## B.A.LL.B.(5Year Course)(with Credits)-Regular-Semester 2012 Sem IX LLB 592 - Course Code 9.2 : Interpretation of statute

|    | Pages: 2<br>ne: Three I                                    | Hours   | <b>      </b> * 5  | 0 5 7     | <b>∭</b><br>*                    | GUG/W/16/8026<br>Max. Marks : 80 |
|----|--|---|--|-----------|----------------------------------|----------------------------------|
|    | Notes:   | 1.<br>2.  | Attempt <b>Eight</b> questions in al All questions carry equal mar   |           | ding Q.No.1 (one) which is co    | ompulsory.                       |
| 1. | Ch   | noose   | the correct alternative from the   | e option  | ns given under each question.    |                                  |
|    | i)   | A   | Statute that give the words thei   | r ordin   | ary and natural meaning is cal   | lled                             |
|    |  | a)  | Golden Rule  | b)        | Literal or Grammatical rule      |                                  |
|    |  | c)  | Mischief Rule  | d)        | None of the above                |                                  |
|    | ii)  | 'M  | arginal Notes' cannot be used i  | n the ir  | nterpretation of statute because | e?                               |
|    |  | a)  | The Marginal notes are note  | the par   | ts of the statute                |                                  |
|    |  | b)  | They are not made by the leg   | gislatur  | e                                |                                  |
|    |  | c)  | They can be incorrect  |           |                                  |                                  |
|    |  | d)  | All of above   |           |                                  |                                  |
|    | iii)   | ) A   | statute may be interpreted by ju   | ıdges b   | y using different rules. Which   | n of the                         |
|    | ,  |   | llowing is not a rule of interpre  | _         |                                  |                                  |
|    |  | a)  | Golden Rule  | b)        | Literal Rule                     |                                  |
|    |  | c)  | Mischief Rule  | d)        | General Rule                     |                                  |
|    | iv)  | Th  | ne construction of the Tax and p   | enal st   | atute must be construed          |                                  |
|    | ,  | a)  | Strictly   | b)        | Liberally                        |                                  |
|    |  | c)  | Harmoniously   | d)        | None of the above                |                                  |
|    | v) A statute which repeals to an earlier statute is called |   |  |           |                                  |                                  |
|    | ,  | a)  | Repealing statute.   | b)        | Amending statute                 |                                  |
|    |  | c)  | Imperative Statute   | d)        | Enabling Statute                 |                                  |
|    | vi)  | vi) When two or more provisions of the same statute are repugnant, the court will try to construe the provisions in such a manner, if possible, as to give effect to both by harmonising them with each other.  This rule of interpretation is called |  |           |                                  |                                  |
|    |  | a)  | Harmonious construction  | b)        | Beneficial construction          |                                  |
|    |  | c)  | Golden rule of construction  | d)        | Logical construction             |                                  |
|    | vii  |   | ne rule relating to give important schief is called?   | ice to tl | ne general policy of statute an  | d to remove                      |
|    |  | a)  | Golden Rule  | b)        | Literal of Grammatical rule      |                                  |
|    |  | c)  | Mischief Rule  | d)        | None of Above                    |                                  |
|    | vii  | cla   | he preamble marginal notes, short and long headings, definitions and interpretation auses of any statute come under which aid of interpretation? |           |                                  |                                  |
|    |  | a)  | External aids  | b)        | Internal aids                    |                                  |
|    |  | c)  | Other aids   | d)        | All of above                     |                                  |

- ix) The meaning of the Beneficial construction is that the interpretation of statute be done in such a way that ----?
  - a) Where the legislation is made for the protection of the interest of a class, then the interest of that class be protected
  - b) Where there is a conflict between two provisions of a statute then the meaning which preserves the benefit to the person connected with the provision be given
  - c) Both 'a' & 'b'
  - d) None of the above
- x) Out of the following which rule is that of Grammatical interpretation.?
  - a) Reddendo Singula Singules
- b) Nosciture-a-sociis
- c) Casus omissus
- d) All of above
- 2. Write short notes on any two of the following.
  - i) Preamble
  - ii) Marginal notes and short title
  - iii) Rule of Last Antecedent-
  - iv) Doctrine of Harmonious Construction.
- **3.** Explain any two basic principles of interpretation of statutes.
- **4.** What is literal interpretation? Explain.
- **5.** Explain the external aids to construction of statutes.
- **6.** Explain the use of "recent social, political and economic changes and scientific inventions" as the aid of interpretation.
- 7. Explain the consequences of repeal of a statute.
- **8.** Explain the effects of expiry of temporary statutes.
- **9.** Distinguish between remedial and penal statutes.
- **10.** Discuss the concept of Legal Fiction.
- 11. Explain Reddendo Singula Singulis.
- **12.** Explain the following.
  - a) Judicial Review and Interpretation of Statutes.
  - b) Methods of interpreting substantive and procedural laws.

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