



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 3rd Semester Examination, 2021

INTERPRETATION OF STATUTES

PAPER CODE: DE01

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions.

The marks will be deducted if answers exceed word limit.

16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words

Answer Question No. 7 and attempt any *four* questions from the rest

1. Define statute. Discuss briefly the primary and secondary rules of interpretation of statutes with relevant case laws. 2+18
2. Write note on use and significance of internal and external aids in the process of interpretation of statutes. Refer cases. 20
3. Write notes on any *two* of the following: 10+10
 - (a) Statute must be read as a whole
 - (b) Ut res magis valeat quam pereat
 - (c) Effect of repeal of a statute in the light of Section 6 of the General Clauses Act, 1897.
4. Bring out the distinction between penal and remedial statutes. Discuss the recent judicial trend in the interpretation of penal statute. 5+15
5. What do you understand by presumption? Write a note on various presumptions applied by the Court in the process of interpretation. 2+18
6. “The cardinal rule of construction of statute is to read the statute literally, that is giving to the word their ordinary, natural and grammatical meaning.” In light of above statement explain briefly the literal rule of interpretation with decided cases. Why golden rule is known as modification of literal rule? Give reasons. 15+5
7. Write notes on any *four* of the following : 5×4 = 20
 - (a) Interpretation of Taxing Statutes
 - (b) Schedule as an aid to interpretation of statutes
 - (c) Differences between rule of ejusdem generis and noscitur a sociis
 - (d) Generalia specialibus non derogant
 - (e) Doctrine of pith and substance
 - (f) Law-making process in India.

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