

LLB  
FOURTH SEMESTER  
INTERPRETATION OF STATUTES &  
PRINCIPLES OF LEGISLATION  
LLB – 406 [REPEAT]  
[USE OMR FOR OBJECTIVE PART]

**SET  
A**

Duration : 3 hrs.

Full Marks : 80

Time : 30 min.

Marks : 30

( PART-A : Objective )

1×10=10

Choose the correct answer from the following:

- Which of the following rule is associated with Heydon's case?
  - Golden rule
  - Mischief rule
  - Grammatical rule
  - Rule of Harmonious Construction
- Redendo singular singulis is a -
  - Literal rule
  - Golden rule
  - Primary rule
  - Secondary rule
- Which one of the following is an internal aid for Interpretation of Statues?
  - Preamble
  - Customary laws
  - Parliamentary debates
  - Books
- Which one of the following is an external aid for Interpretation of Statues?
  - Marginal notes
  - Headings
  - Dictionaries
  - Schedules
- Delegated legislation is-
  - A decision of the courts
  - An act of Parliament
  - Interpretation of the statutes
  - A body where Parliament delegates power
- Fiscal statutes are also known as-
  - Penal statutes
  - Social statutes
  - Beneficial statutes
  - Taxing statutes
- Which of the following maxims literally means 'Express mention of one thing implies the exclusion of another'?
  - Expressiouniusest exclusion alterius
  - Contemporenea exposition
  - Respondent superior
  - Qui facit per alium facit per se
- Maxim 'Delegates non potest delegare' means-
  - Good intention
  - Relevancy of facts
  - Delegated powers cannot be further delegated
  - Let the principal be liable

9. Which one of the following revolves around the statement 'Greatest happiness of the greatest number'?
- a. Social solidarity
  - b. Principle of sympathy and antipathy
  - c. Natural law theory
  - d. Principle of 'Utilitarianism'
10. Which of the following principles have frequently been discussed while interpreting the Constitution?
- a. Principle of pith and substance
  - b. Ejusdem generis
  - c. Social engineering
  - d. Doctrine of pleasure

*Answer the following: (Use descriptive answer sheet)*

*2×10=20*

1. Write two points of distinction between 'Interpretation' and 'Construction'.
2. What do you mean by the term 'Codification of laws'? In which country laws are not in codified form?
3. What do you understand by the term 'Non-obstante clause'?
4. Write two reasons how does Constituent Assembly debates hold the position of external aids of Interpretation of Statutes?
5. Write two points of distinction between Taxing and Penal Statutes.
6. What do you mean by the term 'Delegated Legislation'?
7. What do you mean by the term 'Respondent superior'?
8. Write two points which necessitates the use of maxims in Interpretation of Statutes.
9. What do you mean by the doctrine of 'Utilitarianism' as evolved by Jeremy Bentham?
10. What do you mean by the term 'Legislation' as a source of law?

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**( PART-B : Descriptive )**

Time : 2 hrs. 30 min.

Marks : 50

*[ Answer the following questions ]*

1. a. Discuss the meaning, object and scope of Interpretation of Statutes. 10
- Or*
- b. Write short notes on-(*Any two*) 5+5=10
- a. Golden Rule of Interpretation
  - b. Mischief Rule
  - c. Ejusdem generis
2. a. Analyze the concept of internal aids to construction with special reference to Preamble, Title, Headings, Marginal notes and Schedules. 10
- Or*
- b. What are the external aids to construction? Discuss the importance of the following concepts with reference to external aids. 2+8=10
- i) Dictionaries
  - ii) Legislative history
  - iii) Human Rights documents
  - iv) Statutes in pari materia
3. a. Write an exhaustive note on the strict construction of penal statutes with the help of decided case laws. 10
- Or*
- b. Write short notes on-(*Any two*) 5+5=10
- a. Taxing Statutes
  - b. Social statutes
  - c. Doctrine of repugnancy
4. a. Write an elaborate note on 'Actus non facit reum nisi mens sit rea'. Whether it has its any importance in the Indian Penal Code, 1860? Discuss citing case laws. 5+5=10
- Or*
- b. Write short notes on-(*Any two*) 5+5=10
- a. qui facit per alium facit per se
  - b. Ignorantia juris non excusat
  - c. Generalibus specialia derogant

5. a. Discuss the advantages of Legislation over other sources of law. Embellish your answer with reference to Bentham's theory of Pleasure and Pain. 6+4=10

*Or*

b. "Constitution cannot be construed in a narrow and pedantic sense rather it should be guided with a broad and liberal spirit". Discuss the above statement with the help of decided case laws. 10

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