

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2021

Course: Interpretation of Statutes	Semester: IV
Program: BBALL.B CL/BFIT, B.COM LL.B/BALL.B CL/LL/CL	Time: 03 hrs.
Course Code: CLCC 2006	Max. Marks: 100

Instructions:

SECTION A Attempt all Questions

		Marks	CO
Q1	Examine the legal maxim of ‘Ejusdem Generis’.	5	CO 1
Q2	Distinguish between interpretation and construction	5	CO 1
Q3	Briefly discuss whether penal legislation be interpreted retrospectively.	5	CO 2
Q4	Discuss in brief the doctrine of pith and substance.	5	CO 1
Q5	What is intrinsic and external aids to construction?	5	CO 3
Q6.	What is the doctrine of colorable legislation?	5	CO2

SECTION B Attempt any five Questions

Q7	“The rule of construction is well-settled that when there are in an enactment two provisions of which cannot be reconciled with each other, they should be so interpreted that, if possible, effect should be given to both.” Which rule of interpretation will apply to this statement? Discuss with reference to decided cases.	10	CO 3
Q8	What rules are followed when interpreting a taxing statute? Is there any difference in applicable rules if due to ambiguity it is unclear whether a person otherwise coming under tax bracket would get the benefit of exemption or not?	10	CO 3
Q9	What is the relevance of General Clauses Act, 1897 for the purpose of Interpretation of Statutes?	10	CO 2
Q10.	For interpreting the words ‘vegetable’ and ‘green vegetable’ in clauses providing for exemption from tax liability under various Sales Tax Legislations, the Indian courts	10	CO4

	including the Supreme Court of India, were having various choices in interpreting these terms ranging from botanical, dictionary and ordinary meaning of the said words. Clearly bring out which rule of interpretation was adopted by the Supreme Court of India while interpreting these words, meaning given to them and the rationale behind such interpretation.		
Q11.	Discuss the principle of territorial nexus and its importance in interpretation.	10	CO3
Q12.	Describe the legal maxim “Ut Res Magis Valeat Quam Pereat in the light of relevant case laws.	10	CO4
SECTION-C Attempt all Questions			
Q 12	<p>Section 2(d) of the Prize Competitions Act, 1955 defines ‘Prize Competition’ as meaning any competition in which prizes are offered for the solution of any puzzle based upon the building up arrangement, combination or permutation of the letters, words or figures.</p> <p>Mr. X who challenged the said section; contended that it is also applied to competition which involved substantial skill and which are not in the nature of gambling.</p> <p>In light of the above facts answer the following questions:</p> <p>a. Examine the rule of construction to be applied to construe the term ‘Prize Competition’.</p> <p>b. Discuss in the light of relevant case laws.</p>	<p>10</p> <p>10</p>	CO 4