

END TERM EXAMINATION

EIGHTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-406

Subject: Interpretation of Statutes
(Batch-2014 Onwards)

Maximum Marks: 75

Time: 2 Hours

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Write short notes on the following:
- (a) Statute is the master and not the servant of the judgment: Explain the statement.
 - (b) Differentiate between proviso, exception and saving clause.
 - (c) *Noscitur a sociis*
 - (d) Non obstante clause
 - (e) Mandatory and direct provisions in Statutes.
- Q2 (a) "The key to opening of every law is the reason and the spirit of the law". Explain the above statement with the help of decided case laws.
- (b) What is statutory law? Discuss the role played by the court in interpretation of statutory law.
- Q3 (a) "Of all the internal aids, Preamble is said to be the most important aid". Do you concur with this statement? Explain with the help of relevant case laws on the issue.
- (b) Is Preamble a part of the Act? Give reasons and decided cases to support your answer.
- Q4 (a) Enumerate the various parts of the statute. How far they are useful in the interpretation of the statutes?
- (b) Discuss prospective and retrospective operations of the Statute in detail.
- Q5 What cannons of interpretation the Indian Judiciary adopts while interpreting the Indian Constitution? Elucidate.
- Q6 What do you mean by external aids of interpretation? What is the relevance of these external aids?
- (i) Constituent Assembly debates
 - (ii) Text books and legislative history
- Q7 Critically examine the rule laid down in Heydon's case in England as far which as 1584 is a second rule of construction of statute and is equally applicable to the construction of statutes in India. Discuss the rule in detail with reference to foreign as well as Indian judgments.
- Q8 "Rule of literal construction is known as a safer rule of construction". Explain with reason. Why is it said that at the very first instance the courts should resort to this rule of construction, before it proceeds further to try other rules. Elucidate.

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