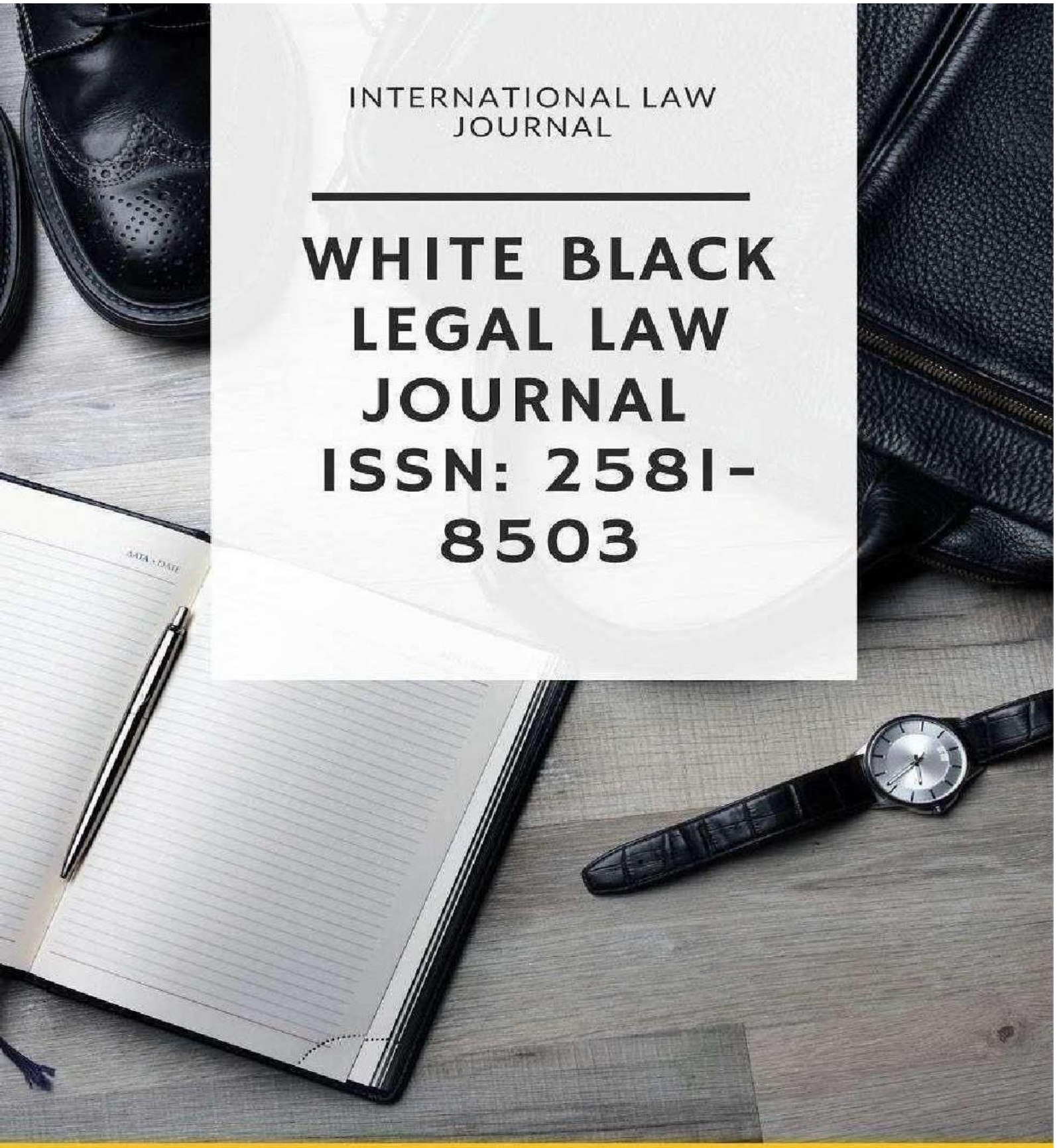


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FROM EXAMINATION LEAKS TO DIGITAL PROTESTS: A SOCIO-LEGAL STUDY OF EDUCATIONAL INEQUALITY AND YOUTH MOBILISATION FOR EDUCATIONAL JUSTICE

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ABSTRACT

The Indian examination system, long considered a neutral adjudicator of merit, has in recent years become a prominent site of constitutional controversy. The repeated question-paper leaks in critical examinations like the National Eligibility cum Entrance Test (NEET-UG), which determines the real admittance to higher education and the discharge of distributed, digitally organised youth movements such as the Cockroach Janta Party (CJP) jointly disclose a system under tension. This research takes up a socio-legal examination of the crossing between educational imbalance, examination wrongdoing, negligence and youth deployment in India. It locates these types of advancement within the constitutional framework regarding the article 14 which states the right to equality, article 21 which the right to life and personal liberty alongside article 21A which gives the right to education. Considering the NEET-UG 2024 court cases, the Public Examinations Act of 2024 and the 2026 protests against the education minister demanding his resignation. This research paper explains that exam fraud and coaching traps are serious violations of constitutional promises. They destroy fair access to education beyond basic administrative mistakes and decay true and equal rights of education. Additionally, it argues that the youth's retaliation to this mistreatment and misuse, conveyed via digital mobilisation and street protests, should be viewed as a valid form of dissent protected by the Constitution of India, confined only by narrow restrictions established under Indian law. This research concludes with scheme and legal advice which is directed at bringing different ideas

into agreement or harmony.

Notes & References

Article 21A, Article 21, Article 19, Article 19(1)(A) and 19 (1) (B), Article 14, Prevention of Unfair Means Act, 2024.

I. INTRODUCTION

In India, public examinations hold a unique position under the law. Far from being just administrative tools for distributing limited seats in educational institutions and government jobs, these policies serve as the vital vehicle for transforming the constitutional promise of equal opportunity, which is actualised for millions of young citizens. The erosion of this framework through paper leaks, seats sold to the highest bidder, or the unfair gatekeeping of unchecked coaching institutions means the harm reaches far beyond the single candidate who misses out on a top rank or a spot. This erodes the constitutional promise of equal opportunity by transforming a system that favours those with wealth, information and social influence.

This paper focuses on three interrelated issues or trends between 2024 and 2026 that dominated Indian public discussion. Triggered by allegations of exam compromise in 2024 NEET-UG paper leak scandal lead up to extensive litigation before the Apex Court of India. In retaliation to these systemic flaws, the Indian Parliament sanctioned legislative safeguards through the Prevention of Unfair Means (in Public Examinations) Act, 2024. Furthermore, an expensive and unrestricted private coaching institutions from over 30 years has been deeply embedded. It now acts as a gatekeeper between traditional schooling and exam success; it comprehensively bars underprivileged students and destroys equal opportunity. The third most significant breakthrough occurred in 2026 with the birth of the Cockroach Janta Party (CJP). Born from a remark by the Apex Court of India, contrasting the unemployed youth to “cockroaches”, this satirical, localised and technically indigenous youth alliance quickly grew into one of India’s biggest protests led by the youth in over a decade. This alliance concentrated its demands on systematic accountability for academic setbacks and the immediate resignation of the education minister.

Conventionally, these three phenomena are studied through different lenses: first through a legal perspective, second via an educational approach and economics, and last through the function of political sociology. This paper argues that these elements are examined as three continuous socio-legal processes: systematic examination failure drives banishment,

banishment breeds injustice, and unresolved injustice provokes protests. Each stage involves a different but interconnected constitutional approach: examination malpractices violate the right to equality under Article 14, the high barricades of coaching institutions threaten the right to education under Article 21 and 21A, and youth-led protests activate the right to freedom of speech and peaceful assembly under Article 19 (1)(a) and (1)(b). This paper is based on the idea that observing these elements separately will only give an insufficient image but in reality, they are all a part of an individual constitutional emergency surrounding educational justice.

II. HISTORICAL BACKGROUND

A. The Evolution of the public examinations as a gatekeeping mechanism

India's dependency on stereotyped, competitive exams is an aftermath of colonisation that was later adopted to allocate limited seats in higher and professional education. The eruption of applicants, compared to the limited availability of seats in the fields of medicine, engineering and civil services, transformed these examinations into do-or-die battles where minute margin differences determine careers. This standardised strain encouraged institutional malpractices, leading to present-day identity fraud and structured examination leaks led by coaching institutions, malicious insiders and logistics contractors since the rise of computer-based testing in the 1990s. For decades, India has struggled with persistent examination leaks, specifically hampering state-level recruitment and board examinations. Post-2015, the issue intensified dramatically due to scale. As medical admissions through NEET-UG and recruitment examinations transformed into centralised national systems, the risks escalated. A single compromised examination no longer devastated a few hundred regional students but affected millions of candidates across the country all at once. This massive scale elevated localised examination leaks from a minor administrative embarrassment into a profound constitutional crisis because it packed the risk of mistreatment into a single nationwide event.

B. Growth of the Coaching Institutions and Meritocracy Commercialisation

Alongside the development of systematised testing came the evolution of a structured supplemental education sector. Initially centralised in cities like Kota, Rajasthan, this industry ultimately expanded across the country and into the digital realm. Initially established as remedial coaching, this sector transformed into a correspondence schooling mechanism. For applicants trying to ace examinations like NEET-UG and JEE, the coaching institutions are now considered an absolute necessity. The cumulative expenditure on top-ranking coaching

programs, covering annual tuition, accommodation and curriculum materials, constantly escalates into lakhs of rupees. As a consequence, these coaching institutions remain financially inaccessible to a majority of Indian households, particularly those belonging to rural and socio-economically devastated groups. Education researchers and lawmakers have long documented a brutal truth: conventional juridical equality does not equal realistic opportunity. When two candidates take the same examination, they face completely different obstacles. While one has the advantage of expensive resources like selective question banks, comprehensive statistics and personal mentoring, the less fortunate is left with only basic preparation.

C. From NEET-UG to the Prevention of Unfair Means Act

The NEET-UG 2024 examination conducted by the National Testing Agency (NTA) on May 5, 2024, for more than 2.3 million candidates, served as the game-changer that intensified these lingering conflicts into a fully-fledged constitutional crisis. Following the declaration of results, severe public investigation emerged due to an abnormal cluster of 67 candidates scored a flawless score of 720 out of 720, most of which came from an exact same coaching institution in Haryana. Subsequent investigation disclosed that the question paper had been leaked before in Patna, Bihar and Hazaribagh, Jharkhand. This discovery provoked a police investigation by the Central Bureau of Investigation and led to the filing of countless writ petitions before the Apex Court of India advocating for cancellation of the examination and rescheduling of the examination itself.

The Apex Court of India, in its judgment, dismissed the batch of petitions, including Vanshika Yadav v. Union of India, turning down the request for a nationwide re-examination. No evidence of a widespread violation was found by the court, while a localised leak had occurred in Patna and Hazaribagh, which compromised the overall uprightness of the examination. It established that the entire cancellation of the examination would wrongly punish the entire 2.3 million candidates who appeared for the examination honestly and critically hamper the academic structure. Rather, the court nullified the results of the candidates who received improper grace marks, ordered a re-test for that particular group and instructed the Union Government to set up a committee to improve the National Test Agency's (NTA) security of the examination, focusing on cyber-security, authentication and monitoring of the CCTVs in the examination centres.

In reaction to the NEET-UG scandal and recruitment exam leaks, Parliament passed the Public Examinations (Prevention of Unfair Means) Act, 2024. This law establishes organised cheating as a cognizable and non-bailable criminal offence. It specifically targets leaking examination

papers, tampering with answers, appointing fake test-takers and using electronic devices. By doing so, the Indian government shifted its approach from treating examination leaks as a minor, isolated issue to treating it as a criminal act subject to the full force of the law.

D. The 2026 Cockroach Janta Party Movement

The events of 2026 marked a turning point where public frustration over examination irregularities transformed into systematic political protests. On May 15, 2026, during an unrelated hearing of the Apex Court of India, the Chief Justice allegedly remarked that the unemployed youth were like "cockroaches" with no future in the professional economy. Given the ongoing public frustration over examination leaks and youth underemployment, the statement went viral within hours. In response to this outburst, Abhijeet Dipke, a tactical planner, founded the Cockroach Janta Party (CJP), an ironic movement formed to reclaim the insult. The CJP grew at an extraordinary rate. Within just a few weeks, it acquired tens of millions of online followers. Within a short period of time, CJP outperformed the combined social media power of India's dominant political parties. This digital movement successfully shifted from a virtual movement into a powerful, on-the-ground protest.

Throughout June and July 2026, CJP-led protests drew support from major figures like Sonam Wangchuk, a major climate activist and educational reformer. The movement demanded examination transparency, responsibility for breaches in the NEET-UG and state board exam scandals and the resignation of the Education Minister. The movement peaked on the opening day of the Monsoon Season with a "Chalo Sansad" march towards parliament. Police ruthlessly suppressed the demonstration; independent forensic analysis cited by international reporters revealed that many protestors suffered injuries from shotgun birdshot, representing a revolutionary escalation in the history of recent Delhi protest policing. The CJP protest is more than a remote event, as it demonstrates the core idea of this paper. When systematic examination failures are left unresolved by legal systems, these injustices automatically turn into powerful, constitutionally historic public protests.

Notes & References

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

III. FRAMEWORK OF DOCTRINAL RESEARCH AND ITS SCOPE

The scope of this paper is to strictly focus on recognising legal administration. This research does not use experimental methods like interviews, random sampling or standard fieldwork; rather, it relies completely on constitutional provisions, statutory legislation and judgments of the Apex Court of India. Proof is drawn entirely from these primary legal sources and their recorded facts; no theory is treated as a proven conclusion unless it has been verified by the judiciary.

This paper focuses on Articles 14, 19, 21 and 21A of the Indian Constitution along with the important statutory framework, particularly the Public Examinations (Prevention of Unfair Means) Act, 2024, the Right of Children to Free and Compulsory Education Act, 2009, and the Constitution (Eighty-Sixth Amendment) Act, 2002. Rather than tracking social trends through experiments and interviews, the research utilises case law to define boundaries, scope and legal interpretation of these provisions.

This paper uses a case-law methodology to examine key decisions by identifying their material facts, relevant judgments, and establishing the exact scope of each ruling. It then describes the accurate, limited argument that the authority signifies. This viewpoint is particularly suited for examination scandals, as the Apex Court of India has demonstrated a structured foundation to determine whether extensive inconsistencies summon total cancellation or if a more intended, balanced remedy is appropriate.

Notes & References

Article 14, Article 19, Article 21, Article 21A, Public Examinations (Prevention of Unfair Means) Act, 2024, Right of Children to Free and Compulsory Education Act, 2009, Constitution (Eighty-Sixth Amendment) Act, 2002.

IV. LEGAL ISSUES ESTABLISHED THROUGH LEGAL AUTHORITY

1. Whether malpractices or cheating empower the Apex Court of India to nullify an examination, and what level of proof is required for making that decision?
2. If a regional cheating scandal requires a nationwide examination to be retaken or cancelled?
3. The Apex Court's view on the right to education (Article 21 and 21A) versus the government's power to regulate private and independent coaching institutions.

4. What are the constitutional boundaries related to capitalism in skilled education, fee structures and admission procedures?
5. How do Articles 19(1)(a) and 19(1)(b) protect the right to protest, and what limitations does the Apex Court of India enforce on blocking public roads?
6. What legal authorities can be concluded from these incidents in connection with examination fairness, equal access to schooling and the right to protest peacefully using solely legal principles?

Notes & References

Article 19(1)(a) and Article19(1)(b)

V. CONSTITUTIONAL AND STATUTORY FRAMEWORK

A. Article 14: Equality and fairness in public selection

Article 14 of the Indian Constitution safeguards both legal equality and equal protection under the law. In legal issues related to public hiring and examinations, constitutional legality stretches beyond establishing that everyone obeyed similar legal statutes. For a selection process to be legally justifiable, it must be unbiased and systematic enough to allow candidates to be assessed fairly, strictly based on original rules.

The Apex Court's examination philosophy demonstrates a clear connection between Article 14 analysis and the uprightness of the selection process. Rather than viewing every particular inconsistency as an automatic structural violation, the court assesses whether the defect has harmed the exam's integrity enough to need a specific remedy. According to the decision of the Apex Court of India in Vanshika Yadav v. Union of India (2024), cancelling an entire examination is justified only when structural fraud destroys the uprightness of the examination, making it difficult to separate suspected candidates from the innocent ones.

As a consequence, the legally acknowledged conclusion is more restricted than what was already argued in this paper. A proven leak is absolutely a significant inconsistency, but a leak alone does not mean cancellation of the entire examination is justified. Any remedial action must be determined by how widespread the leak was, available evidence, whether students involved in cheating can be tracked down and the overall impact of the chosen remedy.

B. Article 19: Speech, Assembly and Peaceful Protest

Under Article 19(1)(a) and 19(1)(b) of the Indian Constitution, citizens are guaranteed the

freedom of speech and expression along with the right to assemble peacefully and without arms. These fundamental rights operate within the permitted limits highlighted in Article 19(2) and 19(3). Constantly, the Apex Court of India has declared that peaceful protests are a reasonable form of speech and expression, while still allowing the state to put reasonable guidelines.

In Himmat Lal K. Shah v. Commissioner of Police, Ahmedabad ((1973) 1 SCC 227), the Apex Court of India examined the rules for public meetings, ruling that the state cannot use total unchecked power to nullify people's constitutional right to gather peacefully. At the same time, the court asserted the State's role to manage public places through reasonable, constitutionally justified limitations.

In Amit Sahni v. Commissioner of Police ((2020) 10 SCC 439), the Apex Court of India applied this principle to the road barricade at Shaheen Bagh. While supporting the right to protest, the court ruled that public roads cannot be blocked permanently, causing major difficulties to the citizens. Thus, the judgment balances two priorities: while political disagreement is constitutionally safeguarded, the timing, place and societal impact of the protest can still be legally regulated.

C. Article 21 and 21A: Judicial development of Right to Education

Before the introduction of Article 21A, the constitutional position of education developed through judicial interpretation, in Mohini Jain v. State of Karnataka ((1992) 3 SCC 666), the Apex Court of India estimated the fee structure of private medical colleges, connecting the right to education to the right to life and personal dignity under Article 21 and ruled that charging high fees for medical seats was unconstitutional.

In Unni Krishnan, J.P. v. State of Andhra Pradesh ((1993) 1 SCC 645), the Apex Court of India clarified the extensive right given in Mohini Jain. The court ruled that free education is a fundamental right only up to the age of fourteen years, while free education remains dependent on the monetary assets of the State. Therefore, the ruling serves as an essential constitutional link between Article 21, the right to education and the Directive Principles of State Policy.

Children's educational rights gained a strong constitutional update through the Constitution (Eighty-Sixth Amendment) Act, 2002, which established Article 21A. By binding that the government provides free and compulsory education to all minors aged six to fourteen as established by law, the amendment laid the foundation for the Right of Children to Free and Compulsory Education Act, 2009, which enforced the promise.

The scope of this paper must remain strictly confined to demonstrate lawful parameters. Article

21 clearly applies to children aged six to fourteen. Therefore, this article cannot serve as an individual ground to justify the claim that every obstacle faced by an adult candidate is a direct breach of Article 21A. Instead, a stronger debate assesses higher education by utilising Article 21A, Article 14's equality guarantee and specific constitutional and authorised provisions regulating educational institutions.

Notes & References

Article 14, Article 21, Article 21A, Article 19(1)(a), Article 19(1)(b), Article 19(2), Article 19(3), Constitution (Eighty-Sixth Amendment) Act, 2002, Rights of Children to Free and Compulsory Education Act, 2009, Vanshika Yadav v. Union of India, 2024 INSC 568, Himmat Lal K. Shah v. Commissioner of Police, Ahmedabad ((1973) 1 SCC 227), Amit Sahni v. Commissioner of Police ((2020) 10 SCC 439), Mohini Jain v. State of Karnataka ((1992) 3 SCC 666), Unni Krishnan, J.P. v. State of Andra Pradesh ((1993) 1 SCC 645)

VI. Examination Integrity: Judicial Proof through Case Laws

A. NEET-UG Judgment by the Apex Court of India

The key example is Vanshika Yadav v. Union of India (2024 INSC 568), ruled on August 2, 2024. This ruling happened because many groups filed petitions altogether to challenge the legitimacy of the NEET-UG 2024 examination. The Apex Court of India observed that the test was held on May 5, 2024, covering thousands of centres for over 2.3 million candidates, while extensive claims of examination leaks and irregularities triggered numerous lawsuits.

The court considered evidence that the examination papers were leaked and illegally shared with candidates before the commencement of the examination in Hazaribagh and Patna. It also examined the extra marks awarded to 1,563 candidates who suffered a loss of writing time. The court ruled remedial steps for the extra-marks issue and considered whether a re-test was necessary.

The key legal principle emerges from the court's view on nullifying the examination. The court ruled that an examination can be nullified only if the cheating and fraud are widespread and it is not possible to identify only the cheaters. Furthermore, the court considered the immense size of the examination and the heavy burden a re-test would impose on more than 23 lakh candidates.

After reviewing the evidence, the court concluded that no systemic breach had taken place. Because the beneficiaries of the misconduct in Patna and Hazaribagh could be identified, the

court simply ruled that a complete re-examination for the entire batch is unnecessary. The court also stresses that punishments must be fair, protecting innocent candidates from being punished for fraud.

This judgment directly demonstrates three key principles. First, exam uprightness is a crucial legal matter that can justify court interference. Second, proving an inconsistency happened does not naturally mean an entire examination must be nullified. Third, the measures must align with the extent of the breach and depend on whether the suspected candidates can be separated from the innocent ones. These conclusions are established completely by the judgment itself, without depending on evidence and surveys.

B. Earlier Examination Cases applied by the Apex Court

The 2024 NEET-UG ruling did not establish its test by nullifying examinations from scratch. It depended on previous rulings including Bihar School Examination Board v. Subhas Chandra Sinha ((1970) 1 SCC 648), Anamica Mishra v. U.P. Public Service Commission ((1990) Supp SCC 692), Tanvi Sarwal v. CBSE ((2015)6 SCC 573) and Sachin Kumar v. Delhi Subordinate Service Selection Board ((2021)4 SCC 631).

In Bihar School Examination v. Subhas Chandra Sinha, the court addressed extensive negligence at an examination centre, demonstrating that when systematic malpractice compromises the uprightness of the examination, the entire examination may be nullified. Ultimately, this ruling highlights that both the scope and character of educational malpractice are legally determinative.

In Tanvi Sarwal v. CBSE, the Apex Court of India ruled on an issue concerning the 2015 All India Pre-Medical and Pre-Dental Entrance Tests. Following police reports that disclosed the placement of digital devices, the unauthorised distribution of answer keys, a mob of illegal beneficiaries and the practical impossibility of tracking down every particular beneficiary, the Apex Court of India ruled that the integrity of the examination was unrecoverably damaged. As a result, it ordered a re-examination, demonstrating the kind of proofs required for complete nullification and recommencement of an examination.

In Sachin Kumar v. Delhi Subordinate Service Selection Board, the court examined extensive deficiencies in the hiring exam, including widespread cheating, leaked question papers and security breaches. The court agreed with the ruling to nullify because the evidence demonstrated the complete procedure was unjust. Thus, these rulings demonstrate that the court assesses the specific proof and scale of the misconduct, rather than enforcing a general rule of absolute nullification.

C. Judicial Test for an Appropriate Remedy

The court follows a systematic approach for resolving examination frauds. If the individual candidates involved in cheating can be identified, the court would rather punish them only. But if the scandal is extensive and innocent candidates cannot be identified and separated from the cheaters, the whole examination must be nullified and retaken. The Apex Court's logic is based on truthfulness: the larger the effect on the examination's uprightness, the more extensive the remedy must be.

Moreover, this policy protects the legal interest of the innocent candidates. Ruling for a complete re-test fails to offer a fair remedy; rather, it imposes extra study burdens, added expenses, delays and deep doubt upon innocent candidates. This particular consequence was thoroughly evaluated in the 2024 NEET judgment. Thus, the law does not view a complete re-test as an immediate reaction to every verified case of malpractice.

Notes & References

Vanshika Yadav v. Union of India (2024 INSC 568), Bihar School Examination Board v. Subhas Chandra Sinha ((1970) 1 SCC 648), Anamica Mishra v. U.P. Public Service Commission ((1990) Supp SCC 692), Tanvi Sarwal v. CBSE ((2015)6 SCC 573) and Sachin Kumar v. Delhi Subordinate Service Selection Board ((2021)4 SCC 631).

VII. Legal Response: Public Examinations (Prevention of Unfair Means) Act, 2024

Parliament enacted the Public Examinations (Prevention of Unfair Means) Act, 2024 to restrict malpractices in public examinations and handle secondary matters. This law established a dedicated legal structure that punishes crimes such as leaking or illegal distribution of examination questions, posing as another candidate (impersonation), hacking computer systems, running fake examination websites and similar forms of fraud.

The importance of this act is to represent that the current study is theoretical rather than practical. By enacting this law, Parliament has legally recognised that examination uprightness demands a focused judicial remedy. Therefore, this research paper does not need to practically display the frequency of examination malpractices; Parliament has already categorised the prohibited actions and acknowledged their legal penalties.

This law highlights a critical contrast between individual cheating and the legal decision to nullify an examination. Unlawful or lawful responsibility for a particular offence remains

different from the issue of whether a complete examination must be nullified. While the first relies on the legal constituents of the crime and the proof against the defendant, the second is controlled by educational legal theories created by the judiciary, such as searching for extensive fraud or checking if honest candidates can be separated from the dishonest ones.

Therefore, legal analysts should not declare that the 2024 Act has removed examination malpractices or entirely resolved the issue. These declarations lack practical evidence. The only valid interpretation is that Parliament has introduced a dedicated legal structure for specific unfair practices, leaving courts to determine the correct remedy for individual systemic controversies.

Notes & References

Public Examinations (Prevention of Unfair Means) Act, 2024

VIII. Monetisation of education and Access: What the Cases actually Establish

A. Mohini Jain and Constitutional Value of Education

In Mohini Jain v. State of Karnataka, the Apex Court of India reviewed the exercise of variable tuition fees in private medical colleges and the high financial demands forced on non-local students. Connecting the right to education directly to honour and Article 21, the court nullified the disputed capitation-fee structure as unconstitutional.

The importance of Mohini Jain for the current study is limited but important. The judgment demonstrates that funding contracts for professional education can face constitutional scrutiny. However, it does not establish that all private educational expenses are unlawful. Therefore, the ruling should be applied solely to its particular proofs and legal justification rather than expanded broadly.

B. Unni Krishnan and the Limits of the Right to Education

The Unni Krishnan judgment updated the Mohini Jain judgment. By recognising the fundamental right to education for children up to fourteen years of age, the court determined higher-level educational facilities based on the monetary resources of the State. The ruling also addressed the administration of professional curriculum and enrolment procedures, serving as an important stage towards the enactment of Article 21A.

The chief legal takeaway for this research is that the right to education holds supreme legal

authority but is confined by legal boundaries. An examination depending entirely on legal evidence must therefore contrast the strictly binding requirements of Article 21 with the broader legal ideals of educational access in Articles 21 and 14.

C. T.M.A. Pai Foundation and P.A. Inamdar

The Apex Court of India further framed the relation between school independence and the state's authority. In the landmark T.M.A. Pai Foundation v. State of Karnataka ((2002) 8 SCC 481) judgment, an 11-judge bench balanced the fundamental rights of private and minority institutions with the state's authority, supporting independence while permitting fair regulations to maintain educational excellence and end structural irregularities.

In P.A. Inamdar v. State of Maharashtra ((2005) 6 SCC 537), a seven-judge bench reviewed the governance of admissions and fee structures in independent professional institutions. The judgement defined the constitutional balance between institutional independence and the state's responsibility to restrict exploitation and protect fair entry procedures. These outcomes depicted that educational opportunity outshines a simple market exchange. Critically, however, the judgment does not restrict private coaching or additional examination-prep expenditure. Therefore, the former draft's wide declaration that the coaching section inherently violates Article 21 and 21A has been abolished. The recognised statute permits a more restricted interpretation focused precisely on the failure of recognised schools, enrolments and fees.

Notes & References

Article 21, Article 21A, Mohini Jain v. State of Karnataka, (1992) 3 SCC 666, Unni Krishnan, J.P. v. State of Andhra Pradesh, (1993) 1 SCC 645, T.M.A. Pai Foundation v. State of Karnataka, (2002) 8 SCC 481, P.A. Inamdar v. State of Maharashtra (2005) 6 SCC 537)

IX. The Constitutional Right to Protest: Case-Law Limits

A. Himat Lal K. Shah: Regulation is not extinguished

In Himat Lal K. Shah v. Commissioner of Police, Ahmedabad ((1973)1 SCC 227), the Apex Court of India inspected the police authority over public gatherings. The court discarded any structure where government sign-offs could effectively nullify the constitutional warranty of peaceful gathering, declaring that while the government may manage such meetings, its actions must compulsorily obey the framework of Article 19(3).

This case makes a clear difference between controlling a right and entirely banning it. The state

can set reasonable restrictions for when, where and how people gather publicly. However, just because the state has the power to regulate these gatherings does not mean a fundamental right becomes a benefit that they can distribute or deny at will.

B. Amit Sahni: Dissent Cannot Justify Indefinite Blockage

Addressing the Shaheen Bagh CAA protests and road blockages in Amit Sahni v. Commissioner of Police (2020), the Apex Court of India recognised the right to protest, but asserted that public roads cannot be blocked permanently if it causes major disturbance for the public.

This decision did not nullify the constitutional right to argue; instead, it established that the Article 19 safeguards must be balanced against public interest. The court concentrated its critique on the implementation of the protest, especially the long-term blockage of a public road. This concept is highly relevant to educational protests, proving that while the root cause of a protest may be legally protected, the operational strategies used to demonstrate it can still face legal boundaries.

The recognised legal statute confirms that the students and youth own constitutional entitlement of expression and peaceful protest when challenging public examinations or educational structures. The legality of such protests is dependent upon their behaviour, place, and obedience to permitted limits. Therefore, the court does not support the idea that any form of student protest is unconditionally protected in all situations.

Notes & References

Article 19(3), Himat Lal K. Shah v. Commissioner of Police, Ahmedabad ((1973)1 SCC 227), Amit Sahni v. Commissioner of Police, (2020) 10 SCC 439.

X. Doctrinal Synthesis: Examination Integrity, Education and Dispute

This paper inspects three interrelated but different aspects of constitutional law. First, exam uprightness is protected through legal regulations and judicial review. As established in the NEET-UG case, courts can step in when an examination's integrity is damaged, but any legal remedy must match the true level of the scandal. Secondly, legal protection for education differs based on which statute is invoked: Article 21 clearly assures this right for children aged six to fourteen, while broader right to education laws under Article 21 have been modelled by landmark judgements like Mohini Jain and Unni Krishnan. Third, Article 19(1)(a) and 19(1)(b)

safeguard the right to peaceful protest, even though this freedom is still limited by the Constitution.

We cannot combine these issues together and assert that every examination failure, financial disadvantage, or public protest breaches the Constitution in the same way. This does not support that idea; instead, the judges and researchers must determine the particular right involved, determine the actual facts, and find a stable solution.

The true link between these issues is how institutions work. Just examinations keep public hiring and enrolments reliable. Educational laws safeguard students' access and limit commercialisation. Protest laws safeguard the right to disagree with the government while allowing for equal rights. Altogether, these ideas establish a wide constitutional structure, but every particular law must still be defended by its supporting case law.

Notes & References

Article 21, Article 19(1)(a) and 19(1)(b), Mohini Jain v. State of Karnataka, (1992) 3 SCC 666, Unni Krishnan, J.P. v. State of Andhra Pradesh, (1993) 1 SCC 645

XI. Findings based exclusively on legal authorities

1. A question paper leak does not automatically nullify an examination. As recognised in Vanshika Yadav v. Union of India (2024 INSC 584), the Apex Court of India ruled that nullification is justified only if the violation is systemic and the dishonest candidates can be separated from the honest ones.
2. A re-examination becomes more legally justifiable as a remedial measure when the proofs demonstrate prevalent or institutional negligence, making the separation of dishonest candidates from the honest ones impossible.
3. When widespread irregularities are established well enough to destroy the righteousness of the whole appointment procedure, its total nullification can be considered legally upright. Sachin Kumar v. Delhi Subordinate Service Selection Board ((2021) 4 SCC 631)
4. While Article 21 laid the fundamentals for a constitutional right, Article 21A clearly assures free and compulsory education for all children aged 6 to 14. Mohini Jain v. State of Karnataka ((1992) 3 SCC 666, Unni Krishnan and J.P. v. State of Andhra Pradesh ((1993) 1 SCC 645).

5. The Apex Court of India has verified state supervision in private professional education while preserving institutional self-governance. T.M.A. Pai Foundation v. State of Karnataka ((2002) 8 SCC 481) and P.A. Inamdar v. State of Maharashtra ((2005) 6 SCC 537).
6. While the right to peaceful protest is constitutionally promised, it is surrounded by legal restrictions. Public gatherings cannot be restricted through unsupported administrative action; however, the permanent blockage of roads that seriously disturbs society is not protected simply because it takes place during a protest. Himat Lal K. Shah v. Commissioner of Police ((1973) 1 SCC 227) and Amit Sahni v. Commissioner of Police ((2020) 10 SCC 439)
7. The Public Examinations (Prevention of Unfair Means) Act, 2024 creates a legal framework to punish cheating in public examinations. The enforcement of this law serves as direct proof of Parliament's responsibility to handle examination dishonesty through dedicated regulations.

Notes & References

Article 21, Public Examinations (Prevention of Unfair Means) Act, 2024, Vanshika Yadav v. Union of India (2024 INSC 584), Sachin Kumar v. Delhi Subordinate Service Selection Board ((2021) 4 SCC 631), Mohini Jain v. State of Karnataka ((1992) 3 SCC 666), J.P. v. State of Andra Pradesh ((1993) 1 SCC 645), Unni Krishnan, J.P. v. State of Andhra Pradesh, (1993) 1 SCC 645, T.M.A. Pai Foundation v. State of Karnataka ((2002) 8 SCC 481), P.A. Inamdar v. State of Maharashtra ((2005) 6 SCC 537), Himat Lal K. Shah v. Commissioner of Police ((1973) 1 SCC 227), Amit Sahni v. Commissioner of Police ((2020) 10 SCC 439),

XII. Conclusion

Legal honesty in education depends on constitutional, judicial and legislative texts. While the Apex Court of India safeguards against competitive examination unrighteousness and can rule nullification when fraud is proven, the 2024 NEET ruling depicted that a single irregularity cannot automatically nullify an examination attempted by millions. Courts must first analyse the extremity of the fraud, whether the dishonest ones can be identified and whether the suggested remedy is beneficial for the overall student population.

The court created another level of judicial safeguard for education. Landmark rulings in Unni Krishnan and Mohini Jain linked education to Article 21, and Article 21A now assures free,

mandatory education for children aged six to fourteen. Moreover, rulings like T.M.A. Foundation and P.A. Inamdar demonstrate that schools and colleges must balance their own freedom to lead procedures with mandatory constitutional statutes.

The legal structure ruling on protests consists of a third essential pillar. While Himat Lal K. Shah validates that peaceful gathering is a fundamental right rather than an unrestricted administrative advantage, Amit Sahni proves that protests must abide by reasonable restrictions and cannot permanently block public roads. These two essentials offer an organised legal standard to evaluate education- and examination-related protests impartially, without directly assuming the complete lawfulness or unlawfulness of either the protest or the police reaction.

As a result, this research paper focuses on a particular, narrow point: we can vigorously examine India's educational justice without running new surveys or field research, as long as we portray it particularly as a matter of constitutional law. The proof depends completely on what Parliament has approved and how constitutional courts have ruled. If present legal administration does not support a broad declaration, such as those involved in the coaching institutions, social inequality or youth protests, that declaration should be left for future experimental study instead of being treated as a justified legal fact.

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5. Unni Krishnan, J.P. v. State of Andhra Pradesh, (1993) 1 SCC 645.
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9. Amit Sahni v. Commissioner of Police, (2020) 10 SCC 439.
10. Sachin Kumar v. Delhi Subordinate Service Selection Board, (2021) 4 SCC 631.
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