

**B.A.,LL.B (Hons.) DEGREE EIGHTH SEMESTER EXAMINATION,  
JANUARY 2021**

**INTERPRETATION OF STATUTES**

**Duration : 10.00am - 12.30 pm**

**Maximum Marks: 30**

**Answer All questions. Each question carry Six marks (5\*6 =30 Marks)**

**Question 1 (Time 10 a.m-10.30 a.m (20 minutes for writing and 10 minutes for uploading)**

1. a) Explain the effect of repeal of a statute in the light of Section- 6 of the General Clauses Act, 1897.

OR

b) A statute is not passed in vacuum but in a frame work of circumstances so as to give a remedy for a known state of affairs. To arrive at its true meaning one should know the circumstances with reference to which the words were used and what was the object appearing from those circumstances which Parliament had in view.” Elucidate the above statement in the light of Heydon’s rule of interpretation. Do you think that this rule should be applied only when the language of the statute is ambiguous ?

**Question 2 Time 10.30 a.m-11.00 a.m (20 minutes for writing and 10 minutes for uploading)**

2. a) Assess the importance of the following in the interpretation of statutes : (a) Preamble and Long title (b) Parliamentary History of an Act

OR

b) Explain in detail the circumstances in which the courts apply beneficial and liberal construction of statutes in contrast to restrictive construction of statutes. Illustrate with the help of the decisions of the Supreme Court of India.

**Question 3(Time 11.00 a.m-11.30 a.m (20 minutes for writing and 10 minutes for uploading)**

3. a) Discuss the recent judicial trend in the interpretation of penal and taxing statutes.

OR

- b) Explain and illustrate the principles of *noscitur-a-sociis* and *ejusdem generis* as applied to the interpretation of statutes.

**Question 4((Time 11.30 a.m-12.00 p.m (20 minutes for writing and 10 minutes for uploading)**

4. a) “On matters on which jurisdiction of the civil court is excluded, neither consent of the parties nor an order of the special tribunal which has jurisdiction to decide those matters, can confer jurisdiction on the civil court”. Examine this statement in the light of construction of provisions excluding civil court’s jurisdiction.

OR

- b) “The question whether the State has been exempted by necessary implication from the operation of an Act or any of its provisions will depend upon a fair construction of the Act in question”. Elucidate with the help of important case laws.

**Question 5(Time 12.00 p.m-12.30 p.m (20 minutes for writing and 10 minutes for uploading)**

5. a) “Nature has placed mankind under the governance of two sovereign masters, pain and pleasure.” This is the opening paragraph from the book written by Jeremy Bentham, “*An Introduction to the Principles of Morals and Legislation*”. Explain the above quote in the light of the principles of utility. What is the relevance of the philosophy proposed by Jeremy Bentham in understanding modern legislations?

OR

- b) What are the different stages in legislative drafting and what are the rules which a legislative draftsman is bound by especially with regard to commencement of statute, preamble, and long title?