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# THE JAN VISHWAS ACT: A RESPONSE TO REGULATORY OVERREACH OR A MEANS TO REDUCE GOVERNMENTAL ACCOUNTABILITY?

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## ABSTRACT

"Overcriminalization," a legislative practice that imposes harsh criminal penalties, including jail, for small economic and procedural violations, has long plagued India's regulatory environment. This punitive strategy has overwhelmed the legal system, discouraged enterprise, and created a trust gap. The crucial conflict between the necessity of regulatory change and the requirement to uphold governmental accountability is the research issue this study attempts to solve. A comprehensive reform that decriminalizes 183 clauses in 42 Acts, the Jan Vishwas (Amendment of clauses) Act, 2023, was passed by the Indian Parliament in response to this challenge. This paper's goal is to critically examine whether this Act unintentionally lessens governmental accountability or if it is a progressive response to regulatory overreach.

Without using quantitative data, this article uses a strictly doctrinal technique to analyze the legislative text of the Act, parliamentary discussions, pertinent judicial decisions, and legal research. It makes the case that the legislative transition from a carceral to a trust-based, administrative penalty system is a necessary and appropriate progression of India's regulatory philosophy by analyzing the Act through the theoretical lenses of behavioral compliance and responsive regulation. The article also addresses criticisms that the Act would weaken deterrence, especially in areas like the environment and health that are essential to public welfare.

According to the preliminary assessment, the Jan Vishwas Act is a noteworthy and forward-thinking step in the direction of streamlining India's regulatory structure. Its implementation must be careful and balanced, with strong institutional safeguards, open administrative processes, and context-sensitive application; otherwise, its success is not assured.

The Act offers a foundation for more intelligent regulation, but how well it is implemented will determine how well it balances the public interest with the convenience of doing business.

**Keywords:** Overcriminalization, regulatory reform, proportionality principle, decriminalization, governmental accountability

## I. INTRODUCTION

Historically, India's regulatory system has been a maze of intricate laws, many of which go all the way back to before liberalization. The widespread application of criminal penalties, such as imprisonment, for a broad range of procedural and economic infractions is a characteristic of this environment. This practice, which is sometimes referred to as "overcriminalization," has come under fire for fostering a culture of fear, inhibiting the spirit of entrepreneurship, and eroding public confidence in the government.<sup>1</sup> This punitive strategy has diverted valuable resources from the adjudication of significant offenses by overloading the legal system with cases pertaining to minor, technical, or procedural errors. The outcome is a system that frequently seems more concerned with punishing people than encouraging compliance, resulting in what many have dubbed "regulatory cholesterol" that obstructs economic growth and the standard of living.

The Jan Vishwas (Amendment of Provisions) Act, 2023<sup>2</sup> was passed by the Indian Parliament as a direct reaction to this challenge. This historic law, which amends 42 separate statutes to decriminalize 183 specific elements, is among the most important attempts at regulatory reform in recent history. Its main goals are to create administrative adjudication procedures, replace incarceration clauses with monetary punishments, and refocus the state's response to small, non-malicious violations. This legislative intervention is not merely an act of housekeeping; it represents a fundamental philosophical recalibration. It seeks to transition the state's role from that of a suspicious policeman to that of a trusting facilitator, a paradigm shift that carries profound implications for the social contract between the citizen, the entrepreneur, and the government. In keeping with its idea of "Minimum Government, Maximum Governance," the government has positioned this Act as a crucial step in establishing a relationship based on trust with both residents and enterprises. However, this sweeping reform has ignited a critical debate: Is the Jan Vishwas Act a necessary corrective measure against decades of regulatory overreach, or does it risk diluting regulatory deterrence and reducing governmental

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<sup>1</sup> Jaspreet Singh, *What is 'Overcriminalisation' and How does the Jan Vishwas (Amendment of Provisions) Bill, 2022 deal with it?*, 6 Int'l J.L. Mgmt. & Human. 1 (2023), <https://ijlmh.com/paper/what-is-overcriminalisation-and-how-does-the-jan-vishwas-amendment-of-provisions-bill-2022-deal-with-it/>.

<sup>2</sup> The Jan Vishwas (Amendment of Provisions) Act, 2023

accountability, especially in sectors critical to public welfare?

This paper argues that the Jan Vishwas Act signals a progressive regulatory transformation through the decriminalization of economic offenses and aligns Indian regulatory practice with principles of responsive and proportionate regulation. The paper contends that the Act's fundamental shift from a carceral, one-size-fits-all approach to a more nuanced, trust-based, and administratively efficient model is an essential and necessary evolution, while acknowledging the legitimate concerns about potential misuse and the need for strong safeguards. It is a step toward a more intelligent, well-balanced regulatory environment where the seriousness of the punishment matches the seriousness of the infraction.

This study will first explore the idea of overcriminalization in the Indian context, looking at its negative impacts on the legal system and the business community in order to support this claim. Second, it will examine the main characteristics and legislative intent of the Jan Vishwas Act of 2023. Thirdly, it will make the case for the Act as a progressive reform, based on the behavioral compliance theory and responsive regulation principles. Fourth, it will critically examine the rebuttals, paying particular attention to worries about diminished accountability and deterrence in delicate areas. Lastly, the paper will place the Act in the context of India's constitutional and administrative law framework through a doctrinal analysis, concluding that its success depends on a careful and balanced implementation that protects the public interest while promoting economic progress.

## II. The Problem Affecting India's Regulatory Body: Overcriminalization

The phrase "overcriminalization" describes the overuse and frequently improper application of criminal law to control behavior, especially in areas that are not intrinsically malevolent or morally reprehensible.<sup>3</sup> This has taken the form of an extensive legal framework in India, where minor infractions, technical mistakes, and disregard for administrative orders can result in jail time. Entrepreneurs, managers, and even government officials work in a system where they constantly fear criminal prosecution for small defaults due to this legislative practice, which has continued since the colonial era and originates from a mistrust of commercial activity.<sup>4</sup>

This regulatory concept has wide-ranging effects. It undermines criminal law's moral authority,

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<sup>3</sup> Singh, *supra* note 1, at 304

<sup>4</sup> *Id.*

to start. A fundamental tenet of criminal law is the principle of *mens rea*, or the "guilty mind." True crimes involve a level of intent or recklessness that society deems worthy of moral condemnation. Overcriminalization erodes this principle by creating a plethora of strict liability offenses, where the mental state of the offender is irrelevant.<sup>22</sup> When an entrepreneur can face imprisonment for a clerical error in a filing an act devoid of malicious intent the law ceases to distinguish between a criminal and an honest citizen who made a mistake. The shame and deterrent effect of a criminal sentence are diminished when minor infractions, such as neglecting to supply spittoons or paint the interior walls of a factory canteen, are associated with truly destructive criminal crimes.<sup>5</sup> Paradoxically, this can result in less overall compliance and foster a culture of legal cynicism. Second, excessive criminalization inhibits innovation and economic growth. Entrepreneurs, particularly those leading startups and MSMEs, frequently face a disproportionate risk of incarceration for inadvertent mistakes and lack the means to handle the maze of compliance regulations. The fear of prosecution creates a 'compliance paralysis,' where businesses may avoid venturing into new, highly-regulated sectors, not because their ideas are unviable, but because the legal risks are too high. This has a direct, negative impact on job creation and economic dynamism. This risk aversion hinders investment and growth, which runs counter to the country's goal of making doing business easier.<sup>6</sup>

Third, and possibly most importantly, it has put too much strain on the Indian legal system. Data from the National Judicial Data Grid consistently shows that a significant percentage of pending criminal cases relate to minor offenses under special and local laws, many of which are regulatory in nature.<sup>7</sup> Technical cases are jamming the criminal court system, resulting in an alarming backlog of cases. In addition to delaying prompt justice in those particular cases, the judicial backlog takes time and focus away from more serious crimes that actually endanger society. The issue of disproportionate and ambiguous criminal legislation has been acknowledged by the Supreme Court of India. The Court invalidated Section 66A<sup>8</sup> of the Information Technology Act, 2000 in the historic case of *Shreya Singhal v. Union of India*<sup>9</sup>,

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<sup>5</sup> Douglas Husak, *Overcriminalization: The Limits of the Criminal Law* (2008), <https://global.oup.com/academic/product/overcriminalization-9780195328703>.

<sup>6</sup> Poornima Eknath Surve, *Jan Vishwas Act, 2023: Decriminalization for Ease or a Compromise on Accountability?*, 5 *Nyaayshastra L. Rev.* 1 (2023), <https://www.nyaayshastra.com/post/jan-vishwas-act-2023-decriminalisation-for-ease-or-a-compromise-on-accountability>.

<sup>7</sup> *National Judicial Data Grid*, <https://njdg.ecommittees.gov.in/> (last visited Sept. 26, 2025)

<sup>8</sup> Information Technology Act, 2000, No. 21 of 2000, sec. 66A

<sup>9</sup> *Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1.

concluding that its provisions were unconstitutionally ambiguous and had a chilling effect on free speech. This ruling emphasizes a key idea that underpins the reasoning of the Jan Vishwas Act: criminal regulations ought to be specific, narrowly defined, and commensurate with the harm they are intended to avoid. Therefore, the legacy of overcriminalization is a "trust gap" between the governed and the government, which is based on antiquated, harsh, and frequently ineffective laws. The remedy, the Jan Vishwas Act, aims to restore this deficiency by establishing a fresh foundation of trust.

### III. Jan Vishwas Act, 2023: Framework for a Novel Regulatory Strategy

The Government of India has worked hard to streamline its legal system, and the result is the Jan Vishwas (Amendment of Provisions) Act, 2023. The purpose of the Bill is to reform laws that have "punitive implications for minor/procedural/technical violations to increase Ease of Doing Business and Ease of Living," as stated clearly in the official "Note for the Cabinet."<sup>7</sup> The deliberate policy decision to shift from a fear-based deterrent approach to a more trust-based system of governance is reflected in this legislative aim. Four major elements constitute the foundation of this reform's architecture:

- A. **Widespread Decriminalization:** The main characteristic of the Act is the decriminalization or rationalization of 183 particular provisions through the change of 42 major acts. This is mostly accomplished by replacing provisions that call for incarceration with ones that just call for monetary fines. These changes address a wide range of topics, including media, business, the environment, agriculture, and intellectual property. For example, the Information Technology Act of 2000<sup>10</sup> replaced the three-year jail sentence for the felony of exposing personal information in violation of a valid contract (Section 72A) with a fine of up to ₹25 lakh.
- B. **Transition to Administrative Adjudication:** By giving the government the authority to designate "Adjudicating Officers," the Act establishes a new framework for enforcement. It is the duty of these quasi-judicial agencies to carry out investigations and administer sanctions for civil violations. For a wide range of offenses, this represents a substantial transfer of the adjudicatory role from criminal courts to

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<sup>10</sup> Information Technology Act, 2000, No. 21 of 2000

administrative authorities. By ensuring that regulatory conflicts are resolved more quickly and expertly, the traditional court system will be less overburdened.<sup>11</sup>

- C. Establishment of Appellate Mechanisms: The Act calls for the creation of Appellate Authorities in recognition of the necessity of checks and balances on administrative power. Anyone who feels wronged by an adjudicating officer's decision may appeal to this body. This two-tiered administrative system is intended to provide procedural justice and offer a way to challenge capricious or incorrect rulings without having to immediately turn to High Court writ jurisdiction.
- D. Dynamic Penalty Framework: The Act establishes an automated adjustment system to keep monetary penalties from gradually losing their deterrent impact as a result of inflation. It stipulates that the sum of fines and penalties must be raised by 10% of the minimum amount every three years following the Act's inception.<sup>12</sup> Long-term relevance and efficacy of the financial deterrent for non-compliance are guaranteed by this clause.

The Jan Vishwas Act radically restructures the state's response to regulatory non-compliance through three interrelated clauses. It aims to provide a more effective, less punishing, and better-calibrated system.

#### **IV. A Gradual Change in Regulation: Complementing Responsive Regulation**

The Jan Vishwas Act is a philosophical move toward a more complex and internationally connected regulatory approach rather than merely a legal tidy-up. Its strategy aligns well with the tenets of responsive regulation and behavioral compliance theory, which contend that a strictly punitive, deterrence-based approach is frequently ineffective and detrimental. Rather, these theories support a regulatory strategy that increases perceived legitimacy and trust, which in turn encourages voluntary compliance.<sup>13</sup>

According to the behavioral compliance theory, people and organizations are more likely to

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<sup>11</sup> Cabinet Committee, *Note for the Cabinet on the Jan Vishwas (Amendment of Provisions) Bill, 2023*, 1 (July 11, 2023)

[https://drive.google.com/file/d/12Rp0t\\_X59zMloSCbDxHu6tdLBYtg-qDC/view](https://drive.google.com/file/d/12Rp0t_X59zMloSCbDxHu6tdLBYtg-qDC/view)

<sup>12</sup> *Id.*

<sup>13</sup> Daniel Peat et al., *Behavioural Compliance Theory*, 13 J. Int'l Disp. Settlement 167 (2022), <https://doi.org/10.1093/jids/idac010>

abide by regulations that they believe are reasonable, fair, and applied with procedural fairness. Behavior is influenced by a variety of factors, such as a sense of moral obligation, faith in regulating bodies, and the conviction that the system is fair, in addition to the dread of punishment. This concept of 'procedural justice' suggests that the process of enforcement matters as much as the outcome. When regulated entities feel they have been heard, treated with respect, and judged impartially, they are more likely to internalize the norms of the law and comply voluntarily in the future, even when no one is watching.<sup>14</sup> The Jan Vishwas Act communicates that the state sees enterprises as partners in economic success rather than as potential criminals and lowers the psychological barrier to compliance by eliminating the harsh fear of incarceration for minor infractions. In the end, voluntary adherence to the law is more sustainable than coerced compliance since it promotes goodwill and a culture of compliance.

The idea of responsive regulation, which suggests a pyramid of enforcement tactics, is consistent with this strategy. Persuasive and collaborative strategies, like communication and support, are at the base of the pyramid. The punishments increase in severity as one advances, with criminal penalties saved for the highest level and used only to the most heinous and resistant offenders. This model is not about being soft on crime; it is about being smart with regulatory resources. It recognizes that most non-compliance is unintentional or due to ignorance, and that a cooperative approach is often the most effective way to achieve correction. By reserving the costly and cumbersome machinery of criminal prosecution for the most serious cases, the state can deploy its resources more strategically and achieve better overall compliance outcomes. This paradigm is successfully operationalized by the Jan Vishwas Act. It recommends less severe sanctions, such as monetary fines given by adjudicating officers, for small, inadvertent violations. Serious infractions still carry the potential of stronger enforcement, but instead of incarceration, the default response is now financial disincentives and persuasion.

The convenience of conducting business is significantly impacted by this change. By lowering the risk of criminal culpability for procedural errors, the decriminalization of some sections under intellectual property laws such as the Patents Act<sup>15</sup> and the Copyright Act<sup>16</sup> promotes innovation and creative business.<sup>17</sup> In a similar vein, small and medium-sized businesses can

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<sup>14</sup> *Id.*

<sup>15</sup> The Patents Act, 1970, No. 39 of 1970

<sup>16</sup> The Copyright Act, 1957, No. 14 of 1957

<sup>17</sup> Suji Cheriyan, *The Jan Vishwas Act and Its Ripple Effects on India's Intellectual Property Framework*, 5

concentrate on expansion by reducing the compliance burden caused by the rationalization of violations under laws controlling metrology, pharmacy, and trade marks. The Act exemplifies the principle of proportionality, which is fundamental to just legal systems and essential to creating a really progressive regulatory state, by balancing the gravity of the offense with the legal repercussions and giving administrative settlement precedence over criminal prosecution.

## V. A Decline in Accountability?: Rebuttals and Unresolved Issues

The Jan Vishwas Act has been criticized despite its progressive goals. Opponents contend that the Act may have unintentionally undermined regulatory rigor and jeopardized public accountability in its haste to advance business-friendly reforms. The three main topics of these criticisms are sector-specific risks, the possibility of administrative arbitrariness, and diluted deterrence.

The strongest argument is that financial penalties, rather than incarceration, could not be a sufficient deterrence, particularly for big businesses that view fines as a "cost of doing business." This issue is especially pressing in fields where regulatory violations can have detrimental effects on the general welfare. Concerns have been raised, for example, by the 1940 modification to the pharmaceuticals and Cosmetics Act that makes the production of "Not of Standard Quality" (NSQ) pharmaceuticals a compoundable violation. Because pharmaceutical corporations can avoid criminal punishment by paying a fine even if they are caught, critics worry that this could encourage them to compromise on quality, potentially putting public health at risk.<sup>18</sup> Similar to this, some people believe that the decriminalization of several crimes under the Environment (Protection) Act, 1986<sup>19</sup>, is a step backwards that could jeopardize environmental protection initiatives.

The new administrative adjudication structure is the subject of a second significant worry. Despite being intended to be effective, the wide range of discretionary authority given to adjudicating officers in the absence of a comprehensive, standardized framework for applying sanctions leaves room for possible arbitrary and inconsistent behavior. This is not merely a theoretical concern; it reflects a deep-seated apprehension about the potential for a new body'

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Indian J. Integrated Rsch. L. 1 (2024)

<https://ijirl.com/wp-content/uploads/2025/05/THE-JAN-VISWAS-ACT-AND-ITS-RIPPLE-EFFECTS-ON-INDIAS-INTELLECTUAL-PROPERTY-FRAMEWORK.pdf>

<sup>18</sup> Surve, *supra* note 6, at 9.

<sup>19</sup> The Environment (Protection) Act, 1986, No. 29 of 1986

operating under the guise of administrative efficiency. Without clear sentencing guidelines, akin to those used in the judiciary, there is a substantial risk that two companies committing the same procedural lapse could face wildly divergent penalties based on the subjective assessment of the Adjudicating Officer. This creates an environment of legal uncertainty, which is itself a barrier to business. Without judicial control at the outset and without explicit standards, there is a chance that sanctions may be enforced unevenly, which could disadvantage smaller organizations that lack the financial means to appeal decisions.<sup>20</sup> This administrative process's lack of openness is a serious issue that may undermine the very confidence that the Act aims to establish.

Lastly, sector-specific criticisms emphasize the inappropriateness of a "one-size-fits-all" approach to decriminalization. The logic here is that the 'harm principle' is not uniform across all regulatory domains. A procedural error in a trademark filing, for example, has a fundamentally different potential for societal harm than a deviation from quality control standards in the manufacturing of a life-saving drug. For instance, there has been discussion over the "ripple effects" on India's intellectual property system. Some contend that eliminating criminal penalties for violations like making fraudulent patent rights claims could encourage infringers, even though the goal was to make compliance easier.<sup>21</sup> This could disproportionately harm smaller innovators who rely on the deterrent effect of strong IP laws to protect their creations from larger, more powerful competitors. Concerns have also been expressed regarding the possible effects on the security and integrity of postal systems of the total repeal of all offenses under the Indian Post Office Act, 1898<sup>12</sup>. These criticisms highlight a legitimate point: context sensitivity is essential for the optimal regulatory response. Decriminalization is suitable for strictly technical violations, but if it is applied universally without taking into account the unique risks in each industry, it may jeopardize the public interest and lessen the accountability of both governmental and corporate actors.

## **VI. Doctrinal Analysis: Balancing Public Interest, Governance, and Liberty**

The Jan Vishwas Act functions at the nexus of multiple essential legal principles from a doctrinal perspective. Statutory interpretation principles, administrative law, and constitutional law can all be used as benchmarks to assess its validity and eventual success.

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<sup>20</sup> Surve, *supra* note 6, at 9.

<sup>21</sup> Cheriyan, *supra* note 15

Article 19(1)(g)<sup>22</sup> and Article 21<sup>23</sup> serve as the constitutional cornerstones of the Act's philosophy. According to the Supreme Court's interpretation of Article 21, any restriction on one's freedom must be reasonable, equitable, and just. The Act supports this idea of incarceration as a last option by decriminalizing actions that do not include serious moral turpitude or public harm. It acknowledges that small regulatory violations should not be grounds for the state to use its power to arrest its citizens. Furthermore, the Act allows the freedom guaranteed by Article 19(1)(g) to be fully expressed by lessening the chilling impact of possible imprisonment on legitimate economic activity.

Through the establishment of adjudicating officers, the Act gives the executive branch a substantial amount of quasi-judicial authority in the field of administrative law. Whether or not this delegation is supported by adequate procedural safeguards will determine its legitimacy. This transfer of adjudicatory power also raises questions related to the doctrine of Separation of Powers, a basic feature of the Indian Constitution. While a strict separation is not followed in India, the principle requires that the core functions of one branch of government should not be usurped by another. The judiciary has traditionally been the arbiter of disputes involving penalties. By creating a parallel administrative system for imposing significant monetary penalties, the Act arguably transfers a core judicial function to the executive. The constitutional validity of this framework will likely be tested on whether the appellate mechanisms and the ultimate power of judicial review by the High Courts and Supreme Court provide a sufficient check on executive power, ensuring that the system does not become a tool for administrative overreach.<sup>24</sup> These new administrative entities must strictly adhere to the concepts of *nemo iudex in causa sua* (no one should be a judge in their own cause) and *audi alteram partem* (the right to be heard). An appeal system is an essential precaution, but how well it works will rely on how independent and knowledgeable the appellate authority are. The courts will continue to have the final say in ensuring that these administrative bodies follow the law and do not go against natural justice principles by using their judicial review power.<sup>25</sup>

The application of the proportionality principle<sup>26</sup> is the basis of the Act. According to this theory, which is the foundation of a just legal system, the state's actions must be logically

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<sup>22</sup> India Const. art. 19, cl. 1(g).

<sup>23</sup> India Const. art. 21.

<sup>24</sup> L. Chandra Kumar v. Union of India, (1997) 3 S.C.C. 261

<sup>25</sup> A. K. Kraipak v. Union of India, A.I.R. 1970 S.C. 150

<sup>26</sup> Shreya Singhal v. Union of India, (2015) 5 S.C.C. 1

related to the goal and should not encroach more than is required to accomplish it. The Jan Vishwas Act aims to better balance the regulatory goal of maintaining compliance with the rights of individuals (liberty and freedom of enterprise) by substituting the harsh tool of incarceration with the more calibrated tool of monetary fines for small violations. According to the legislative opinion, incarceration is a disproportionate reaction for a wide class of offenses because the harm of non-compliance is essentially economic and may be effectively handled through financial disincentives. The Act's most important legal contribution is this doctrinal change from a punitive to a corrective and proportionate framework.

## VII. CONCLUSION

One of India's most ambitious regulatory reforms in recent years is without a doubt the Jan Vishwas (Amendment of Provisions) Act, 2023. It takes on the long-standing issue of overcriminalization head-on and aims to establish a culture of trust and voluntary compliance in place of one characterized by mistrust and fear. The law makes a significant step toward establishing a more logical, effective, and business-friendly legal environment by decriminalizing a large number of minor infractions and moving toward an administrative system of punishments. According to the argument made in this paper, this action represents a progressive regulatory change that brings Indian practice into line with contemporary ideas of appropriate and responsive regulation. It is a welcome and essential change from a harsh past.

The shift to this new paradigm is not without its difficulties, though. The journey from a punitive to a trust-based system is not merely a matter of legislative amendment; it requires a cultural shift within the regulatory agencies themselves. Regulators must be retrained to see themselves not just as enforcers, but as facilitators of compliance. Serious thought must be given to the worries about the possibility of diminished deterrence in important areas like the environment and public health. Establishing fair, uniform, and transparent processes is essential to the new administrative adjudication machinery's effectiveness. The reform runs the danger of failing to achieve its goals and, in the worst case, opening up new channels for arbitrariness in the absence of strong institutional safeguards and careful scrutiny.

The Jan Vishwas Act should therefore be seen as the start of a journey rather than its destination. It is a "living legislative experiment"<sup>27</sup> that needs to be continuously observed,

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<sup>27</sup> Surve, *supra* note 6, at 9.

assessed, and adjusted. The government must support this legal reform with clear practical guidelines for adjudicating officials, institutional capacity-building, and a regular, data-driven assessment of its effects in many sectors. This ongoing evaluation must be data-driven, examining not just the number of cases decriminalized, but the real-world impact on compliance rates, public safety, and economic innovation in the affected sectors. Comparative lessons from other jurisdictions that have undertaken similar decriminalization efforts, such as the United Kingdom's Regulatory Enforcement and Sanctions Act 2008<sup>28</sup>, should also be actively studied and adapted to the Indian context. In the end, finding the ideal balance between maintaining public interest and governmental responsibility and promoting ease of doing business is a challenging undertaking. Although the Jan Vishwas Act offers a progressive framework for achieving this balance, its actual effectiveness will depend on how carefully and wisely it is applied. With careful implementation, it might drastically improve India's regulatory environment and make it more equitable, effective, and supportive of the country's development.

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<sup>28</sup> Regulatory Enforcement and Sanctions Act 2008, c. 13 (U.K.)