

A Study on Delegated Legislation

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Abstract: *The Constitution of India empowers Legislature to make laws for the country. One of the significant legislative functions is to determine a legislative policy and to frame it as a rule of conduct. Obviously such powers cannot be conferred on other institutions. But keeping in mind various multifarious activities of a welfare State, it is not possible for the legislature to perform all the functions. In such situations, the delegated legislation comes into the picture. Delegated Legislature is one of the essential elements of administration whereby the executive has to perform certain legislative functions. However, one must not forget the risk associated with the process of delegation. Very often, an overburdened Legislature may unduly exceed the limits of delegation. It may not lay down any policy; may declare any of its policy as vague and may set down any guidelines for the executive thereby conferring wide discretion to the executive to change or modify any policy framed by it without reserving for itself any control over subordinate legislation. Therefore, even though the Legislature can delegate some of its functions, it must not lose its control completely over such functions. The Privy Council was the most astounding Court for claim from India in sacred issues till 1949. The topic of lawfulness preceded the Privy Council in the acclaimed instance of R.Vs. Birah (1878) 3 AC 889.(Tamil Nadu (India). Legislature. Legislative Assembly. Committee on Delegated Legislation) An Act was passed in 1869 by the Indian Legislature to expel Goro Hills from the common and criminal ward of Bengal and vested the forces of common and criminal organization in an official named by the Legislative Governor of Bengal. The main aim of the paper is to study the history of delegated legislation and the objectives are To study the delegated legislation and to study criticisms of delegated legislation and to study the history of delegated legislation. The sample size are The number of samples taken are 1500.The dependent variables are, Do you think delegated legislation saves the time of parliament, Are you aware of delegated legislation. The independent variable is *gender. From the research paper I would like to conclude that though delegated legislation has various criticisms the delegated legislation widely helps to reduce the burden of the parliament and enables the state makes laws for people welfare and states development.*

Keywords: Delegated legislation , enabling act, constitution, administration, legislation, executive

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