

2021

LAW

(Interpretation of Statutes and Principles of Legislation)

Course No. 2:3 (New Course)

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer question No. 1 and any five from the rest.

1. Write short notes on *any four* of the following: **4x5**
 - a) Precedent
 - b) Legal Fiction
 - c) Strict and Liberal Construction
 - d) Consideration of futility
 - e) Actus Non Facit reum , nisi mens sit rea
 - f) Ignorantia facti excusat, ignorantia pures not excusat
2. Explain the four settled principles for construction of general words and its application. **16**
3. Explain the general principle of prospective and retrospective operation of statutes. **8+8**
4. Explain the basic principle of interpretation – “*It may rather become operative than null*”. **16**

5. Discuss the power of legislature in regard to repeal. Explain express repeal and implied repeal and its effect. **6+10**
6. What is external Aids to construction? Explain Codifying and consolidating statutes and foreign decision. **6+5+5**
7. Write notes on any two: **8+8**
 - a) Damnum sine Injuria
 - b) Delegatus non potest delegare
 - c) Objectives of General Clauses act, 1897.
8. What is penal statutes? Explain the demarcation between the remedial and penal statutes. **4+12**
9. What is Judicial Activism? Explain its significance, pros and cons of judicial activism. **4+12**
10. Explain the facts and principles of law laid down in- **16**

Madhav Rao Scindia
vs
Union of India,
AIR 1971 SC 530

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(Please turn over)