

Syllabus for the Faculty of Law
DIPLOMA IN LEGISLATIVE DRAFTING.

SUBJECTS

PAPER I : Principles of Legislative Drafting	...Marks: 100
PAPER II: Process and Preparation of Legislative Drafting	...Marks: 100
PAPER III: Interpretation and Translation of Statutes	...Marks: 100
PAPER IV: Dissertation and Viva (Marks 80+20 Respectively)	...Marks: 100

Course Content

PAPER I :

PRINCIPLES OF LEGISLATIVE DRAFTING

...Marks : 100

1 Forms of Legislative Instrument

1.1 Bills, Acts, Orders, Rules, Schedules

1.2 Related Provisions, Schedule, Case laws of the Constitutional Law

2 Principles

2.1 As a tool of power

2.2 Object to civil – criminal legislation, anticipated goals

2.3 Limitations of legislation as a tool for change in relation to religion, morality and tradition.

2.4 Factors which influence decision of the legislator

2.5 Correlation between public opinion and legislative formulation

2.6 Some major problems and trends in legislative formulation in a modern welfare State

3 Ideals of Drafting

Simplicity, Preciseness, Consistency, Alignment with Existing law, Brevity Select bibliography

Indian law Institute, The Drafting of Laws (1980)

Allen, Law in the making, Sweet and Max Well

Renton C' Hee Report, Preparation of Legislation, Sweet and Max Well

W. Friedman, Law in a Changing Society (1970)

PAPER II :

PROCESS AND PREPARATION OF LEGISLATIVE DRAFTING

Marks: 100

1 Process & Preparation

- 1.1 General rules, words selection, syntax, style, punctuation
- 1.2 Reference of other related laws, and existing law
- 1.3 Relevancy with constitutional provisions
- 1.4 Required instructions for legislative drafting
- 1.5 Other requirements : punctuation, Marginal notes, Provisions, illustrations, Presumptions, Use of non- obstante clauses, Retrospective effect, exceptions, Fictions, Explanations
- 1.6 Classification of statutes
- 1.7 Amending, consolidating and codifying statutes: Subordinate Legislation

2 Provisions

Preliminary, substantive, administrative, supplementary, penal.

Reference Books

1. Zander M., The law Making Process, Widenfeld & Icholson, England
Renton C' Hee Report. Preparation of Legislation, Sweet & Max Well J.
Bentham, Principles Of Legislation

PAPER III :

INTERPRETATION AND TRANSLATION OF STATUES Marks :100

1 Interpretation of Statutes

- 1.1 The General Clauses Act, 1987
- 1.2 General rules of interpretation, including a constitutional, interpretation and Maxims.
- 1.3 Basic principles, guiding principles of interpretation, internal and external aid to Construction, subsidiary rules. Operation of statutes, expiry and repeal, jurisdiction of courts, construction of taxing law, remedial and penal statutes, delegated legislation.

2 Translation of Statutes.

- 2.1 Basic requirement of regional language and English.
- 2.2 Use of glossary and vocabulary
- 2.3 Translation from one language to the other.

Reference Books.

Thornton, G.C., Legislative Drafting, Butter worths, London.

The General Clauses Act, 1897.

Maxwell, Interpretation of Statutes.

G.P. Singh, principles of statutory interpretation.

K.Sanmukham and N.S. Bindras, Interpretation of Statutes (1997). The Law Book CO. Allahbad.

V. Sarathil, Interpretation of Statutes, Eastern Law Book Co. Lucknow.

PAPER IV : Dissertation-Viva

... Mark 100

1. Dissertation	80 Marks
2. Viva-voce	20 Marks
Total Marks:	100 Marks

Viva by the Internal Penal of the college

Saurashtra University
Faculty of Law
DIPLOMA IN LEGISLATIVE DRAFTING
IN FORCE FROM JUNE, 2014
Ordinances and Regulations

O.D.L.D.1

Candidate Seeking admission to the course should have passed LL.B degree examination having three years duration or five years duration (in case of integrated course) from this university or any other recognize university.

O.D.L.D.2

The diploma Course is a regular full time of one year duration consisting of two academic terms.

O.D.L.D.3

The admitted candidate can not join any other course of study without prior permission of the university.

O.D.L.D.4

The Medium of instruction & Examination shall be English, Hindi or Gujarati as the case may be which will not be changed during the entire Diploma programme.

O.D.L.D.5

Admission granted by the affiliated college/institute to any student shall be provisional till the enrollment/registration/enlistment is made by the University & in case the admission is granted on the bases of provisional eligibility certificate, the conditions & instruction given by the University should be complied within the time limit fixed by the University or latest by the beginning of next semester otherwise term kept by the such a student will be forfeited and no fees on any account will be refunded.

O.D.L.D.6

Every affiliated college or institution shall have to take appropriate measures against ragging & gender problems in the college/institution. The

word college/institution included college building, sports complex, Hostels and such other components which are within the purview of the college.

In case of occurrence of any such incident the violator shall be dealt with very seriously and appropriate stringent action be taken by the principal of the college observing principle of natural justice. The head of college may appoint a committee to inquire in to the matter which will also observe the principle of natural justice. The committee will submit its report to the Head of college who may take further necessary action in the matter.

Regulation's:

R.D.L.D.1

The Teaching and examination scheme shall be as under.

Sr. No.	Name of Subject	Max. Marks	Mini.Passing Marks	Weekly Period	Exam. Hours
1.	Principles of Legislative Drafting	100 Marks	33* Marks	03	03 hours
2.	Process and preparation of Legislative drafting	100 Marks	33* Marks	03	03 hours
3.	Interpretation and translation of statutes	100 Marks	33* Marks	03	03 hours
4.	Dissertation (evaluation & viva) 80+20 respectively (Internal evaluation by college)	100 Marks	33* Marks	-	-

*Aggregate 50% Marks to be obtain by the candidate for passing in the examination.

R.D.L.D.2

Candidates must forward their application for admission to university examination to the Registrar on or before the prescribed date with a certificate of attendance duly signed by the principal along with the examination fees prescribed by the University.

R.D.L.D.3

(1)Candidate securing 33 marks in each paper & aggregate 50% marks will be awarded second class. (2) Candidate securing 66% or more marks in the examination will be awarded first class.

R.D.L.D.4

Candidate appearing by availing exemption will be placed in PASS CLASS.

R.D.L.D.5

(1) Candidate who have obtained 50% or more marks in any subject/paper may opt for exemption from reappearing subsequently. (2) Candidate appearing in part Examination must obtain 50% marks in each of the paper.

R.D.L.D.6

Candidate who remain absent in viva shall be declare failed in the examination.
