

2013

LAW

(Interpretation of Statutes)

Course No. 2:3

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 followings: 4x5
 - a) Amending statute
 - b) Non obstante clause
 - c) Statutes in pari materia
 - d) Casus Qmissus
 - e) Beneficial Legislation
 - f) Doctrine of eclipse

2. What is a statute? Explain briefly the general rules of interpretation of a statute citing case laws. 16

3. Elaborate on the rules laid down in Heydon's case for the sure and True interpretation of all statute in general. Are the rules applied by the courts in India? 16

4. What do you mean by external aid in the construction of statutes? Explain the utility of Parliamentary history, legislative Debates and previous decision as an aid to interpretation. 16

(Please turn over)

(2)

5. Explain the following rules: 4x4
- a) Reddemdo Singula singulie
 - b) Bonan partem
 - c) Delegatus non potest Delegare
 - d) Ex Visceribus Actus
6. What do you mean by welfare Legislation? Explain by referring a decided case. 16
7. Distinguish between: 8+8
- a) Rules of ejusdem generis and noscitur a sociis.
 - b) Mandatory and directory provisions
8. Discuss the following: 8+8
- a) Strict construction of statutes
 - b) General Clauses Act 1897 in interpretation of statutes
9. Explain the following presumptions. 8+8
- a) The intent and the act must both concur to constitute the crime
 - b) Ilbi Jus ibi remedium
10. Discuss the principles of law laid down in- 16
Madhav Rao Scindia vs Union of India,
AIR 1971 SC 530
