



UPSC & STATE PCS CURRENT AFFAIRS · UJIYARI.COM

EDITORIAL ANALYSIS

Decriminalisation of Minor Offences — Completing the Jan Vishwas Promise

INDIAN EXPRESS

18 March 2026

SUBJECTS COVERED

POLITY

ECONOMY

GS PAPERS

GS2

GS3

CURATED & WRITTEN BY**Bharat Choudhary**

UPSC Educator & Content Creator •

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

Free UPSC & State PCS Resources

ujjari.com

Decriminalisation of Minor Offences — Completing the Jan Vishwas Promise

 The Indian Express

18 March 2026

GS2

GS3



The Indian Express

MAINS RELEVANCE:

GS Paper 2

GS Paper 3



INTERVIEW ANGLE

"How does decriminalisation of regulatory offences differ from deregulation, and why does the distinction matter for governance quality in India?"

WHY IN NEWS

The Union Government withdrew the Jan Vishwas (Amendment of Provisions) Bill, 2025 from Lok Sabha on March 18, 2026 to incorporate Select Committee recommendations — reigniting debate on how India should structure its penal-regulatory framework to balance compliance incentives with business ease.

THE OVERCRIMINALISATION PROBLEM

India's statute books accumulated decades of laws in which **imprisonment** was the default sanction for a vast array of minor, technical, and procedural violations. A small shopkeeper who fails to display a price list, a factory owner who misfiles an annual return, or a trader who makes a clerical error in a drug label could, technically, face criminal prosecution.

This architecture created three systemic failures:

First, it overburdened courts. Criminal cases — even for inconsequential regulatory defaults — enter the same pipeline as serious crimes. With 5+ crore cases pending, every avoidable case is a structural drag.

Second, it created rent-seeking opportunities. The threat of criminal prosecution — however unlikely — empowers inspectors and officials to extract compliance through fear. Small businesses, lacking legal resources, are disproportionately vulnerable.

Third, it was disproportionate. The principle of proportionality — that punishment must fit the gravity of the offence — is fundamental to rule of law. Criminalising a label error treats a businessman like a fraudster.

WHAT JAN VISHWAS 2023 DID

The Jan Vishwas (Amendment of Provisions) Act, 2023 was an intelligently scoped intervention. By amending **42 central Acts** and decriminalising **183 provisions** — replacing imprisonment clauses with monetary penalties — it moved India toward a civil-penalty model for regulatory compliance.

The approach was calibrated: **serious offences with intent to defraud retained criminal sanctions**. Decriminalisation targeted only those provisions where the breach was technical, unintentional, or minor in consequence.

The Act also introduced **adjudication officers** as an intermediate layer — a civil tribunal that imposes fines without the costs and delays of court litigation. This is how most advanced regulatory systems work: tiered enforcement with proportionate responses.

THE 2025 AMENDMENT — WHY IT MATTERS

The Jan Vishwas Amendment Bill, 2025 sought to extend this reform further — additional Acts, stronger adjudication infrastructure. Its withdrawal for Select Committee incorporation is not a setback but a sign of **mature legislative process**. Select Committees improve Bills; their recommendations, if substantive, should be heeded.

What the revised Bill must address:

Expanding coverage. The original Act covered 42 of hundreds of central Acts with criminal provisions. A second wave should target the **Companies Act** (many minor defaults carry imprisonment), the **Environment Protection Act** (overly punitive for procedural lapses), and **labour laws** where the four new Labour Codes have not yet fully decriminalised inherited provisions.

State-level alignment. Central decriminalisation helps, but states have their own shop and establishment acts, local body rules, and police patrolling powers. Without state-level reform, a decriminalised central provision may still have a parallel criminal route through state law.

Adjudication capacity. Creating adjudication officers is meaningless if the positions are unfilled, undertrained, or lack independence. The institutional infrastructure must match the legislative intent.

THE BROADER PICTURE: TRUST-BASED GOVERNANCE

“Jan Vishwas” as a philosophy reflects something deeper than ease of doing business metrics. It signals a **shift in the assumed relationship between the state and the citizen** — from one of suspicion (assume the defaulter is a criminal) to one of trust (assume the defaulter made a mistake, correct it through proportionate means).

This matters not just for businesses. The same principle, applied to social welfare delivery, would mean grievance redressal rather than exclusion; in taxation, it would mean presumptive compliance before adversarial scrutiny. The Jan Vishwas framework, at its best, is a template for a **governance philosophy**, not merely a law reform exercise.

India's Ease of Doing Business improvement — from rank 142 in 2014 to 63 in 2019 — was partly driven by exactly this kind of structural deregulation. The next frontier is not more reforms in isolation but **coherent, second-generation deepening** of reforms already begun.

THE WAY FORWARD

The Select Committee's report, when incorporated, should produce a stronger Bill. Three outcomes would constitute success:

Wider coverage — covering at least 100 more Acts and 300 more provisions in the second wave

Independent adjudication — officers with fixed tenures, appellate structures, and published decisions

State-centre convergence — a model framework for states to replicate the reform in their statutes, perhaps incentivised through competitive federalism rankings like the Ease of Doing Business state rankings

The Jan Vishwas promise is not just about reducing criminal cases. It is about rebuilding the **foundational trust** between the regulated and the regulator — a trust that is the precondition for a confident, rule-following economy.

UPSC RELEVANCE

Jan Vishwas Act 2023 (42 Acts, 183 provisions), adjudication officers, Ease of Doing Business rank.

MAINS GS-2:

Parliamentary procedure; regulatory reform; rule of law; governance philosophy.

GS-3:

Business environment; economic governance; judicial pendency.

★ **FACTS CORNER — KNOWLEDGEPEDIA**

JAN VISHWAS REFORMS:

Jan Vishwas (Amendment of Provisions) Act, 2023: amended **42 central Acts**, decriminalised **183 provisions**

Jan Vishwas Amendment Bill 2025: withdrawn March 18, 2026 for Select Committee incorporation

Commerce Minister: **Piyush Goyal**

Mechanism introduced: **Adjudication Officers** (civil penalty, not criminal court)

INDIA EASE OF DOING BUSINESS:

2014 rank: **142** | 2019 rank: **63** (World Bank EODB Index)

Related reforms: GST (2017), IBC/Insolvency and Bankruptcy Code (2016), FEMA simplification

JUDICIAL PENDENCY:

Pending cases in India: **5+ crore** across all levels

Supreme Court, High Courts, District Courts, Tribunals all overburdened

Decriminalisation reduces inflow at magistrate/sessions court level

REGULATORY PRINCIPLES:

Proportionality: Punishment must match gravity of offence (European Convention on Human Rights Art. 8; also reflected in Indian SC jurisprudence)

Presumptive compliance: Assume honest error unless fraud is proven — trust-based approach

Civil penalties vs criminal law: Most OECD countries use civil fines for regulatory defaults; imprisonment reserved for wilful fraud/harm

OTHER RELEVANT FACTS:

Four Labour Codes (Wages, Industrial Relations, Social Security, Occupational Safety) await state-level notification — some criminal provisions remain

Companies Act 2013 has 66+ compoundable offences; several decriminalised in 2020 amendment but scope remains

A Bill can be referred to a Select Committee (one House) or a Joint Committee (both Houses) for detailed scrutiny

Sources: Indian Express, PIB, Lok Sabha

CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

 [linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

Published on ujjari.com · Free UPSC & State PCS Current Affairs