

LAW COMMISSION

Prelims- Polity governance- Constitutional Bodies, Regulatory Bodies

Mains- GS2 - Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

GS2 - Structure, organization and functioning of the Executive and the Judiciary Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity.

- ✚ **Context-** Law Ministry has initiated the process of setting up the body which gives advice to the government on complex legal issues.

What is Law Commission:

- ✚ Law Commission of India is neither a constitutional body nor a statutory body.
- ✚ It is truly an ad hoc and advisory body whose work is to do research and make recommendations for law reforms such as amendments and updations of prevalent and inherited laws.
- ✚ Recommendations is **NOT binding** upon the Government.

How Law Commission is established?

- ✚ Law Commission of is established by an order of central government.
- ✚ Who will head the law commission is completely at the discretion of the Government. However, it is a convention that a retired judge of Supreme Court heads India's Law Commission.
- ✚ Further, the States also can constitute their own law commissions.

Who is composition of Law Commission?

- ✚ The Commission is headed by a full-time Chairperson. Its membership primarily comprises legal experts, who are entrusted a mandate by the Government. Law commission would be comprised of:
 - ❖ A full-time Chairperson
 - ❖ Four Full-Time Members (including a Member-Secretary). Secretary, Department of Legal Affairs as ex officio Member. Secretary, Legislative Department as ex officio Member. not more than five part-time Members.

- ✚ The Commission is established for a fixed tenure (generally three years) and works as an advisory body to the Ministry of Law and Justice.

History of Law Commission:

- ✚ India's first Law Commission was established in 1834 via Charter Act of 1833 under the Chairmanship of Lord Macaulay.
- ✚ This law commission had recommended codification of the Penal Code, the Criminal Procedure Code and a few other matters.

