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M – 4781

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**

Special Examination

Time : 3 Hours

Max. Marks : 80

PART – A

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

1. False reasonings on legislation.
2. Literal rules of interpretation.
3. Heydon's rule.
4. Ejusdem generis.
5. Montesquieu's rules in drafting.
6. Doctrine of severability.
7. Penal statute
8. Pith and substance.

(5 × 2 = 10 Marks)

P.T.O.

PART – B

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

1. What are the qualities of a good drafts man?
2. What are the internal aids in constructing a statute.
3. Examine the rules to be followed in drafting subordinate legislation.
4. Briefly explain purposive construction of constitutional provisions.
5. Examine retrospective operation of statutes.
6. Explain “reddendo singular singularis”.

(4 × 4 = 16 Marks)

PART – C

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

1. X, challenged the validity of minimum wages act, which allowed state government to fix minimum wages in an industry as violative of Art 19(1) (g) of the constitution. as it did not define minimum wage and also made no provision for taking into consideration the capacity of the employer to pay.
2. The question before the apex court is whether ‘food colours’ were dyes and ‘colours’ and ‘syrup essences’ were scents sand perfumes within the meaning of notification issued under S. 3A of UP sales tax Act, 1948. Petitioner challenged the interpretation of words in the statute.
3. A public servant derived benefit by causing loss to the Govt. by abuse of power. Sec. 5 (1) (d) of prevention of corruption Act, 1947 provided that a public servant is said to commit the offence of criminal misconduct in the discharge of his duty if the by corrupt or illegal means or by otherwise abusing his position as a public servant obtain for himself or for any other person any valuable thing or pecuniary advantage. Will he be covered under S. 5(1) (d) as the benefit is not derived from a third persons.

4. A pre-constitutional law was struck down as the ground of violation of fundamental rights. Subsequent amendment gave power to the legislature to make such a law. State the validity of the pre constitutional law earlier struck down by the court.
5. Sec. 16(3) (a) (iii) of income tax act provided for inclusion in computing the total income of the husband, so much income of the wife as arises from assets transferred directly or indirectly to the wife by the husband otherwise these for adequate consideration. Whether income accruing to the wife from assets transferred to her prior to marriage could be taken into account for computing the total income of the husband even in respect of any period after the marriage.

(4 × 6 = 24 Marks)

PART – D

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

1. Discuss in detail external aids in construction of a statute.
2. Examine the principle of utility, ascetic and arbitrary principles.
3. Describe the different parts of a statute. What are the things to be borne in mind while drafting a simple bill.
4. Examine the different types of statutes based on object, extent and nature of application.

(3 × 10 = 30 Marks)