

Bill Summary

The Jan Vishwas (Amendment of Provisions) Bill, 2022

- The Jan Vishwas (Amendment of Provisions) Bill, 2022, was introduced in Lok Sabha on December 22, 2022. 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 Indian Post Office Act, 1898, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991, and the Information Technology Act, 2000. Key provisions of the Bill include the following:
 - **Decriminalising certain offences:** Under the Bill, several offences with an imprisonment term in certain Acts have been decriminalised by imposing only a monetary penalty. 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. Grade designation mark indicates the quality of an article under the 1937 Act. Under the Information Technology Act, 2000, disclosing personal information in breach of a lawful contract is punishable with imprisonment of up to three years, or a fine of up to five lakh rupees, or both. The Bill replaces this with a penalty of up to 25 lakh rupees.
 - In certain Acts, offences have been decriminalised by imposing a penalty instead of a fine. For instance, under the Patents Act, 1970, a person selling a falsely represented article as patented in India is subject to a fine of up to one lakh rupees. The Bill replaces the fine with a penalty, which may be up to ten lakh rupees. In case of a continuing claim, there shall be an additional penalty of one thousand rupees per day.
 - **Revision of fines and penalties:** The Bill increases the fines and penalties for various offences in the specified Acts. Further, these fines and penalties will be increased by 10% of the minimum amount every three years.
 - **Appointing adjudicating officers:** 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.

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