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**3 SEM LLB OP 2 MIS/CL**

**2015**

(December)

**LAW**

**( Optional 2 )**

Paper : 3·4

**( New Course )**

Full Marks : 80

Time : Three hours

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

***( Methods of Interpretation of Statutes )***

Answer the following questions.

1. What do you mean by interpretation of statutes? is there any difference between interpretation and construction? What are the purposes of interpretation of statutes?  
4+4+4=12

**Or**

Discuss the role of

- (a) The General Clauses Act in interpretation of the Constitution of India.

(b) Definition clause in interpretation of a statute. 6

2. Briefly explain internal aids. How far they are helpful in interpretation of a statute?

4+8=12

**Or**

Discuss the scope of legislative debates, committee reports and law commission reports as external aids in interpretation of a statute.

4+4+4=12

3. Explain the Grammatical Rule of Interpretation citing case laws. Why this rule is known as the safest rule? 9+3=12

**Or**

Elucidate the following :

(a) Rule of construction where two provisions cannot be reconciled.

6+6=12

(b) Purposive construction.

4. Illustrate the following :

(a) Delegatus non-potest delegare

(b) Generalia specialibus non-derogant.

6+6=12

**Or**

Write short notes on the following :

6+6=12

(a) Expressio unius exclusio alterius

(b) In pari delicto potior est conditio possidentis.

5. Discuss the rules relating to interpretation of a penal statute. 12

**Or**

Write the role of the following doctrines in interpretation of the Constitution of India :

6+6=12

(a) Colourable legislation

(b) Doctrine of repugnancy

6. Explain **any five** of the following in one or two sentences in your own words.

2×5=10

- (a) Statute
- (b) Non-obstante clause
- (c) Statute in parimateria
- (d) Codified statute
- (e) Welfare legislation
- (f) Noscitur a sociis.

7. Answer whether the following statements are true or false. 1×10=10

- (a) A delegated power can be further delegated
- (b) The Constitution of India should be interpreted in a narrow and pedantic sense
- (c) By an enabling Act the legislature enables something to be done
- (d) The General Clauses Act was enacted in the year 1789

- (e) According to Sec. 3(42) of the General Clauses Act 'person' shall include any company or association or body of individuals, whether incorporated or not.
- (f) When both the parties are equally at fault, the position of the possessor is better.
- (g) A remedial statute should be construed liberally.
- (h) When grammatical interpretation leads to ambiguity, inconsistency and incompleteness the courts adopt logical interpretation.
- (i) Statutes imposing tax or monetary burdens are to be strictly construed.
- (j) Practices-Judicial, Conveyancing, Administrative and Commercial are external aids for interpretation of a statute.