

Paper - 903
Legislative Drafting
(Honours Paper-VII)

Full Marks: (Written 80+Internal 20) =100. Credit-5

1. Principles of Legislation:

Definition, Nature and Scope, Advantages and Disadvantages

History of Legislation

Types of Legislation

Main parts of Legislation—Long Title, Preamble, Short Title, Parts, Heading, Definition/Interpretation Clause, Marginal Notes, Section/Sub-Section/Clause, Proviso, Explanation, Illustration, Schedule

2. Legislative Drafting:

Basic Techniques

Responsibility of the Draftsmen

Draftsman's present difficulties

3. Legislative Process:

Preparatory Process, Drafting Process, Parliamentary Process

General Rules of Legal Drafting

4. Forms of Legislative Instruments:

Bills, Acts, Order, Rules, Schedule

5. Use of Words, Syntax and Punctuations in Legislative Drafting

6. Common Phrases and their significance in Legislative Drafting:

As he deems fit; thinks necessary

Any other sufficient cause

Non-obstante clause: notwithstanding anything in any other law or notwithstanding anything contained in this Act

Or any other public purpose

Subject to a contrary context

Except where otherwise expressly enacted

Record its reasons in writing
In pursuance of any enactment
Safeguards against common errors

Suggested Readings:

1. Atre, B. R.: Legislative Drafting: Principles and Techniques
2. Chakraborty, N. K.: Principles of Legislation and Legislative Drafting

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper
2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions)
and 8 Questions x12 marks (for answering 5 questions).
3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus
automatically.