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NYAYAVIMARSHA

INTEGRITY UNDER SIEGE: A COMPREHENSIVE INVESTIGATION OF THE NEET 2024 SCANDAL

1.INTRODUCTION

The National Eligibility cum Entrance Test (NEET), one of India's most reputable entrance examinations, was tarnished by controversy in 2024 which exposed deep-rooted vulnerabilities in the system of examination which wavered the entire nation's confidence in the sanctity and integrity of the education system.

NEET-UG is a nationwide entrance examination for admission to undergraduate medical programs which is conducted by the National Testing Agency (NTA).¹ It is the sole gateway for millions of aspirants seeking admissions in prestigious medical colleges across the country. It is one of India's largest examinations in terms of the number of applicants wherein millions of students compete for admission to a limited number of seats.

The integrity of this entrance examination is of paramount importance as the future of innumerable students is determined through their performance in this examination. However, this integrity was gravely compromised through the unfolding of a scandal wherein reports surfaced regarding the leakage of the paper before the examination which allowed a few candidates to gain unfair advantage. This scandal was further compounded by discrepancies in the results wherein an exceptional number of students achieved perfect scores and others received scores which were mathematically impossible, raising suspicions of result tampering.

The impact of this scam was imperative as it not only affected the students who had diligently studied for the examinations but also eroded the confidence of the public in NTA and the examination procedure carried out by it.² Aspirants and parents across the nation have voiced their displeasure which in turn sparked protests and demands for a comprehensive

¹ Press Information Bureau, *Government has created National Testing Agency to conduct entrance examinations for higher education in a scientific manner*, Jul. 30, 2018, available at

<https://pib.gov.in/newsite/PrintRelease.aspx?relid=181224>

² Nootan Sharma, *'I didn't fail the exam, system failed me'—NEET 2024 students go back to preparing again*, The Print, Jun. 11, 2024, available at <https://theprint.in/ground-reports/didnt-fail-exam-system-failed-me-neet-2024-exam-students/2125904/>

investigation. The Apex Court of India intervened by ordering a partial retest and mandating a thorough investigation into the allegations.³

The NEET 2024 scandal along with jeopardizing the aspirations of millions of medical aspirants exposed the systemic flaws imbibed in the NTA's administration. It highlighted the pressing need for an immediate reformation to protect the integrity of national examinations and in turn rebuilding the faith of the public in the educational system. This essay aspires to decipher the complexities of the NEET 2024 scandal by examining its major causes through an in-depth analysis of the systemic shortcomings deeply rooted in the conduction of the examination and its implications. Further, it also aims to explore potential solutions to prevent such happenings in the future, ensuring an impartial and transparent examination procedure.

2.THE NEET SCANDAL: WHAT WENT BEHIND?

The NEET scandal was not limited to a single isolated incident but revealed a wide range of controversies. As the investigation unfolded it was discovered that the examination was tampered with a series of malpractices which arose even before the examination, followed by controversies surrounding disparities in the results.

2.1 Discrepancies in the results

The results of the NEET-UG 2024 examination were released on 4th June, 2024, ten days prior to the announced date, coincidentally on the same day when the results of the 2024 Indian General Elections were released. Many claim that this was done to conceal a huge scandal behind the hustle and bustle of the Indian General election results. The controversies relating to the results arose with the simple doubt of an abnormally high number of candidates receiving full marks (720/720)⁴. NEET-UG being one of the most difficult entrance examinations in the country, an event where 67 candidates received perfect scores was considered unusual and strange in comparison to the 2 or 3 candidates topping the examination in the previous years. This mystery was intensified when it was revealed that

³ *Vanshika Yadav v. Union of India and Others*, Writ Petition (Civil) No. 335 /2024, at 1 (Supreme Court of India July 8, 2024), available at

https://webapi.sci.gov.in/supremecourt/2024/22797/22797_2024_1_31_53517_Order_08-Jul-2024.pdf

⁴ National Testing Agency, *Press Release for the Re-revised Result Declaration of the NEET (UG) 2024 Revised as on 26 July 2024*, Jul. 26, 2024, available at <https://exams.nta.ac.in/NEET/images/press-release-for-the-re-revised-result-declaration-of-the-neet-ug-2024-revised-as-on-26-july-2024.pdf>

most of the toppers who had received perfect scores were from the same examination centers. Through further investigation, it was revealed that the NTA had granted grace marks to 1,563 students⁵ to compensate for the loss of time. Intriguingly 44 out of the 67 candidates had scored full marks only because they were awarded grace marks. The NTA justified its actions by citing the judgment of the Supreme Court in *Disha Panchal vs Union of India the Secretary*⁶ which was given in relation to the Common Law Admission Test. However, it is remarkable to note that it was explicitly stated in this judgment that the formula evolved in this case shall not be applicable to medical and engineering entrance examinations. As this awarding of grace marks was challenged through various petitions in the Supreme Court of India, the court ordered its withdrawal. The students were given an opportunity to either accept their marks without the grace marks or to take up a retest. Surprisingly only 813 students out of 1,563 took up the retest out of which only 1 student scored full marks.⁷ This incident is proof enough to establish that there were wide discrepancies involved in the results of NEET-UG causing serious harm to its integrity.

2.2 Paper leakage and use of malpractice

The NEET controversy is not only limited to discrepancies in results but also includes instances of paper leakage. News of paper leakages emerged from various states such as Haryana, Maharashtra, Karnataka, Jharkhand, and Bihar. It was alleged that there was leakage of the question paper in Patna on the previous night of the examination which occurred through a well-structured network of various gangs. Further, when the case was handed over to the Central Bureau of Investigation, it was discovered that the paper leak had occurred on the morning of the day of the examination.⁸ Further, an incident in Godhra, Gujarat was also discovered where a raid upon an examination center revealed that a school teacher who was also the deputy superintendent told his students to not answer the questions

⁵ Fareeha Iftikhar, *Wider NEET retest not on the cards: Education minister Dharmendra Pradhan*, Hindustan Times Jun. 15, 2024, available at <https://www.hindustantimes.com/india-news/wider-neet-retest-not-on-the-cards-minister-101718391053594.html>

⁶ *Disha Panchal vs Union of India the Secretary*, AIR 2018 SUPREME COURT 2824, 2018.

⁷ *NEET 2024: NTA issues notification on re-exam. Check exam and result dates and other details*, The Economic Times, Jun. 15, 2024, available at <https://economictimes.indiatimes.com/jobs/exams/results/neet-2024-nta-issues-notification-on-re-exam-check-exam-and-result-dates-and-other-details/articleshow/111014014.cms>

⁸ *ibid.*

they did not know and that he would fill it for them later in exchange for money.⁹ The Supreme Court while hearing the petitions related to the same warned that even an iota of error in the conduct of the examination shall not be tolerated.¹⁰ However, on July 23rd, 2024 the Supreme Court established that although the fact of the leakage of question paper cannot be denied, there was no indication that it was widespread enough in order to conduct a retest. However, the Apex Court did state that the sanctity and the integrity of the examination had been compromised.¹¹

3. KEY FACTORS AND ROOT CAUSES BEHIND THE NEET SCAM

There are various factors ranging from the administrative deficiency of the NTA to the systemic deformities in the NEET-UG examination which have either directly or indirectly contributed to the NEET scandal. Understanding these root causes is crucial to develop targeted strategies and reforms that can restore the credibility and integrity of the examination.

3.1 Inadequacies and Shortcomings of the National Testing Agency

The NTA was established as a premier organization to conduct examinations for entrance to higher educational institutions.¹² It was established with impressive objectives which include the conduction of transparent, efficient, and international standard assessments to identify and bridge the gaps present in the knowledge system.¹³ However, the NTA has time and again failed to deliver and uphold the integrity of its objectives. There are various reasons as to why the achievement of these objectives is daunting despite its impressive nature.

3.1.1 The legal status and lack of accountability by the National Testing Agency

⁹ Press Trust of India, *Case against Gujarat teacher, others for accepting Rs 10 lakh to solve NEET exam*, India Today, May 10, 2024, available at <https://www.indiatoday.in/india/story/gujarat-neet-ug-exam-students-offer-lakhs-to-teachers-for-solving-papers-arrested-godhra-2537391-2024-05-10>

¹⁰ *Vanshika Yadav v. Union of India and Others*, Writ Petition (Civil) No. 335 /2024, at 1 (Supreme Court of India July 8, 2024), available at https://webapi.sci.gov.in/supremecourt/2024/22797/22797_2024_1_31_53517_Order_08-Jul-2024.pdf

¹¹ *ibid.*

¹² National Testing Agency, About NTA, (accessed Sept. 15, 2024), available at <https://www.nta.ac.in/about>

¹³ National Testing Agency, Objectives, (accessed Sept. 15, 2024), available at <https://www.nta.ac.in/object>.

The NTA was established in the year 2017 through the approval by the Ministry of Education which was formerly known as the Ministry of Human Resource and Development.¹⁴ However it is imperative to note that the NTA has not been established through an Act of Parliament. It was set up as an autonomous organization in accordance to the Societies Registration Act, 1860¹⁵ and thus is just a registered society which has only a governing body¹⁶ and lacks a general body.¹⁷ The NTA is thus exempted from the rules that apply to Government employees to govern their conduct. The logic behind this arrangement of the legal status of NTA is questionable in nature as it allows for the evasion of accountability and scrutiny that arises from having a legislative backing.

It can further be observed that there is a deficiency exhibited in the accountability mechanism from the Government to be applicable to the NTA. It is extremely crucial that an organization vested with such imperative responsibilities must be governed by mandatory guidelines regarding the selection of paper setters, modalities for the conduction of the examination, breaches and wrong keys, and paper leaks. Further, there is no transparency in the setting of papers, selections of members, choosing of examination centers. The absence of a Standard Operation Procedure (SOP) for the functioning of the NTA further exaggerates this problem.

3.1.2 Inadequacy of Resources, outsourcing and logistical shortcomings

The NTA is vested with conducting the top three main entrance examinations for the admissions into Undergraduate Courses including JEE-Main for admissions to engineering, NEET-UG for medical admissions and CUET-UG for admissions to various other Undergraduate Courses.¹⁸ Overall the NTA is vested with the responsibility of conducting

¹⁴Explained: How the National Testing Agency functions, Times of India, Jun. 27, 2024, available at <https://timesofindia.indiatimes.com/india/explained-how-the-national-testing-agency-nta-functions/articleshow/111312592.cms>

¹⁵ Societies Registration Act, No. 21 of 1860 (India).

¹⁶ National Testing Agency, *Governing Body*, (accessed Sept. 15, 2024), available at <https://www.nta.ac.in/governing>

¹⁷ Debdutta Chakraborty, *In eye of NEET storm, a look at origins of India's testing agency NTA & past controversies*, The Print, Jun. 14 2024, available at <https://theprint.in/india/in-eye-of-neet-storm-a-look-at-origins-of-indias-testing-agency-nta-past-controversies/2131522/>

¹⁸ Explained: How the National Testing Agency functions, Times of India, Jun. 27, 2024, available at <https://timesofindia.indiatimes.com/india/explained-how-the-national-testing-agency-nta-functions/articleshow/111312592.cms>

around 15 major fellowship and entrance examinations which involves more than 10 million students making it one of the major and largest examination conducting agencies.¹⁹

The responsibility of conducting examinations of such high stature and that too coupled with such diversity can be seen to be vested with the NTA which is a small body whose only permanent staff includes a 15-member body that begins with a chairperson and ends with a senior superintendent level officer.²⁰ The NTA suffers from a lack of testing experts, research capacity, and domain experts. Everything in the NTA including paper setting, paper distribution and data security protocols are mostly outsourced. This situation is further worsened by the offline nature of the examination as it involves multiple stages where there is human interference such as paper setting, printing of papers and their transportation to various centers which leaves behind many leakage points rendering its confidential nature inefficacious.

It can thus be inferred that the NTA is an extremely fragile organization to handle the burden of such a large number of crucial examinations being vested to it, as such a handling would require an extremely different kind of approach which includes preparation and expertise.

3.2 Systemic loopholes and deeper flaws of the NEET-UG examination

The NEET-UG examination is further plagued with various other systemic loopholes that have fueled the compromising of its credibility. Several weaknesses that span multiple areas ranging from the format of the examination and technological infrastructure to the reduction in qualifying percentile of the examination are the major contributing factors to the loopholes in the NEET examination.

3.2.1 Low cut-off scores rendering the principle of meritocracy futile

¹⁹ How NTA conducts 15 exams including NEET for over 10 million students: Outsourced staff and contact centers, CNBC -TV 18, Jun. 21, 2024 available at <https://www.cnbc18.com/education/how-nta-conducts-15-exams-including-neet-for-over-10-million-students-outsourced-staff-contract-centers-19431568.htm>

²⁰ Abhinandan Mishra, NTA has only 15 permanent staff members, spends crores on outsourcing work, The Sunday Guardian, Jun. 30, 2024, available at <https://sundayguardianlive.com/top-five/nta-has-only-15-permanent-staff-members-spends-crores-on-outsourcing-work#:~:text=A%2015%2Dmember%20body%20that,entrance%20examinations%20for%20higher%20education>

The substantial reason behind designing the NEET-UG examination was the idea of centralizing the admissions to Medical Institutions across the Nation which was deemed to be necessary for the principle of meritocracy to be applied to the admissions. This necessity arises when certain scarce educational opportunities are to be distributed amongst an abundant number of candidates by measuring their relative performance and is based on the idea of distributive justice.

However, an exclusionary aspect arises in this principle through the reduction in the qualifying percentile which dilutes the main idea behind which the principle of merit was incorporated. The cut-off score in the year 2024 was 164 marks out of 720 marks which is just 22.78 percent.²¹ This reduction in the qualifying percentile allows even candidates who score a single digit in any one of the four subjects to get entry into medical institutions by the virtue of their marks in other subjects. It also facilitates private colleges to indulge in large-scale corruption and make money by blocking seats even to the non-meritorious students. This renders the already distraught candidates due to issues such as grace marks and paper leaks in a more vulnerable situation.

3.2.2 The usage of Multiple-Choice Questions (MCQ's) format

The advantages and merits of the usage of MCQ's cannot be denied especially while conducting an examination at such a large scale. The MCQ system eradicates the need for qualified human examiners as each question has a single and unambiguous correct answer which can be detected by machines through the usage of Optical Mark Recognition (OMR) sheets. This also strikes out the necessity of the system of revaluation through simply checking errors in the questions through objections which are raised by the candidates before the declaration of the results. The probability of guessing the correct answer by chance is also minimized through the 'Negative Marking System.'

However, the MCQ based system, although a cure to the disease, has the potentiality of increasing the spread of the disease. The MCQ format is more prone to be misused as it is easier for the students to memorize the right answers if the paper is leaked overnight or a few

²¹ *NEET UG 2024 cut-off sees a significant increase: Check category-wise qualifying percentile and marks range*, The Times of India Education, Jun. 5, 2024, available at <https://timesofindia.indiatimes.com/education/news/neet-ug-2024-cut-off-sees-a-significant-increase-check-category-wise-qualifying-percentile-and-marks-range/articleshow/110726942.cms>

hours before the start of the examination. It increases the susceptibility of the examination to unfair means. Additionally, the focus on objective rather than subjective assessment limits its ability to test a candidate's conceptual understanding and critical thinking skills. This limitation is particularly significant in examinations for fields like medicine, where the stakes extend beyond admissions to impacting the healthcare system itself.

4. STRATEGIES TO CURB THE FLAWS AND ENHANCE THE INTEGRITY OF NEET-UG EXAMINATION

The loopholes deeply rooted in the NEET-UG examination and in its conduction process highlight crucial vulnerabilities in the Indian educational testing system. The consequences of these flaws are extremely dire in nature such as exacerbation of stress and mental health issues in the aspirants,²² an epidemic of over-reliance on coaching institutes fueling a 'Coaching Industry Culture'²³ and loss of youth due to sole focus on intense examination preparation which could have been spent on gaining employability skills.²⁴ Tackling these loopholes requires immediate and urgent reforms, in the absence of which they will continue to undermine the integrity of one of the most critical entrance examinations of the country.

4.1 Enhancement of resources and takeaways from other successful organizations

Since outsourcing of resources is one of the major threats to the integrity of the examination, engaging in-house experts is extremely important. It is essential that these experts need to undergo a strong vetting process, sign confidentiality agreements, and undergo strict training on maintaining secrecy. Inputs can be taken from the China's Gaokao, which is one of the largest examinations in the world known for its strict anti-corruption measures which has been incorporated through various reforms which includes biometric checks and facial recognition in order to prevent impersonation, electronic jammers to prevent cheating using

²² Archit Gupta, *Students suicide highest in the last 5 years, many took life due to failure in exam: NCRB data*, The Times of India, Sept. 12, 2022, available at <https://timesofindia.indiatimes.com/education/exams/medical/students-suicide-highest-in-the-last-5-years-many-took-life-due-to-failure-in-exam-ncrb-data/articleshow/94154908.cms>

²³ Jyoti Yadav, *India's Tuition Republic is bigger than ever. Coaching culture is an epidemic now*, The Print, Dec. 19, 2022, available at <https://theprint.in/feature/indias-tuition-republic-is-bigger-than-ever-coaching-culture-is-an-epidemic-now/1270638/>

²⁴ Usman Jawed Siddiqi & Anirban Bhattacharya, *Between Aspiration & Despair: Government Jobs & The Predicament of The Educated Unemployed*, available at <https://centreforequitystudies.org/wp-content/uploads/2020/05/Between-Aspiration-Despair-Government-Jobs-the-Predicament-of-the-Educated-Unemployed.pdf>

electronic devices, handling of examination papers with police escort and drones for the prevention of fraud etc.²⁵ Furthermore, since these examinations directly impact the healthcare system of the country, establishing a separate body, such as the Union Public Service Commission, to conduct medical related examinations can prove to be effective.

4.2 Strengthening security protocols through technological integration

Enhancement of security protocols can be done through integration of Artificial Intelligence (AI) based surveillance systems to prevent cheating.²⁶ A third party review of the NEET examination centers has revealed glaring non-compliances including absence of two mandatory working Closed-Circuit Television (CCTV) Cameras in each examination hall.²⁷ Stringent measures against such non-compliances must be employed. The employment of specially commissioned vehicles integrated with satellite navigation and remote monitoring systems for logistical purposes can help tackle the problem of human interference during the transportation of the papers. Incorporation of computer-based examinations which are more secure than paper-based examinations can further curb the paper-leakage challenges.

4.3 Address the demand and supply problem of medical seats

In 2024, around 24 lakh students²⁸ appeared for the NEET-UG examination to compete for 1 lakh available seats.²⁹ This supply of seats, especially in government institutions, is constrained due to various factors such as infrastructural and funding limitations. On the other hand, private colleges are extremely expensive, limiting their access only to students

²⁵ Aparajita Sambhaw, *NEET And UGC-NET Crisis In India: Reflecting On China's Gaokao Exam*, The Daily Guardian, Jun.20, 2024, available at <https://thedailyguardian.com/neet-and-ugc-net-crisis-in-india-reflecting-on-chinas-gaokao-exam/>

²⁶ Ajith Athrady, *UPSC plans AI-based surveillance to prevent cheating*, Deccan Herald, Jun. 25, 2024, available at <https://www.deccanherald.com/india/upsc-plans-ai-based-surveillance-to-prevent-cheating-2-3078506>

²⁷ Deeksha Teri, *CCTVs missing, unguarded strong-rooms: Review of NEET 2024 found glaring gaps in exam centres*, The Indian Express, Jun. 22, 2024, available at <https://indianexpress.com/article/education/cctvs-missing-unguarded-strong-rooms-review-of-neet-2024-found-glaring-gaps-in-exam-centres-9405443/>

²⁸ National Testing Agency, *Notice Regarding Rank of the National Eligibility cum Entrance Test NEET (UG)*, Jun. 4, 2024, available at https://www.nta.ac.in/Download/Notice/Notice_20240604195244.pdf.

²⁹ R. Sai Spandana, *Supreme Court directs NTA to publish centre-wise results of 2024 NEET UG exam*, Supreme Court Observer, Jul. 18, 2024, available at <https://www.scobserver.in/journal/supreme-court-directs-nta-to-publish-centre-wise-results-of-2024-neet-ug-exam/#:~:text=A%20total%20of%2023%2C33%2C000,private%20colleges%20is%201%2C08%2C000.>

coming from higher-income families.³⁰ Expanding the number of seats in government colleges and regulating private medical education can help tackle this issue. Also, instead of a one-size-fits all approach to the admissions, a system that homogenizes the score of the aptitude test along with the academic performance to prepare the merit list can help integrate the principle of equality of opportunity in the meritorious system.

5. CONCLUSION

The NEET-UG is one of the most prestigious entrance examinations in the country and is conducted by the NTA for admissions to medical institutions. It is of tremendous significance that these examinations need to be conducted in an extremely fair manner to uphold its integrity as it has a direct impact on the healthcare system of the country. However, this sanctity was compromised in the NEET-UG 2024 as a scandal consisting of paper leakage and administrative discrepancies arose.

The major causes behind these discrepancies involve various factors ranging from the shortcomings of the NTA, an organization too fragile with its lack of resources and accountability mechanism to the systemic flaws that have been imbibed in the NEET-UG examination. Addressing these shortcomings requires a multifaceted approach which includes enhancement of resources and security protocols, filling the large gap between the demand and supply of the medical seats while inculcating key takeaways from other organizations across the world which have been successful in combating these discrepancies and upholding the sanctity of the institution of education.

Restoring the integrity of the examination system along with the faith of millions of aspirants across the country requires robust and immediate policy reforms. There needs to be crucial attention given to the levels of corruption these examinations could generate, further designing policies to combat these levels through their effective implementation. It is worthy of every attention that, if the issue of educational integrity is not addressed immediately by the policy makers, there is not even an iota of skepticism in the fact that the welfare of the public shall be adversely affected in the long run.

³⁰ Abhinav Singh, *From fewer seats to higher fees, medical education sector in India beset with challenges galore*, The Week, Sept. 23, 2022, available at <https://www.theweek.in/news/biz-tech/2022/09/23/from-fewer-seats-to-higher-fees-medical-education-sector-in-india-beset-with-challenges-galore.html>