

PG Odd Semester (CBCS) Exam., December—2016

UNIT—II

LAW

(3rd Semester)

Course No. : LLMCC-303

(Interpretation of Statutes)

Full Marks : 70

Pass Marks : 28

Time : 3 hours

The questions are of equal value

Answer **five** questions, selecting **one** from each Unit

UNIT—I

1. The object of interpretation is to find out the true meaning of the words, phrases and sentences used in the statute. Discuss the scope of interpretation.
2. Explain the general principles applied in interpretation of a statute with regards to language, grammar, subject, object and consideration of the consequences.

3. “It is, no doubt, true that it is not the function of the courts to fill in gaps and omissions, but in exceptional cases the courts have to perform this function in accordance with golden rule of interpretation.” Explain.
4. It is a sound rule of interpretation that a statute should be construed as to prevent the mischief and advance the remedy according to the real intention of the makers. Discuss with reference to the mischief rule.

UNIT—III

5. Preamble is a statement given in the statutes in the beginning. How does the preamble help as an internal aid to interpretation? Explain with reference to the Preamble to Constitution of India.
6. “The court may take into account the historical facts and surrounding circumstances prevailing at the time of enacting a statute.” How are the historical facts and surrounding circumstances used as external aids to interpretation?

UNIT—IV

7. Presumption in interpretation of statutes means that the court must proceed to interpret with the conception of correctness of certain things. Discuss with some presumptions in interpretation of statutes.
8. In a penal statute it is the duty of the courts to interpret words of ambiguous meanings in a broad and liberal sense so that they will not become traps for honest unlearned (in the law) and unwary men. Discuss.

UNIT—V

9. Judicial activism has become a subject of controversy in India. Discuss the attempts made to curb the power of courts as well as access to them.
10. Discuss the importance of the General Clauses Act. Emphasize the importance of this Act in interpretation of statutes.

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