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FIVE YEAR B.A./B.Com./B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION, APRIL 2024

Sixth Semester

FL 15—INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

(2020 Admissions—Regular/2018 and 2019 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. Kinds of statutes.
2. Literal or grammatical rule of interpretation.
3. Mischief rule of statutory interpretation.
4. *Generalia specialibus non derogant.*
5. Rule of *ejusdem generis.*
6. Flaws in legislative drafting.

(5 × 3 = 15 marks)

Part B

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

7. The relevant statutory provision empowers the appropriate government to exempt certain industries from the application of the Act "in public interest". However, the Act does not define the term "public interest". Analyze the principles of interpretation that can be used to determine the meaning and scope of this term in the context of the Act.
8. The Street Offences Act prohibited solicitation by prostitutes in the public streets. Then the prostitutes started attracting the attention of passersby from balconies and windows. Decide whether the prostitutes can be held liable for violation of the provisions of the Street Offences Act. Refer to decided cases.
9. A labour law statute provides for "appropriate compensation" to be paid to workers in case of unfair termination. Discuss the principles of statutory interpretation that a court may employ while determining the factors to be considered in calculating "appropriate compensation" in a particular case.

Turn over

10. In a criminal statute, the provision states that "any person found guilty of robbery shall be punished with imprisonment for a term not exceeding 10 years." Discuss the rule of strict construction that may be employed in the context of interpreting this provision keeping in mind the recent trends in interpretatoin of penal statutes.

(3 × 10 = 30 marks)

Part C

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

11. Explain the intrinsic and extrinsic aids useful to interpretation of statutes.

12. Discuss in detail, with the help of judicial decisions, the special principles of constitutional interpretation.

13. Discuss Bentham's critique of natural law theory and his alternative approach to legislation based on utility. Analyze the implications of his rejection of natural law and its influence on modern legal systems.

(2 × 15 = 30 marks)