

Law Commission of India - Indian Polity

The Law Commission of India is an executive body whose chief function is legal reforms in the country. It is an important part of the UPSC polity and governance segments. In this article, you can read all about the Law Commission of India, its functions, history and other details for the [IAS exam](#).

Law Commission of India

The Law Commission is an executive body which is established by the government for a fixed tenure. It acts as an advisory body to the Law Ministry.

- The Law Commission is neither a statutory nor a constitutional body.
- It is primarily composed of legal experts.
- The first Law Commission in India was formed in 1955 with its chairman being the then Attorney-General of India, M. C. Setalvad.
- Currently, there is no Law Commission as the tenure of the latest commission, i.e., the 21st Commission got over in August 2018.
- The Law Ministry has initiated the process of forming a new Law Commission.
- The Commission submits reports to the government on various matters of a legal nature. The reports are not binding on the government, which can either reject or accept them.

Law Commission Members

The Commission comprises of legal and judicial experts. There is a Chairperson and other members in the Commission. The Law Secretary and the Secretary (Legislative) under the Law Ministry are ex-officio members.

Law Commission History

Law Commissions in India have a pre-independence origin. The first Law Commission was formed in 1834 as a result of the [Charter Act, 1833](#) under the chairmanship of TB Macaulay.

- The first commission's recommendations resulted in the codification of the penal code and the Criminal Procedure Code.
- Three other law commissions were constituted before independence by the British government. All four pre-independent law commissions have contributed to the statute books immensely.
- After independence, the first Law Commission was constituted in 1955 in a continuance of the tradition of bringing law reforms in the country through the medium of law commissions.
- It submitted 14 reports to the government.

Law Commission Functions

The main function of the Law Commission is to conduct legal research and review existing laws with the aim of bringing in reforms. Some of the other functions of the Law Commission are mentioned below.

- Repeal or review of obsolete laws.
 - Identifying laws that are no longer relevant and can be repealed immediately.
 - Identifying laws that are not in tune with the current climate of economic liberalisation and require changes.
 - Identifying laws that require changes and to make recommendations as to the changes.

- Considering suggestions given to it by other ministries/departments regarding revision or amendment of laws.
- Suggesting measures for the speedy redressal of grievances of citizens, in the legal domain.
- Studying laws that affect the poor and also conducts post-analysis of socio-economic laws.
- Recommend the enactment of new laws that may be needed to implement the DPSPs and to achieve the objectives of the Constitution as formulated in the Preamble.
- Give its views on any matter connected with law and judicial administration, that could be referred to it by the Law Ministry.
 - With respect to eliminating delays, reducing costs and ensuring a quick clearance of arrears, without affecting the principle of justice and fairness.
 - With respect to simplifying procedures and eliminating technicalities.
 - With respect to improving the standards of administration of justice.
- Consider requests for providing research to foreign countries as referred to it by the government through the Law Ministry.
- Studying the existing laws with respect to gender equality and giving recommendations thereof.
- Studying the effects of globalisation on unemployment, food security and suggest measures for protecting the interests of the marginalised and the vulnerable.
- Prepare and submit reports on all issues and subjects regarding the research undertaken by the Commission for effective steps to be taken by either the central or the state governments.
- Perform any other function which may be assigned to it by the Union Government.

21st Law Commission of India

The 21st Law Commission of India was the latest one to be formed. Its tenure was from 2015 to 2018. The Chairman was former Supreme Court judge Balbir Singh Chauhan. It submitted 15 reports to the government. The last report was Report no. 277 titled, “Wrongful Prosecution (Miscarriage of Justice): Legal Remedies.”

Some of the other reports the commission submitted were on various subjects such as human DNA profiling, hate speech, review of contempt of courts, compulsory registration of marriages, BCCI, sports betting, etc.

UPSC Questions related to the Law Commission of India

Is Law Commission a statutory body?

The Law Commission is not a statutory body. It is an executive body.

Who wrote Indian Penal Code?

The IPC was drafted in 1860 on the basis of the recommendations of the First Law Commission. The draft was prepared by the Commission under the chairmanship of Lord Macaulay.

Who is the chairman of 21st Law Commission?

The chairman of the 21st Law Commission was Justice Balbir Singh Chauhan.

