



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2020

Course Name – Interpretation of Statutes & Principles of Legislation

Course Code - BBALLB805B

(Semester VIII)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

(i) Name the Latin root of the term “interpretation”:

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|----------------|-----------------|
| a) interpretre | b) interpretari |
| c) interpretum | d) interpreti |

(ii) When does the need for interpretation of statutes become essential?

- | | |
|---------------------------|--------------------------|
| a) Ambiguity in language | b) Clarity in wording |
| c) Simplicity in language | d) fanciness in language |

(iii) Choose in the context of legal interpretation, the construction is typically employed in:

- | | |
|-------------------------|------------------------|
| a) Deciphering statutes | b) Drawing conclusions |
| c) Analysing context | d) Explaining meaning |

(iv) Infer the person who spoke the most words during the Constituent Assembly debates, emphasising fundamental rights and directive principles:

- | | |
|----------------------|---------------------|
| a) Mahatma Gandhi | b) Jawaharlal Nehru |
| c) Dr. B.R. Ambedkar | d) G. Durgabai |

(v) Relate the case in which the Supreme Court heavily relied on Constituent Assembly debates to explain the powers of state actors:

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|--|---|
| a) Kesavananda Bharati v. State of Kerala | b) Minerva Mills v. Union of India |
| c) Nabam Rebia and Bamang Felix v. Deputy Speaker and Others | d) Pioneer Urban Land ... v. Union of India |

(vi) What is the primary function of the Law Commission of India?

- | | |
|-------------------------|------------------------------------|
| a) Enforcing laws | b) Proposing legal reforms |
| c) Conducting elections | d) Regulating the legal profession |

(vii) Choose the correct principle emphasized in *Perth Local Board of Health v. Maley* (1904):

- | | |
|--|--|
| a) Statutes should be rendered impractical | b) Interpret statutes to ensure efficacy |
| c) Striking down statutes is preferable | d) Presume legislative transgression |

(viii) Choose the effect of liberal construction:

- | | |
|---------------------------------|--|
| a) Fosters a rigid legal system | b) Hinders enforcement of substantive rights |
|---------------------------------|--|

- c) Aids in the implementation of statutes d) Constrains human dignity
- (ix) Outline the importance of reading statutes as a whole:
- a) Focus solely on specific clauses b) Disregard related statutes
- c) Ensure consistent interpretation d) Disregard legislative intent
- (x) Choose the correct statement regarding taxation:
- a) Tax evasion is legal. b) Tax avoidance is illegal.
- c) Taxation is voluntary. d) Taxation involves compulsory extraction of money for public purposes.
- (xi) Choose the reason for the applicability of the strict rule on taxation statutes:
- a) To favour the taxpayer in ambiguous cases. b) To allow for presumptions about legislative intent.
- c) To ensure clear legal backing for tax imposition. d) To impose taxes without legal authority.
- (xii) Choose the core aspect of any taxation statute:
- a) Liberal interpretation of charging provisions. b) Strict interpretation of equity principles.
- c) Liberal interpretation of tax avoidance. d) Strict interpretation of charging provisions.
- (xiii) Select the nature of legislation that emphasizes the legal authority derived from the constitution:
- a) Flexibility b) Legal Authority
- c) Binding Force d) Clarity and certainty
- (xiv) Choose the correct statement regarding Marxism's foundational concepts:
- a) Stresses the importance of individual rights b) Utilitarianism promotes social unity
- c) Dialectical materialism influences social analysis d) Emphasizes the sovereignty of the individual
- (xv) Select the principle that informs Marxism's approach to legislation:
- a) Protection of individual rights b) Prioritizes economic inequality
- c) Advocates for minimal state intervention d) Promotion of social justice legislation

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the significance of 'shall' and 'may' in statutory provisions. (3)
3. Identify the principle underlying the strict rule of interpretation in taxation statutes. (3)
4. What is the significance of rules in the legal context? (3)
5. Identify the primary functions of the Statement of Objects and Reasons in interpreting statutes. (3)
6. Compare individualism and collectivism in terms of their approaches to the role of the state in society. (3)

OR

Explain the core tenets of utilitarianism and discuss how they influence legislative decision-making. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Identify the aspects of legislative debates in India. (5)
8. Compare the importance of legislative intent in statutory interpretation with other interpretive factors, such as textual clarity and judicial precedent. (5)
9. Explain the significance of the doctrine of substantial compliance in taxation laws, providing examples. (5)
10. List the difference between 'Interpretation' and 'Construction' in law. (5)

11. List the different types of statutes. (5)
12. Explain the historical development of individualism and its implications for modern governance structures. How does individualism shape contemporary debates on liberty and government intervention? (5)

OR

Evaluate the utility of utilitarianism as a guiding principle for legislative decision-making. (5)
How does utilitarianism balance individual rights with the collective good in policy formulation?
