

# Joint Committee Report Summary

## Jan Vishwas (Amendment of Provisions) Bill, 2022

- The Joint Committee on the Jan Vishwas (Amendment of Provisions) Bill, 2022 (Chair: Mr. P. P. Chaudhary) presented its report on March 17, 2023. The Bill aims to increase ease of doing business by decriminalising and removing imprisonment as a punishment from various laws. Overall, the Bill seeks to amend 42 laws. Key observations and recommendations of the Committee include:
  - **Amendments to punishments:** The Bill reduces fines and penalties for various contraventions and offences under the principal Acts. It also converts some fines to penalties, which need not be imposed through the judicial process. For some provisions, the Committee recommended amendments to the severity of penalties. For example, under the Pharmacy Act, 1948, the Committee recommended increasing the penalty for falsely pretending to be in a state register of pharmacists. This offence is currently punishable with a fine of up to five hundred rupees for the first offence. Under the Bill, a first offence would be punishable by a penalty of up to Rs 50,000. The committee recommended enhancing this penalty to one lakh rupees. Other offences have been made compoundable, such as trespassing of cattle under the Forest Act, 1927.
  - **Adjudication of penalties:** The Bill provides for the central government to appoint adjudicating officers to (i) conduct inquiries into contraventions, (ii) summon individuals for evidence, and (iii) decide and impose penalties. The Bill removes imprisonment as a punishment from some laws, but does not introduce adjudicating authorities for them. The Committee recommended amendments that do so. This may be an existing official or body, such as the Reserve Bank of India, for contraventions under the Government Securities Act, 2006. For other laws, the Committee recommended that an officer of a given rank may be notified as the Adjudicating Officer. For example, the Committee recommended that the District Magistrate be the designated Adjudicating Officer under the Boilers Act, 1923. In addition, the Committee recommended amendments which allow the central government to appoint an appellate authority for decisions of the adjudicating officer. For some laws, the recommended amendments specify that appellate authorities must be of at least one rank above an adjudicating officer. Laws for which the Committee has recommended such amendments include (i) the Boilers Act, 1923, (ii) the Rubber Act, 1947, and (iii) the Pharmacy Act, 1948.

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