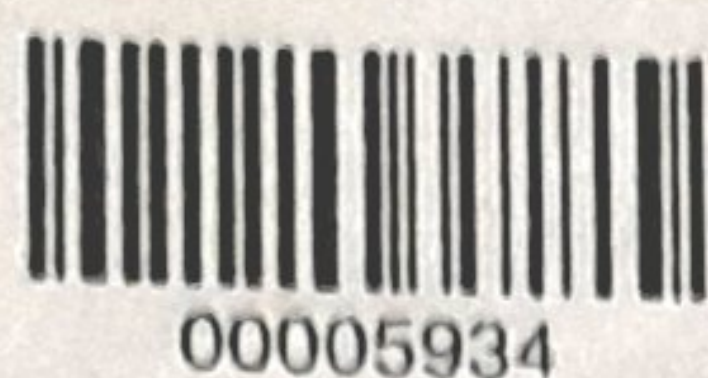


G 5934



Reg. No.....

Name.....

UNITARY LL.B. (THREE YEAR) DEGREE EXAMINATION, JULY 2021

Fourth Semester

UL 18—INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

(2018 Admission onwards)

Time : Three Hours

Maximum : 75 Marks

Part A

I. Write notes on any *five*. Each question carries 3 marks :

- 1 Golden rule of interpretation.
- 2 Beneficial Construction.
- 3 Ejusdem Generes.
- 4 Interpretation of Penal laws.
- 5 Aids to Construction.
- 6 Construction to prevent abuse and evasion.

(5 × 3 = 15)

Part B

II. Answer any *three* questions. Each question carries 10 marks :

- 7 The Theatre Act prohibited under penalty the performance of plays without licence. The question for consideration by the court was whether this provision would include a performance where the players did not actually come on the stage to act, but acted in a chamber below the stage so that their figures being reflected in mirrors, so as to appear to the spectators that they are performing on the stage. Decide.
- 8 The Sexual Offences Act provided punishment for assisting in the management of a brothel. The step daughter lived in the brothel, managed by the step mother and she has a part "at any rate" of the say of what does on in that house. The question was whether it was possible to say that the step daughter was assisting in the management of the brothel and therefore liable under the penal provision of the act.

Turn over



G 5934

- 9 The Disciplinary Proceedings (Administrative Tribunals Rules) provided that the Government may refer the individual cases of Government servants, relating to their corruption, personal immorality etc to the Tribunal on the individual's request. The question for consideration was whether the expression, 'may' meant a directory or mandatory provision. Decide.
- 10 An offence was defined in a Penal Act as "unlawfully taking a girl under sixteen out of the possession and against the will of the person having the lawful care of her". A man who forcibly took a girl under sixteen from the custody of her guardian in the honest but mistaken belief that he was invested with the guardianship of the girl and was acting in the exercise of his supposed right. The question was whether he could be held guilty of the offence of abducting the girl. Decide.

(3 × 10 = 30)

Part C

I. Answer any *two* questions. Each question carries 15 marks :

- 11 According to Maxwell, "A statute is the will of the legislature and the fundamental rule of interpretation to which all others are sub-ordinate is that a statute is to be expounded according to the intent of them that made it." Comment.
- 12 "One application of the general rule, 'noscitur a sociis' is the 'ejusdem generis' rule". Critically examine and discuss.
- 13 "The crown is not bound by a statute unless it is directly or by necessary implication referred to or perhaps, the statute is one which does not touch the right or the property of the crown, legislation is presumed to be for subjects only". Comment discussing the position in India stating how far the state is bound by a statute.

(2 × 15 = 30)

G 1212

(Pages : 2)

Reg. No.....

Name.....

UNITARY LL.B. DEGREE (THREE YEAR) EXAMINATION, MAY 2022

Fourth Semester

UL 18—INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

(2019 Admissions—Regular/2018 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

I. Write short notes on any *five* of the following. Each question carries 3 marks :

1. Non-Obstante Clause.
2. Pith and Substance.
3. Long Title.
4. *Noscitur a Sociis*.
5. Mischief Rule.
6. *Contemporanea Expositio*.

(5 × 3 = 15 marks)

Part B

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

7. The Government through an Order imposed a ban on soft drinks and prescribed a penalty for their production, distribution and sale. Mr. X was asked to stop the production of his establishment which produces pineapple juices. Mr. X contended that his juice is not covered under the prohibition of the said Order – Decide.
8. The Central Government with the help of statutory provisions issued an order whereby wearing of mask is made compulsory in public place from 27.04.2022 and prescribed a fine of Rs. 1,000 for its failure. On 29.04.2022, the State of Assam issued an order through which it reduced the fine up to Rs. 200. In case of any failure to wear mask by people of State of Assam, what should be the punishment for the same – Explain.
9. The State of Punjab through legislation made it compulsory that all two-wheelers should necessarily possess a certificate of non-pollution. The Punjab MV department has imposed a fine Mr. B, who was riding an electric scooter. – Does the said legislation is applicable to Mr. B? - Examine.

Turn over

10. A law enacted by the Government decriminalising the act of adultery in the year 2022. Mr. X was facing a trial for the offence of adultery from 2018 onwards. Mr X wants to take the advantage of the new law and to quash the said criminal proceedings – Advice.

(3 × 10 = 30 marks)

Part C

III. Answer any *two* of the following. Each question carries 15 marks :

11. What do you mean by 'interpretation' and distinguish it from construction? What are the basic rules of interpretation?
12. Explain in detail the principles relating to Mischief Rule of Interpretation with the help of decided cases.
13. What do you mean by Internal Aids? How do these aids help in the Interpretation of Statutes?

(2 × 15 = 30 marks)

F 2441

(Pages : 2)

Reg. No.....

Name.....

**UNITARY LL.B. (THREE YEAR) DEGREE EXAMINATION
NOVEMBER 2022**

Fourth Semester

UL 18—INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION
(2020 Admissions—Regular/2018 and 2019 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

I. Write short notes on any *five* of the following. Each question carries 3 marks :

- 1 *Sentnita Legis and Litera Legis.*
- 2 *In Bonem Partem.*
- 3 *Ejusdem Generis Principle.*
- 4 *Harmonious Construction.*
- 5 *Beneficial Construction.*
- 6 *Reddeno Singula Singulis.*

(5 × 3 = 15 marks)

Part B

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

- 7 Mr. D dissolved the marital tie with his wife Mrs. S by pronouncing triple talaq on 31st December 2021. The Central Government has passed legislation prohibiting and punishing the act of triple talaq on 30th December 2021 and notified that the Act will come into force from January 1st, 2022 - Explain whether Mr. D is liable under the said legislation
- 8 State of Karnataka, passed a legislation, however some of its provisions are in direct conflict with existing Central legislation. The subject matter of the legislation is in the concurrent list of the Seventh Schedule of the Indian Constitution - Explain which law has to be given effect ?

Turn over

- 9 The Central Government has framed legislation banning use of Elephants in Temple Festivals. The Kerala Government has issued an Ordinance thereby allowing the use of elephants in Trissur Pooram. - Discuss its validity.
- 10 A tax law provided that producers of Cake are supposed to pay a tax of 2 % per its price. Mrs. T, a housewife used to make good quality cakes in her home and distribute them as per order. She wants to know whether she is covered under this law.

(3 × 10 = 30 marks)

Part C

II. Answer any *two* of the following. Each question carries 15 marks :

- 11 Explain the scope of Haydon's rule with the help of decided cases and also identify how far this rule is different from the Literal rule ?
- 12 What do you mean by External Aids ? How do these aids help in the Interpretation of Statutes ?
- 13 Discuss in short the rules applicable for the interpretation of penal and remedial statutes with the help of decided cases.

(2 × 15 = 30 marks)