

No.

67751

**LL.M. 2nd Semester Examination-
May, 2016**

**INTERPRETATION OF STATUTES AND
PRINCIPLES OF LEGISLATION**

Paper : M-04

Time : 3 hours

Max. Marks : 80

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

Note : Part-A is **compulsory**, having 8 questions (3 marks each). Part-B is having eight questions. Attempt any **four** questions.

SECTION - A

1. Define in brief :

- (a) Difference between Interpretation and Construction
- (b) Explain "Casus Omissus."
- (c) Golden Rule

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- (d) Rule of Ejusdem Generis
- (e) Proviso
- (f) Theory of Utility
- (g) Social Engineering
- (h) Marginal notes

SECTION - B

2. "The court cannot add words to a statute or read words into it which are not there. The courts shall decide what the law is and not what it should be. The court will of course, adopt a construction which will carry out the obvious intention of legislature." Discuss with reference to decided Indian cases.

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3. "In the part, the judges and lawyers spoke of the 'Golden Rule' by which statutes were to be interpreted according to the grammatical or literal meaning, unmindful of the consequences." Analyse the statement in the light of Supreme Court Judgement in Kehar Singh v. The State (Delhi Admin) AIR 1988 sc 1883.

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4. Explain the principle of utility as advocated by Sir Jermy Bentham.
5. Write notes on the following :
 - (a) Ascetic principle
 - (b) Political good and evil
6. "The rule laid down in Heydon's case in England as far back as 1584 is a sound rule of construction of statutes and is equally applicable to the construction of statutes in India." Discuss the rule with reference to some decided cases.
7. "The degree of strictness to be applied in the construction of a penal statute depends on the severity of the statute." Do you agree, give reasons.
8. What do you understand by 'internal and external' aids to the construction ?

9. Write notes on the following :

- (a) Explain the consequences of repeal of a statute.
- (b) Reddendo Singula Singulis.

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