2023

LAW

Legislative Drafting

Paper - 903

(NEW SYLLABUS)

Full Marks : 80 Time : 3 Hours

The figures in the right-hand margin indicate marks.

Candidates are required to give answers in their own words as far as practicable.

Answer **question no. 1** and any **five** from the rest.

1. Answer any **ten** questions : $2 \times 10 = 20$

   a) What is Legislation?

   b) What is Legislative Drafting?

   c) Why is Legislative Drafting important?

   d) What do you understand by the term 'Heading'?

   e) Define 'Proviso'.

   f) What do you mean by the term 'Supreme Legislation'?

   g) Define 'Punctuations'.

   h) Define 'Legal Drafting'.

   i) What is 'Legislative Process'?

   j) What is 'Preamble' ?

   k) What do you mean by the term 'Title'?

   l) What sort of words should not be used in 'Legislative Drafting'?

2. a) State the nature and scope of Legislation.
   b) What do you mean by the term 'Sub-Delegation of Legislative Process'?

8+4=12

3. Briefly discuss the different types of Legislative Instruments. 12

4. Discuss in detail the historical background of Legislative Drafting in India. 12

5. Comment on the following:
   a) Responsibility of the Draftsman
   b) Criteria for classification of Legislation

6+6=12

6. a) What is the difference between 'Bill' and an 'Act' ?
   b) Discuss briefly the general rules of 'Legal Drafting'.

4+8=12

7. Discuss the significance of given phrases below in Legislative Drafting:
   a) As he deems fit, thinks necessary,
   b) Non-obstante Clause &
   c) Record its reasons in writing. 3×4=12

8. a) Discuss the role of Judges on Legislative Drafting.
   b) Discuss the importance of 'Delegated Legislation'.

6+6=12

9. a) What do you mean by 'Principles of Legislation'?
   b) Discuss advantages and disadvantages of Legislation.

4+8=12