

AQ-1527

LL.B. Semester—X (Five Year Degree Course) Examination (Pattern-2008-09)

INTERPRETATION OF STATUTES

(40296)

Paper—IV

Time : Three Hours]

[Maximum Marks : 100

N.B. : (1) Solve in all **SEVEN** questions including question no. 1 which is compulsory and carries 16 marks.

(2) All other questions carry 14 marks each.

1. Write short notes on (any **four**) :

- (a) Doctrine of pith and substance.
- (b) Interpretation of enabling statutes.
- (c) Noscitur a sociis.
- (d) Use of shall and may
- (e) Presumption against retrospectivity.
- (f) Subdelegation.

2. Explain the principle that a statute must be constructed according to legislative intent.

3. What are external aids to construction ? Discuss the importance of translation and historical facts as an external aid to construction.

4. Explain briefly the Mischief Rule of Construction with the help of decided cases.

5. Write explanatory notes on the following :

- (a) Presumption as to jurisdiction.
- (b) Rule of last antecedent.

6. What is implied repeal ? Discuss the circumstances when intendment of repeal may be inferred. What are its effects and consequences ?
7. Discuss the rules of plain and ordinary meaning with the help of suitable case laws.
8. "Every statute enacted by the legislature is constitutionally valid". Discuss.
9. What is the meaning of strict construction ? Explain the strict construction of penal statutes.
10. Explain the following maxims :
 - (a) Ut Res Magis Valeat Quam Pereat.
 - (b) Ex-visceribus Actus.
11. Distinguish between temporary and perpetual statutes. What are the effects of expiry of temporary statute ?
12. Bring out the similarities and contrast between Law and Morals.