

This question paper contains 2 printed pages.

Roll No. 1980282

B.A. LL.B. (VIII Sem.) (Integ.)

Sl. No. 100099

8.40

B.A. LL.B. (VIII Semester) EXAMINATION, 2019

(Five - Year Integrated Course)

INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Paper : 8.40

Time Allowed : Three Hours

Maximum Marks : 80

Note : Write your roll number on question paper before start writing answers of questions.
All questions of Part-A and B are compulsory . Attempt any three questions from Part-C.

PART - A

10x2=20

1. Explain the principle of "Literal Rule" in brief.
2. What is the basis for application of the Harmonious Construction Rule while interpreting a statute ?
3. Explain any two internal aids to interpretation.
4. Mention the essentials for applying the rule of "Ejusdem Generis".
5. While interpreting a statute, how can a Court decide whether a given statute is Mandatory or Directory ? Explain.
6. What is your understanding on the maxim "Contemporanea Expositio Est Fortissima in Lege" ?
7. What do you know about the "Doctrine of Eclipse" ?
8. "Whatever legislature can't do directly, it can't do indirectly". Which doctrine is attracted in the given statement ?
9. Mention any four kinds of "Pains" as given by Bentham.
10. Explain the principles of Utility in brief.

PART - B

4x6=24

11. "Ordinarily, the duty of the court is to apply Literal Rule, but if it leads to absurdity, repugnance, inconvenience, hardship, injustice or evasion, then the duty of the Court is to modify the meaning to such an extent and no further as would prevent such a consequence". In this light, fully explain the principle of "Golden Rule" with decided case-laws.
12. Fully explain the principle of Pari-Materia i.e. Reference to Other Statutes.
13. Explain in brief the maxim "Construction Expressio Unius Est Exclusio Alterius."
14. Point out the differences between "Presumptions of Fact" and "Presumptions of Law".

PART - C

3x12=36

13. "The essence of law lies in its spirit, not in its letter, for the letter is significant only as being the external manifestation of the intention that underlies it" - Salmond
In this regard, what do you understand by Interpretation of statutes? Discuss its basic rules and object and differentiate it with Construction? Also cite relevant case laws.
15. What do you understand by "Strict Construction of Penal Statutes"? Fully explain with the help of decided cases.
17. Tracing out the history, fully explain with the help of decided cases the Doctrine of "Pith and Substance".
18. "What punishment lacks in certainty, must be made up in severity. The less certain a punishment is, the severer it must be; the more certain it is, the less it need be severe". In this regard, following the Benthamite Approach, mention and explain in brief all the kinds of punishments?

OR

Mention the importance and discuss the principles of the 'Utility Theory of Bentham'?

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This question paper contains 2 printed pages.

B.A.L.L.B. (VIII Sem.) (Integ.)

8.40

Roll No. 1880209

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B.A.L.L.B. (VIII Semester) EXAMINATION, 2018
(Five Year Integrated Course)
**INTERPRETATION OF STATUTES AND PRINCIPLES OF
LEGISLATION**

Paper : 8.40

Time Allowed : Three Hours

Maximum Marks : 80

*Note : Write your roll number on question paper before start writing answers of questions.
All questions of Parts-A and Part-B are compulsory. Attempt any three questions from Part-C*

PART - A

Answer the following questions in one or two sentences each. Each question carries 2 marks.

10x2=20

1. What is a statute ?
2. What do you understand by Marginal Notes ?
3. Which principle of interpretation is considered as the safest rule ?
4. The principle of ejusdem generis is limited in its application. Discuss.
5. When can the statutes be said to be in parimateria ?
6. According to Bentham the ascetic principle is followed by two classes of men. Name them.
7. What are the objects of Civil Law ?
8. Can procedural law and the practice of courts be given a retrospective operation.
9. What do you mean by the principle of occupied field ?
10. What are inefficacious punishments ?

PART - B

4x6=24

Answer the following questions. Each question carries 6 marks.

11. Explain the maxim 'construction ut res magis valeat quam pereat'. Refer to relevant case laws.
12. 'The courts have been very busy in determining whether an enactment is mandatory or directory'. Explain referring to case laws.

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8.A. LL.B. (VIII Sem.) (Integ.)
8.40

Roll No. 1980264

Sl. No. 100057

B.A. LL.B. (VIII Semester) EXAMINATION, 2019
(Five - Year Integrated Course)
INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Paper : 8.40

Time Allowed : Three Hours

Maximum Marks : 80

Note : Write your roll number on question paper before start writing answers of questions.
All questions of Part-A and B are compulsory. Attempt any three questions from Part-C.

PART - A

10x2=20

1. Explain the principle of "Literal Rule" in brief.
2. What is the basis for application of the Harmonious Construction Rule while interpreting a statute?
3. Explain any two internal aids to interpretation.
4. Mention the essentials for applying the rule of "Ejusdem Generis".
5. While interpreting a statute, how can a Court decide whether a given statute is Mandatory or Directory? Explain.
6. What is your understanding on the maxim "Contemporanea Expositio Est Fortissima in Lege"?
7. What do you know about the "Doctrine of Eclipse"?
8. "Whatever legislature can't do directly, it can't do indirectly". Which doctrine is attracted in the given statement?
9. Mention any four kinds of "Pains" as given by Bentham.
10. Explain the principles of Utility in brief.

4x6=24

PART - B

11. "Ordinarily, the duty of the court is to apply Literal Rule, but if it leads to absurdity, repugnance, inconvenience, hardship, injustice or evasion, then the duty of the Court is to modify the meaning to such an extent and no further as would prevent such a consequence". In this light, fully explain the principle of "Golden Rule" with decided case-laws.
12. Fully explain the principle of Pari-Materia i.e. Reference to Other Statutes.
13. Explain in brief the maxim "Construction Expressio Unius Est Exclusio Alterius."
14. Point out the differences between "Presumptions of Fact" and "Presumptions of Law".

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PART-B

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Answer the following questions. Each question carries 6 marks

[4×6=24]

11. Fully explain the maxim "Noscitur - a sociis".
12. What are the Internal Aids to Interpretation? Discuss any four of them in brief
13. What do you understand by statutes in "Pari-Materia"? Discuss.
14. Throw light on the importance of Harmonious Construction Rule while interpreting a status. Also refer relevant case laws.

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PART-C

Answer any three questions. Each question carries 12 marks.

[3×12=36]

15. The Cardinal rule of interpretation of a statute is to read it "literally", that is, by giving to the words their ordinary, natural and grammatical meaning. Discuss citing case laws.
16. Fully explain with the help of decided cases the Doctrine of "Pith and Substance".
17. A particular section of the statute shall not be divorced from the rest of the act. The "Ejusdem Generis" rule applies to resolve the problem of giving meaning to groups of words where one of the words is ambiguous or inherently unclear. Discuss.
18. The Street Offences Act intended to clean up the streets, that is, to remove the mischief so as to enable people to walk along the streets without being molested or solicited by prostitutes. The Prostitutes attracted the attention of the passersby from balconies and windows. Is it a street offence? Decide explaining the rule of interpretation involved?

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B.A. LL.B. (VIII Sem.)
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Paper-8.40

B.A. LL.B. (VIII Semester)

EXAMINATION, 2016

(Five-Year Integrated Course)

Paper-8.40

**INTERPRETATION OF STATUTES AND
PRINCIPLES OF LEGISLATION**

Time allowed : Three hours

Maximum marks : 80

*All questions of Parts-A and B are compulsory. Attempt
any three questions from Part-C.*

Part-A

1. What do you understand by 'Temporary Statute' ?
2. What is 'Intention of Legislation' ?
3. Define 'Construction'.
4. Explain 'Golden Rule of Interpretation'.
5. What do you mean by 'Presumption to Peri Materia
Statutes' ?
6. Explain 'Generalia Specialibus Non-derogant'.
7. What do you understand by 'Repeal of Statute' ?
8. Explain 'External Aids'.
9. What is Principle of Eclipse' ?
10. What is 'Principle of Implied Powers' ?

Part-B

11. Discuss the Rule of 'Literal Interpretation' with the help of
decided cases.
12. Explain 'Construction of Noscitur a Sociis'. Discuss with
the help of decided cases.

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Answer any three questions from Part A and B are compulsory.

Attempt any three questions from Part C.

Part A

2×10=20

1. Define 'Statute'.
2. What do you mean by 'Amending Statutes'?
3. What do you mean by 'Retrospective Operation of Statutes'?
4. Define in brief 'Principle of Territorial Nexus'.
5. Distinguish in brief 'Mandatory and Directory Enactments'.
6. What do you mean by 'Strict Construction of Taxing Statutes'?
7. Define in brief 'Harmonious Construction'.
8. Define in brief 'Repeal of Legislation'.
9. Define in brief 'Beneficial Construction'.
10. Define in brief 'Ejusdem Generis'.
11. Define Interpretation. What is its object? Distinguish between Interpretation and Construction.

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12. A statute is to be interpreted 'Ex Visceribus Actus' i.e. within four corners of the Act. Discuss with the help of decided cases.
13. Discuss the rules regarding interpretation of codifying statutes with the help of decided cases.
14. Distinguish between Conjunctive and Disjunctive Enactments with the help of decided cases.

Part C

3×12=36

15. While interpreting an Enactment the court may modify the natural meaning to such extent as to avoid absurdity in it. Explain the Golden rule of Interpretation with the help of decided cases.
16. Why strict interpretation of 'Penal Statutes' is done by the courts? Discuss the special rule of penal statutes with the help of decided cases.
17. How 'Internal Aids' and 'External Aids' help the courts while interpreting the 'statute'? Discuss 'Internal Aids' and 'External Aids' with the help of decided cases.

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Sl.No. 0041

Roll No.

8.40

B.A. LL.B. (VIII Sem.)

B.A. LL.B. (VIII Semester) EXAMINATION, 2017

(Five Year Integrated Course)

Paper 8.40

**INTERPRETATION OF STATUTES AND PRINCIPLES OF
LEGISLATION**

Time : Three Hours]

[Maximum Marks : 80

Note : - Write your roll numbers on question paper before start writing answers of questions.

All questions of Parts-A and B are compulsory. Attempt any three questions from Part-C.

PART-A

Answer the following questions in one or two sentence each Each question carries 2 marks, [10×2=20]

1. Define Interpretation and differentiate it with Construction.
2. Explain construction Contemporanea Expositio.
3. What do you understand by "Strict Construction of Penal Statutes".
4. Explain the principle of "Golden Rule" in brief?
5. What do you understand by "Construction Ut Res Magis Valeat Quam Pereat".
6. Explain any two external aids to interpretation.
7. Throw light on the statement "The statute should be read as a whole".
8. Differentiate between Substantive law and procedural Law.
9. Explain "Construction Expressio Unius Est Exclusio Alterius".
10. What do you understand by the term "Internal Aid" to interpretation?

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13. Define 'Strict Interpretation'. Discuss the special rule of 'Fiscal Statute' with the help of decided cases.
14. What is the importance of Preamble as a Internal Aids ? Discuss.

Part-C

15. Explain 'Mischief Rule of Interpretation'. Discuss with the help of decided cases.
16. Explain 'Construction of Ejusdem Generis'. Discuss with the help of decided cases.
17. Define 'Interpretation of the Constitution'. Discuss the main principles of Interpretation of Constitution with the help of decided cases.
18. Discuss 'Principle of Utility'. Explain different kinds of Pleasure and Pains.

13. 'The public good ought to be object of the legislator ; general utility be the foundation of his reasonings' Bentham. Discuss.
14. Statutes imposing taxes are to be strictly construed. Explain.

PART - C

3x12=36

Answer any three questions. Each question carries 12 marks.

15. Write a detailed note on the various kinds of pleasures and pains.
16. The true reason of the remedy is always to make construction as shall suppress the mischief and advance the remedy ?
Discuss with the help of decided cases. ✓
17. Write short notes on any two of the following :
(a) Retrospective operation of the statutes
(b) Principle of colourable Legislation
(c) Principle of eclipse
18. What are the external aid to interpretation ? Explain them. ✓

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PART - C

15. *"The essence of law lies in its spirit, not in its letter, for the letter is significant only as being the external manifestation of the intention that underlies it" -Salmond*
In this regard, what do you understand by Interpretation of statutes ? Discuss its basic rules and object and differentiate it with Construction ? Also cite relevant case laws.
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17. Tracing out the history, fully explain with the help of decided cases the Doctrine of "Pith and Substance".
18. "What punishment lacks in certainty, must be made up in severity. The less certain a punishment is, the severer it must be; the more certain it is, the less it need be severe" . In this regard, following the Benthamite Approach, mention and explain in brief all the kinds of punishments ?

OR

Mention the importance and discuss the principles of the 'Utility Theory of Bentham' ?

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