

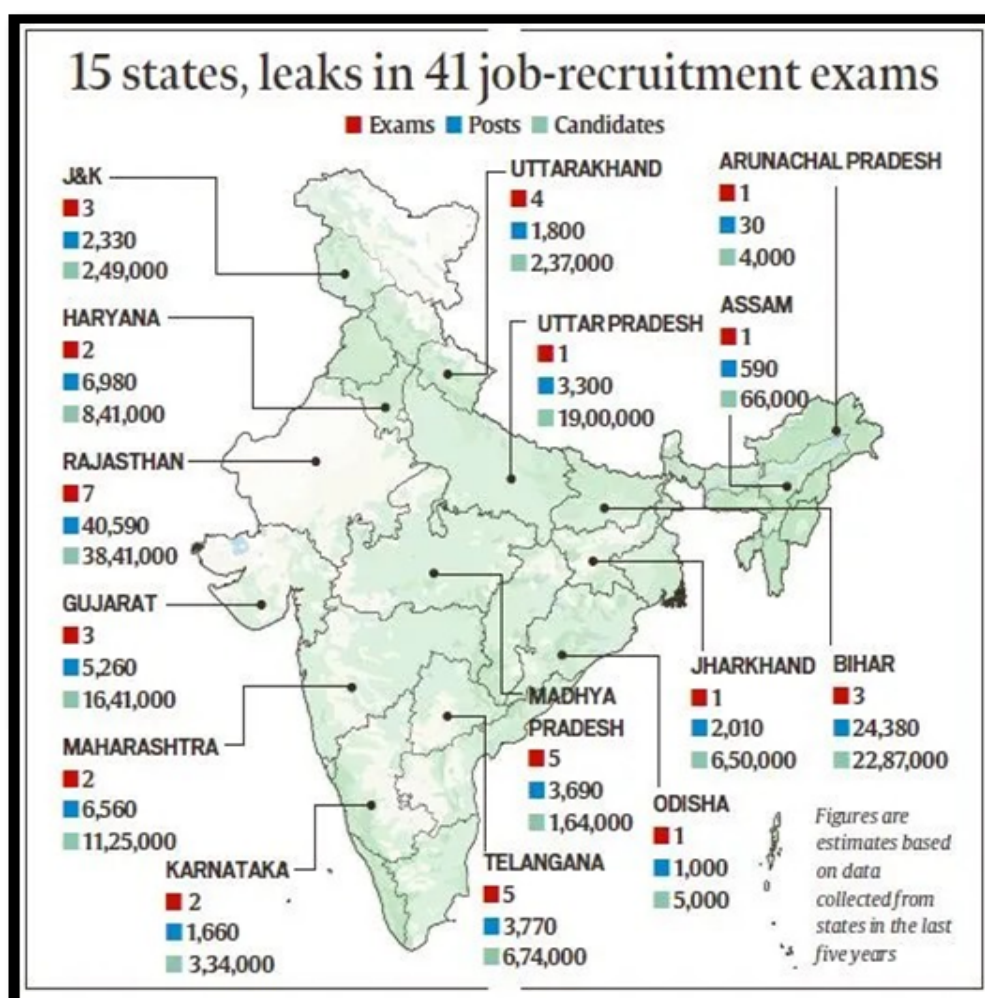
## Anti-cheating Laws for Competitive Examinations

### 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.

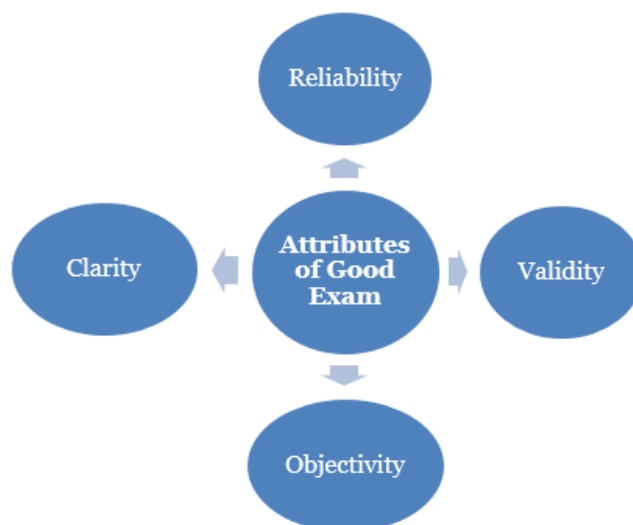


- **Pan-India paper leaks**

- 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.

### References

1. [The Hindu | Bihar Anti-cheating bill](#)
2. [The Indian Express| Challenges with anti-cheating laws](#)
3. [India Today| Paper Leaks in India](#)

