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# Jan Vishwas (Amendment of Provisions) Act, 2026 — Decriminalising 784 Provisions Across 79 Laws

25 April 2026 · **ECONOMY** · **POLITY** · **GS2** · **GS3**

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# Jan Vishwas (Amendment of Provisions) Act, 2026 — Decriminalising 784 Provisions Across 79 Laws

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## WHY IN NEWS

The **Jan Vishwas (Amendment of Provisions) Act, 2026** — passed by both Houses of Parliament and receiving Presidential assent in April 2026 — decriminalises **784 provisions across 79 Central Acts** administered by 23 Ministries. The Bill was introduced in Lok Sabha on **March 27, 2026** by **MoS Commerce and Industry Jitin Prasada**. It converts criminal penalties (imprisonment/criminal fines) into **civil and administrative penalties** for minor, technical, or procedural defaults, and introduces a **graded enforcement mechanism**.

## BACKGROUND — JAN VISHWAS PHASE 1 (2023)

The **Jan Vishwas (Amendment of Provisions) Act, 2023** was the first iteration — decriminalising **183 provisions** across **42 Central Acts**. The 2026 Act is Phase 2, roughly 4x larger in scope.

FEATURE	JV ACT 2023 (PHASE 1)	JV ACT 2026 (PHASE 2)
Acts amended	42	79
Provisions amended	183	784
Ministries covered	~19	23

## WHAT DOES DECRIMINALISATION MEAN HERE?

### The Problem Being Solved

India inherited many laws from the British era where even minor regulatory violations — failing to file a form, technical labelling errors, minor documentation lapses — could result in **criminal prosecution, imprisonment, and a criminal record**. This created a climate of compliance fear that deterred entrepreneurship, trapped small businesses in legal proceedings, and clogged courts.

## The Solution: Civil → Administrative Enforcement

BEFORE (CRIMINAL)	AFTER (CIVIL/ADMINISTRATIVE)
FIR → trial → imprisonment	Monetary fine or warning
Criminal record for minor default	No criminal record
Only courts could adjudicate	Regulatory authority can adjudicate
Years of legal proceedings	Quick resolution

## Graded Enforcement Mechanism

A key innovation: **proportionate response** to violations:

CONTRAVENTION	RESPONSE
1st offence	Advisory
2nd offence	Warning
3rd+ offence	Civil monetary penalty
Serious/intentional offences	Criminal prosecution retained

## KEY LAWS AMENDED

LAW	NATURE OF CHANGE
<b>RBI Act, 1934</b>	Technical/procedural banking violations: civil penalty
<b>Food Safety and Standards Act, 2006</b>	Labelling/procedural: civil penalty; adulterants: criminal retained
<b>Motor Vehicles Act, 1988</b>	Minor traffic defaults: civil penalty
<b>Railways Act, 1989</b>	Refusing to vacate reserved berth: civil penalty ₹1,000
<b>Drugs and Cosmetics Act, 1940</b>	Technical contraventions: civil penalty ₹1 lakh or 3x confiscated goods
<b>Apprentices Act, 1961</b>	Advisory/warning first → civil penalty subsequently

## WHAT IS NOT DECRIMINALISED

Criminal penalties are **retained** for:

- Offences involving fraud, intentional deceit, or misrepresentation
- Public safety violations (adulterated food/drugs causing harm)
- Environmental damage
- Financial crimes

The principle: **minor/technical defaults** → **civil**; **serious/intentional defaults** → **criminal**.

## CONSTITUTIONAL AND GOVERNANCE SIGNIFICANCE

### Article 21 — Right to Liberty

Criminalisation of minor regulatory defaults can result in arrest and detention — engaging **Article 21** (protection of life and personal liberty). Decriminalisation removes this **disproportionate** threat to individual liberty.

### Ease of Doing Business (EoDB)

India's **EoDB rank** has improved from 142 (2014) to 63 (2023, World Bank, Doing Business Index). Decriminalisation directly addresses: Starting a Business, Dealing with Permits, and Enforcement of Contracts sub-indices.

### Trust-Based Governance

The shift from *compliance through fear* (criminal threat) to *compliance through incentives* (civil penalty, proportionate enforcement) reflects a **trust-based regulatory philosophy** — treating businesses as partners rather than potential criminals.

## UPSC RELEVANCE

### Prelims

- Jan Vishwas Act 2026: 79 Acts, 784 provisions (717 decriminalised, 67 ease of living)
- Introduced: March 27, 2026; MoS Commerce Jitin Prasada
- Phase 1: JV Act 2023 — 42 Acts, 183 provisions
- Graded enforcement: Advisory → Warning → Civil penalty

## Mains

- “Decriminalisation of regulatory violations is necessary for a trust-based business environment. Critically examine with reference to Jan Vishwas Acts.” (GS2/GS3)
- Compare India’s approach with Vietnam, Indonesia — peer comparators cited in debates

## FACTS CORNER

FACT	DETAIL
Jan Vishwas Act 2026	79 Acts, 784 provisions; 23 Ministries
Provisions decriminalised	717; ease of living provisions: 67
Introduced	March 27, 2026; Lok Sabha
Introduced by	MoS Commerce & Industry — Jitin Prasada
Phase 1 (2023)	42 Acts, 183 provisions
Enforcement model	Advisory → Warning → Civil penalty (graded)
Serious offences	Criminal prosecution retained
Railways Act change	Refusing to vacate reserved berth → civil penalty ₹1,000
Drugs Act change	Technical contraventions → civil penalty ₹1 lakh or 3x confiscated value

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