

New Law on Exam Paper Leaks - Explained

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Exam Paper Leaks Latest News

- The Union Cabinet has approved a draft Bill to amend the Public Examinations (Prevention of Unfair Means) Act, 2024, introducing stricter punishments of up to 10 years in jail and Rs 10 crore in fines for exam paper leaks, along with time-bound trials and statutory fast-track courts.

The Public Examinations (Prevention of Unfair Means) Act, 2024

- The Public Examinations (Prevention of Unfair Means) Act, 2024, is India's first dedicated national law aimed at curbing leaks, malpractices, and organised cheating in public examinations. It came into effect on June 21, 2024.
- **Coverage**
 - Union Public Service Commission (UPSC)
 - Staff Selection Commission (SSC)
 - Railway Recruitment Board (RRB)
 - Institute of Banking Personnel Selection (IBPS)

- **National Testing Agency (NTA)**

- **Existing Punishments**

- Section 10: Punishment for individuals resorting to unfair means: Imprisonment of 3 to 5 years and a fine up to Rs 10 lakh.
- Section 11: Punishment for organised crime: Imprisonment of 5 to 10 years and a fine of at least Rs 1 crore.

- **Limitations of the Existing Law**

- Despite the existence of the 2024 Act, several challenges persisted:
 - Investigation and trial delays: Cases dragged on for years without resolution.
 - Absence of fast-track courts: No dedicated judicial infrastructure for speedy trials.
 - Limited deterrence: Existing punishments were seen as insufficient against organised networks.
 - Lack of statutory timelines: No prescribed time limits for probe and trial.

News Summary: Cabinet Approves Amendments

- Following the announcement by Prime Minister Narendra Modi, the Union Cabinet has approved a draft Bill to amend the Public Examinations (Prevention of Unfair Means) Act, 2024.
- The Bill is expected to be introduced in Parliament shortly.

Key Amendments Proposed

- **Stricter Punishments**

- The proposed amendments significantly enhance the penalties for exam-related offences:
 - **Imprisonment:** Up to 10 years
 - **Fine:** Up to Rs 10 crore
- The stricter penalties are expected to strengthen deterrence against all forms of exam fraud.

- **Time-Bound Investigation and Trial**

- Investigation: Must be completed within two months.
- Trial: Must be completed within three months.
- Total timeline: Cases must be concluded within five months.
- This addresses one of the most serious weaknesses in the existing framework, prolonged delays in investigation and judicial proceedings.

- **Statutory Backing for Fast-Track Courts**

- The Bill provides statutory backing for the establishment of fast-track courts specifically to handle exam paper leak cases.
- Law and Justice Minister Arjun Ram Meghwal announced that fast-track courts would initially be set up in the **High Courts of Bombay, Calcutta, Delhi and Madhya Pradesh**.
- These are the states where cases pertaining to the NEET paper leak are currently ongoing.

Background and Trigger for the Amendment

- The amendments come in response to widespread protests and public anger over:
 - NEET-UG paper leak in May 2026.

- Irregularities in the CBSE school examination process.
- Calls for reforms in the education system.
- Demands for compensation to families of students who died by suicide after the NEET-UG paper leak.
- Various student groups organised protests, demanding strict action against those responsible for exam irregularities.
- Prime Minister Narendra Modi announced the government's decision to bring in a tough new law and fast-track courts. The Cabinet also approved the draft Bill.

Significance of the Amendments

• Stronger Deterrence

- The enhanced punishment of up to 10 years imprisonment and Rs 10 crore fine sends a strong signal that exam fraud will not be tolerated.
- The significantly higher financial penalty hits organised networks economically.
- The combination of criminal and financial penalties strengthens the legal framework.

• Speedier Justice

- The five-month deadline for investigation and trial addresses the problem of delayed justice.
- Fast-track courts ensure dedicated judicial infrastructure for exam-related cases.
- Quick resolution acts as a stronger deterrent than prolonged proceedings.

• Institutional Reform

- Statutory backing for fast-track courts institutionalises the special judicial mechanism.
- Clear timelines reduce procedural delays and administrative inefficiencies.
- The amendments address gaps identified during the implementation of the 2024 Act.

• Public Confidence

- The amendments respond to widespread public anger over exam leaks.
- They aim to restore faith in the integrity of public examinations.
- They address the concerns of students and parents affected by exam irregularities.

Challenges Ahead

• Implementation

- Setting up fast-track courts across the country will require significant judicial infrastructure.
- Training judges and prosecutors for specialised exam fraud cases.
- Ensuring that investigating agencies have adequate resources to meet the two-month deadline.

• Legal and Procedural

- Balancing speed with fairness: ensuring that time-bound trials do not compromise the rights of the accused.
- Coordination between investigating agencies and the judiciary to meet timelines.
- Managing a high volume of cases that may arise with stricter enforcement.

• Systemic Issues

- Addressing the root causes of exam leaks, including corruption in recruitment and examination bodies.
- Strengthening internal controls in institutions like the NTA, UPSC, and SSC.

- Improving the digital security of examination systems to prevent leaks.

- **Judicial Capacity**

- The High Courts of Bombay, Calcutta, Delhi, and Madhya Pradesh will need additional judges and staff.
- Ensuring continuity of fast-track courts beyond initial cases.
- Managing existing backlog while adding new fast-track cases.

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