

Sixth Semester LL.B. 3 Years Course (C.B.S.) Examination
INTERPRETATION OF STATUTES
Compulsory Paper—1

Time : Three Hours]

[Maximum Marks : 80

- N.B. :—** (1) Attempt **ALL** Sections : Section A consists of 10 marks, Section B consists of 30 marks, Section C consists of 40 marks.
- (2) Follow the instructions given in each Section.
- (3) Marks are indicated against each question.

SECTION—A

1. Choose the correct alternative (any **TEN**) :—

- (i) The rule laid down in Heydon's case is called _____.
(a) Harmonius rule (b) Proper rule
(c) Mischief rule (d) Literal
- (ii) The expression non-obstante clause means "Notwithstanding" is _____.
(a) True (b) False
(c) Partly True (d) Partly False
- (iii) Action taken by the court on its own initiative is called as :
(a) Ex majore cautela (b) Ex parte
(c) Ex Abuser (d) Ex suo motu
- (iv) Ejusdem Generis means :
(a) by legal fiction
(b) of the same kind
(c) statute must be read as a whole
(d) harmonious construction
- (v) The power of a court to hear a particular matter is referred as :
(a) Consideration (b) Authorization
(c) Delegation (d) Jurisdiction

- (vi) A proviso to a section in a statute is :
- (a) An independent section (b) Not an independent section
(c) Can't say (d) May be an independent section
- (vii) Preamble is _____ aid to construction.
- (a) Internal (b) External
(c) Both (d) None of the above
- (viii) Temporary statute _____.
- (a) Does not have a fixed duration (b) Are fiscal statutes
(c) Can expire and repealed also (d) Do expire but cannot be repealed
- (ix) Damnum sine injuria relates to :
- (a) No damage without injury (b) Damage without injury
(c) Damage without cause (d) No damage without action
- (x) This maxim means 'afresh' or 'a new' or 'over again' :
- (a) De Actus (b) Novation
(c) De novo (d) None of the above
- (xi) What is the Doctrine of Store Decisis ?
- (a) The Doctrine of statutory interpretation
(b) Doctrine of Pardon
(c) Doctrine of Punishments
(d) Doctrine of Precedents
- (xii) Which is not an internal aid to construction ?
- (a) Long Title (b) Preamble
(c) Illustrations (d) Historical facts
- (xiii) Which Article of the Constitution of India applies in case of Repugnancy between Central and State laws.
- (a) 253 (b) 254
(c) 255 (d) 256
- (xiv) The object of interpretation is to discover what the legislature intended. The statement is ____.
- (a) False (b) Partly True
(c) True (d) Partly False
- (xv) When two statutes deal with same subject, they are said to be in :
- (a) Pari Materia (b) Prima Facie
(c) Legal fiction (d) All the above

SECTION—B

Note :— Both questions in this section are compulsory.

2. Answer any **THREE** of the following :— 5×3=15
- (a) Explain the rule Ejusdem Generis.
 - (b) Write a note on Noscitur A Sociis.
 - (c) Explain Reddendo Singula Singulis.
 - (d) What do you mean by Casus Omissus ?
3. Write short notes on any **THREE** :— 5×3=15
- (a) Golden Rule of Interpretation
 - (b) Rule of Last Antecedent
 - (c) Non-obstante Clause
 - (d) Legal Fiction.

SECTION—C

Note :— Answer the following (any **FIVE**) :—

8×5=40

- 4. Explain the principles of construction of Remedial Statutes.
- 5. “A taxing statute is to be strictly construed”. Explain and illustrate.
- 6. Explain the method of interpreting substantive and procedural laws.
- 7. What do you understand by Judicial Review of statutes ? Explain.
- 8. “The words of a statute must prima facie be given their ordinary meaning”—Viscount Simon. In light of this observation, explain the rule of literal construction with help of case law.
- 9. Give brief account of various external aids employed in the interpretation of a statute.
- 10. Explain perpetual and temporary statutes. What is the effect of the expiry of temporary statutes ?
- 11. Explain in short the following principles of interpretation of statutes :—
 - (a) “Statute must be read as a whole in its context.”
 - (b) “If meaning plain, effect must be given to it irrespective of consequences.”
- 12. “Language of a statute should be read as it is”— Explain. When can there be a departure from this rule ?