

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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Table of Contents Ggsipu Last Year Papers

1. Understanding the eBook Ggsipu Last Year Papers
 - The Rise of Digital Reading Ggsipu Last Year Papers
 - Advantages of eBooks Over Traditional Books
2. Identifying Ggsipu Last Year Papers
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Ggsipu Last Year Papers
 - User-Friendly Interface
4. Exploring eBook Recommendations from Ggsipu Last Year Papers
 - Personalized Recommendations

- Ggsipu Last Year Papers User Reviews and Ratings
- Ggsipu Last Year Papers and Bestseller Lists
- 5. Accessing Ggsipu Last Year Papers Free and Paid eBooks
 - Ggsipu Last Year Papers Public Domain eBooks
 - Ggsipu Last Year Papers eBook Subscription Services
 - Ggsipu Last Year Papers Budget-Friendly Options
- 6. Navigating Ggsipu Last Year Papers eBook Formats
 - ePub, PDF, MOBI, and More
 - Ggsipu Last Year Papers Compatibility with Devices
 - Ggsipu Last Year Papers Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Ggsipu Last Year Papers
 - Highlighting and Note-Taking Ggsipu Last Year Papers
 - Interactive Elements Ggsipu Last Year Papers
- 8. Staying Engaged with Ggsipu Last Year Papers
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Ggsipu Last Year Papers
- 9. Balancing eBooks and Physical Books Ggsipu Last Year Papers
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Ggsipu Last Year Papers
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Ggsipu Last Year Papers
 - Setting Reading Goals Ggsipu Last Year Papers
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Ggsipu Last Year Papers
 - Fact-Checking eBook Content of Ggsipu Last Year Papers

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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