

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] JUNE 2024

Paper Code: LLB406

Subject: Interpretation of Statutes

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

(5x5=25)

Q1 Write a short note each on the following:

- Mischief rule
- Rules for interpretation of taxing statutes.
- Noscitur a sociis*.
- The relevance of preamble as an internal aid to construction.
- Application of *ejusdem generis* rule in Article 12 of the Constitution of India.

PART-B

UNIT-I

Q2 "Statute must be read as a whole."—Explain in the light of relevant cases. (12.5)

OR

Q3 "The function of the court is to interpret the law and not to legislate."—Explain with relevant cases. (12.5)

UNIT-II

Q4 Enumerate and explain the internal aids used in construction of statutes. (12.5)

OR

Q5 Write short notes on the following:

- Long title, heading and marginal note as aids in the interpretation of statutes. (6.25)
- Illustration, exception, proviso, and explanation as aids in the interpretation of statutes. (6.25)

UNIT-III

Q6 Explain the role of legislative history in the interpretation of statutes. (12.5)

OR

Q7 Explain the role of the Constituent Assembly debates as an external aid for the interpretation of the Constitution. (12.5)

UNIT-IV

Q8 The Street Offences Act, 1959 made it an offence under section 54 for prostitutes to "loiter or solicit in the street for the purposes of prostitution." The object of the statute was to enable people to walk on the streets without fear of being molested or solicited by prostitutes. Section 5 provided for punishment for anyone found guilty under section 4 of the Act. 'X' was accused of calling to men in the street from balcony facing the street. 'X' argues that as she was not "in the street" and hence fell outside the definition. Decide in the light of the relevant rules of interpretation of statutes. Would your decision be any different if 'X' was lying on her bed inside her house calling out to people on the street using a large electronic screen in the room visible from outside through an open window? (12.5)

OR

Q9 Explain the rules relating to strict construction of penal statutes. (12.5)

P

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] JULY-2023

Paper Code: LLB-406

Subject: Interpretation of Statutes

Time: 3 Hours

Maximum Marks :75

Note: Attempt five questions in all including Q. no.1 which is compulsory. Select one question from each unit.

PART A

(5x5=25)

- Q1 (a) Discuss the scope and relevancy of construction of Noscitur Sociis?
(b) Can the court interpret against established international law in case of vacuum in national law?
(c) What do you mean by "Construction Contemporanea exposition est fortissimo in lege"?
(d) What is the role of punctuation in interpretation?
(e) Explain codifying and consolidating statutes.

PART B

UNIT-I

- Q2 "The problem of interpretation is a problem of meaning of words and their effectiveness as medium of expression to communicate a particular thought". Elaborate the meaning of interpretation in the light of the above statement. (12.5)
- Q3 When constitutional provisions are interpreted it has to be borne in mind that interpretation should be such as to further incorporation. Elaborate.

UNIT-II

- Q4 What is the role of Marginal notes in Interpretation? Why is their difference in judicial approach with respect to role of marginal notes of a statute and Constitution. (12.5)
- Q5 The paramount object of statutory interpretation is to discover the intention of the legislature. Discuss.

UNIT-III

- Q6 Explain the scope of Historical Background and legislative History as an external source of interpretation. (12.5)
- Q7 A Minister moved a bill in Parliament regarding the Privileges of the members of the Parliament. He made certain statements in the Parliament about objectives intended in the bill. Due to Opposition it was referred to the Select Committee and after its report a fresh bill was introduced and passed. State with reasons whether the statement of the minister and the view to the select committee may be taken in to account for the purpose of interpreting the provisions of the enactment.

LLB-406
P/12

P.T.O.

UNIT-IV

- Q8 (a) In what Circumstances can the courts apply Mischief rule of construction of Statutes?
(b) Explain the Golden rule of Interpretation with the help of decided cases?

Q9 A Minister moved a bill in Parliament regarding the Privileges of the members of the Parliament. He made certain statements in the Parliament about objectives intended in the bill. Due to Opposition it was referred to the Select Committee and after its report a fresh bill was introduced and passed. State with reasons whether the statement of the minister and the view to the select committee may be taken into account for the purpose of interpreting the provisions of the enactment. (12.5)



(Please write your Exam Roll No.)

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-406

Subject: Interpretation of Statutes

(Batch-2014 Onwards)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Write short notes on the following:
- (a) Statute is the master and not the servant of the judgment: Explain the statement.
 - (b) Differentiate between proviso, exception and saving clause.
 - (c) *Noscitur a sociis*
 - (d) Non obstante clause
 - (e) Mandatory and direct provisions in Statutes.
- Q2 (a) "The key to opening of every law is the reason and the spirit of the law". Explain the above statement with the help of decided case laws.
- (b) What is statutory law? Discuss the role played by the court in Interpretation of statutory law.
- Q3 (a) "Of all the internal aids, Preamble is said to be the most important aid". Do you concur with this statement? Explain with the help of relevant case laws on the issue.
- (b) Is Preamble a part of the Act? Give reasons and decided cases to support your answer.
- Q4 (a) Enumerate the various parts of the statute. How far they are useful in the interpretation of the statutes?
- (b) Discuss prospective and retrospective operations of the Statute in detail.
- Q5 What cannons of interpretation the Indian Judiciary adopts while interpreting the Indian Constitution? Elucidate.
- Q6 What do you mean by external aids of interpretation? What is the relevance of these external aids?
- (i) Constituent Assembly debates
 - (ii) Text books and legislative history
- Q7 Critically examine the rule laid down in Heydon's case in England as far which as 1584 is a second rule of construction of statute and is equally applicable to the construction of statutes in India. Discuss the rule in detail with reference to foreign as well as Indian judgments.
- Q8 "Rule of literal construction is known as a safer rule of construction". Explain with reason. Why is it said that at the very-first instance the courts should resort to this rule of construction, before it proceeds further to try other rules. Elucidate.

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-406

Subject: Interpretation of Statutes

(Upto 2013 batch)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 What do you mean by interpretation? Explain various aspects of interpretations. How far it is different from Construction?
- Q2 "The whole process of interpretation is to trace the intention of the legislature" – Explain the statement with the help of decided cases.
- Q3 Discuss various parts of a statute and their relevance for interpretation in detail with the help of cases.
- Q4 How far Preamble is being relied during the interpretation of Constitution and Statutes? Explain with the help of decided cases.
- Q5 Write Short Notes on the following external aids with the help of decided cases:
- (a) Dictionary
 - (b) Statement of Objects and Reasons
 - (c) Other Legislations
- Q6 How far the Constitutional Assembly Debates are being referred and relied during interpretation of Constitution? Explain the same by highlighting recently decided cases.
- Q7 Explain the "Mischief Rule of Interpretation" with the help of decided cases and highlight its limitations. Differentiate the same from the golden rule of interpretation?
- Q8 Write Short Notes:
- (a) *Reddendo singulari singularis*
 - (b) Fiction
 - (c) *Noscitur a Sociis*

(Please write your Exam Roll No.)

END TERM EXAMINATION

EIGHTH SEMESTER [LLB(HONS.)] APRIL-MAY 2019

Paper Code: LLB-406

Subject: Interpretation of Statute

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

Q1 Write a short notes on the following:-

(5x5=25)

- Differentiate between statute, Act and enactment
- Can a legislation have extraterritorial application
- Generalia Specialibus Non Derogant.
- Limitation of "Pari Materia" in interpretation
- Explain saving clause as an aid.

PART-B

UNIT-I

Q2 If a section is plain and its meaning unambiguous the Court must give natural meaning to the word used in section. Apply this rule with respect to S.292 of IPC and discuss the relevant case law. (12.5)

- Q3 (a) The paramount object of statutory interpretation is to discover the intention of legislature. Discuss. (6.25)
- (b) Y, the husband of X was prosecuted under s.306, S.498A and S.304B of IPC for causing death of X with the demand of dowry. Y argued that dowry as defined in S.2 of Dowry Prohibition Act requires that there have to be an agreement at the time of marriage and there is no evidence of agreement. According to S.2 the words are "agreed to be given". Decide. (6.25)

UNIT-II

- Q4 (a) How far do you agree with the observation of S.P. Gupta case about relevancy of marginal notes as an aid to interpretation? (6.25)
- (b) Long title, preamble and headings are reflection of mindset of the legislature. How far do you agree with the statement? (6.25)

Q5 A state of Nyaypradesh, decided to reserve 50% seats in educational institutions for the domicile of the state in educational institution. S.10 of the Nyaypradesh Education Governance Act reads domicile as "person having 5 years living in the state". X a businessman of the state lives 2 months every year in the state and has stayed for more than 6 years like this. He applied for domicile status in Tehsildar office and was denied it on the ground that it requires continuous stay of 5 years. Tehsildar took help of the preamble of the said Act to determine intention. The preamble reads "whereas to facilitate, secure and provide loyalty to the resident of the state, this Act is enacted". Can preamble be given overriding effect over explicit provision? Decide. (12.5)

P.T.O.

LLB-406
P.

UNIT-III

Q6 If the statute is curative or merely declaratory of the previous law retrospective operation is generally intended. Comment on the statement with illustrations. (12.5)

Q7 Bad and defective draftsmanship is noted by the court very often. It becomes imperative for the Court to probe into the objects of the legislation to give effect to the provision instead of declaring it illegal or unconstitutional. Discuss the statement with help of case laws. (12.5)

UNIT-IV

Q8 While interpreting of commercial activity National Consumer Forum excluded insurance from the ambit of commerce stating that its very nature required differential treatment in the interest of the insured and create prescriptive jurisdiction. Is it correct interpretation as per rules? (12.5)

Q9 Discuss essential elements of *ejusdem generis* and explain its role in interpretation. (12.5)



LLB-406
P2

00117703514

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-406

Subject: Interpretation of Statutes

(Batch 2014 Onwards)

Maximum Marks: 75

Time: 3 Hours

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

Q1 Write short notes:-

- (a) Relevance of Punctuation in Interpretation.
- (b) Mandatory and Directory Provisions.
- (c) Statement of Objects and Reasons as an External Aid.
- (d) *Generalia specialibus non derogant*
- (e) Harmonious Construction.

(5x5=25)

PART-B

UNIT-I

Q2 Explain the nature and scope of Interpretation in detail. Do you think that Interpretation and Construction are same? Discuss. (12.5)

Q3 "Vagueness and ambiguity are employed generically to indicate indeterminacy which leads to interpretation" - Do you agree with the statement? Give your view. (12.5)

UNIT-II

Q4 Write an essay on various parts of states and their relevance in the process of interpretation. (12.5)

Q5 Highlight the difference between proviso and exception and their reliability in the process of interpretation with the help of decided cases. (12.5)

UNIT-III

Q6 Write short note on the following External Aids with relevant cases-(12.5)
(a) Legislative History
(b) Dictionary

Q7 How far the constitutional assembly debates were relied by the Apex Court in *Menaka Gandhi v. Union of India*, AIR 1978 SC 597? Discuss. (12.5)

UNIT-IV

Q8 Explain the Mischief Rule of interpretation by discussing the Heydon's Case. How far the rule has been applied in India. (12.5)

Q9 "*Ejusdem generis* and *Noscitur a sociis* are substantially same but there is a thin layer of difference between both". Explain. (12.5)

P

(Please write your Exam Roll No.)

Exam Roll No. 19A.....

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY 2017

Paper Code: LLB-406

Subject: Interpretation of Statutes

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory.

PART-A

Q1 Write notes on the following:-

(5x5=25)

- (a) Legal Fiction
- (b) Noscitur Soccis
- (c) External aid and to interpretation of statutes.
- (d) Non obstante clause
- (e) Ratio decidendi and obiter dicta

PART-B

- Q2 "Of all the internal aids preamble is said to be the most important aid", Examine the statement. Is preamble a part of the Act? (12.5)
- Q3 What canons of Interpretation the Indian Judiciary adopts while interpreting the Indian Constitution? (12.5)
- Q4 "Rule of literal Construction is known as the safer rule of construction." Explain with reason? Why is it said that at the very first instance the courts should resort to this rule of construction, before it proceeds further to try other rules. (12.5)
- Q5 What do you understand by strict interpretation? How fiscal statutes are interpreted? Explain with the help of decided cases. (12.5)
- Q6 Explain **any two** of the following with decided case law. (12.5)
(a) Mischief rule or Heydon's rule
(b) Harmonious construction
(c) Mandatory and Directory Provisions in Statutes.
- Q7 What is statutory law? Discuss the role played by the court in Interpretation of statutory law. (12.5)
- Q8 Discuss the commencement, repeal and revival of statutes. (12.5)
- Q9 Discuss the prospective and retrospective operations of the statute. (12.5)

P

Write your Exam Roll No.)

Exam Roll No. 20

VIPS

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE-2013

Roller Code: LLB406

Subject: Interpretation of Statutes

Time : 3 Hours

Maximum Marks : 75

Instruction: Attempt any five questions including Q.no.1 which is compulsory.

PART-A

- Q1 Write notes on the following:- (5x5=25)
- (a) Mention five limitations to interpretation of statutes.
 - (b) Ejusdem generis
 - (c) Non-obstante clause
 - (d) Statute in pari-materia
 - (e) Importance of Statement of Objects and Reasons as an aid to construction of a statute.

PART-B

- Q2 Discuss the importance the Supreme Court has given to the debates of Constituent Assembly in interpreting the provisions of the Constitution of India. (12.5)
- Q3 Preamble is described as the "key to open the minds of the makers of the Act." However, when the enacting words admit of only one construction, that construction will receive effect even if it is inconsistent with preamble..." In the context of the above, what is the status and importance of Preamble in the process of Construction of a Statute? (12.5)
- Q4 Explain the meaning of the Golden rule of interpretation, in detail. Illustrate your answer with relevant case laws. (12.5)
- Q5 What are the Qualifications of rule of strict construction? Explain 'Mensrea' in statutory offences with special reference to the case State of Maharashtra v/s M.H.George (AIR 1965SC722). (12.5)
- Q6 The power to repeal is consistent with power to enact and is not controlled by Previous Legislation'. Discuss in the light of the statement the Implied repeal power. (12.5)
- (a) Discuss the rule of vicarious liability inn Statutory Offences. (6.5)
 - (b) There is rule of liberal construction of remedial statutes. Explain with case laws. (6)
- Q7 What are the Internal and External aids to Interpretation of Statutes? Give examples in support of your answer. (12.5)
- Q8 Write notes on any two of the following:- (6+6.5=12.5)
- (a) Rule of Harmonious Construction
 - (b) Legal fiction
 - (c) Mischief Rule
 - (d) Noscitur Soccis
