

## Law Commission of India (LCI)

Law reform has been a continuous process in India. After independence in 1947, there had been demand in Parliament and outside for establishing a Central Law Commission to recommend revision and updating of extant laws. The first Law Commission after independence was set up in the year 1955. Subsequent Commissions were constituted from time to time. The 22nd Law Commission of India was constituted on 20th February, 2020 for a period of three years and was extended for a period of 1.5 years. The term of 22nd Law Commission ended on 31st August 2024. Usually, each Commission is constituted for a term of three years. The Law Commissions have been able to make important contribution towards the progressive development and codification of the laws in the country.

2. To continue the work of legal reforms, Twenty-Third Law Commission of India has been constituted on 01st September, 2024 for a period of three years. The Twenty-Third Law Commission of India shall consist of:

- (i) a full-time Chairperson;
- (ii) four full-time Members (including Member-Secretary);
- (iii) Secretary, Department of Legal Affairs as ex officio Member;
- (iv) Secretary, Legislative Department as ex officio Member; and
- (v) not more than five part-time Members.

3. The terms of reference of the Twenty-Third Law Commission is as under:

A. Review/Repeal of obsolete laws:

- (i) Identify laws which are no longer needed or relevant and can be immediately repealed.
- (ii) Creating a Standard Operating Procedure (SoP) for periodic review of existing laws inter-alia for the undertaking of simplification of language and processes.
- (iii) Identify laws which are not in harmony with the economic needs and requirements of the times and require amendments.
- (iv) Identify laws which otherwise require changes or amendments and to make suggestions for their amendment.

(v) Consider in a wider perspective the suggestions for revision/amendment in laws given by Expert Groups in various Ministries/Departments with a view to coordinating and harmonizing them.

(vi) Consider references made to it by Ministries/Departments through the Department of Legal Affairs, Ministry of Law and Justice, in respect of legislations having bearing on the working of more than one Ministry/Department.

(vii) Suggest suitable measures for quick redressal of citizens grievances, in the field of law.

#### B. Law and Poverty:

(i) Examine the laws which affect the poor and carry out post enactment-audit for socio-economic legislations.

(ii) Take all such measures as may be necessary to harness law and the legal process in the service of the poor.

#### C. Keep under review the system of judicial administration to ensure that it is responsive to the reasonable demands of the times and in particular to secure:

(i) elimination of delays, speedy clearance of arrears and reduction in costs so as to secure quick and economical disposal of cases without affecting the cardinal principle that decision should be just and fair.

(ii) Simplification of processes and court procedures and suggesting harmonising Rules of various High Courts for the sake of uniformity and ease of understanding and implementation.

(iii) simplification of procedure to reduce and eliminate technicalities and devices for delay so that it operates not as an end in itself but as a means of achieving justice.

(iv) Implementation of framework for case management hearing and case flow management.

#### D. Examine the existing laws in the light of Directive Principles of State Policy and to suggest ways of improvement and reform and also to suggest such legislations as might be necessary to implement the Directive Principles and to attain the objectives set out in the Preamble of the Constitution.

E. Examine the existing laws with a view for promoting gender equality and suggesting amendments thereto.

F. Revise the Central Acts of general importance so as to simplify them and to remove anomalies, ambiguities and inequities.

G. Consider and convey to the Government its views on any subject relating to law and judicial administration that may be specifically referred to it by the Government through Ministry of Law and Justice (Department of Legal Affairs).

H. Consider the requests for providing research assistance/guidance to any foreign countries as may be referred to it by the Government through the Ministry of Law and Justice (Department of Legal Affairs).

I. Examine the impact of globalization on food security, unemployment and recommend measures for the protection of the interests of the marginalized.

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