

18/10/2016



**BALBA – 1016**

**B.A.LL.B. (Semester – VI) Examination, October 2016**

**INTERPRETATION OF STATUTES**

Duration : 3 Hours

Total Marks : 75

**Instructions :** 1) Answer **any eight** questions from question nos. 1 to 12.  
2) Question No. 13 and 14 are **compulsory**.

**(8×8=64)**

1. "An interpretation which reduces a particular provision to a dead letter should be avoided" – Explain the principle of Harmonious construction.
2. Explain the construction 'ex viceribus actus' with the help of cases.
3. "It is one of the cardinal principles of interpretation that where the language of an Act is clear, the preamble must be disregarded." – Comment with the help of cases.
4. "Recourse may be had to parliamentary speeches and debates to interpret statutes." Explain with cases.
5. Discuss the presumption against intending inconvenience or unreasonableness.
6. Explain construction in bonam partem with the help of cases.
7. Explain the following maxims :
  - a) *Reddendo singula singulis*
  - b) *Expressio unius est exclusio alterius*
8. Discuss the rule of *ejusdem generis* with the help of cases.
9. Explain with the help of cases the difference between mandatory and directory statutes.
10. "Courts are reluctant to give certain statutes a retrospective operation". Explain with reference to penal statutes and statutes regulating procedure.
11. Define the following under the General Clauses Act :
  - a) Commencement and termination of time
  - b) Coming into operation of the enactment
  - c) Duty to be taken pro rata
  - d) Power to appoint.

P.T.O.



12. What is Restrictive construction ? Explain with the help of cases.

13. Write notes on **any two** :

(2×3=6)

- a) Golden rule
- b) Consolidating statutes
- c) Ouster of jurisdiction of courts.

14. Write notes on **any two** :

(2×2.5=5)

- a) Plain meaning rule
- b) Equitable construction
- c) Words of rank.

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