

2011

(December)

**LAND LAWS / INTERPRETATION
OF STATUTES**

Paper : 504(A/B)

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

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

Paper : 504 - B

(Interpretation of Statutes)

Answer any *five* questions.

1. The object of Interpretation of a statute is – “to ascertain the intention of the legislature.” (Maxwell) Explain. What is the difference between Grammatical Interpretation and Logical Interpretation ? 8+8=16
2. “Preamble is a key to the construction of a statute and should be resorted to unlock the minds of its makers.” Discuss this statement with the help of case law. 16

3. Discuss fully the following (any *two*) :
8×2=16
- (a) Harmonious construction
 - (b) Judicial Review
 - (c) Expressio unius exclusio alterius.
4. What is the rule of Noscitur a sociis ? Give some applications of this rule in cases. 8+8=16
5. Carefully distinguish the basic principles of Doctrines – Pith and Substance and Colourable Legislation with reference to case laws and illustrations. 16
6. What do you mean by “Aids to construction ?” When aid to construction can be legitimately invoked ? Discuss the scope and limitations of Marginal Notes, Interpretation Clause and Proviso as intrinsic aid of Interpretation of statutes. 3+3+10=16
7. Discuss in detail the general rules of interpretation in interpreting Penal and Remedial Statutes. 16
8. Write short notes on any *four* of the following :
4×4=16
- (a) Reddendo singula singulis.

- (b) Territorial nexus.
- (c) Doctrine of Repugnancy.
- (d) Principle of Severability.
- (e) Directory enactment.

9. State the facts and principles of law laid down
in the case of 16

Bengal Immunity Co. Ltd.

Vs

Bihar (19552 SCR 603)