



## BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2019

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) Identify the purpose of interpretation

- a) To make the provisions ineffective
- c) To make the provisions Workable

- b) To make the provisions redundant
- d) None of these

(ii) Define interpretation

- a) process to understand the intention of legislature
- c) result of minority view

- b) result of debate
- d) None of these

(iii) Name the primary rule of interpretation

- a) In interpreting statutes, judges should look at the mischief which the Act was passed to prevent
- c) In interpreting statutes, judges should interpret the words literally

- b) There must be no mischief in court
- d) In interpreting statutes, judges should interpret the words as they see fit

(iv) Define the case law

- a) Law representing the decisions of the courts
- c) Delegated legislation

- b) Law passed by Parliament
- d) Case law is not really law at all

(v) Name the rule of statutory interpretation that are applied by the judges first.

- a) Purposive approach
- c) Golden rule

- b) Mischief rule
- d) Literal rule

(vi) Locate the rule where words in a statue may be eliminated if no sensible meaning can be drawn.

- a) Rule of literal interpretation
- c) Rule of Exceptional Construction

- b) Rule of harmonious construction
- d) Noscitur A Sociis

(vii) Locate the meaning of the doctrine of colorable legislation

- a) question of competency of the legislature
- b) question of fact

- c) question of jurisdiction  
(viii) Select the rule with which Heydon's case deals  
a) Mischief rule  
c) Noscitur a sociis  
(ix) Identify the meaning of statute  
a) Will of the king  
c) Will of them magistrate  
(x) Identify casus omissus  
a) What has been omitted by law that can not be supplied by judge  
c) Both will be applicable as per situation  
(xi) Select the internal aids  
a) Long title  
c) Interpretation clauses  
(xii) Identify the maxim that takes into consideration the accompanying words  
a) Noscitur a sociis  
c) Eiusdem generis  
(xiii) Choose the rule that denotes express mention of one thing is the exclusion of other  
a) Rule of harmonious construction  
c) Eiusdem generis  
(xiv) Choose external aid to construction  
a) Words  
c) Legislative history  
(xv) Choose the Literal Rule of interpretation of statutes  
a) The plain, ordinary and natural meaning of the words should be applied  
c) The words should be given a narrower meaning
- d) nature of legislation  
b) Rule of reasonable construction  
d) Golden rule  
b) Will of the society  
d) Will of the legislature  
b) Provisions of a statute is casus omissus  
d) None of these  
b) Marginal notes  
d) All of these  
b) Strict and liberal construction  
d) None of these  
b) Primary rule  
d) Expressio Unius est exclusio alterius  
b) Punctuation  
d) Preamble  
b) The words should be given a wider meaning  
d) The words should be interpreted as per the intention of the legislature

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the rules of interpretation of Penal statutes. (3)
3. Define Remedial Statute. (3)
4. Explain harmonious rule of construction. (3)
5. Explain various criteria of legislation. (3)
6. Evaluate the use of the word "shall" instead of "may." (3)

OR

Evaluate the use of the word "or" and "and" in the provisions of a statute. (3)

### Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define the term Interpretation. (5)
8. Define Consolidating Statute. (5)
9. Explain constitutional debates as an external aid. (5)
10. Evaluate literal rule of construction. (5)
11. Judge the golden rule of construction as a rule of modification. (5)
12. Judge the use of the word "shall" instead of "may." (5)

OR

Judge the use of the word "or" and "and" in the provisions of a statute. (5)

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