

Reg. No. :

Name :

Sixth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B (Five Year Integrated)
Degree Examination, February 2022

**PAPER II — INTERPRETATION OF STATUTES AND PRINCIPLES OF
LEGISLATION**

Time : 3 Hours

Max. Marks : 80

SECTION – A

Answer any **five** of the following not exceeding **50** words. Each question carries **2** marks.

1. Ascetic principle
2. *Ut res magis valeat quam pereat*
3. *De minimus non curat lex*
4. Doctrine of pith and substance
5. Parliamentary history
6. Judicial creativity
7. Preamble
8. *Statutes in pari materia*

(5 × 2 = 10 Marks)

SECTION – B

Answer **any four** of the following not exceeding **120** words. **Each** question carries **4** marks.

1. Examine Doctrine of severability as a tool for interpreting the provisions of the Constitution.
2. What is meant by restrictive construction of statutes?
3. Examine the reasons for strict construction of penal statutes.
4. Examine the rule of *ejusdem generis*.
5. "Associated words take their meaning from one another". Discuss.
6. Examine the intrinsic aids for interpretation of statutes.

(4 × 4 = 16 Marks)

SECTION – C

Answer **any four** of the following. Each question carries **6** marks.

1. Section 17(1) of the Industrial Disputes Act, 1947 requires the Government to publish every award of a Labour Tribunal within thirty days of its receipt and by sub-section (2) of Section 17, the award on its publication becomes final. Section 18(1) of the Act provides that a settlement between employer and workmen shall be binding on the parties to the agreement. In a case where a settlement was arrived at after receipt of the award of a Labour Tribunal by the Government but before its publication. Whether the Government was still required by section 17(1) to publish the award. Decide.
2. 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". "G", a prostitute standing in a balcony, projects her solicitations addressed to "B" and his friends who were walking in the street. "G" is charged under the aforesaid Act. Decide.

3. The Betting Act 1853 made it an offence to keep a house, office, room or other place for the purposes of betting. Tattersall's enclosure at Kempton Park Racecourse was kept for betting. Whether it amounts to an offence under The Betting Act 1853. Decide.
4. It was an offence to "personate any person entitled to vote". The defendant pretended to be someone who had recently died in order to use that person's vote. Whether the defendant is liable for the said offence? Decide.
5. The defendant's car was parked on the road. It was jacked up and had its battery removed. He was charged with an offence under the Road Traffic Act 1930 of using an uninsured vehicle on the road. The defendant argued that he was not 'using' the car on the road as clearly it was not drivable. Decide.

(4 × 6 = 24 Marks)

SECTION – D

Answer **any three** of the following. Each question carries **10** marks.

1. Golden rule of interpretation is really a modification of the Literal rule Discuss.
2. Explain in detail the general rules of construction available under the General Clauses Act, 1897.
3. "We no longer construe Acts of Parliament according to their literal meaning. We construe them according to their object and intent." Lord Denning – Critically examine the statement.
4. Discuss Bentham's theory on legislation.

(3 × 10 = 30 Marks)