



Roll No																			
---------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATION

Winter Semester: 2021-22

Course Code: LAW301

Course Name: INTERPRETATION OF STATUES

Program &Sem: B.Com/BBA LLB & VIII Sem

Date: 13/05/2022

Time: 01:30 PM – 03:00 PM

Max Marks: 60

Weightage: 30%

Instructions:

- (i) Read the all questions carefully and answer accordingly.
(ii) Part A includes fill in the blanks and MCQ please answer accordingly.

Part A [Memory Recall Questions]

Answer all the Questions. Each question carries 1 marks.

(15Qx 1M=15M)

1. Generalia specialibus non derogant means? C.O.No.1 [Knowledge]
a. General things to not derogate from special things b. The king can do no wrong
c. An accessory follows the principle d. None that is mentioned
2. The procedure of amending the Constitution is provided in C.O.No.1 [Knowledge]
a. 368 b. 370 c. 371 d. 367
3. Generally,----- Laws are given strict interpretation C.O.No.1 [Knowledge]
4. Internal aid in IOS include: C.O.No.3 [Knowledge]
a. Preamble b. Title c. Marginal notes d. All of the mentioned
5. A Statute has been defined as the C.O.No.1 [Knowledge]
a. will of the legislature b. Will of the King
c. Will of the society d. Will of the magistrate
6. While Interpretation, a Statue should not be given a meaning C.O.No.2 [Knowledge]
that make other provisions.
a. Dormant b. In-effective c. Redundant d. All of the above
7. If there is a discrepancy between the Schedule and a Specific Provision within the enactment, the ----- shall prevail. C.O.No.3 [Knowledge]

8. Haydon's case deals with ----- rule of Interpretation. C.O.No.2 [Knowledge]
9. According to which rule, the words of the Statue have to be given their plain and ordinary meaning. C.O.No.2 [Knowledge]
 a. Golden rule b. Natural Rule c. Literal Rule d. Mischief Rule
10. Object of the Act is contained in : C.O.No.3 [Knowledge]
 a. Long Title b. Short Title c. Preamble d. None of these
11. The Statue that deals with Taxation are termed as C.O.No.2 [Knowledge]
 a. Penal Statues b. Fiscal Statues c. Civil Statue d. Personal Statues
12. When there is a conflict between two or more Statues or two parts of the same Statue, then the rule is : C.O.No.2 [Knowledge]
 a. Strict Construction b. Harmonious Construction
 c. Beneficial Construction d. None
13. Legislation is the ----- made by the parliament. C.O.No.2 [Knowledge]
14. The case Lee v/s Knapp is related to ----- . C.O.No.2 [Knowledge]
15. Non obstante clause usually starts with the word? C.O.No.3 [Knowledge]
 a. Provided that b. Notwithstanding anything contained
 c. Save as provided otherwise d. Any of the above.

Part B [Thought Provoking Questions]

Answer all the Questions. Each question carries 5 marks. (3Qx5M=15M)

16. A statute is the will of the legislature. Indian statute is an act of the Central or State Legislature. Statutes include Acts passed by the Imperial or Provincial Legislature in Pre independence days as well as regulations. Explain the various classification of Statues . (C.O.No.2) [Comprehension]
17. . Presumption in interpretation means that certain things are considered to be true and correct. Enumerate the Presumptions which require attention while construing a statue? (C.O.No.1) [Comprehension]
18. Evaluate the role of following in Interpretation of Statutes.
 1. Illustration and Explanation 2. Provisos and Exceptions (C.O.No.3) [Comprehension]

Part C [Problem Solving Questions]

Answer all the Questions. Each question carries 15 marks.

(2Qx15M=30M)

19. Avtar contends before the competent court that the sale of betel leaves shall not be made liable for sale tax relying the dictionary meaning given on the said term as vegetable. Decide and explain the rule of Interpretation applicable for the above scenario. Substantiate your answer with reference to other case laws. (C.O. No. 2) [Application]

20. 'Generalia specialibus non derogant' and 'Generalibus specialia derogant'. Explain the meaning of these two maxims under the rule of Harmonious construction.

(C.O. No. 2) [Application]



Roll No																			
---------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM EXAMINATION

Winter Semester: 2021-22

Course Code: LAW 301

Course Name: Interpretation of Statutes

Program & Sem: BBA LLB, BCOM LLB, BA LLB (Hons)

Date: 1st July 2022

Time: 01:00 PM to 04:00 PM

Max Marks: 80

Weightage: 40%

Instructions:

(iii) Read the all questions carefully before answering.

Part A[Memory Recall Questions]

Answer all the Questions. Each question carries ONE marks.

(10Qx1M=10M)

1. Non obstante clause usually starts with the word____? (C.O.No.4) [Knowledge]
 - a. Provided that
 - b. Notwithstanding anything contained
 - c. Save as provided otherwise
 - d. Any of the above
- 2.----- Maxim means "General words should be given their natural meaning like all other words unless the context requires otherwise. But when a general word follows specific words of a distinct category, the general word may be given a restricted meaning of the same category". (C.O.No.4) [Knowledge]
 - a. Rule of harmonies construction
 - b. Ut Res Magis Valeat Quam Pareat
 - c. Ejusdem generis
 - d. Expression unisest exclusion alteri us
3. The statutes dealing with tax are termed as-----, (C.O.No.1) [Knowledge]
 - a.civil statues
 - b. penal statute
 - c. fiscal statutes
 - d. personal statutes
4. _____contain the object of the act? (C.O.No.3) [Knowledge]
 - a. Long title
 - b. Short title
 - c. Preamble
 - d. None of the above
5. In the interpretation of statue, an important role is played by____ (C.O.No.3) [Knowledge]
 - a. Schedule
 - b. Preamble
 - c. Heading
 - d. All of above
6. Which rule of statutory interpretation should judges apply first? (C.O.No.2) [Knowledge]
 - a. Purposive approach
 - b. Mischief rule
 - c. Golden rule
 - d. Literal rule
7. There is no need for presumptions if (C.O.No.1) [Knowledge]
 - a. The intention of the legislation is clear
 - b. The intention of the legislation is not clear
 - c. Can be used in any condition
 - d. All of the above

8. Generally _____ are given strict interpretation? (C.O.No.2) [Knowledge]
a. Labour b. Welfare laws c. Criminal laws d. None of the above.
9. While applying the literal rule of interpretation, it is important to keep in mind the: (C.O.No.2) [Knowledge]
a. Language b. Theme c. Context d. Applicability
10. According to the _____ rule of interpretation, meaning of a word should be known from its
Accompany ignore associating words? (C.O.No.4) [Knowledge]
a. Mischief rule b. Golden rule c. Noscitur a sociis d. Primary rule

Part B [Thought Provoking Questions]

Answer all the Questions. Each question carries TEN marks. (5Qx10M=50M)

11. "Courts can interpret the law, they can remove obvious lacunae but they cannot encroach upon in the field of Law making meant for the legislature". Critically examine the above statement. (C.O.No.1) [Comprehension]
12. "Every statute is prima facie prospective in application unless it is expressly or by necessary implication made to have retrospective operation". Comment. (C.O.No.4) [Comprehension]
13. "The words of an enactment are to be given their ordinary and natural meaning, if such meaning is clear and unambiguous, effect should be given to a provision of a statute". In light of the above statement explain the Literal rule of interpretation with relevant case laws. (C.O.No.2) [Comprehension]
14. "When two provisions operate on one field both have to be allowed to have their play, unless such operation would result in patent inconsistency". Discuss the rule of Harmonious construction to be applied in such situations with reference to decided cases. (C.O.No.2) [Comprehension]
15. Write short note on the following: (C.O.No.5) [Comprehension]
a. "Effect of repeal and effect of expiry of statute" under the general clauses Act, 1897.
b. Mandatory and Directory provisions..

Part C [Problem Solving Questions]

Answer the Question. The question carries TWENTY marks. (1Qx20M=20M)

16. Write short note on : (C.O.No.4) [Application]
a. External aids to Interpretation
b. Golden Rule
c. Noscitur a sociis
d. Subordinate and Delegated legislation.

Roll No.																				
-------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM EXAMINATION

Winter Semester: 2021-2022

Date: 1st July 2022

Course Code: LAW301

Time: 01:00 PM to 04:00 PM

Course Name: Interpretation of Statutes & Principles of
Legislation **Program & Sem:** BA LLB (Hons), BBA LLB(Hons),

Max Marks: 100

Weightage: 50

Instructions:

- (iv) All questions are compulsory.
 - (v) Read the questions carefully before answering.
-

Part A [Memory Recall Questions]

Answer ALL the Questions. Each question carries TWO marks. (10Qx2M=20M)

1. Explain the usage of the words 'shall and may'; 'must' and 'should' in interpretation. (CO1)[Understanding]
2. What is meant by the Purposive Approach? (CO2) [Knowledge]
 - a) The judge must interpret the statute on purpose.
 - b) The judge must interpret the statute in the light of the purpose of its enactment.
 - c) The judge must interpret the statute in a purposeful manner.
 - d) The judge must interpret the statute in the purpose of deciding the case before him or her.
3. Which of the following is not a general rule of interpretation. (CO1) [Knowledge]
 - a) a statute must be read as a whole
 - b) same word to have the same meaning
 - c) a construction to avoid absurdity is permissible
 - d) technical words to have the ordinary meaning
4. In which among the following cases had the court decided "When the language of statute is plain, clear and unambiguous indicating only one meaning, the question of ascertaining the legislative intent does not arise". (CO2 Understanding)
 - a) Nelson Motis V. Union of India.
 - b) Jitender Tyagi V. Delhi Administration.
 - c) State of West Bengal V. Union of India.

d) Dadi Jagannathan v. Union of India.

5. Explain the maxim, "UT RES MAGIS VALEAT QUAM PEREAT".

(CO2 Understanding)

6. Write a short note on basic principle of statute should be read as a whole.

(CO2)[Understanding]

7. Which of the following rules of interpretation are applicable to Taxation Statutes?

(CO4 Understanding)

a) Liberal and wide interpretation

b) Strict and narrow interpretation

c) Beneficial interpretation

d) Utilitarian interpretation

8. Specify the meaning of 'JUS DICERE & JUS DARE'. (CO2 Understanding)

9. Explain the rule of Beneficial Construction with example. (CO3 Understanding)

10. How to find out the Intention of the Legislature? (CO1 Understanding)

Part B [Thought Provoking Questions]

Answer ALL the Questions. Each question carries TEN marks.

(5Qx10M=50M)

11." The Golden Rule is that the words of a statute must prima facie be given their ordinary meaning unless that would lead to absurdity in which case the ordinary meaning may be modified to avoid absurdity". Explain the above rule of interpretation and state that how far this rule is different from Literal Rule of Interpretation? (CO3) [Analyze]

12. "Courts can declare the law, they can interpret the law, they can remove obvious lacunae and fill the gaps but they cannot entrench upon in the field of legislation properly meant for the legislature". Critically examine the above statement and clearly explain the purpose that various rules of interpretation of statutes are intended to serve.

(CO2) [Analyze]

13. "While interpreting the court cannot add, omit or substitute words. But sometimes the court are under compulsion to subordinate the plain meaning of the statutory language. Thus, it gives restricted meaning to a provision but where it clearly opposes the object and scheme of the Act or lead to an absurd illogical or unconstitutional result. Thus, the court will add, omit or substitute words but it must follow the conditions". Analyze the statement with relevant guiding rule. (CO2) [Analyze]

14. Bring out the distinction between penal and remedial statutes and the rules of interpretation applicable to them, Discuss the current judicial trend in the interpretation of penal statutes.

(CO4) [Analyze]

15. Under what circumstances the court can look into the internal in the interpretation of the statutes ? Assess the importance of these aids with relevant case laws.

a. Preamble and Long Title.

b. Definition and Interpretation Clause.

c. Schedules.

(CO3) [Analyze]

Part C [Problem Solving Questions]

Answer both the Questions. Each question carries FIFTEEN marks. (2Qx15M= 30M)

16. The question of construing the word “after” occurring in section 6(a) of the Hindu Minority and Guardianship Act, 1956, came before the Supreme Court. The court had to decide whether the provision of section 6(a) violated articles 14 &15 of the Constitution. That the mother of a minor was relegated to an inferior position on ground of sex alone since her right as a natural guardian is made cognizable “after” the father in the said provision. Decide with relevant case law. (CO2) [Application]

17. The Street Offences Act, 1960 was passed to clean up the streets to enable people to walk along the streets without being molested or solicited by common prostitutes. Section 54 of the Act provided that “it shall be an offence for a common prostitute to loiter or solicit in a street or public places for the purposes of prostitution”. Section 5 provided punishment of imprisonment upto two years for anyone found guilty under section 4 of the Act. ”ABC”, a prostitute standing in a balcony, projects her solicitations addressed to “DEF” and his friends who were walking in the street. “ABC” is charged under the aforesaid Act. She takes the plea that she was not soliciting “in a street” as she was not physically present in the street and that the statute being penal in nature, the court must adopt the construction that favoured her. Decide with the help of relevant rules of interpretation of statutes. (CO3) [Application]