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Q11

## **What are the aims and objects of recently passed and enforced, The Public Examination (prevention of Unfair Means) Act, 2024? Whether University/State Education Board examinations, too, are covered under the Act?**

UPSC Civil Services Mains 2024 · GS II · 15 marks · Health, Education and Human Resources

Issues relating to development and management of Social Sector / Services relating to Health, Education, Human Resources.

### **Core demand of the question**

- State the aims and objects of the **Public Examinations (Prevention of Unfair Means) Act, 2024**
- Name the authorities and unfair means it actually covers
- Answer whether University and State Education Board examinations are covered by default
- Note that coverage expands by notification or State law, not by a hopeful reading of the preamble

### **Revision summary**

The **Public Examinations (Prevention of Unfair Means) Act, 2024** targets organised leaks and unfair means in central public exams.

Scheduled authorities include UPSC, SSC, Railway Recruitment Boards, IBPS and NTA; the Centre can add names.

Offences are serious, including for service providers who handle papers.

University and State board exams are not covered unless notified or a State copies the Act.

The political spur was high-stakes testing in 2024; the legal scope remains the Schedule.

The Act adds crime and punishment; cancellation of a paper remains an administrative and judicial decision.

### **Introduction**

Paper leaks had become a recruitment crisis, not a campus prank. The **Public Examinations (Prevention of Unfair Means) Act, 2024**, brought into force in June 2024, is the Union's criminal statute against organised cheating in **central public exams**. It is a narrow, named-authority law. It is not, by its own text, a law for every university semester or every State board paper.

### **Body**

#### **Aims and objects**

The Act tries to make an organised leak a serious Union crime, not only an administrative cancellation.

- **Peg:** The object is to deter **unfair means** in public examinations: leaking papers, unauthorised access to question banks, impersonation, collusion with printers and IT vendors, and the industry around a leak.
- **Peg:** It creates **cognisable, non-bailable** offences with heavy jail terms and fines, including for **service providers** who hold the paper.
- **Peg:** It closes a gap where a leak was often only a weak State exam-offence or an **Information Technology Act** count, while lakhs of candidates lost a year.
- **Peg:** The political spur was the 2024 high-stakes testing controversy; the legal design is a **central criminal template**, not a news recap.

## Who is covered

A public examination under this Act is one conducted by a listed or notified authority.

- **Peg:** The Schedule names, among others, the **Union Public Service Commission, Staff Selection Commission, Railway Recruitment Boards, Institute of Banking Personnel Selection** and the **National Testing Agency**.
- **Peg:** The Central Government may **notify** more authorities; that is how the map grows.
- **Peg:** Candidates, insiders and organised groups are hit on different rungs; the organised leak is the serious end.

## Universities and State boards

University and State Education Board examinations are not covered by default.

- **Peg:** A State board Class-12 paper or a university semester exam is not a "public examination" under the 2024 Union Act unless that board or university is **notified**, or the **State legislates a clone**.
- **Peg:** Until then those papers remain under State exam laws, university ordinances and ordinary cheating sections of the criminal law.
- **Peg:** A national anti-leak statute that skipped the B.Ed. and constable papers where leaks have been frequent would be a brochure; expansion is by **notification and State adoption**, not by the preamble.

## Flow diagram

Act 2024 -> Schedule UPSC SSC RRB IBPS NTA  
Act 2024 -> Centre may notify more  
University / State board -> not by default Act 2024  
University / State board -> State law or notification  
Act 2024 -> Organised leak as crime

## Conclusion

The 2024 Act criminalises organised unfair means in exams run by listed central authorities. University and State board examinations are outside it unless notified or cloned by a State. The object is deterrence at the Union gate, not a single law for every hall ticket in India.

## Facts & figures

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

Union criminal statute against organised unfair means in exams conducted by listed public examination authorities.

**Commencement of the 2024 Act**

The Act received assent in 2024 and was brought into force on 21 June 2024.

**Schedule authorities**

UPSC, SSC, Railway Recruitment Boards, IBPS, National Testing Agency, and others notified by the Centre.

**Service providers under the Act**

Printers, IT and logistics firms in the exam chain can be liable, not only the candidate who cheats in the hall.

**State adoption**

A State board or university sits inside the Union Act only if notified, or if the **State passes** a matching law.

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