


Name:			
Enrolment No:			
UPES End Semester Examination, May 2024			
Course: Interpretation of Statutes Program: B.Tech. LL. B Cyber Law Course Code: CLCC4024		Semester: VIII Time: 03 hrs. Max. Marks: 100	
Instructions: All the questions are mandatory.			
SECTION A (5Qx2M=10Marks)			
S. No.	Statement of question	Marks	CO
Q 1	Elaborate briefly the statement that the statute must be read as a whole.	2	CO1
Q 2	Distinction between interpretation and construction.	2	CO1
Q 3	Write short note on Ut Res Majis valeat Quam pereat	2	CO1
Q 4	What is Golden rule of interpretation?	2	CO1
Q 5	Briefly interpret rule of Ejusdem Generis.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Write shortly the Literal Rule of interpretation.	5	CO2
Q 7	Elaborate in brief the statement that the function of the court is to interpret and not to legislate.	5	CO2
Q 8	“The soundness of <i>Heydon’s rule</i> lies in suppressing the mischief and advancing the remedy.” Discuss various conditions for the application of this rule citing relevant cases.	5	CO2
Q 9	What are the internal Aids to the interpretation?	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	To remove disability on certain class of people from entering Hindu public temples, a state enacts a law under Art. 25 of the Constitution by which entry to any such temple is thrown open to all sections of Hindus. The Trustees of a denominational Hindu public temple ‘T’ resist the application of such law on the ground that entry to their temple had long been restricted by their religion to Hindu belonging to a particular sect, and since they have a primordial right under Art. 26 of the Constitution	10	CO3

	to manage their affairs in the matters of religion, the entry as such can't be thrown open to all sections of Hindus. What rule of interpretation would you apply and why in resolving the dispute judicially along with case laws?		
Q 11	In the interpretation of a statute, the courts are duty bound to assign a meaning and construction to the provisions which are in consonance with the intention of the legislature. However, where the meaning is not clear, the Courts must take help from various sources to gather this intention. And one such course is to take the help of external aids for interpretation. Discuss the external aids to interpretation and case laws.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12	“The appellant was a company having spinning and weaving mills at Yeotmal. The appellant’s bales of cotton were transported from Yeotmal to Nagpur by road and vehicles carrying them past through the limits of Wardha Municipality. The goods were neither unloaded nor reloaded at Wardha but were merely carried across through the municipal area. The Municipal Committee of Wardha imposed a “Terminal Tax” under section 66(1)(O) of the C.P. and Berar Municipalities Act, 1922, on the ground that they were exported by the appellant from the limits of the Municipality area. The appellant contested the same.” In the light of the above statement. Critically analyze the following: - (1) Which relevant rules of interpretation will apply along with the reasons. (2) What are the relevant case laws?	25	CO4
Q 13	“Respondent No.2 Shri Tej Prakash was appointed as a Minister of Punjab on the advice of CM, H.S. Brar, and at the time of his appointment as such minister, he was not a member of the Legislative Assembly of Punjab. He failed to get himself elected as a member of the Legislature within a period of six months and submitted his resignation. Upon change in leadership of ruling party, the respondent was again elected as Minister by CM Mrs. R.K. Bhattal. The appellant filed a petition seeking writ of quo warranto against Respondent no. 2 as his appointment for the second time without being elected was violative of constitutional provisions, therefore, bad. The High Court dismissed the petition in <i>limine</i> . The appellant approached the Supreme court”. Evaluate the application of relevant rule of interpretation with the help of case laws.	25	CO4