

HONS.08/006/22

**B.A. LL.B (Hons.) DEGREE EIGHTH SEMESTER EXAMINATIONS, MAY 2022**

**INTERPRETATION OF STATUTES**

**Time: 3 Hours**

**Maximum Marks: 50**

**Answer ANY FIVE of the following. Each question carries TEN marks**

**(5x 10 = 50)**

**A. Explain any five from the following. Each question carries 4 marks. (5 x 4 = 20)**

1. Waiver
2. Pith and substance
3. Codifying statutes
4. De minimus non curetlex
5. Eclipse
6. Marginal rule
7. Equitable construction

**B. Answer any two from the following. Each question carries 5 marks each. (2 x 5 = 10)**

1. A was prosecuted under S. 497 of IPC, 1860 for living with B, a married woman. A pleads that his prosecution was discriminatory as B, who is equally guilty was left out of prosecution? Advise A.
2. A, a shopkeeper sold butter prepared from curd. The butter was found to be adulterated. A, on being prosecuted under the Prevention of Food Adulteration Act, 1954 contended that under the Act 'butter' means butter prepared from milk and not from curd. Discuss.
3. A state in India passed a legislation regulating interest rates on money lending. The legislation was about money lending activities only, but it also touched upon some issues of promissory notes relating to money lending. Money lending is a State subject, but a promissory note is a central subject. Interpret the validity of the legislation.

**C. Answer any two from the following. Each question carries 10 marks each.**

**(2 x10=20)**

1. Elaborate on the aids to construction of a statute.
2. Write a critical note on the mischief rule of interpretation.
3. Do you agree that the Courts have power, in the process of interpretation, to modify the language of a statutory provisions in order to meet the intention of the legislature? Elucidate.

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