include in the Bill.

The Bill also promotes States to follow and comply with similar provisions, maintaining consistency among the states in guarding against unfair practices for all India public examinations. The Bill aims to support public examination systems' integrity by putting comprehensive legislation and stringent enforcement in place to save students' futures.

