

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4904

ANSWERED ON:23.04.2015

DRAFTING OF LAWS

Dhruvanarayana Shri Rangaswamy;Paraste Shri Dalpat Singh

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

- (a) whether there is a shortage of experts for drafting laws in the country;
- (b) if so, the details thereof along with the reasons therefor; and
- (c) the steps taken/being taken by the Government to impart requisite training and make available experts for the purpose?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA)

(a) to (c): A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (c) of the Lok Sabha Unstarred Question No.4904 to be answered on 23-04-2015 regarding "Drafting of Laws".

(a): Yes, Madam.

(b) and (c) : There is an urgent need for augmenting the drafting personnel in the Legislative Department at various levels. At present, there are only 34 draftpersons/Legislative Counsels in the Department which is not commensurate with the quantum of work being handled by the Department. On an average, based on the work accomplished during the last five years, Legislative Department annually examined about 120 legislative proposals and 2,825 subordinate legislations. Based on the information available on the website, in comparison it is seen that in Australia, there are 55 drafters, 40 publications staff and 30 corporate services staff in the Office of Parliamentary Counsel which is akin to the Legislative Department of the Ministry of Law and Justice. Similarly, in United Kingdom, the Office of Parliamentary Counsel consists of 50 Counsels and 15 supporting staff, who handled only 23 legislations during the year 2012, 33 in 2013 and 30 in 2014.

Legislative drafting has its own challenges and expertise is required for drafting precise and clear legislations which is possible only when a person chose it as a profession in legislative drafting. The existing resource persons upto middle level Legislative Counsels need training and orientation to develop the aptitude and the skill in legislative drafting. In January, 1989, with a view to increase the availability of trained Legislative Counsels in the country, the Institute of Legislative Drafting and Research was established in the Legislative Department of the Ministry of Law and Justice. Since, its inception, Institute of Legislative Drafting and Research has been imparting theoretical as well as practical training in Legislative Drafting. The Institute of Legislative Drafting and Research is imparting the following courses, namely:-

- (i) Basic Course in Legislative Drafting of three month's duration for the middle level law officers of the State Governments/Union territory Administrations;
- (ii) Basic Course in Legislative Drafting of one month duration for the middle level law officers of the State Governments/Union territory Administrations, where the drafting is undertaken in Hindi;
- (iii) Appreciation Course of two week's duration for the middle level officers of the Central Government Ministries/ Departments/Attached/Subordinate Offices and Central Public Sector Undertakings;
- (iv) Voluntary Internship Programme for law students which give ample opportunity to the students pursuing legal education to understand the drafting of Laws; and
- (v) In-house training for the benefit of the officers of this Department.

So far, the Institute of Legislative Drafting and Research has conducted 27 Basic Courses and 18 Appreciation Courses giving training to 493 Officers of the Central as well as State Governments. Further, 482 foreign trainee officers who underwent training at Bureau of Parliamentary Studies and Training (BPST) have been provided on the job practical training by Institute of Legislative Drafting and Research.