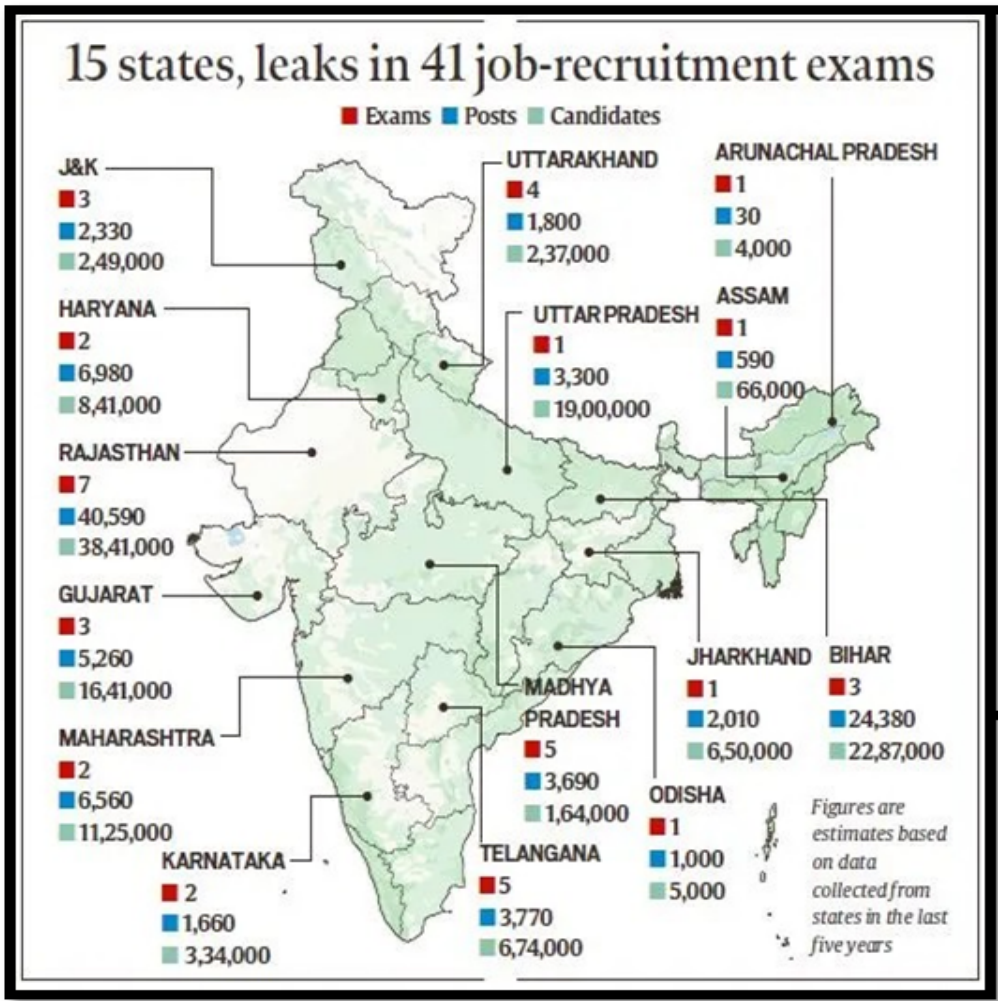
Anti-cheating Laws for Competitive Examinations

Why in news

Recently, the Bihar Assembly has passed Bihar Public Examinations (PE) (Prevention of Unfair Means) Bill, 2024.

Why cheating legislation is needed in India?

- **Cheating** – It takes place when an examinee attempts to attain academic credit through *dishonest, disrespectful, irresponsible, untrustworthy*, or unfair means.
- Leakage can *occur in any of processes* of the examination like while setting the question paper or in the exam centre or during evaluation/tabulation.
- **In India** – There is increase in instances of cheating in examination and the most frequent issue is paper leaks which occurred not only in various state exams but also in pan-India examinations.



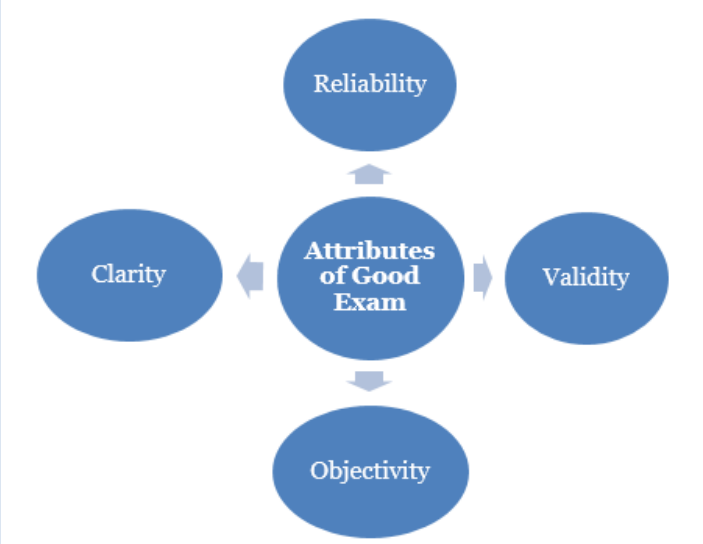
- **Pan-India paper leaks**

    - NEET-UG 2024 Exam
    - NTA-UGC 2024 Exam
    - Central Teachers' Eligibility Test (CTET) 2023
- According to data analysed by India Today's Open-Source Intelligence (OSINT) team,
    - 64 major exams across 19 states affected by leaks since 2019
    - Data includes FIRs, arrests, or exam cancellations
    - Uttar Pradesh reported maximum cases; Rajasthan, Maharashtra follow

- **Consequences of cheating** – It *undermines the principles of meritocracy*.
- It could lead to the *recruitment of incompetent individuals* in key government positions, which could have detrimental effects on public service delivery, governance, and overall development.
- It *perpetuates inequalities* by favoring those who could afford to pay for leaked exam papers or engage in fraudulent activities.
- It create widespread *frustration among the youth* who worked relentlessly for the exam.

Attributes of a Good Exam

• **Reliability** – It should give the same result for the same type of performance.
• **Validity** – It measure what it intends to measure.
• **Objectivity** – It eliminates subjectivity in evaluation.
• **Clarity** & **comprehensiveness** – It is clear on the process of examination.



What are features of bill?

- **Need** - In recent months, the Bihar government has faced increased scrutiny due to a CBI investigation revealing that gangs in the state leaked the ***NEET-UG 2024 medical entrance exam paper***.
- Bihar has faced multiple paper leaks causing cancellations of government recruitment exams.
- **Bill** - The Bihar Public Examinations (PE) (Prevention of Unfair Means) Bill, 2024
- **Aim** - To *tackle the question paper leaks and other malpractices* in government recruitment examinations.
- **Punishments** – All offences are set to be cognizable and non-bailable.
    - **For individuals found guilty** - Imprisonment ranging from 3 to 5 years and a

fine of ₹ 10 lakh.
    - **For service providers** – A penalty of ₹1 crore, a suspension of their services for up to 4 years, and even the seizure of assets in cases of organised crime.
- **Recovering costs** – e part of the examination costs will be recovered from offending service providers.
- **Investigation authority** – It is to be officers of the rank of Deputy Superintendents of Police (DSP).
- **Significance** – It is in line with the central law — the Public Examinations (Prevention of Unfair Means) Act, 2024.

The Public Examinations (Prevention of Unfair Means) Act
• **Launch** – It was passed in *2024* • **Aim** – To curb unfair practices in public examinations. • **Coverage** – Examinations being conducted for recruitment by *all the central government recruitment agencies* - Union Public Service Commission - Staff Selection Commission - Railway Recruitment Board - National Testing Agency - Institute of Banking Personnel Selection - Central government departments • It covers not only *job-selection exams* but also major *educational entrances* like JEE/NEET. • **Provisions** – It defines various offences related to unfair means, such as paper leaks, the use of fake websites, and collusion with service providers. • It *empowers police officers* not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police to investigate offences under the Act. • **Penalties and Punishments** – It includes a minimum *jail term of 3-5 years* and a *fine up to Rs. 1 crore*. • It holds service providers engaged for exam conduct liable with fines *up to Rs 1 crore and a 4-year ban* on their involvement in public exams.

In 2023, States like Rajasthan, Jharkhand, Uttarakhand, and Gujarat have passed an anti-cheating legislations.

What are the challenges?

- **Policy issues** – Many state still does not have any laws and existing laws may not adequately cover all forms of cheating.
- **Lack of standardization**- There is no uniform legislation across all states, leading to varying standards and enforcement practices.
- **Technological Challenges-** The rapid advancement in technology often outpaces existing legislation.
- This makes it difficult to address new types of cheating, such as sophisticated online cheating methods and cyber fraud.
- **Enforcement issues-** Lack of adequate resources and training for law enforcement agencies.
- Notably, there have been no convictions so far under the existing Acts in various

states.

- **Lack of awareness and education-** Often students, educators, and exam administrators lack the knowledge about the legal consequences of cheating.

What lies ahead?

- Make provisions for synching union and state government in anti-cheating measures.
- Raise public awareness about the ethical and legal ramifications of cheating can help in building a culture of integrity.
- Review and evaluate the effectiveness of anti-cheating measures regularly.
- Utilize technology to prevent cheating like AI-based monitoring systems.

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