

Time : 3 Hours

Marks: 100

TyLUB  
Sem - V

Q.1) Answer in one or two sentences.

1. What is the primary rule of interpretation of statutes.
2. What is an 'Act' as per General Clauses Act, 1897.
3. State the importance of the 'Preamble' in the interpretation of statutes.
4. Explain the 'Doctrine of Eclipse.'
5. Explain the term 'Affidavit' as per the General Clauses Act, 1897.
6. Explain the meaning of 'Noscitur a Sociis'.
7. Explain the term 'Imprisonment' under general clauses act 1897.
8. What is a 'Codifying Statute.'?
9. Explain the meaning of the Maxim 'Generalia Specialibus non derogant.'
10. Explain the importance of legislative debates.

Q2). Write short notes on any four of the following.

1. What is the difference between the penal statutes and remedial statutes.?
2. Explain the 'Mischief rule of construction.'
3. Doctrine of Pith and Substance.
4. What is the importance of 'Doctrine of Harmonious construction' in interpretation of law.
5. Explain the concept 'Computation of Time'.
6. Explain the concept 'Prospective operation of penal statutes.'

Q3). Solve any two of the following.

1. In *Indra Sawhney and others versus union of India (1992)* the question before the honourable Supreme Court was the Interpretation of the expression backward class of citizens and the Supreme Court relied upon the speech of Dr B.R. Ambedkar to give meaning to the expression.

- i) Explain the role played by the speech of Dr. B.R. Ambedkar in the above case.
- ii) State the nature of speech and debates as aids to interpretation.

2. Section 43 of the Arbitration and Conciliation Act, 1996 reads as under, 'The Limitation Act, 1963 shall apply to Arbitration as it applies to proceedings in court.'

i) Explain the rule of Interpretation which can help you to understand section 43 of the Arbitration and Conciliation Act, 1996.

ii) explain the nature of the provision of section 43.

3) Road Traffic Act, 1960 requires the driver of a motor vehicle to "stop" after an accident.

i) Whether "Stop" implies momentary pause?

ii) Whether the driver is liable to give particulars to the Traffic Police Authority?

iii) Which rule of Interpretation is applicable herein

Q4) Answer in brief (any 4)

1. What do you understand by 'Internal Aids' to construction? Explain with case laws?

2. Set out the Principles of Interpretation of Taxing Statutes.

3. What is the meaning of Delegated Legislation? What is its necessity? Can Sub- Delegation be possible? Explain.

4. State and explain the Golden Rule of Construction with relevant cases.

5. Explain the 'Doctrine of Severability' with relevant cases.

6. Analyse the effects and consequences of Repeal.