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Tougher Penalties for Exam Paper Leaks: The 2026 Amendment

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✓ Every fact web-verified against primary sources

*The on July 24, 2026 approved a draft bill to amend the **Public Examinations (Prevention of Unfair Means) Act, 2024**, sharply raising penalties for paper-leak offenders. The amendment is slated to be introduced in the ongoing **Monsoon Session** of Parliament, and comes against the backdrop of a string of recruitment and entrance examination scandals that shook public confidence in the fairness of India's testing ecosystem.*

BACKGROUND: WHY THE 2024 ACT WAS ENACTED

India conducts some of the world's largest examinations. The **National Testing Agency (NTA)** alone administers tests taken by well over **two crore candidates** each year. When question papers leak or organised gangs game the system, the damage is not merely administrative. It corrodes the constitutional promise of **equality of opportunity in public employment under Article 16** and undermines merit as the basis of state recruitment.

The trigger for legislative action was a cluster of high-profile controversies, most notably the **NEET-UG 2024** paper-leak episode, alongside cancelled and postponed examinations across several recruitment boards. Parliament responded with the **Public Examinations (Prevention of Unfair Means) Act, 2024**, the first dedicated central law to criminalise exam malpractice.

What the Parent 2024 Act Already Does

- Makes offences **cognizable** (police can arrest without a warrant), **non-bailable** and **non-compoundable** (no out-of-court settlement).
- Covers public examinations conducted by bodies such as the **UPSC, Staff Selection Commission (SSC), Railway Recruitment Boards (RRBs), Institute of Banking Personnel Selection (IBPS)** and the **National Testing Agency (NTA)**.
- Targets **organised crime**, service providers, coaching-mafia networks and impersonation rackets rather than punishing genuine candidates.

WHAT THE 2026 AMENDMENT PROPOSES

The 2026 amendment does not create a new offence category so much as it hardens the deterrent. The core change is a shift from discretionary sentencing to stiff **mandatory minimums**.

OFFENCE CATEGORY	EXISTING 2024 ACT	PROPOSED 2026 AMENDMENT
Individual paper leak / unfair means	Imprisonment and fine (court discretion)	Minimum 5 years' imprisonment plus fine
Organised paper leak (gangs, service providers)	Higher penalties, up to imprisonment and fine	Up to 10 years' jail and fine up to Rs 10 crore
Nature of offence	Cognizable, non-bailable, non-compoundable	Retained and reinforced

The amendment also strengthens the framework for **fast-track adjudication**, so that cases do not languish for years, and tightens accountability for **service providers** who handle logistics such as printing, transport and examination-centre management.

The NTA Reform Dimension

Running parallel to the [penal](#) tightening is the structural question of the **NTA** itself. The **K. Radhakrishnan committee**, constituted after the 2024 controversies, recommended converting the NTA into a leaner, more secure and technology-driven body focused purely on high-stakes examinations, with encrypted question-paper transmission, greater use of computer-based testing and multi-layered biometric verification. The amendment is thus one leg of a two-legged reform: **deterrence through law** and **prevention through institutional design**.

THE DEEPER DEBATE: DETERRENCE VERSUS DUE PROCESS

A robust criminal deterrent is welcome, but governance scholars flag a familiar tension. **Mandatory minimum sentences** remove judicial discretion and can, in edge cases, produce [disproportionate](#) outcomes. The counter-argument is that the organised nature of paper-leak crime, with its cross-state networks and large illicit profits, demands certainty of punishment. The credibility of any deterrent ultimately rests less on the severity of the penalty and more on the **certainty and speed of conviction**, which is why the fast-track court provision may matter more than the headline jail term.

UPSC RELEVANCE

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Prelims pointers:

- The **Public Examinations (Prevention of Unfair Means) Act, 2024** is the first central law dedicated to exam malpractice.
- Offences under the Act are **cognizable, non-bailable and non-compoundable**.
- The proposed amendment sets a **minimum 5-year jail term** for individual offenders and up to **10 years plus a Rs 10 crore fine** for organised leaks.
- The **K. Radhakrishnan committee** examined NTA reform.
- Bodies covered include **UPSC, SSC, RRBs, IBPS and NTA**.

★ FACTS CORNER, KNOWLEDGE PEDIA

Article 16 of the Constitution guarantees equality of opportunity in matters of public employment, the constitutional value the law seeks to protect.

The NTA was established in 2017 as an autonomous body under the Ministry of Education to conduct entrance examinations such as JEE (Main), NEET-UG, CUET and UGC-NET.

Non-compoundable means the offence cannot be settled by compromise between parties; only the court can decide the outcome.

The Act protects bona fide candidates, who are not to be prosecuted for the malpractice of organised networks.

The 2024 Act extends to examinations by both central recruitment agencies and any authority notified by the central government.

Sources: PIB, Cabinet decisions, The Hindu, Public Examinations Act amendment, PRS Legislative Research, Public Examinations (Prevention of Unfair Means) Act, 2024

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