Jan Vishwas (Amendment of Provisions) Bill, 2026

Mains: *GSII – Polity & Governance*

Why in News?

The Jan Vishwas (Amendment of Provisions) Bill, 2026 was introduced in Lok Sabha seeks to shift India's regulatory approach from a punitive model to "trust-based governance.

Why is the bill being introduced?

- **Objective –** To decriminalisation, rationalisation of penalties, and reduction of regulatory friction.
- **Scope of amendments** – The Bill proposes amendments to 784 provisions across 79 Central Acts administered by 23 ministries.
- Of these, 717 provisions are earmarked for decriminalisation, while the rest address ease of living more broadly.
- **Governing principle –** Its governing principle is *proportionality* — the severity of the State's response must bear a rational relationship to the gravity of the conduct it targets.
    - **Core idea** – The punishment must fit the nature of the offence.
- **3 Goals**
- **Separation of offences** – The criminal sanctions remain for serious misconduct such as fraud, wilful evasion, and threats to public safety.
- Minor procedural lapses (technical or paperwork errors) has shifted to civil penalties.
- It prevents trivial mistakes from being treated like serious crimes.
- **Equity for MSMEs** – Smaller enterprises and MSMEs are disproportionately exposed to compliance risks.
- Because, they violate laws more often, but because they lack the capacity to absorb the consequences when accused of doing so.
- It simplified compliance reduces disproportionate burdens.
- **Institutional relief** – A significant share of pending cases in courts consists of minor regulatory matters.
    - India's district and subordinate courts carry *over 4.8 crore pending cases* (NJDG, December 2025),
- Decriminalising such cases is not leniency but a rational reallocation of judicial resources.

What are the key features of the bill?

- **Key Focus** – Removing the criminal liability clause for minor procedural lapses and

improving the ease of doing business and living.

- **Decriminalisation** – The replacement of criminal penalties with civil and administrative alternatives. (e.g., Drugs & Cosmetics Act, National Highways Act).
- **Replacement of imprisonment** – Imprisonment provisions are intended to be replaced by monetary penalties calibrated to the gravity of the violation.
- **Omission of offences** – It deletes trivial offences such as false fire alarms, failure to report births/deaths, false copyright entries, etc.
- **Graded responses** – For minor or first-time defaults- responses such as warnings and advisory notices for first-time defaults; penalties for repeated violations.
- Compounding provisions are expanded to provide faster resolution without full adjudication.
- **Improvement notices** – Under Legal Metrology Act, requiring rectification before penalties.
- **Adjudication framework** – The *adjudicating officers & appellate authorities* are empowered to decide cases within defined timelines, with appellate mechanisms to ensure fairness.
- **Penalty rationalisation** – Penalties are to be periodically revised to retain their deterrent value like automatic 10% increase in fines every three years.
- **Municipal reforms** – It restructures property tax in New Delhi (building tax & vacant land tax) and removes advertisement tax.
- **Procedural simplification** – The Bill emphasises digitisation and procedural simplification to reduce inconsistencies in enforcement.

How does it impact institutions?

- **For judiciary** – The most immediate consequence is meaningful relief.
- Diverting routine regulatory cases from criminal dockets should free courts to concentrate on matters of genuine public significance.
- **For regulatory agencies** – The Bill increases responsibility to regulatory agencies.
- Administrative adjudication is faster and less resource-intensive than criminal prosecution, but it requires institutional capacity, clear guidelines, and oversight mechanisms to avoid arbitrariness.
- The built-in appellate structures are meant to prevent arbitrariness, but their effectiveness hinges on proper implementation.
- **For businesses, particularly MSMEs** – Minor procedural lapses no longer carry the threat of criminal prosecution.
- This encourages formalisation and transparency, since businesses are less afraid of harsh consequences for technical errors.
- Smaller enterprises benefit most, as they previously faced disproportionate risks.

How does the Bill promote efficient justice?

- **Ending Over-Criminalisation** – The Bill distinguishes between serious misconduct (fraud, evasion, threats to safety) and minor procedural lapses.
- By reserving criminal liability for conduct involving genuine intent or harm, and channelling procedural defaults through civil mechanisms, the Bill narrows the scope for over-criminalisation in a structured way.

- **Predictable compliance** – A more predictable regulatory environment encourages voluntary compliance.
- Minor lapse now attract proportionate penalty rather than the spectre of prosecution; the incentive structure shifts towards transparency.
- The durability of these gains will depend on implementation.
- Enhanced administrative discretion must be matched with clear guidelines, meaningful oversight, and appellate mechanisms that function as genuine checks.
- **Judicial efficiency** – By diverting routine regulatory cases away from criminal courts, the Bill frees judicial capacity.
- The Courts can focus on matters of genuine public importance, reducing backlog and delays.
- **Administrative oversight** – There is a risk of excessive discretion in administrative authorities to adjudicate cases quickly.
- Weak appellate safeguards in some sectors, the possibility that monetary penalties may replace criminalisation without reducing the burden, and limited clarity on uniform standards across different laws.

What lies ahead?

- The Jan Vishwas (Amendment of Provisions) Bill, 2026 represents a major step towards modernizing India's regulatory framework and aligning it with globally accepted principles of proportionate and risk-based regulation.
- The Bill is expected to contribute significantly to improving the ease of doing business and ease of living in the country.

References

1. The Hindu | What does the Jan Vishwas Bill do?
2. PRS India | Jan Vishwas Bill, 2026

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