

2010

(December)

INTERPRETATION OF STATUTES

Paper : 601

Full Marks : 80

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer any **five** questions

1. Distinguish between mandatory and directory provisions of a statute. What is the difference in the interpretation of these two rules? Explain. 8+8=16
2. What do you mean by Interpretation of Statutes? Is there any difference between interpretation and construction? What is the meaning of ambiguity? 8+4+4=16
3. Explain literal rule of interpretation. In what cases may this rule be not taken as conclusive? 10+6=16
4. Explain the 'Doctrine of Pith and Substance' with reference to a case law. 16

5. Discuss the rule of strict construction of penal statute elaborately. Do you find any relaxation of this rule in modern days? 16
6. Discuss in detail the general rules of interpretation in interpreting taxation laws. 16
7. Explain the 'Doctrine of Eclipse' with reference to a case law. 16
8. Write short notes on any *two* of the following : $8 \times 2 = 16$
- (a) Eiusdem generis rule
 - (b) Presumptions in interpreting a statute
 - (c) Reddendo singula singulis
 - (d) Expressio unius est exclusio alterius
9. What is the rule of 'noscitur a sociis'? Give some applications of this rule in cases. $8 + 8 = 16$
