

Bill No. 139 of 2026

THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR
MEANS) AMENDMENT BILL, 2026

A

BILL

to amend the Public Examinations (Prevention of Unfair Means) Act, 2024.

BE it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

1. This Act may be called the Public Examinations (Prevention of Unfair Means) Amendment Act, 2026.

Short title.

2. In the Public Examinations (Prevention of Unfair Means) Act, 2024 (hereinafter referred to as the principal Act), in section 10,—

Amendment of section 10.

(a) in sub-section (1), for the words “three years but which may extend to five years and with fine up to ten lakh rupees. In”, the words “five years but which may extend up to ten years and with fine up to fifty lakh rupees, and in” shall be substituted;

(b) in sub-section (2),—

(i) for the words “one crore rupees”, the words “five crore rupees” shall be substituted;

(ii) for the words “four years”, the words “eight years” shall be substituted; 5

(c) in sub-section (3),—

(i) for the words “three years”, the words “five years” shall be substituted;

(ii) for the words “one crore rupees. In”, the words “five crore rupees, and in” shall be substituted. 10

Amendment of section 11.

3. In section 11 of the principal Act, in sub-section (1),—

(i) for the words “five years”, the words “seven years” shall be substituted;

(ii) for the words “one crore rupees. In”, the words “ten crore rupees, and in” shall be substituted. 15

Amendment of section 12.

4. In section 12 of the principal Act, in sub-section (2),—

(a) after the words “Central Investigating Agency”, the words “or a Special Task Force, as that Government may, by notification, constitute in this behalf” shall be inserted;

(b) the following proviso shall be inserted, namely:— 20

“Provided that where the Central Government constitutes a Special Task Force under this sub-section, such investigation shall be done only by the Special Task Force so constituted.”.

Insertion of new sections 12A and 12B.

5. After section 12 of the principal Act, the following sections shall be inserted, namely:— 25

Fast tracked investigation and Special Fast Track Courts.

“12A. (1) The investigation of an offence under this Act, shall be completed—

(a) by an officer empowered to investigate under sub-section (1) of section 12, within a period of two months from the date on which the information was recorded by the officer in-charge of the police station; or 30

(b) by a Central Investigating Agency, within a period of two months from the date of a reference made to it by the Central Government under sub-section (2) of the said section; or

(c) by a Special Task Force, within a period of two months from the date of issuance of notification in this behalf by the Central Government under sub-section (2) of the said section. 35

(2) For the purposes of providing a speedy trial on day-to-day basis, every State Government and Union territory Administration shall, in consultation with the Chief Justice of the concerned High Court, by notification, designate a Court of Session, to be a Special Fast Track Court to try offences under this Act. 40

(3) A Special Fast Track Court designated under sub-section (2) shall, while trying offences under this Act, also try other offences connected thereto with which the accused may be charged under the Bharatiya Nyaya Sanhita, 2023 or any other law for the time being in force, at the same trial. 45

(4) In every trial of an offence under this Act, the proceedings shall be continued on day-to-day basis, until all the witnesses in attendance have been examined, unless the Special Fast Track Court, for reasons to be recorded in writing, finds that adjournment of the same beyond the following day is necessary:

Provided that such trial shall be completed within a period of three months from the date of filing of the chargesheet.

(5) The cases or trials pertaining to offences under this Act or any other law for the time being in force as specified in sub-section (3), which are pending on the date of commencement of the Public Examinations (Prevention of Unfair Means) Amendment Act, 2026, shall stand transferred to the Special Fast Track Court designated under sub-section (2).

(6) The trial of cases transferred under sub-section (5) shall be conducted by the Special Fast Track Court designated under sub-section (2) from the stage it is received upon such transfer and shall be completed within a period of three months from the date of such receipt.

(7) Every State Government and Union territory Administration shall, by notification, appoint one or more Special Public Prosecutors for every Special Fast Track Court in accordance with sub-section (8) of section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for conduct of cases under this Act.

(8) Every person appointed as a Special Public Prosecutor under this section, shall be deemed to be a Public Prosecutor within the meaning of clause (v) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the provisions of that Sanhita shall apply accordingly.

12B. (1) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, an appeal shall lie from any judgment, sentence or order, not being an interlocutory order, of a Special Fast Track Court to the High Court.

Appeals.

(2) Every appeal under sub-section (1) shall be heard by a bench of two Judges of the High Court and shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.

(3) Except as aforesaid, no appeal or revision shall lie to any Court from any judgment, sentence or order including an interlocutory order of a Special Fast Track Court.

(4) Notwithstanding anything contained in sub-section (3) of section 419 of the Bharatiya Nagarik Suraksha Sanhita, 2023, an appeal shall lie to the High Court against an order of the Special Fast Track Court granting or refusing bail.

(5) Every appeal under this section shall be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days:

Provided further that no appeal shall be entertained after the expiry of the period of ninety days.”.

STATEMENT OF OBJECTS AND REASONS

The Public Examinations (Prevention of Unfair Means) Act, 2024 (the said Act) was enacted to prevent resorting to unfair means in public examinations and to provide for matters connected therewith and incidental thereto. The said Act, being a pan-Indian legislation, aims at effectively deterring persons, organised groups and institutions from indulging in unfair means thereby committing offences, adversely impacting the sanctity of public examinations. The objective of the said Act is to bring greater transparency, fairness and credibility and inspire confidence in the public examinations system.

2. In recent years, there have been some incidents of question paper leakages and malpractices in examinations conducted by public examination authorities, which tend to affect the transparency and fairness of the public examinations system.

3. Hence, in order to further strengthen the fairness, to enhance the credibility of the public examinations system and to facilitate speedy trial and ensure time bound investigations of offences under the said Act, it is necessary to make amendments in the said Act, *inter alia*,—

(i) to empower all State Governments and Union territory Administrations to designate any Court of Session to be a Special Fast Track Court to try offences under the said Act;

(ii) to provide that the proceedings in such Special Fast Track Courts are continued on day-to-day basis and the trial shall be completed within a period of three months from the date of filing of the charge sheet;

(iii) to empower the Central Government to also constitute Special Task Force for investigation of any offence, if necessary;

(iv) to provide that the investigations for offences under the said Act are completed within a period of two months;

(v) to empower all State Governments and Union territory Administrations to appoint one or more Special Public Prosecutors for conduct of cases under the said Act;

(vi) to enhance the term of imprisonments and fines provided therein for offences committed under the said Act; and

(vii) to provide for appeal mechanism as against any judgement, sentence or order to a bench of two Judges of the High Court, and for disposal of the same within a period of three months from the date of admission of appeal.

4. The Bill seeks to achieve the above objectives.

NEW DELHI;

DR. JITENDRA SINGH.

The 24th July, 2026.

ANNEXURE

EXTRACTS FROM THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024

(1 OF 2024)

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10. (1) Any person or persons resorting to unfair means and offences under this Act, shall be punished with imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed, as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Punishment for offences under this Act.

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

(2) The service provider shall also be liable to be punished with imposition of a fine up to one crore rupees and proportionate cost of examination shall also be recovered from such service provider and he shall also be barred from being assigned with any responsibility for the conduct of any public examination for a period of four years.

(3) Where it is established during the investigation that offence under this Act has been committed with the consent or connivance of any Director, Senior Management or the persons in-charge of the service provider firm, he shall be liable for imprisonment for a term not less than three years but which may extend to ten years and with fine of one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

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11. (1) If a person or a group of persons including the examination authority or service provider or any other institution commits an organised crime, he shall be punished with imprisonment for a term not less than five years but which may extend to ten years and with fine which shall not be less than one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Organised crimes.

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

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CHAPTER IV

INQUIRY AND INVESTIGATION

12. (1) * * * * *

Officers empowered to investigate.

(2) Notwithstanding anything contained in sub-section (1), the Central Government shall have the powers to refer the investigation to any Central Investigating Agency.

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LOK SABHA

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BILL

to amend the Public Examinations (Prevention of Unfair Means) Act, 2024.

(Dr. Jitendra Singh, MoS (I/C) of Science and Technology; MoS (I/C) of Earth Sciences; MoS in the Prime Minister's Office; MoS in the Ministry of Personnel, Public Grievances and Pensions; MoS in the Department of Atomic Energy; and MoS in the Department of Space)