

Jan Vishwas (Amendment of Provisions) Bill, 2022

December 31, 2022

In news– The Union Minister for Commerce and Industry Minister has introduced the Jan Vishwas (Amendment of Provisions) Bill, 2022 recently.

Key features of the bill-

- The bill seeks to **decriminalise minor offences to promote ease of business.**
- Besides the decriminalisation of minor offences, the bill **envisages the rationalisation of monetary penalties, depending on the gravity of the offence,** bolstering trust-based governance.
- For example, under the Agricultural Produce (Grading and Marking) Act, 1937, counterfeiting grade designation marks is punishable with imprisonment of up to three years and a fine of up to five thousand rupees. The Bill replaces this with a penalty of eight lakh rupees.
- **Over 100 provisions in different laws pertaining to 19 Ministries are sought to be decriminalised by this Bill.**
- A **unique feature of the proposal is an increase of 10% of the minimum amount of fine and penalty levied,** after the expiry of every three years, once the bill becomes a law.
- **It amends 42 Acts to reduce the compliance burden on individuals and businesses** and ensure ease of doing business.
- **Some Acts that are amended by the Bill include:**
 - The Press and Registration of Books Act 1867.
 - The Indian Post Office Act, 1898.
 - The Boilers Act 1923.
 - The Indian Forest Act 1927.

- The Public Debt Act 1944.
- The Environment (Protection) Act, 1986.
- The Public Liability Insurance Act, 1991.
- The Information Technology Act, 2000.
- As per the Bill, the **central government may appoint one or more adjudicating officers for the purpose of determining penalties.** The adjudicating officers may:
 - (i) summon individuals for evidence, and (ii) conduct inquiries into violations of the respected Acts.
- These Acts include: the Agricultural Produce (Grading and Marking) Act, 1937, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the Public Liability Insurance Act, 1991.
- **The Bill also specifies the appellate mechanisms for any person** aggrieved by the order passed by an adjudicating officer. For instance, in the Environment (Protection) Act, 1986, appeals may be filed with the National Green Tribunal within 60 days from the order.
- The bill was later referred to a 31-member joint committee of Parliament for scrutiny.