



0504/0904

V Semester 3 Year LL.B./IX Semester 5 Year B.A. LL.B./B.B.A. LL.B.  
Examination, June/July 2018

**INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION**  
**(Opt. – IV)**

Duration : 3 Hours

Max. Marks : 100

**Instructions :** 1. Answer Q. No. 9 and any five of the remaining.

2. Q. No. 9 carries 20 marks and the remaining questions carry 16 marks each.

3. Answers should be written either in English or Kannada completely.

**Q. No. 1.** “Rules of interpretation of statutes are not rules of law.”  
Elucidate.

Marks : 16

“ಶಾಸನಗಳ ಅಥವ್ ವಿವರಣೆಯ ನಿಯಮಗಳು ಕಾನೂನಿನ ಆಡಳಿತದ ನಿಯಮಗಳಲ್ಲ”. ವಿವರಿಸಿ.

**Q. No. 2.** What is interpretation ? Explain in brief the basic principles of interpretation of statutes.

Marks : 16

ಅಥವ್ ವಿವರಣೆ (ಅಷ್ಟೇಸುವಿಕೆ) ಎಂದರೇನು ? ಶಾಸನಗಳ ಅಷ್ಟೇಸುವಿಕೆಯ ಮೂಲ ತತ್ವಗಳನ್ನು ಸಂಕ್ಷಿಪ್ತವಾಗಿ ವಿವರಿಸಿ.

**Q. No. 3.** State the various internal aids of interpretation of statutes.  
Explain the importance of Preamble as an internal aid in interpretation.

Marks : 16

ಶಾಸನಗಳ ಅಷ್ಟೇಸುವಿಕೆಯ ಆಂತರಿಕ ಸಹಾಯಕ ಅಂಶಗಳನ್ನು ತಿಳಿಸಿ.  
ಅಷ್ಟೇಸುವಿಕೆಯಲ್ಲಿ ಶಾಸನದ ಭಾಗವಾದ ‘ಪೀಠಿಕೆ’ಯ ಮಹತ್ವವನ್ನು ತಿಳಿಸಿ.

**Q. No. 4.** Explain the principles regarding retrospective operation of statutes.

Marks : 16

ಶಾಸನಗಳ ಪ್ರಾರ್ಥನ್ಯಯಕ್ಕೆ ಸಂಬಂಧಿತ ಸಾಮಾನ್ಯ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿ.

**Q. No. 5.** Explain the importance of Social, Political and Economic Developments and Scientific Intervention as the external aid

**Marks : 16**

"నువ్వుడను, రాజుకుయు మళ్ళీ ఆధ్యాత్మిక బ్యాంకులు కూగిల ప్రజ్ఞనికి ఆవిష్కారించు" అంటే సుఖించి బాధ్య సకాయిక ఆయిగటానిప్ప ఎన్నుపుచున్న విషిరినీ.

**Q. No. 6.** What is repeal and expiry of a statute ? Explain the effects of repeal of a statute. Marks : 16

**Q. No. 7.** Explain the principle of utility as the source of legislation. Marks : 16  
 “ಅಳವಡಿಕ್ಕತೆಯ ಜಾಸ್ತಿ ನಿರ್ಮಾಣಾದಲ್ಲಿ, ಗಮನಿಸಬೇಕಾದ ಮೂಲತ್ವದ ಎನ್ನುವುದನ್ನು ವಿವರಿಸಿ.

Q. No. 8. Write a short note on any two of the following.

- Noscitur a sociis.
- Reddendo singula singulis.
- Headings and marginal notes.

ಕರ್ಣಿಗಿನ ಯಾವುದೇ ವಾದಕ್ಕೆ ಲಾಘವ ಹಿಂದ್ರನ ಬರಯಾರಿ :

- ಸ್ವಾಸ್ಥರ್ಥ ಏ ಸ್ವಾಸ್ಥ್ಯ.
- ರೆಡೆಂಡ್ ಸಿರ್ಗಲ್ ಸಿರ್ಗಲ್.
- ತೆಲ್ಲಿರುದಂತಗಳು ಮತ್ತು ಅಂಡಿನ ಹಿಂದ್ರಾಂಗಳು.

**Marks : (2x10=20)**

(a) Workmen in an industry resorted to strike without giving notice of strike. In an industrial dispute raised by trade union for wages during strike period, it was decided by the Labour Court that the strike was "illegal" and hence no wages are payable. Later, employer filed a suit in a civil court claiming damages against the trade union for the loss of business during strike period. Trade union argues civil court's jurisdiction to award compensation is ousted. Decide with reasons.

(5)

appearance of parties, through an advocate before the conciliation proceedings and before the court of inquiry and sub Section (2) provides, in any proceedings, before the Labour Court, industrial Tribunal or National Tribunal, a party to a dispute may be represented by a legal practitioner with the consent of the other parties to the proceeding and with the leave of presiding officer. But S.30 of the Advocates Act, 1961 provides, subject to provisions of this Act, every advocate whose name is entered in the state roll shall be entitled as of right to practice throughout the territories to which this Act extends, in all courts including the Supreme Court, before any tribunal to person legally authorized to take evidence. Decide, if S.36 of the ID Act, 1947 is deemed to be repealed by implication in light of contradicting provisions of S .30 of the Advocates Act, 1961. Give reasons.