

Total number of printed pages-4

14 (LLM-2) 2003

2018

**METHODS OF INTERPRETATION
OF STATUTES**

Paper : 2003

Full Marks : 80

Time : Three hours

**The figures in the margin indicate
full marks for the questions.**

1. What do you mean by 'interpretation'? What is its object and purpose?

Distinguish between interpretation and construction. 4+4+8

Or

"It is deeply regretted that in Indian Courts of Law, Lawyers quote Maxwell and Craies but nobody refers to the Mimansa Principles of Interpretation"—

Justify the above statement and explain how does Mimansa Rules help to resolve the Conflicts of Statutes. 16

Contd.

2. "The Literal and Grammatical Interpretation is the only interpretation which will further the aim and object of enactment and will prevent the mischief"— Critically examine. 16

Or

Write brief notes on : 16

- (i) Construction *ut res magis valeat quam pereat.*
(ii) Construction *Noscitur a Sociis*
(iii) Construction *ejusdem generis.*

3. What are 'intrinsic aids' to the Interpretation of Statutes? How short and long titles, Preamble, marginal headings, Parts and their captions, chapters and their captions, marginal and Section headings helps in Interpretation of Statutes? Discuss the same with support of leading cases. 4+8+4

Or

Write brief notes on : (any two) 8+8

- (i) Legislative history—Legislative intention
(ii) Statement of objects and reasons
(iii) Legislative debate and Committee Reports

4. Explain the concept of Penal Statute. Bring out the distinction between Penal and Remedial Statutes and the rules of interpretation applicable to them. Discuss the current judicial trend in the interpretation of Penal Statutes. 4+4+8

Or

With reference to interpretation of the Indian Constitution, explain the following : 16

- (a) Theory of Territorial Nexus
(b) Doctrine of Pith and Substance
(c) Pari-materia Rule p-301

5. "Law is dynamic in nature, not static", explain how the judiciary is playing vital role in framing the new laws through dynamic Interpretation of the Statutes? Mention with examples and cases. 16

Or

To make the laws is not the function of Legislation alone, rather Judiciary and Executive also adds to contribute new laws.p Explain. 16