

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 21st Law Commission of India was constituted on 1st September, 2015 for a period of three years. The term of 21st Law Commission was ended on 31st August, 2018. 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-second Law Commission of India has been constituted on 21st February, 2020 for a period of three years. The Twenty- second 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-second 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- (i) Identify laws which are no longer needed or relevant and can be immediately repealed.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) Identify laws which are not in harmony with the existing climate of economic liberalisation and need change.
- (iii) Identify laws which otherwise require changes or amendments and to make suggestions for their amendment.
- (iv) Consider in a wider perspective the suggestions for revision/amendment given by Expert Groups in various Ministries/Departments with a view to coordinating and harmonizing them.
- (v) 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.
- (vi) 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-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 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.

(iii) improvement of standards of all concerned with the administration of justice.

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. Recommend to the Government measures for making the statute book up to date by repealing obsolete laws and enactments or parts thereof which have outlived their utility.

H. 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).

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

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