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Name.....

FIVE YEAR B.A. B.Com. B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION, JULY 2023

Sixth Semester

FL 15—INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

(2019 Admissions—Regular/2018 Admissions—Supplementary)

Time : Three Hours Maximum : 75 Marks

Part A

Write short notes on any **five** *of the following.*
Each question carries 3 *marks.*

1. Different parts of a statute.
2. Doctrine of colorable legislation.
3. *Argumentum ab inconvenienti.*
4. *Noscitur a sociis.*
5. Interpretation of penal statutes.
6. Montesquieu's rules of legislative diction.

(5 × 3 = 15 marks)

Part B

Answer any **three** *of the following problems.*
Each question carries 10 *marks.*

7. A company law provision states that "no director shall be interested, directly or indirectly, in any contract or arrangement with the company." Analyze the scope and application of this provision, highlighting the key principles of statutory interpretation that a court may rely on while interpreting this provision.

8. The relevant provision of the Motor Vehicles Act states that "no person shall drive a motor vehicle without a valid driver's license." Mr. 'X', who holds a foreign driver's license, was recently caught driving a car in India. He argues that since he has a valid license from his home country, he should be exempt from this provision. Examine whether his argument is valid or not, based on the principles of statutory interpretation.

9. 'X', the petitioner, was facing detention under a temporary statute relating to preventive detention. The statute got expired but some of its provisions were re-enacted. Examine whether detention of 'X' would automatically come to an end on the expiry of the statute. What is the legal effect of repeal and re-enactment of a statute ?

10. A statute was enacted to impose tax on "luxury goods." However, the term "luxury goods" was not defined in the statute. Analyze the possible methods of interpretation that may be employed to ascertain the meaning of "luxury goods" and to determine the scope of the tax.

(3 × 10 = 30 marks)

Part C

Answer any **two** *of the following questions.*
Each question carries 15 *marks.*

11. What do you mean by interpretation ? What is its object ? Distinguish between 'interpretation' and 'construction'. Discuss in detail, with the help of decided cases, the Mischief Rule of interpretation of statutes.

12. Explain the general presumptions applied while interpreting statutes.

13. Critically discuss Jeremy Bentham's theory of legislation, emphasizing its key principles What was Bentham's views on codification and the importance of a comprehensive legal system ?

(2 × 15 = 30 marks)