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YOJANA MAGAZINE ANALYSIS

(January 2024)

(Part 1/3)

TOPICS TO BE COVERED

PART 1/3

- JAN VISHWAS ACT

PART 2/3

- GOVERNMENT E MARKETPLACE (GeM)
- GST & EASE OF DOING BUSINESS

PART 3/3

- INDO AFRICAN RELATIONSHIP AMID SOUTH SOUTH CO-OP

TOPICS (PART 1/3)

- JAN VISHWAS ACT, 2023

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JAN VISHWAS ACT, 2023

The Jan Vishwas (Amendment of Provisions) Bill, 2023 was passed in Parliament IN August, 2023. The Bill aims at giving **further boost to ease of living and ease of doing business.**

It proposes to **amend 183 provisions** to be **decriminalised in 42 Central Acts** administered by 19 Ministries/Departments.

Jan Vishwas
(Amendment of Provisions) Act, 2023
For a Flourishing Business Landscape

To boost 'Ease of Living' and 'Ease of Doing Business' by decriminalising
183 provisions
in 42 Central laws

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ABOUT THE BILL

The Jan Vishwas (Amendment of Provisions) Bill, 2022 amends 42 laws, across multiple sectors, including:

- **Agriculture**
- **Environment**
- **Media and Publication and**
- **Health.**

The Bill converts several fines to penalties, meaning that court prosecution is not necessary to administer punishments. It also removes imprisonment as a punishment for many offences.

MAJOR ACTS WHERE CHANGES ARE PROPOSED

- **Indian Forest Act, 1927.**
- **Collection of Statistics Act, 2009**
- **Food Safety & Standards Act, 2006**
- **Indian Post Office Act, 1898**
- **Motor Vehicles Act, 1988**
- **Legal Metrology Act, 2009**

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Jan Vishwas (Amendment of Provisions) Act, 2023 Indian Forest Act, 1927

1

Pasturing cattle in forest land used to attract imprisonment for a term which may extend up to 6 months and fine.



2

The imprisonment and fine have been replaced with penalty under the Jan Vishwas Act, 2023.



3

This amendment will benefit tribals and villagers who may unknowingly enter forest land while pasturing cattle.



4

Since the violation is not serious in nature and may not be intentional, imprisonment provisions were not justified. However, deterrence is proposed to be achieved by levying penalty of Rs. 500.

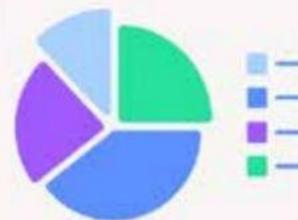


Source: DPIIT

JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023 COLLECTION OF STATISTICS ACT, 2009

The Act had imprisonment clauses up to 6 months for minor procedural offences like making any false or misleading statement or information and destroying, defacing, removing, or mutilating any information. Violations of provisions of this Act are not severe in nature and do not cause any damage.

These **criminal provisions have now been removed** from the Act.



Source: DPIIT

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JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023 FOOD SAFETY AND STANDARDS ACT, 2006



To ensure deterrence in major offences, imprisonment/fine in provisions with serious threat to safety of life were either retained or reduced. For example:

Manufacturing and distributing unsafe food attracted imprisonment under **Section 59** of the **Food Safety and Standards Act, 2006**. Given the immediate threat to the health and safety of general public, this section was retained.

Source: DPIIT

Jan Vishwas (Amendment of Provisions) Act, 2023 Indian Post Office Act, 1898



1

Minor violations like voluntary withdrawal from duty, making false entry in register, defiling or injuring post office letter boxes were punishable with imprisonment up to 1 month, 6 months and 1 year respectively along with fine.

Source: DPIIT

2



Sending an unpaid postal article used to attract imprisonment up to 2 years. These offences have been removed under the Jan Vishwas Act, 2023.

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JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023 MOTOR VEHICLES ACT, 1988



Some **minor offences have been made compoundable** under the Jan Vishwas Act, 2023.

Contraventions related to driving regulations, obstructing free flow of traffic, and producing false registration document under the Act earlier attracted fines and imprisonment ranging from **6 months** to **1 year** were made compoundable under Jan Vishwas Act, 2023.



Source: DPIIT

JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023 LEGAL METROLOGY ACT, 2009



Procedural defaults such as giving false information to legal metrology officer, controller, or director under the Act were punishable with fine and by imprisonment up to **6 months** in subsequent offences have now been made compoundable.

Compounding is a settlement mechanism, by which, the offender is given an option to pay money instead of prosecution, thereby **avoiding a long and lengthy litigation**.



Source: DPIIT

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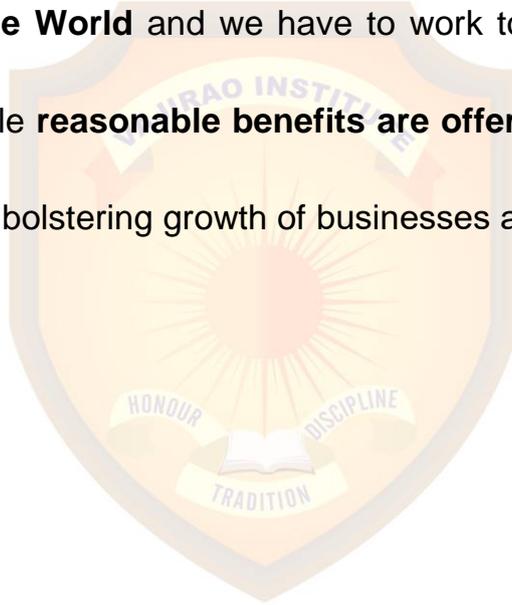
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RESPONSE OF THE GOVERNMENT

Responding to the concerns raised by various groups The Bill been **more industry friendly**
the Health Minister

Dr. Mansukh Mandaviya said:

“India is the **pharmacy of the World** and we have to work towards ensuring that the **best medicines are provided** while **reasonable benefits are offered to business**. Rationalising laws, eliminating barriers and bolstering growth of businesses are important.”



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