

Reg. No. : .....

Name : .....

**Sixth Semester B.A.LL.B./B.B.A. LL.B./B.Com.LL.B. (5 Year Integrated)  
Degree Examination, February 2019**

**Paper – II : INTERPRETATION OF STATUTES AND PRINCIPLES OF  
LEGISLATION**

Time : 3 Hours

Max. Marks : 80

**PART – A**

Answer **any 5** of the following **not exceeding 50 words each**. Each carries **2 marks**. **(5×2=10 Marks)**

1. Stare decisis.
2. Logical interpretation.
3. Non obstante clause.
4. Explanation.
5. Principle of sympathy and antipathy.
6. Generalia specialibus non-derogant.
7. Remedial statute.
8. Ejusdem generis.

**PART – B**

Answer **any 4** of the following **not exceeding 120 marks**. Each question carries **4 marks**. **(4×4=16 Marks)**

1. Codifying and consolidating statutes.
2. Latent Ambiguity.
3. Retrospective operation of statutes.



4. Litera legis and sententia legis.
5. Causes omissus.
6. Ex visceritus actus.

PART – C

Answer **any 4** of the following. **Each** carries **6** marks.

**(4×6=24 Marks)**

1. The petitioner challenged sec. 3 of the Limitation Act and contented that it is directory and not mandatory in nature. The provision says that any legal proceeding initiated after the expiry of prescribed period shall be dismissed. Will the petitioner succeed ?
2. CrPc Amendment Act, 1978 inserted Section 433A which requires that where a sentence of life imprisonment is imposed on conviction of a person for an offence for which death sentence is one of the punishments, such person shall not be released from prison unless he has served at least 14 years imprisonment. The question before the court was whether the provision is applicable to sentences imposed before or after the amendment came into force. Decide.
3. The milk products like curd, butter, and cream were exempted from sales tax. But those products when sold in sealed containers were not exempted. The contention of the petitioner was that there was no reason as to why sale of these products in loose quantities and unsealed containers were exempted and sale of same products in sealed containers were made taxable and the provision shall be liberally construed. Decide in view of the principles of interpretation applicable in this regard.
4. The petitioners argued that sugarcane fall within the term “green vegetables” as per the state sales tax Act. Since green vegetables are exempted from tax, the taxing authorities are of the view that the court has to take the plain and ordinary meaning. Will the petitioners succeed ?





5. The question before the court was relating to interpretation of sec.13 (a) (ii) of State Rent Restriction Act, which provided that a landlord could obtain the possession of rented land if (a) he requires it for his own use (b) he is not occupying in the urban area for the purpose of his business any other such rented land and (c) he has not vacated such rented land without sufficient cause after the commencement of this Act. The words 'for his own use' in clause (a) do not specify what kind or nature of use would entitle the landlord to obtain the possession of the rented land. Which rule (doctrine) of interpretation the court could rely on in interpreting the statute for getting a meaning which would not run against the objective of the statute ?

**PART - D**

Answer any 3 of the following. Each carries 10 marks. **(3×10=30 Marks)**

1. Explain the literal rule and golden rule of interpretation.
2. Explain the principles of utility put forward by Jeremy Bentham.
3. Explain Montesquieu's rules of drafting. Explain the principles regarding drafting a bill.
4. Discuss the various internal aids to interpretation. How far parts of a statute help in interpreting the provisions of a statute ?