

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT
LOK SABHA

UNSTARRED QUESTION NO. 355
TO BE ANSWERED ON FRIDAY, THE 21ST JULY, 2023

Review of Drafting of Legislations

355. SHRI D.K. SURESH:

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

- (a) whether the Government is aware that one of the main reasons for ambiguous litigation in High Courts and the Supreme Court is the defective and faulty drafting of legislations containing provisions admitting more than one interpretation, if so, the details thereof;
- (b) whether the Government has any proposal to take the assistance of the retired judges of Supreme Court, High Courts, and senior advocates in drafting new legislations for making them more accurate, if so, the details thereof;
- (c) whether the Government has put any mechanism for a periodical review of the working of the legislation with a view to removing ambiguity in it caused by legislative interventions; and
- (d) if so, the details thereof?

A N S W E R

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(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.

At present, 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.

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.