

(3 Hours)

[Total Marks : 100]

1. Answer in 2-3 sentences each of the following: -

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- (a) Explain the term *sententia legis*.
- (b) Explain "immovable property" as per General Clause Act.
- (c) Explain the Doctrine of Occupied Field.
- (d) Name any two external aids to interpretation.
- (e) Explain the principle of '*ejusdem generis*.'
- (f) What is a Codifying Statute?
- (g) Explain the term District Judge under the General Clause Act 1897.
- (h) Explain the term *contemporanea - expositio*
- (i) Explain the importance of Historical background as an aid to interpretation.
- (j) Explain the beneficial rule of construction.

2. Write short notes on any four of the following: -

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- (a) *Cassus Omisus*.
- (b) Headings.
- (c) Doctrine of Colourable Legislation
- (d) Commencement and Termination of Time.
- (e) Restrictive and Extensive
- (f) Express Repeal,

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3. Solve any two of the following situational problems: -

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- (a) In K.M. Nanavati v/s State of Bombay The Honourable Supreme Court held that the power of the governor under Article 161 of the Constitution to grant pardon or to suspend a sentence is not available during the period the matter becomes sub judice before the Supreme Court.
- (i) Name the Doctrine applied by the S.C in the above case.
- (ii) Explain the Doctrine applied by the Supreme Court in the above case.
- (b) In Indira Sawhney v/s Union of India the question before the Honourable Supreme Court was the interpretation of the expression backward class of citizens and the Supreme Court relied upon the speech of Dr. B.R. Ambedkar to give meaning to the expression.
- (i) Explain the role played by the speech of Dr. B.R. Ambedkar in the above case.
- (ii) State the nature of speech and debates as aids to interpretation.
- (c) In I.C Golaknath v/s State of Punjab the Supreme Court held that amendment to the Constitution is "law" under Article 13 of the constitution but the decision would apply for the future.
- (i) State the famous principle of Constitutional interpretation laid down in the above case.
- (ii) Explain the said theory/principle.

4. Answer any four of the following: -

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- (a) Explain the role of Legislative intention in interpretation.
- (b) What is Repeal of a statute? Deal with the effects of Repeal.
- (c) Explain the Doctrine of Pith and Substance with illustrations.
- (d) "Taxation Statutes are strictly interpreted" explain.
- (e) Explain with illustrations the Golden Rule of Interpretation.
- (f) Explain "presumption of constitutionality" of Statutes.
