

## Law Commission of India (LCI)

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### Why in news?

The 23<sup>rd</sup> 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.

- **1<sup>st</sup> 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

**23<sup>rd</sup> 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.

■ **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](#)