Jan Vishwas – Promoting High-Wage Employment Through Trust-Based Regulation

Mains: *GSIII – Economy*

Why in News?

The expansion of Jan Vishwas interventions can address India's employment challenge by promoting formal, high-wage jobs through transparent and predictable regulation.

What is the Need for Expanding Jan Vishwas?

> ***Jan Vishwas (Amendment of Provisions) Act, 2023*** *is an Indian government initiative aimed at promoting ease of doing business and ease of living by reducing unnecessary criminal penalties*

- **Employment Quality** – India's challenge is not merely creating jobs but ensuring adequate wages, productivity and social security.
- **Regulatory Barriers** – Excessive compliance and regulatory uncertainty discourage enterprises from expanding and creating formal employment.
- **Informal Employment** – Informal wage work and low-productivity self-employment contribute to persistent poverty.
- **Economic Growth** – Regulatory barriers prevent entrepreneurs from combining land, labour and capital into productive, innovative and export-oriented enterprises.
- **Role of Jan Vishwas** – Trust-based regulation can reduce unnecessary government interference and strengthen confidence between the state and businesses.

What are the Three Proposed Interventions under Jan Vishwas?



- **Siddhant – How Can Trust-Based Regulation Be Promoted?**
  - **Core Philosophy** – Siddhant promotes freedom, necessity and proportionality in regulation, replacing excessive government control with trust-based governance.
  - **Harmful Regulatory Practices** – These include prior approvals, unenforceable requirements, excessive procedural burdens, administrative compliance instruments, laws designed for exceptional cases and overcriminalisation.
  - **Ineffective Criminalisation** – Excessive criminal penalties fail to deter violations when prosecution is rare or cases face prolonged delays.
  - **Administrative Transformation** – Effective implementation requires changes in administrative thinking, institutional capacity and the practices of over 30 million civil servants.
- **Sangreh – Why is a Single Source of Legislative Truth Necessary?**
  - **Unified Legal Repository** – Sangreh proposes a searchable, machine-readable and API-enabled digital repository of India's legal and regulatory obligations.
  - **Legal Accessibility** – Citizens and businesses must be able to access and understand every enforceable legal requirement.
  - **Judicial Recognition** – In Harla v. State of Rajasthan (1952), the Supreme Court rejected secret laws. In B.K. Srinivasan v. State of Karnataka (1987), it emphasised the need for accessible laws.
  - **Institutional Integration** – Sangreh would integrate the physical Gazette, e-Gazette and India Code into a unified legal repository.
  - **Technological Development** – Its implementation requires standardised legal language, digital public infrastructure and coordination between institutions.
- **Ashwasan – How Can Legal Certainty Be Guaranteed?**
  - **Enforceability of Rules** – Ashwasan proposes that only obligations published on Sangreh should be legally enforceable.
  - **Transparency of Rules Act** – Economist Sanjeev Sanyal's proposed TORA would require publication of obligations arising from Acts, rules and administrative instruments.
  - **Protection against Hidden Rules** – This would prevent governments from

imposing undisclosed compliance requirements on citizens and enterprises.
    - **Predictable Governance** – Legal certainty would improve trust, reduce corruption and enable businesses to make informed investment decisions.

What are the Major Benefits of Expanding Jan Vishwas?

- **High-Wage Employment** – Reduced regulatory burdens would encourage formalisation, enterprise expansion and productive job creation.
- **Ease of Doing Business** – Transparent and predictable regulations would reduce compliance costs and uncertainty.
- **Good Governance** – Accessible laws would improve accountability, administrative efficiency and citizen trust.
- **Economic Competitiveness** – Formal enterprises could combine resources more productively, strengthening innovation and exports.
- **Rule of Law** – Publishing enforceable obligations would ensure transparent and consistent exercise of government power.

What are the Major Challenges in Implementation?

- **Fragmented Legal Framework** – Multiple legal repositories and overlapping administrative requirements complicate the creation of a unified regulatory system.
- **Institutional Weaknesses** – Limited capacity, technological constraints and insufficient coordination could undermine implementation.
- **Administrative Resistance** – Officials' resistance and inadequate political attention may prevent sustained regulatory reform.
- **Legal Enforcement** – A digital repository alone cannot ensure compliance unless publication becomes a legally binding requirement.

What Measures are Needed for Effective Implementation?

- **Authoritative Legal Repository** – Establish Sangreh as the national repository for all enforceable legal obligations.
- **Legislative Guarantee** – Enact legislation ensuring unpublished obligations cannot be enforced against citizens and businesses.
- **Proportionate Regulation** – Eliminate unnecessary criminal penalties and procedural burdens while promoting trust-based governance.
- **Institutional Coordination** – Strengthen cooperation between Union ministries, State governments and regulatory institutions.
- **Digital Accessibility** – Regularly update legal repositories and develop user-friendly, multilingual digital access systems.

What lies ahead?

- Jan Vishwas can strengthen India's economic freedom by combining trust-based regulation, accessible laws and enforceable legal certainty.
- Its successful implementation can encourage formalisation, improve wages and support inclusive economic growth.

Reference

[The Indian Express| Jan Vishwas – Promoting High-Wage Employment Through Trust-Based Regulation]