B.A. L. L. B (Semester – VIII) Examination, April 2019 LEGISLATIVE DRAFTING

Duration: 3 Hours Max. Marks -75

Instructions:i) Answer any EIGHT questions from Q. No. 1 to Q. No. 12. ii) Q. No. 13 and Q. No. 14 are compulsory.

(8x8=64)

- 1. 'It is said that legislative drafting is akin to the job of an architect' Elaborate.
- 2. Explain how Supreme Legislation is different from Subordinate Legislation.
- 3. Explain the validity of delegated legislation.
- 4. Give an account of the rules of drafting of municipal bye-laws.
- 5. What are the various parts of a statute, important for the purpose of drafting a legislation?
- 6. Explain how far precision and clarity are the basis of legislation.
- 7. What are the responsibilities, expectations and difficulties faced by a legislative draftsman?
- 8. Give an account of the three main stages in the preparation of a legislation.
- 9. What is the importance of paragraphing and punctuation in legislative drafting?
- 10. Examine consolidating and panel statutes.
- 11. What is the importance of title, definition clause and preamble in a legislation?
- 12. Drafts a Bill for controlling trade in commodities, having 10 to 15 sections:

Key Points:

- I) List of controlled commodities
- Restriction on trade based on Who may trade in, Place, Quality & Quantity
- III) Licensing authorities Licensing Authority; Procedure for grant of Licence; Fees for Licence; Duration of Licence and its revocation
- IV) Right of Appeal and Appellate Authorities
- V) Traders to keep to Accounts, Submission of Returns and preserve records
- VI) Officers to have power to entry inspection, seizure and penalties

- 13. Write short notes on any two:(2 x 3 = 6)
 - a) Mens rea in statutory offences.
 - b) Mischief Rule of interpretation.
 - c) Commencement Clause.
- 14. Write short notes on any two :(2 x 2 1/2 =5)
 - a) Protection and Finality Clause.
 - b) Noscitur a sociis.
 - c) Proviso.

B.A.LL.B. (Semester – VIII) Examination, October 2018 LEGISLATIVE DRAFTING

Duration: 3 Hours Max. Marks: 75

Instructions: 1) Answer any eight questions from Q. No. 1 to Q. No. 12.

2) Q. No. 13 and Q. No. 14 are compulsory.

 $(8 \times 8 = 64)$

- 1. How far is precision and clarity the basis of legislation?
- 2. What are the responsibilities, expectations and difficulties faced by a legislative draftsman?
- 3. Discuss the validity of subordinate legislation.
- 4. Explain the rules of drafting of municipal bye-laws.
- 5. Explain the parts of a statute for the purpose of drafting a legislation.
- 6. 'Legislative Drafting is said to be a science or an art'. Elaborate.
- 7. Give an account of the three main stages in the preparation of a legislation.
- 8. Analyze in detail the importance of punctuation in a legislative draft.
- 9. Examine consolidating and penal statutes.
- 10. What is the importance of title, definition clause and preamble in a legislation?
- 11. What is meant by delegated legislation? Explain its limits.
- 12. Draft a model bill having between 10 to 15 Sections for establishing a Dental college.

Key Points:

- i) There is no Dental college in the District of South Goa.
- ii) The college will be bound by the directives of the Dental Council of India.
- iii) Students' Council is to be formed by direct elections.
- iv) There will be reservations for admissions as per the State reservation Policy.
- v) There shall be a Out-patient department (OPD) and Prosthodontics, Orthodontics and Periodontics specializations, offered at the PG level.
- vi) Details of requirements like classrooms, state-of-the art infrastructure, play ground, canteen facilities, etc. to be included.

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- a) Kings English
- b) Flaws in Drafting
- c) Schedule.
- 14. Write short notes on any two:

- a) Protection and finality clause
- b) Proviso
- c) Value of words in legislative drafting.

B.A.LL.B. (Semester – VIII) Examination, April 2018 LEGISLATIVE DRAFTING

Duration: 3 Hours Max. Marks: 75

Instructions: i) Answer any eight questions from Q. No. 1 to Q. No. 12.

ii) Q. No. 13 and Q. No. 14 are compulsory.

 $(8 \times 8 = 64)$

- 1. Explain the validity of delegated legislation.
- 2. Give an account of the rules of drafting of municipal bye-laws.
- 3. What are the various parts of a statute, important for the purpose of drafting a legislation?
- 4. 'It is said that legislative drafting is a kin to the job of an architect' Elaborate.
- 5. How far is precision and clarity the basis of legislation?
- 6. What are the responsibilities, expectations and difficulties faced by a legislative draftsman?
- 7. Give an account of the three main stages in the preparation of a legislation.
- 8. What is the importance of paragraphing and punctuation in legislative drafting?
- 9. Examine consolidating and penal statutes.
- 10. What is the importance of title, definition clause and preamble in a legislation?
- 11. How is Supreme Legislation different from Subordinate Legislation?
- 12. Draft a Model Bill having between 10 to 15 Sections for establishing an Architecture College.

Key Points:

- i) There is no Architecture College in South Goa.
- ii) The college is to meet the demand of hundreds of eligible students due to shortfall of seats.

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iii) The college will be regulated by the Council of Architecture under the Architects Act, 1972.

2 d 2 f L B. (Semester - VIII) Examination, April 2018

- iv) Students' Cabinet is to be formed partly by elections only.
- v) The college will provide for reservations as per the State Reservation Policy.
- vi) Details of requirements like classrooms, technical requirements, playground, canteen facilities and other infrastructure to be included.

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- b) Mischief Rule of Interpretation.
- c) Commencement Clause.
- 14. Write short notes on any two:

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- a) Protection and Finality Clause.
- b) Noscitur a sociis.
- c) Proviso a ve besit seal control on and telegraphy and discontrol or and are removed.

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