

Exam	Part / Year	Subject	Days & Dates	Time	Code	Session
B.A. (SEM V) (THREE YEAR DEGREE COURSE) AND FIFTH YEAR LL.B (FIVE YEAR COURSE) (SEM IX) EXAMINATION, MARCH, 2015	SEM-V & SEM-IX	Interpretation of Statutes	Friday, April 17, 2015	11:00 a.m. to 02:00 p.m.	13039	M

QP Code : 13039

(3 Hours)

[Total Marks : 100

- N. B. : (1) All questions are compulsory.
(2) Figures to the right indicate full marks.
(3) Give reasons/case-law wherever necessary.

1. Answer the following in not more than 2 sentences :- 20
 - (a) What is the meaning of rule of literal construction?
 - (b) What is the meaning of the term 'Vessel' under the General Clauses Act?
 - (c) Explain briefly the doctrine of Pith and Substance.
 - (d) Name any 2 internal aids to interpretation.
 - (e) What is an 'enabling statute'?
 - (f) Explain the importance of 'Legislative Debates' in the interpretation of statute.
 - (g) What do you mean by 'Strict Construction'?
 - (h) What is the meaning of 'affidavit'?
 - (i) Explain the term 'sententia legis'.
 - (j) What is the meaning of an 'Absurdity'?

2. Write short notes on any four of the following :- 20
 - (a) Doctrine of Repugnancy.
 - (b) Prospective operation of Penal Statutes.
 - (c) 'Explanations' as aid to construction.
 - (d) The rule of 'Ejusdem Generis'.
 - (e) Coming into operation of an enactment.
 - (f) Dictionaries as external aid to construction.

3. Solve any two of the following situational problems :- 12
 - (a) In the case of I.C. Golaknath v/s. state of Punjab the supreme court of India held that the 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 this case?
 - (ii) Fully explain the said principle/theory.

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- (b) Marginal notes are those notes which are inserted at the side of sections in an Act and explain the effect of a section.
- (i) State and explain when the Marginal Notes lose their importance as an aid.
 - (ii) State the role played by Marginal Notes in interpreting the Constitution of India.
- (c) A person was prosecuted and sentenced during the continuance of a 'temporary Act', for violating its provisions. While he was still serving the sentence in jail, the said 'temporary Act' expired. In such situation.
- (i) Can the said person be released from jail as soon as the said 'temporary Act' expires, although he has not served out his entire sentence? Give reasons.
 - (ii) State the case-law on this legal principle.

4. Answer any four of the following:-

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- (a) Critically comment on the maxim 'Generalis specialibus non-derogant'
- (b) Enumerate various internal and external aids to construction of statutes. Explain how they are significant for interpretation of statutes.
- (c) Explain the main rules of construction of a penal statute.
- (d) Examine the presumption against extra-territorial operation of a statute.
- (e) Critically analyse 'legislative intention'.
- (f) Fully explain the 'Golden Rule' of construction.

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