

Reg. No. : .....

Name : .....

Sixth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B. (Five Year Integrated)  
Degree Examination, November 2023

**INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION**

**(2020 Admission)**

Time : 3 Hours

Max. Marks : 80

**PART A**

- I. Answer **any six** questions in not exceeding **50** words each. Each question carries **2** marks.
1. Rule of literal construction.
  2. Ut Res Magis Valeat Quam Pereat
  3. Mischief Rule.
  4. What are Saving clauses?
  5. Purpose of Marginal notes.
  6. Relevance of Preamble to a statute.
  7. Dictionaries as an aid to construction.
  8. Non obstante Clause.

**(6 × 2 = 12 Marks)**

P.T.O.

## PART B

- II. Answer **any four** questions not exceeding **150** words each. Each Question carries **5** marks.
1. Explain the doctrine of eclipse.
  2. Discuss the rule of Ejusdem Generis.
  3. Explain the maxim Generalia Specialibus non Derogant.
  4. What is purposive construction of statute?
  5. Importance of punctuations and illustrations in a statute.
  6. Explain Expressio unius est exclusio alterius.

(4 × 5 = 20 Marks)

## PART C

- III. Answer **any four** questions. Each question carries **6** marks.
1. A was charged with committing rape. He was convicted and punished with imprisonment for 10 years. While he was undergoing imprisonment a new law was enacted which enhanced the punishment of rape to death sentence. Examine the applicability of the new law in the case of A.
  2. Sect.28(1) of the Factories Act provided that "floors, stairs, passage and gangway are to be kept free from obstruction. Whether the floors used for the purpose of storage in the factory would come under the expression of Sec.28(1) of Factories Act. Decide.
  3. The National Commission constituted under the Consumer Protection Act 1986 awarded compensation to a person injured by motor accident. The action of the Commission was challenged on the ground that it had no jurisdiction to award compensation in motor accidents cases after the enactment of Motor Vehicles Act 1988. Decide which Act will prevail.

4. Ann's passport was impounded by the Passport authorities without giving her a notice or opportunity to be heard. Ann wants to challenge the order. Advise her.
5. Assistant Sales Tax officer taxed petitioner, a trader in betel leaves under the C.P and Berar Sales Tax Act. The petitioner who was a trader in betel leaves contented that the same was a vegetable and is subject to exemption under the Second column of Schedule II of the aforesaid Act. Discuss whether the term vegetable include betel leaves.

(4 × 6 = 24 Marks)

PART D

- IV. Answer **any two** questions. each question carries **12** marks each.
1. Explain the general principles applied in the interpretation of statutes.
  2. Discuss Harmonious Construction with decided cases.
  3. Critically analyse the Utilitarian theory of Bentham as a principle of legislation.

(2 × 12 = 24 Marks)