

Get more from your Mint subscription

[Upgrade now](#)

**mint**Premium **OPINION**

## Rajiv Memani: India is decriminalizing dozens of laws. Here's why it will let businesses and citizens breathe easier


Rajiv Memani | 4 min read | 12 Apr 2026, 01:00 PM IST



The Jan Vishwas (Amendment of Provisions) Bill follows the Jan Vishwas Act of 2023 and picks up where the Select Committee-examined 2025 bill left off.

### SUMMARY

*The Jan Vishwas Bill of 2026 promises to decriminalize a swathe of 'offences' that should never have been punishable. It signals a shift towards a state that trusts its people. These reforms are welcome but here are three points that must be borne in mind.*

 [Gift this article](#)

Get updates on 

With the introduction of the Jan Vishwas (Amendment of Provisions) Bill of 2026 (JV2), India's government has made one thing unmistakably clear: the decriminalization of various actions covered by the country's statute book is not a one-time gesture, but a sustained and serious programme of reform.

Covering 79 Central Acts in a single sweep, the JV2 Bill follows the Jan Vishwas

off.

---

**Also Read** | [Indian states need a 'clean' slate to fix their tangled web of laws](#) >

---

The ambition behind this exercise deserves recognition on its own terms. Each line of amendment in a bill like this represents months of painstaking inter-ministerial deliberation, legal review and political negotiation.

Changing even a single provision in a decades-old statute is a laborious process. Doing it together for 79 laws across 23 ministries is nothing short of a Herculean task. What makes it worth doing becomes clear when you examine what the law actually said before this Bill arrived.

The Real Estate (Regulation and Development) Act allowed a homebuyer—typically the aggrieved party in any real-estate dispute—to be imprisoned for up to one year for failing to comply with a procedural Appellate Tribunal order.

The Metro Railways (Operation and Maintenance) Act made staging any “demonstration” near metro premises a criminal offence punishable with six months in jail.

The Offshore Areas Mineral (Development and Regulation) Act imposed imprisonment of up to three years on a permittee who failed to produce required data or documents—treating a record-keeping default as a criminal matter of considerable gravity.

And the Seamen’s Provident Fund Act allowed for imprisonment of up to six months for non-compliance with scheme provisions, which means a failure in a provident fund administrative process could result in a sailor facing criminal prosecution.

---

**Also Read** | [Crime in India is rising: What goes up must come down?](#) >

---

None of these provisions was aimed at fraudsters or dangerous actors. They were blunt instruments applied to administrative actions and JV2 rightfully

---

thoughtful first-offence warning regime through Legal Metrology Act amendments.

Under the existing law, a trader whose packaged goods did not conform with labelling standards faced criminal prosecution from the first instance—the same legal machinery deployed against fraudsters applied to a mislabelled product. JV2 inserts an “improvement notice” mechanism: the first violation triggers a written warning specifying the non-compliance and the steps required to remedy it. Criminal and financial consequences follow only if the trader persists.

This is proportionate regulation, giving honest businesses the opportunity to correct errors before reaching for punitive tools. It reflects an understanding that most regulatory non-compliance is inadvertent, not malicious, and that an effective system should distinguish between the two.

The Bill also builds the institutional infrastructure needed to keep disputes out of criminal courts altogether. The Cantonments Act amendments are the most explicit statement of this philosophy in JV2.

A new Section 333A creates a structured adjudication regime with officers, timelines and appeals, and then adds a provision of real conceptual significance: a penalty imposed under this Act “shall not be considered a conviction” and its imposition “shall not be considered criminal proceedings.”

This distinction is important. A criminal record has cascading consequences for an individual’s employment, credit access, travel and reputation that a civil penalty does not. Through adjudicatory mechanisms with built-in appeals—30 days to contest, 60 days for disposal — across multiple laws, including the Inland Vessels Act, Recycling of Ships Act and Marine Aids to Navigation Act, JV2 aims to create a system of regulatory enforcement that is faster, more proportionate and structurally separate from the criminal justice system.

While the work already done is substantial, three important priorities for the way forward stand out.

---

**Also Read** | Bankruptcy code amendment: Why a ‘clean slate’ must mean what it

---

*First*, the government should keep up the momentum created by JV2 and conduct a comprehensive audit of all remaining criminal provisions across central laws, with a time-bound mandate to work through it.

*Second*, review all existing legislation to ensure any offences leading to criminal punishment are clearly and specifically spelt out in the Act. This will re-assert the legislature's power as the sole authority to impose criminal punishment and remove 'omnibus' provisions that let the executive create new crimes by notification.

*Third*, and most importantly, many provisions should not merely be converted to civil penalties, but deleted from the statute book entirely. This is the essence of the deregulation work that is being carefully undertaken at the Centre by the High-Level Committee on Non-Financial Regulatory Reforms.

Together, these steps will move India closer to the trust-based regulatory framework that this government has committed itself to building. The Bill itself expresses it with notable clarity: "The cornerstone of democratic governance lies in the Government trusting its own people and institutions."

*The author is president, Confederation of Indian Industry.*

**Gift this article**

Get updates on 

---

Catch all the **Business News, Market News, Breaking News** Events and **Latest**

**More** 

---

## Topics

[#india](#)

[#business](#)

READ NEXT STORY

**mint**Premium **OPINION**

**E-commerce won't be the same again once AI Agents start shopping for us**

---