

Reg. No. :

Name :

**Sixth Semester B.A. LL.B./B.Com.LL.B./B.B.A.LL.B. (Five Year Integrated)
Degree Examination, December 2020**

**Paper II – INTERPRETATION OF STATUES AND PRINCIPLES OF
LEGISLATION**

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. Long title.
2. Doctrine of colourable legislation.
3. Literal interpretation.
4. Hedenistic principle.
5. Arguments ab inconvenienli plurinum valet in lege.
6. Ex visceribus actus.
7. Panctuation marks.
8. Express Repeal.

(5 × 2 = 10 Marks)

PART – B

Answer **any four** questions not exceeding **120** words each. Each carries **4** marks.

9. Rule of Repugnancy.
10. Harmonious construction.
11. Distinction between legislation and morality.
12. Construction of Remedial statutes.
13. Reddendo singula singulis
14. Foreign decision.

(4 × 4 = 16 Marks)

PART – C

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

15. A company was incorporated in state X and conducted cross word prize competition through agents and depots established in state Z and by circulating news paper in state Z although the newspaper was printed and published in state X. The Govt. of state Z levied tax on the newspaper as the newspaper in having wide circulation in that state. The respondents contented that state Z has no authority to levy tax on the newspaper as it is printed and published in state X. Decide.
16. A provision in a rule governing the service of employees of a PSU provided that an officer who will serve in North East region for a fixed tenure shall be considered for further posting at a station of his choice under this provision, an officer who belonged to Agartala claimed his posting at Agartala as his choice posting, but he was transferred to another place in North East region. He challenged this transfer as the provision to be interpreted literally.

The contention of the authority is that the choice of posting after completion of a fixed tenure in North East region to be examined in the light of the whole policy and is applicable only after a person belonged to a region other than North East. Which interpretation the const will consider?

17. A particular provision of the electricity Act provided that an accused found guilty under this section (Theft of Electricity) must be punished as per sec.379 of IPC. Sec.50 of the electricity act says about the procedure to be followed. In the present case, the accused had contented that the procedure under Sec.50 was not followed and hence could not be convicted under this provision and further contented that a provision could not be construed in such a manner as to reduce any other provision or the statute to a fertility decide.
18. The state Agricultural income tax Act required that when a return of income is filed by an individual such return shall be varified and declaration shall be signed by the individual himself. The petitioner himself was illiterate and hence return was signed by his son. The income tax authorities argued that the statute is clear and return could not be accepted. Decide.
19. Whether speechless made by MPs in course of debate in a bill could be admitted as external aid to interpretation?

(4 × 6 = 24 Marks)

PART – D

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

20. Explain the rules regarding interpretation of penal and fiscal statutes.
21. Elaborately discuss the various external aids to interpretation.
22. Critically evaluate the mischief rule of interpretation tracing its developments through judicial decisions.
23. Explain the meaning of
 - (a) Expressio unius est exclusio alterices
 - (b) Noscitur a sociis.

(3 × 10 = 30 Marks)