

Q.P. Code :04203

[Time: Three Hours]

[Marks:100]

Please check whether you have got the right question paper.

- N.B:
1. Questions are compulsory.
 2. Figure to the right indicate full marks.
 3. Give case law/reasons wherever necessary.

- Q.1) Answer in 2-3 Sentences 20
1. Define 'Good Faith 'As Defined in The General Clauses Act 1897
 2. Define ' Father' as defined in The General Clauses Act 1897
 3. Explain ' Delegatus non potest delegare'
 4. What is Vessel As Defined in The General Clauses Act 1897
 - State and explain the rule of Literal Construction
 6. What is a Codifying Statute?
 7. Explain the importance of Historical Background as an aid to Interpretation
 8. Name any three Internal Aids to Statutory Interpretation
 9. What is the Purpose of Interpretation of Statutes
 10. What is Sententia Legis.
- Q.2) Write Short Notes (Any Four) 20
1. Ejusdem Generis
 2. Consequences of Repeal of a Statute
 3. Doctrine of Prospective Overruling
 4. Proviso (its Purpose and importance)
 5. Golden Rule
 6. Preamble
- Q.3) Attempt the Situation Based Problems (Any Two) 12
1. Section 27 of The General Clauses Act (1897) outlines the meaning of 'Service By Post'
 - a. When will the Service be deemed to have been effected?
 - b. Explain the Expression "Service by Post"
 2. The question in Seward v. The Vera Cruz was whether Section 7 of the Admiralty Court Act of 1861, which gave jurisdiction to that Court over "any claim for damage done by any ship" also gave jurisdiction over claims for loss of life which would otherwise come under the Fatal Accidents Act(1855)
 - a. Explain the Applicability of the Maxim "Generalis Specialibus Non Derogant' in this case
 - b. What is a General Act and what is a Special Act?

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3. Section 11 of the Family Courts Act 1984 reads as Under -'In every suit or Proceeding to which the act applies, the proceedings may be held 'in Camera' if the Family Court desires and Shall be so if Either Party so Desires'
 - a. State and explain when 'In Camera ' proceedings would be Mandatory
 - b. State and explain when 'In Camera' proceedings would be Directory

Q.4)

Write in detail (Any four)

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1. Discuss the Mischief Rule with relevant Cases
2. Doctrine of Severability with relevant Cases
3. Name and explain External Aids to Statutory Interpretation
4. 'Statute Must be read as a Whole' Discuss'
5. Discuss the Strict Construction of Penal Statutes
6. Explain the role of Legislative Intention' in Interpretation of a Statute.

Time: 3 Hours

(100 marks)

Q I. Answer in two sentences: (All questions are compulsory.) (20 marks)

- a) Explain sententia legis.
- b) What is doctrine of occupied field?
- c) What is the importance of marginal notes and punctuation in interpretation?
- d) What is remedial statute? Give one example.
- e) What is Penal statute? How is it interpreted?
- f) What is interpretation of Statutes?
- g) Explain the term person according to the General Clause Act?
- h) What is a disabling Statute?
- i) Explain the term movable property under General Clause Act?
- j) Explain the term Year and vessel under the General Clause Act?

Q .II Write short notes on. (Any four). (20 marks)

- a) Doctrine of Prospective overruling.
- b) Grammatical rule of interpretation.
- c) Effect of repeal.
- d) Mischief rule.
- e) Harmonious construction.
- f) Interpretation of taxing statute.

Q III. Situational Problem (any two). (12 marks)

- 1) Section 27 of the General Clauses Act, 1897, states the meaning of service by post.
 - a. What is the meaning of service by post?
 - b. When will a service be deemed to have been effected?
- 2) In *Golak Nath v State of Punjab* the Supreme Court held that amendment is law but the decision will apply only for future cases.
 - a. Which principle is applied?
 - b. What is retrospective operation of Statutes?
- 3) A central act requires that document to be served by post.
 - a. What is the meaning of document under General Clause Act?
 - b. Explain service by post under General Clause Act?

Q IV Write an essay on any four (48 marks)

- a) Explain the principle of Constitutional interpretation?
- b) What are the external aid to interpretation of statutes?
- c) Explain the basic rules of interpretation with case laws?
- d) What is ejusdem generis and noscitur a sociis?
- e) What are the internal aids to interpretation of statutes?
- f) Analyse interpretation of penal statutes?
