

Model Question

Course Title: Interpretation of Statutes	Course Code: BLAW303
Full Marks: 60	Pass Marks:
Duration:	Level: BBALLB
Semester: 3rd	Nature: Compulsory

Part A: Multiple Choice Questions (10 x 1 mark = 10 marks)

1. What does the maxim *Ejusdem Generis* mean?
 - A) Of the same kind
 - B) Of a different kind
 - C) According to law
 - D) By the rule
2. Which external aid refers to debates in the legislature?
 - A) Preamble
 - B) Legislative history (Travaux préparatoires)
 - C) Marginal notes
 - D) Definition clause
3. What is the rule of 'Strict Interpretation' usually applied to?
 - A) Social welfare statutes
 - B) Penal or taxing statutes
 - C) Procedural law
 - D) Constitution
4. What is the effect of a Preamble?
 - A) It defines all terms
 - B) It provides the legislative intent/object
 - C) It contains punishment
 - D) It is mandatory
5. The Doctrine of Pith and Substance is primarily used in:
 - A) Federalism and legislative competence
 - B) Criminal law
 - C) Contract law
 - D) Family law
6. Which case is famously associated with the 'Mischief Rule'?
 - A) Marbury v. Madison
 - B) Heydon's Case

C) Kesavananda Bharati

D) Maneka Gandhi

7. What does 'Justiciable' refer to in the 'Political Question Doctrine'?

A) A matter suitable for court review

B) A matter for the executive

C) A matter for the public

D) An illegal act

8. Which internal aid provides a brief summary of a section?

A) Marginal note

B) Preamble

C) Schedule

D) Proviso

9. When is 'Purposive Construction' preferred?

A) To avoid absurdity

B) When words are ambiguous and need context

C) To favor the state

D) When the literal rule is too simple

10. If an Act has an 'Interpretation Clause', it is:

A) Merely a suggestion

B) Binding and authoritative

C) Ignored by judges

D) Only for definitions

Part B: Short Questions (8 x 4 marks = 32 marks)

1. Define 'Interpretation' and 'Construction'. Are they synonymous?
2. Analyze the importance of the 'Preamble' in identifying the legislative intent.
3. Describe the rule of *Reddendo Singula Singulis* with an example.
4. Critically compare the 'Golden Rule' and the 'Purposive Approach'.
5. Critically analyze how a court would apply *ejusdem generis* and *noscitur a sociis* to determine whether a defendant carrying a heavy iron bar violates a statute prohibiting the act of "carrying a gun, knife, or any other object with intent to cause harm."
6. Critically examine why the 'Political Question Doctrine' is considered a check on judicial overreach.
7. Explain the significance of 'Schedules' in a statute.

Or

The exclusion of jurisdiction of Civil Courts to entertain Civil cases will not be assumed unless the relevant statute contains an express provision to that effect, or leads to a necessary and inevitable, implicate of that nature. Discuss.

8. Explain the 'Rule of Strict Interpretation' in the context of penal statutes.

Or

If the Constitution guarantees human dignity, how would you apply the Doctrine of Harmonious Construction to interpret the detention law? Can the court read the "prohibition of mental torture" into the Act to harmonize it with constitutional standards? Analyze insight of DN 7434 NKP 2061 No. 9

Part C: Long Questions (2 x 9 marks = 18 marks)

9. Do Judges make law? Critically analyze with relevant legal examples.
10. The rule of construction is well settled that when there are in an enactment two provisions which cannot be reconciled with each other, they should be so constructed that, if possible, effect should be given to both. Discuss the important aspects of this rule with help of decided cases that you know.

Or

In Decision No. 7407 (NKP 2061), the court dealt with the authority of the Commission for the Investigation of Abuse of Authority (CIAA) to conduct inquiries based on secret reports. The court emphasized that interpretation must be "grounded in the facts and circumstances" of the case and rejected interpretation based on "speculation or abstract intellectual reasoning." How does this requirement—that interpretation must be "grounded in facts"—act as a safeguard against the Mischief Rule (Heydon's Case)? Specifically, explain how this restriction prevents a judge from over-expanding the "mischief" intended to be suppressed by the legislature, thereby upholding the Separation of Powers.