



BRAINWARE UNIVERSITY
ODD Semester Examinations 2021- 22

Programme – Bachelor of Law - 2019 [LL.B.]

Course Name – Interpretation of Statutes & Principles of Legislation

Course Code – LLB502B

(Semester V)

Time allotted : 1 Hour 15 Minutes

Full Marks : 60

(Multiple choice type question)

60 x 1 = 60

Choose the correct alternative from the following

- (I) According to which rule of interpretation old statutes should be interpreted as they would have been at the date when they were passed?
- A) Expression unisest exclusion alteri us
 B) Contemporanea Expositio Est Optima Et Fortissima In Lege
 C) Futuresmag is valeat Quam Pereat
 D) Nosciur a Sociis
- (II) Which among the following is the cardinal rule of construction of statutes
- A) Literal Rule of construction
 B) Beneficial Rule of construction
 C) Harmonious Rule of construction
 D) Reasonable Rule of construction
- (III) The date of commencement of law refers to:
- A) The date on which law is brought into force.
 B) The date on which President gives his ascent to the bill passed by both the houses of parliament.
 C) The date on which the bill is passed in Lok Sabha.
 D) None of these
- (IV) which amongst this is incorrect in relation to interpretation of statute
- A) Statute should be read as a whole.
 B) Generally the words must be read with its plain meaning.
 C) There is a presumption that a statute is valid.
 D) None of these.
- (V) In which of the following amendment the term of Lok Sabha increased from 5 to 6 years?
- A) 40th
 B) 42nd
 C) 44th
 D) 46th
- (VI) What are the four factors the courts are required to consider according to Heydon's case?
- A) What was the mischief and defect for which the common law did not provide?
 B) What was the common law before the Act was passed?
 C) What was the remedy Parliament passed to cure the mischief?
 D) All are these
- (VII) The term ----- statute should not be construed too rigidly as it was for the protection of certain class of person, is the term applicable to
- A) Strict Construction of penal Statute.
 B) Harmonious Construction.
 C) Beneficial Construction.
 D) Strict Construction
- (VIII) In which Constitutional Amendment Act An authoritative text of the Constitution in Hindi was provided to the people of India by the President?
- A) 57th, 1987
 B) 58th, 1987
 C) 59th, 1988
 D) 61st, 1988
- (IX) What is the rule in Pepper V Hart?
- A) Judges can refer to newspapers when interpreting statutes
 B) Judges can refer to other judges when interpreting statutes
 C) Judges can refer to Hansard when interpreting statutes
 D) Judges cannot refer to any external aid when interpreting statutes
- (X) A statute has been defined as the _____
- A) Will of the king
 B) Will of the society
 C) Will of them magistrate
 D) Will of the legislature

- (XI) Interpretation of statute should not be given a meaning which would make other _____ Provisions
- A) Ineffective
B) Redundant
C) Dormant
D) None of these
- (XII) As per the rule of _____ meaning of a word should be known from its accompanying or Associating words.
- A) Noscitur a sociis
B) Strict and liberal construction
C) Ejusdem generis
D) None of these
- (XIII) _____ is the process of ascertaining the true meaning of the words used in a statute
- A) Interpretation
B) Construction
C) Both
D) Evaluation
- (XIV) According to primary rule, the _____ of a statute are to be understood in the natural, ordinary or popular and grammatical meaning unless such a construction leads to an Absurdity or contents or object of the statute suggests a different meaning?
- A) Words
B) Phrase
C) Sentences
D) All of these
- (XV) Which of the following is internal aid for interpretation of statute?
- A) Long title
B) Marginal notes
C) Interpretation clauses
D) All of these
- (XVI) Which one of the following statements is true?
- A) Delegated legislation cannot have retrospective effect
B) Delegated legislation can have retrospective effect, if authorized by Act or Statute
C) Delegated legislation can have retrospective effect, if not authorized by Act or Statute but have reasonable and rational justification
D) None of these
- (XVII) Heydon's case deals with _____
- A) Mischief rule
B) Rule of reasonable construction
C) Noscitur a sociis
D) Golden rule
- (XVIII) Ratio decidendi of case means
- A) Strictures of the court
B) Observations made by the court
C) Court is bound by its own decision.
D) None of these
- (XIX) How many readings must a Bill have in the House of Commons and the House of Lords Before it receives Royal Assent?
- A) 1 in the House of Commons, 3 in the House of Lords
B) 3 in the House of Commons, 1 in the House of Lords
C) 1 in each House
D) 3 in each House
- (XX) The term In Pari materia means
- A) of the same kind of the same nature
B) from the association
C) Repugnancy.
D) Delegated Legislation
- (XXI) When there is a conflict between two or more statues or two or more parts of a statute then which process is to be followed to interpret
- A) welfare construction
B) strict construction
C) harmonious construction
D) none of these
- (XXII) Under the _____ the words may be given a secondary meaning if applying the literal leads to absurdity.
- A) mischief rule
B) golden rule
C) liberal rule
D) none of these
- (XXIII) The power of Supreme Court to decide the dispute between the centre and the states falls under its
- A) Advisory Jurisdiction
B) Appellate Jurisdiction
C) Original Jurisdiction
D) Advisory and appellate Jurisdiction
- (XXIV) Expressum facit cessare tacitum means
- A) Private disadvantage is counter balanced by public good.
B) what is expressed makes what is implied to cease.
C) An accessory follows the principal.
D) A matter adjudged is taken for truth.
- (XXV) An internal aid that may be added to include something within the section or to exclude something from it, is
- A) Proviso
B) Schedule
C) Explanation
D) Illustrations

- (XXVI) This is the process of ascertaining the true meaning of the words used in a statute.
- A) Construction. B) Interpretation.
C) Both A & B D) Evaluation.
- (XXVII) Morals have
- A) Universal values B) varies from society to society
C) varies from time to time D) varies from person to person.
- (XXVIII) As per _____, if two or more words which are capable of analogous (similar or parallel) meaning are grouped together they should be understood in cognate sense, i.e. they take their colour from each other and are given a similar or related meaning
- A) Noscitur A Sociis B) Expressio Unius Est Exclusio Alterius
C) Ejusdem Generis D) Contemporanea Expositio
- (XXIX) _____ contain them an object of the Act.
- A) Long title B) Short title
C) Preamble D) None of these
- (XXX) The modern sources of law can be categorized as,
- A) Legislation B) Custom
C) Precedent D) All of these
- (XXXI) According to the _____, the words of the statute are to be given their plain and ordinary meaning.
- A) Literal rule B) golden rule
C) natural rule D) mischief rule
- (XXXII) According to which rule of interpretation old statutes should be interpreted as they would have been at the date when they were passed?
- A) Expression unisest exclusion alteri us B) Contemporanea Expositio Est Optima Et Fortissima In Lege
C) Futuresmag is valeat Quam Pereat D) Nosciur a Sociis
- (XXXIII) In the interpretation of statute, an important role is played
- A) Schedule B) Preamble
C) Heading D) All of these
- (XXXIV) Where in an enactment, there are two provisions which cannot be reconciled with each other; they should be so interpreted that, if possible effect may be given to both. This is what known as the _____
- A) Rule of harmonious construction B) Rule of reasonable construction
C) Rule of ejusdem generis D) None of these
- (XXXV) Utres valet potior quam pareat means
- A) it may rather become operative than null". B) A matter adjudged is taken for truth.
C) An accessory follows the principal. D) The land passes with its burdens.
- (XXXVI) Which of the following is the most accurate description of the Golden Rule of Interpretation?
- A) Literal meaning must always be adopted without fail B) Literal meaning must always be adopted except when it leads to absurdity
C) Context must be understood properly D) All of the these
- (XXXVII) Rule of Beneficial construction is also known as—
- A) Purposive construction B) Mischief Rule
C) Heydons's Rule D) All of the Above
- (XXXVIII) Whether a provision is mandatory or directory _____
- A) Can be ascertained by referring to the provisions of the General Clause Act, 1897 B) Is specified in the statute in which such provision is contained
C) Has to be decided by the court D) None of these
- (XXXIX) When may judges apply the golden rule?
- A) When the mischief rule can't be applied B) In the same circumstances as the purposive approach
C) When applying the literal would be unfair D) When applying the literal rule leads to an absurd or repugnant result
- (XL) The rule of Ejusdem Generis is applied to construe _____

- A) The general word(s)
- C) The specific word(s)
- B) The associated words
- D) The unrelated words

(XLI) According to primary rule, the of a statute are to be understood in their natural, ordinary or popular and grammatical meaning unless such a construction leads to an absurdity or contents or object of the statute suggests a different meaning

- A) Words
- C) Sentences
- B) Phrases
- D) Prohibition of intoxicating drinks and of drugs which are injurious to health

(XLII) General clauses Act enacted in the year...

- A) March 11, 1897
- C) August 15 1987
- B) 7320
- D) December 31, 1975

(XLIII) Where the words are clear, the language is plain, and only one meaning can be derived, it would mean that the language used speaks the mind of the parliament and there is no need to look somewhere else to discover the true intention and meaning of the words used. The interpretation in such case shall be _____

- A) Reasonable interpretation
- C) Literal interpretation
- B) Harmonious interpretation
- D) Exceptional interpretation

(XLIV) Where in an enactment, there are two provisions which can not be reconciled with each other, there should be so interpreted that, if possible effect should be given to both. This is known as the

- A) Rule of Harmonious Construction
- C) Rule of Reasonable Construction
- B) Rule of ejusden generis
- D) None of these

(XLV) _____ is an internal aid in interpretation of statutes

- A) Schedules, headings and title of a chapter and marginal notes
- C) Schedules and marginal notes
- B) Headings and title of a chapter and marginal notes
- D) Schedules

(XLVI) What does repeal of law mean?

- A) change in law
- C) removal or reversal of law.
- B) amendment in law
- D) none of these

(XLVII) What is 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

(XLVIII) Operation of law means.....

- A) prospective operation of law
- C) both of these
- B) retrospective operation of law
- D) None of these.

(XLIX) Which of these is a disadvantage of delegated legislation?

- A) It is quick to produce
- C) It raises issues of accountability
- B) It can be flexible
- D) It can be made by reference to special is knowledge

(L) Delegatus non potest delegare means

- A) Debtor follows the person of the debtor
- C) A delegated power cannot be further delegated
- B) An action does not arise from a bare promise
- D) The law does not concern itself with trifling matters

(LI) What is the doctrine of stare decisis?

- A) The doctrine of Parliamentary sovereignty.
- C) The doctrine of statutory interpretation.
- B) The doctrine of royal pardon.
- D) The doctrine of precedence

(LII) Supreme Courts precedent is binding on

- A) Courts
- C) Income Tax Authorities
- B) Appellate Tribunals
- D) All of these

(LIII) Generally _____ are given strict interpretation.

- A) Labour
- C) Criminal laws
- B) Welfare laws
- D) None of these

(LIV) Illustration: While interpreting a statute, one has internal and external aids to construction. Question: Which of the following is not an Internal aid to construction?

- A) Long title
- B) Preamble
- C) Headings
- D) Dictionaries

(LV) _____ is used to remove special cases from the general enactment and provide for them specially.

- A) Exception clause
- B) Saving clause
- C) Proviso
- D) Non obstante clause

(LVI) Which of the following is an external aid for interpretation of statute?

- A) Parliamentary history
- B) Use of foreign decisions
- C) Historical background
- D) All of these

(LVII) What is meant by the purposive approach?

- A) The judge must interpret the statute on purpose
- B) The judge must interpret the statute in the light of the purpose its enactment
- C) The judge must interpret the statute with a purposeful manner
- D) The judge must interpret the statute in the purpose of deciding the case before him or her

(LVIII) Which of the following is not an internal Aids.

- A) Statement of objects and reasons.
- B) Dictionaries.
- C) Explanation.
- D) Illustration

(LIX) Non obstante clause usually starts with the word____?

- A) Provided that
- B) Notwithstanding anything contained
- C) Save as provided otherwise
- D) Any of these

(LX) Where in an enactment, there are two provisions which cannot be reconciled with each other; they should be so interpreted that, if possible effect may be given to both. This is what known as _____

- A) Rule of Harmonious construction
- B) Rule of Reasonable construction
- C) Rule of Ejusden generis
- D) All of these