Law Commission of India (LCI)

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Why in news?

The 23rd Law Commission (LC) says the simultaneous polls bill can become law with just Parliament's approval, without needing states to ratify it by at least 50% of the state legislatures.

- **1st Law Commission of independent India** – **Established in - 1955** for a 3-year term under the chairmanship of M. C. Setalvad (former Attorney General for India).
- **Law Commission –** It is a ***non-statutory advisory body***, established by a notification from the Ministry of Law and Justice for a specific tenure to conduct legal research for reforms.
- **Established in -** 1834, under the ***Charter Act of 1833***, with Lord Macaulay serving as its chairman.
- **Tenure –** It is reconstituted for a fixed period, ***typically 3 years***, with its terms of reference defined in the notification.
- **Composition –** It includes a full-time chairperson, full-time members, ex-officio members (like the Secretary of the Department of Legal Affairs), and part-time members.
- **Function –** The Law Commission functions as ***India's legal think tank***, combining research, consultation, and drafting to recommend reforms that strengthen the rule of law and modernize statutes.

Quick Fact

23rd Law Commission

• **Composition -** Chairman, 4 full-time members (including the Member-Secretary), 2 ex-officio members (Secretaries of Legal Affairs and Legislative Departments), and up to 5 part-time members.
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    ▪ **Chairman** – Justice Dinesh Maheshwari (retd).
• **Opinion For holding simultaneous polls** – It *does not require ratification* by at least 50% of the state legislatures – Because
  - The bill falls under Parliament's power to make laws which does not entail ratification by States.
  - Also, the proposed amendment does not disturb the basic structure of the Constitution in any way.
  - Any curtailment of the term of the House(s) by the proposed amendment does not violate the basic structure of the Constitution.
  - Indian federalism is not compartmentalized but designed as a “weaving together” of units with a strong Centre as pivot.

References

1. The Hindu |LC to brief joint committee of Parliament on simultaneous polls
2. Law Commission of India | Law Commission

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