Public Examinations (Prevention of Unfair Means) Amendment Bill 2026

Mains: *GS II – Polity & Governance*

Why in News?

Recently, The Lok Sabha introduced a bill providing for harsher penalties and time-bound investigations into examination paper leaks.

What is Public Examinations (Prevention of Unfair Means) Amendment Bill 2026?

- **About the bill** – The Bill seeks to amend the Public Examinations (Prevention of Unfair Means) Act, 2024.
- **Objectives –** To strengthen the existing anti-cheating law, curb exam malpractices, ensure time-bound investigations and provide speedy trials.
- To establish enhanced deterrence against organised crime groups and institutions to safeguard transparent, merit-based selections.
- **Key institution –** It includes the following institutions within its scope:
  - Union Public Service Commission,
  - Staff Selection Commission,
  - Railway Recruitment Boards,
  - Institute of Banking Personnel Selection,
  - National Testing Agency,
  - Ministries of the central government and their attached offices, and
  - Other authorities notified by the central government.

What are the key features of the bill?

- **Safeguard merit and uphold fairness –** Ensure that candidates who achieve success through genuine preparation are not disadvantaged by cheating or examination paper leaks.
- **Deter organized examination malpractice networks –** Increase the penalties for examination-related offences by imposing longer imprisonment terms and higher fines.
- **Promote expeditious adjudication –** The establishment of Special Fast Track Courts and the implementation of time-bound investigations and trials are intended to prevent prolonged case pendency.
- **Establish accountability for private service providers –** Examination agencies, technology providers, and other service providers represent potential points of vulnerability.
- The amendment enhances their legal liability.

- **Enhance institutional credibility –** Restore public confidence in examinations administered for government recruitment and higher education.
- **Safeguard youth aspirations –** Competitive examinations determine access to government employment and higher education.
- Their credibility directly influences social mobility and equality of opportunity.

What the key changes proposed in the bill?

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PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS)
AMENDMENT BILL, 2026
Key Provisions: Comparison of Existing Act vs Amendment Bill

PROVISION	EXISTING 2024 ACT	AMENDMENT BILL, 2026
Punishment for unfair means	3–5 years	5–10 years
Maximum fine for offenders	₹10 lakh	₹50 lakh
Service providers – maximum fine	₹1 crore	₹5 crore
Service-provider debarment	4 years	8 years
Directors/senior management	3–10 years	5–10 years
Fine for directors/management	₹1 crore	₹5 crore
Organised crime	5–10 years	7–10 years
Fine for organised crime	₹1 crore	₹10 crore
Trial mechanism	Ordinary process	Special Fast Track Courts
Investigation	–	Within 2 months
Trial	–	Within 3 months of charge sheet
Prosecution	Regular mechanism	Special Public Prosecutors
Investigation of organised crime	Existing agencies	Special Task Force mechanism

The Amendment Bill, 2026 aims to create a stronger legal framework with harsher penalties, faster investigation and trial, and specialised institutions to curb examination malpractices and ensure speedy justice.

What are the key advantages of the bill?

- **Stronger deterrence –** Increasing imprisonment terms and fines raises the perceived consequences of examination malpractice.
- Raising the maximum fine for unfair means from **₹10 lakh to ₹50** lakh, and for organised crime from **₹1 crore to ₹10 crore**, significantly strengthens deterrence.
- **Faster justice –** A major limitation of the criminal justice system is the frequent occurrence of prolonged litigation.
- The proposed procedural timeline is outlined below:
    - The Bill requires that the investigation of an offence be completed within two months.
    - The trial is to be completed within three months from the date the chargesheet is filed.
- **Accountability across the examination ecosystem –** It imposes liability not only on candidates but also on service providers, directors/management, and organised crime networks, recognising the sophistication of modern malpractice.
- **Safeguarding honest candidates –** Incidents of paper leaks and cheating undermine fairness in the selection process.
- Enhanced enforcement measures uphold the integrity of merit-based selection.
- **Enhancing public trust in examinations –** It supports fair public recruitment,

equitable higher education admissions, administrative efficiency, equal opportunity, and youth confidence in institutions.
- **Institutional Specialisation –** Special Public Prosecutors, Special Fast Track Courts, and Special Task Forces may develop expertise in the investigation and prosecution of technologically sophisticated crimes.

What are the drawbacks of the bill?

- **Punishment Alone Insufficient –** Without an increased probability of detection and conviction, enforcement capacity is equally as important as sentencing.
- **Risk of wrongful implication –** Broadly defined criminal provisions increase the risk of wrongful implication for innocent candidates, employees, or service providers.
- Therefore, safeguards such as clear evidentiary standards, due process, and judicial oversight are essential.
- **Time-bound justice can create pressure –** Although completing investigations in two months and trials in three months is desirable, complex cyber-enabled exam fraud often requires digital forensics, multi-state and financial investigations, evidence from technology providers, and strict chain-of-custody verification.
- **Cybersecurity remains a central challenge –** While legal frameworks can penalize data leaks, they are insufficient to prevent hacking, insider threats, malware, credential theft, cloud vulnerabilities, AI-enabled impersonation, or digital manipulation.
- **Concerns Regarding Centralisation –** Public examinations involve multiple agencies and levels of government; therefore, effective implementation depends on robust coordination between the Centre and States, as well as among various agencies.
- **Dependence on Private Sector –** Modern examination systems are increasingly reliant on advanced technologies and private sector service providers.
- The imposition of excessive compliance requirements can increase operational costs and reduce the pool of qualified service providers.
- **Non- Systemic Reform –** Focusing solely on punishment overlooks the systemic causes of malpractice, such as high-stakes exams, limited job opportunities, large candidate pools, weak infrastructure, and uneven digital capacity.
- Therefore, legal reform should be accompanied by examination system reform.

What lies ahead?

- **Shift from punitive measures to prevention –** By implementing a security-by-design examination ecosystem.
- Ensure each stage, from question creation to results, includes independent security controls.
- **Strengthen end-to-end cybersecurity –** By implementing encryption, multi-factor authentication, zero-trust architecture, blockchain audit trails, anomaly detection, independent audits, and strict access controls.
- **Integrated Examination Security Framework –** To establish a common protocol for UPSC, SSC, RRBs, IBPS, and NTA, covering people, process, technology, cybersecurity, and accountability.
- **Strengthen whistle-blower mechanisms –** By providing secure, anonymous

reporting channels for exam officials, vendors, technical staff, printing and security personnel, and candidates, as insiders are key sources of information.

- **Independent audits of service providers –** It must be completed before exam contracts. These audits should assess cybersecurity, data protection, employee verification, disaster recovery, insider-threat controls, and past incidents.
- **Develop specialized investigative capacity –** By establishing task forces with expertise in cybercrime, financial investigation, digital forensics, and examination processes.
- **Due Process in Fast-Track Justice –** It means speedy, not hurried justice, with courts safeguarding defence rights, evidentiary standards, judicial scrutiny, protection against arbitrary action, and proper appeals."
- **Reduce the stakes of a single examination –** By introducing multiple cycles, computer-based testing, transparent normalisation, secure question banks, and frequent recruitment to minimise consequences of one compromised exam.
- **Examination Integrity Culture –** By raising awareness among candidates and institutions about the ethical consequences of cheating.
- Connect exam integrity to recruitment practices and, ultimately, to integrity in public administration.

Reference

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