

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

**RAJYA SABHA
UNSTARRED QUESTION NO. 3948
ANSWERED ON 06/04/ 2023**

Drafting of new legislations

3948. DR. ASHOK BAJPAI:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government is aware that one of the main reasons for litigation in High Courts and the Supreme Court is the defective and faulty drafting of legislations containing provisions admitting more than one interpretations;
- (b) whether Government has any proposal to take the assistance of the retired judges of the Supreme Court, High Courts and senior advocates in drafting new legislations for making them more accurate;
- (c) whether Government has any existing system to periodically overview the working of the legislations with a view to remove difficulties by legislative interventions; and
- (d) if so, the details thereof?

A N S W E R

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) to (d): The Legislative Department is mandated with drafting of laws on the basis of the policy decisions taken by the concerned administrative Ministries/Departments of the Government of India and as per the procedure prescribed by the Ministry of Parliamentary Affairs in the Manual of Parliamentary Procedure in the Government of India.

There is no proposal to take the assistance of retired Judges and senior advocates. The Legislative Department has been taking necessary steps to ensure

that legislative drafting is simple, plain, precise and unambiguous. Efforts are also being made to aim at clarity of expressions and use of appropriate words and expressions. A committee has been constituted in the Department to lay down the guidelines for simple and effective ways in the drafting of legislation.

The Legislative Department has requested all Ministries/ Departments of the Government of India to ensure that the legislative policies are made simple, non-complex and framed in easy to understand language. Further, draft persons are also given suitable training. As the process of drafting of laws is continuous and ongoing one, the Legislative Department will continue in its efforts to draft laws which are precise and accurate.