

2015

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) Remedial Statute
 - b) Territorial Nexus
 - c) Commencement of a legislation
 - d) Private Statute
 - e) Noscitur a sociis
 - f) Consolidating statute

2. A statute may be classified on the basis of its objects. State and explain in brief the various types of statutes based on their objects. 16

3. "*Statute should be read as a whole*". Explain the statement in detail with the help of decided cases. 16

4. "*Penal Statutes must be constructed strictly*". Comment citing case laws. 16

(Please turn over)

5. a) Lord Denning said “*that the true view of the court will be slow to overrule a previous decision....., but if the decision is in fact shown to be erroneous there is no rule of law which prevents it being overruled*”.
Comment. 8
- b) Explain the principle of harmonious construction. 8
6. Discuss the importance of internal and external aids to the construction of a Statute. 16
7. Every ex post facto law must necessarily be retrospective but every retrospective law is not an ex post facto law. Explain. 16
8. Write short notes on: 8+8
- a) Principle of pith and Substance
- b) Repeal of legislation
9. What is welfare legislation? State the principle of beneficial construction in the light of the welfare legislation. Support your answer with decided cases. 4+6+6
10. State the facts and principles of law laid down in: 16
- a) Shashikant Laxman Khale
vs
Union of India, AIR 1990 SC 2114
- Or*
- b) Shri Girija Phukan
vs
State of Assam and Ors,
(1984)2 GLR488

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