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
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 statues: Subordinate Legislation

2 Provisions

Preliminary, substantive, administrative, supplementary, penal.

Reference Books

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

1. Dissertation                    80    Marks
2. Viva-voce                       20    Marks

Total Marks:                      100   Marks

Viva by the Internal Penal of the college

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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 (incase 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.

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

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