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# RAJASTHAN JLO TEST SERIES

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## TEST -1

### INTERPRETATION OF STATUTES



**DOON LAW MENTOR – BEST JUDICIARY & LAW EXAM COACHING**

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1. Rule of liberal construction should generally be applied in-

- a. criminal case
- b. civil case
- c. labour and welfare case
- d. property case

2. Which out of the following is/are presumption for interpretation of statute?

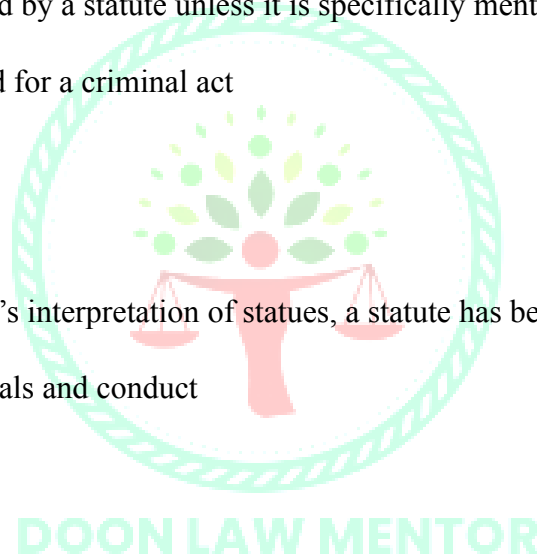
- a. A statute is not Intended to be consistent with principles of international law
- b. The state is not affected by a statute unless it is specifically mentioned
- c. Guilty mind is required for a criminal act
- d. All of the above

3. According to Maxwell's interpretation of statutes, a statute has been defined as:

- a. the authenticity of morals and conduct
- b. a fundamental right
- c. social responsibility
- d. a will of the legislature

4. Which rule is also called as 'literal Legis'?

- a. rule of literal construction
- b. rule of reasonable construction
- c. rule of reasonable construction
- d. rule of beneficial construction



5. In the process of interpretation, non-statutory aids are illustrated by:

- a. common law rules of Interpretation
- b. case law relating to Interpretation of statute
- c. both of the above
- d. none of the above

6. The interpretation of statute's primary rule of literal construction that suggests that interpretation should not be given such that they would make other provisions redundant was discussed in the case law.

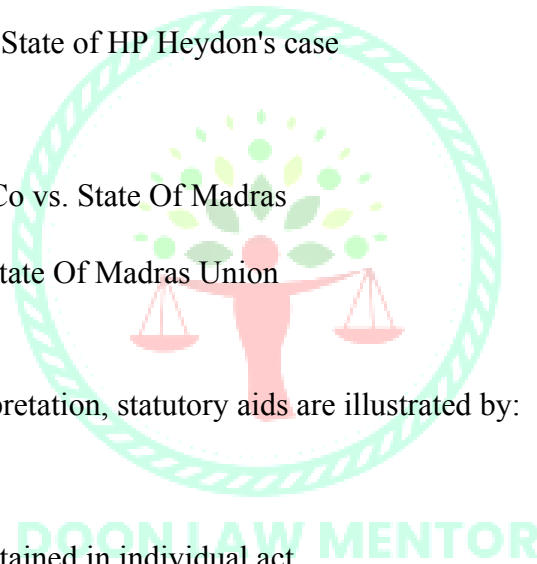
- a. Nand Prakash Vohra v State of HP Heydon's case
- b. Heydon's case
- c. K S Venkataraman & Co vs. State Of Madras
- d. AK Gopalan vs. The State Of Madras Union

7. In the process of interpretation, statutory aids are illustrated by:

- a. General Clauses Act
- b. Specific definition contained in individual act
- c. Both of the above
- d. None of the above

8. The Constitution of India does not use the term \_\_\_\_\_ 'but it employs the term \_\_\_\_\_' to describe an exercise of legislative power:

- a. law; statute
- b. statute; law
- c. enactment; law



d. enactment; law

9. Which of the following word generally act as a conjunctive word while Interpretation?

a. or

b. and

c. shall

d. may

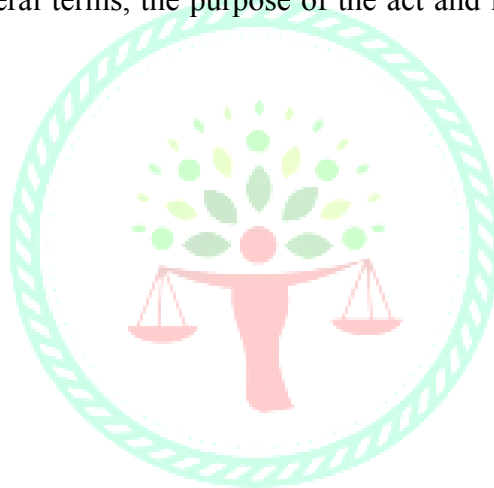
10. What sets out in general terms, the purpose of the act and it often precedes the preamble is the:

a. preamble

b. title

c. heading

d. marginal notes



11. Where the words are used in different context, the word 'plant' shall be given a different meaning when constructing the word 'plant and machinery' and different when constructing the word 'plant and trees' is example for which of the rule of interpretation:

a. rule of exceptional construction

b. noscitur a sociis

c. expression unis est exclusion alterius

d. contemporanea exposition

12. The function of what is to except and to deal with a case, which would otherwise fall within the general enactment is -

a. title

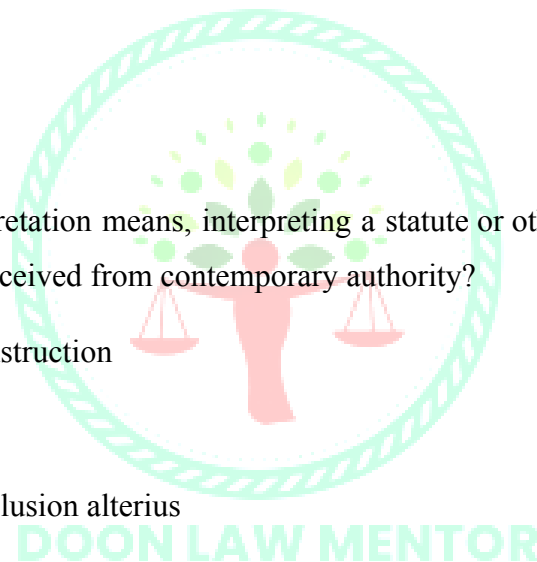
- b. proviso
- c. schedule
- d. margins

13. Which of the following statute is passed to cure defects in prior law and to validate legal proceedings, Instruments or acts of public and private administrative powers?

- a. Declaratory
- b. Curative
- c. Consolidating
- d. Restraining

14. Which rule of Interpretation means, interpreting a statute or other document by reference to the exposition it has received from contemporary authority?

- a. rule of exceptional construction
- b. noscitur a sociis
- c. expression unis est exclusion alterius
- d. contemporanea exposition



15. In a statute, in the definition section, definition can be.....

- a. Complete or incomplete
- b. Restrictive or extensive
- c. Inclusive or exclusive
- d. Both (b) and ©

16. Which statute either expressly or by necessary Implication revokes or terminates another statute?

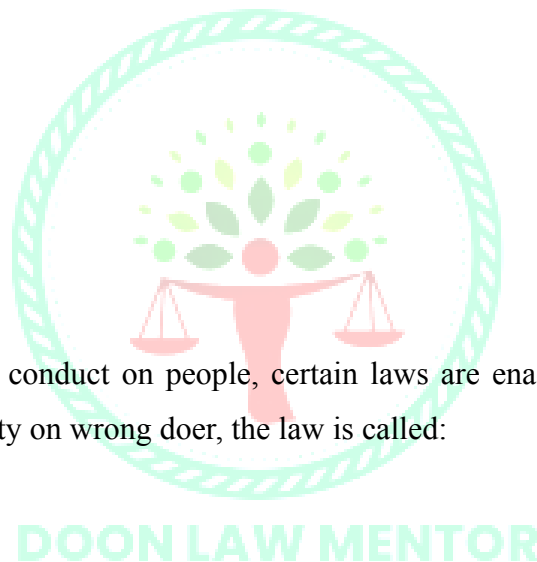
- a. repealing statute
- b. declaratory statute
- c. amending statute
- d. codifying statute

17. Which of the following word generally act as a disjunctive word while interpretation?

- a. or
- b. and
- c. shall
- d. may

18. For imposing social conduct on people, certain laws are enacted by the legislature for imposing fines and penalty on wrong doer, the law is called:

- a. criminal law
- b. property law
- c. law of tort
- d. penal laws



19. Which of the following word is construed as compulsory, whenever the object of the power is to give effect to a legal right and has discretion coupled with an obligation?

- a. may
- b. must
- c. shall

d. should

20. “The general words must follow the specific words” is condition of which rule of interpretation:

a. rule of literal construction

b. rule of reasonable construction

c. rule of harmonious construction

d. rule of ejusdem generis

21. *Contemporanea expositio est optima et fortissimo in lege* rule will not be applied by court when applying this rule will lead to:

a. effect on title of property

b. transaction gets affected

c. either (a) or (b)

d. there is not restriction/prohibition



22. The maxim '*Expressio Unius Est Exclusio Alterius*' means:

a. mention of one thing excludes all others.

b. referring each to each

c. construction of a rule should give effect to the rule rather than destroying it

d. same class/species.

23. What is not interpreted as stating a general rule?

a. Explanations

b. Interpretation Clause

c. Marginal notes

c. Proviso

24. The term '*Ejusdem Generis*' means:

a. at the generic nature

b. general interpretation

c. general law of statute

d. of the same class/species

25. Heydon's rule of interpretation does not apply when/to:

a. the words are clear

b. fiscal statute

c. all of the above

d. none of the above



26. Rule of strict construction should generally be applied in which type of case:

a. criminal case

b. civil case

c. labour and welfare case

d. marriage case

27. In which case supreme court observed that principles of interpretation can be applied only if there is an ambiguity in a provision, and not permissible first to create an artificial ambiguity.

a. CIT vs Indian Bank ltd. AIR (1965) SC 1473



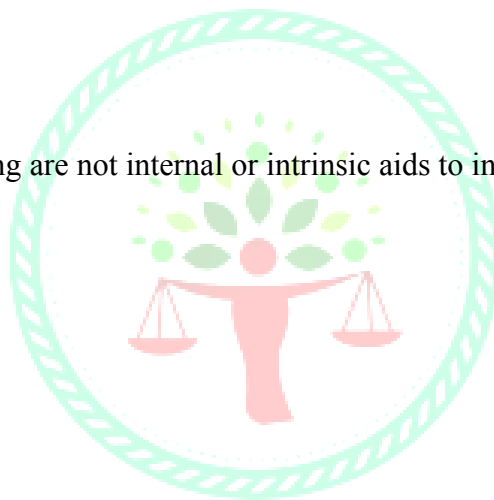
- b. Saleh Bros. v. K Rajendran and Anr., AIR 1970 Mad 165,
- c. Nagpur Railway Co. Ltd, v. Ruttanp Ramp, AIR 1938 PC 67.
- d. Mercara v. KodimaniandraDeviah, AIR 1962 SC 847.

28. Consolidating statutes and previous law is aid of interpretation.

- a. internal
- b. external
- c. all of the above
- d. none of the above

29. Which of the following are not internal or intrinsic aids to interpretation?

- a. schedule
- b. proviso
- c. punctuation
- d. none of the above



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30. Which of the following word when used would not of itself make the provision of the act mandatory, but prima facie when used by statute, it is mandatory?

- a. may
- b. must
- c. shall
- d. should

31. Which of the following interpretation applies when the purpose is to discover real and true meaning of the statute?

- a. doctrinal interpretation
- b. legal interpretation
- c. usual interpretation
- d. logical interpretation

32. Which is the element of document by which permanent form is acquire and those can be letters any figures marks, symbols which can be used to communicate between two persons?

- a. matter
- b. record
- c. substance
- d. means

33. Which term means the laws and regulations of every sort without considering from which source they emanate?

- a. general laws
- b. document
- c. statute
- d. Interpretation



34. When there are two or more provisions which cannot be reconciled with each other' they should be Interpreted, whenever possible' as to give effect to all of them' is given in which of the following rule of construction

- a. rule of reasonable construction
- b. rule of harmonious construction
- c. rule of ejusdem construction

d. rule of beneficial construction

35. Authentic Interpretation falls under which branch of interpretation:

a. legal interpretation

b. usual interpretation

c. doctrinal interpretation

d. logical Interpretation

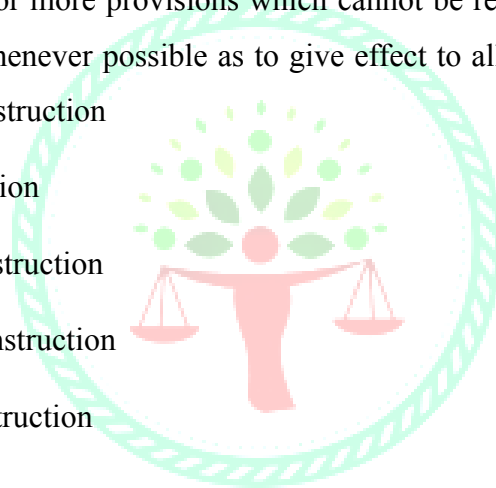
36. When there are two or more provisions which cannot be reconciled with each other they should be interpreted, whenever possible as to give effect to all of them is given in which of the following rule of construction

a. rule of literal construction

b. rule of reasonable construction

c. rule of harmonious construction

d. rule of beneficial construction



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37. Which out of the following aid does the court use for interpreting the statute?

a. parliamentary history

b. foreign decisions

c. dictionaries

d. all of the above

38. Which among the following is false: Statute are commonly divided into:

a. general

b. codifying

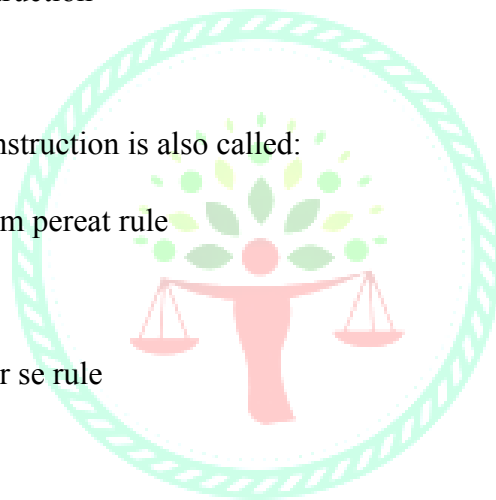
- c. remedial
- d. disabling

39. In which of the following rule of construction, the words of statute must be constructed so as to lead to a sensible meaning -

- a. rule of literal construction
- b. rule of reasonable construction
- c. rule of harmonious construction
- d. rule of beneficial construction

40. Rule of beneficial construction is also called:

- a. ut res magis valeat quam pereat rule
- b. heydon rule
- c. aquo tacit per allum per se rule
- d. all of the above.



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41. What is the process by which the real meaning of the act or a document and the intention of the legislature in enacting it, is ascertained?

- a. preamble
- b. statutes
- c. interpretation
- d. construction

42. Which of the following interpretation applies when there is actual rule of law which binds the judge to place a certain interpretation of the statute?

- a. doctrinal interpretation

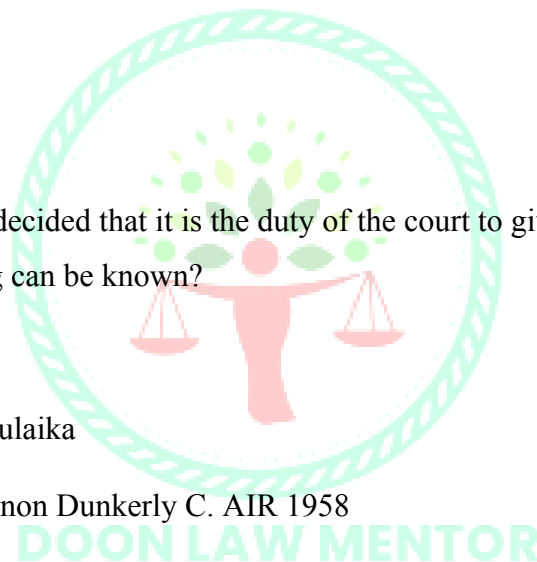
- b. legal interpretation
- c. usual Interpretation
- d. logical interpretation

43. What is termed as drawing of conclusion respecting subjects that lie beyond the direct expression of the text?

- a. interpretation
- b. construction
- c. summary
- d. plaint

44. In which case it was decided that it is the duty of the court to give effect to the meaning of the act when the meaning can be known?

- a. State of Bihar v. CIT
- b. CWT v. Smt. Muthu Zulaika
- c. State of Madras v. Gannon Dunkerly C. AIR 1958
- d. Bhagwati Prasad Kedia v. CIT(2001)



45. Grammatical interpretation falls under which branch of interpretation:

- a. legal interpretation
- b. usual interpretation
- c. doctrinal interpretation
- d. logical interpretation

46. All instruments are deeds. The statement is -

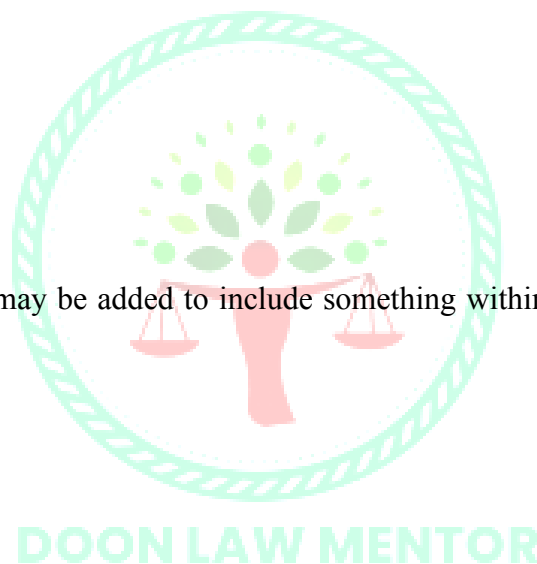
- a. correct
- b. incorrect
- c. partly correct
- d. partly incorrect

47. Which term means a paper or any other material thing giving information, proof or evidence of anything?

- a. Document
- b. Instrument
- c. agreement
- d. Deed

48. An internal aid that may be added to include something within the section or to exclude something from it, is -

- a. Proviso
- b. Explanation
- c. Schedule
- d. Illustrations



49. Which is the element of document by which a mental or intellectual elements comes to find a permanent form?

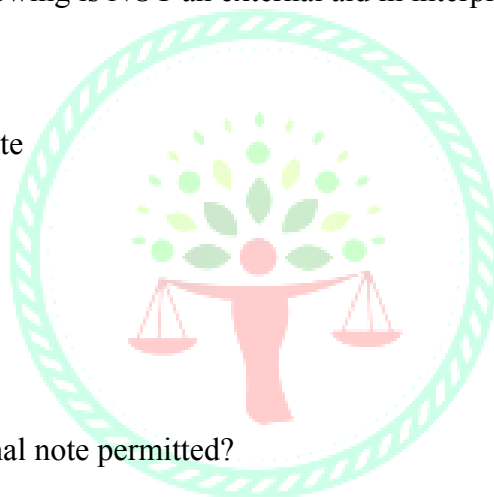
- a. matter
- b. record
- c. substance
- d. means

50. According to the mischief rule, the court while applying the rule should consider:

- a. what was the common law before making the act
- b. what remedy the parliament has resolved and appointed to cure and true reason of the remedy
- c. what was the mischief and defect for which the common law did not provide
- d. all of the above

51. Which out of the following is NOT an external aid in interpretation?

- a. explanations
- b. reference to other statute
- c. reference to reports
- d. dictionaries



52. Is reference to marginal note permitted?

- a. Yes
- b. No
- c. Yes. only by high court
- d. Yes. only by supreme court

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53. Following is the essence of which rule :

- i. Provisions to be reconciled
- ii. Act to be read as a whole
- a. Rule of Ejusdem Generis
- b. Rule of Exceptional Construction

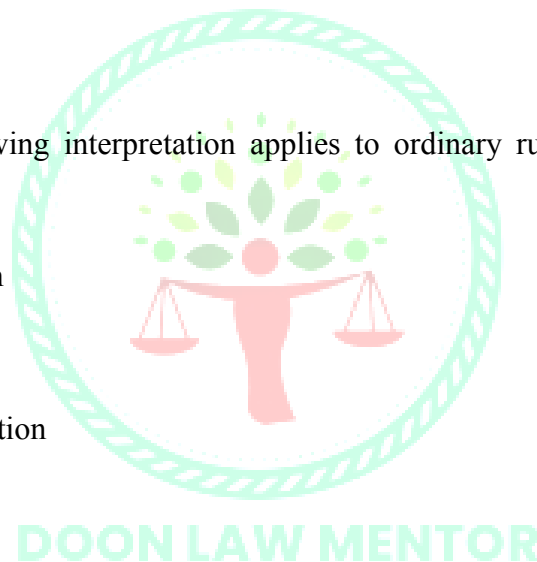
- c. Rule of Harmonious Construction
- d. None of the above

54. According to harmonious construction, it is the duty of whom to avoid a clash between two sections of the same act:

- a. plaintiff
- b. defendant
- c. court
- d. government

55. Which of the following interpretation applies to ordinary rules of speech to find out meanings of the words?

- a. authentic interpretation
- b. usual interpretation
- c. grammatical interpretation
- d. logical interpretation



56. In which of the following rule of construction if a word has a definite and clear meaning, it should be Interpreted with that meaning only, irrespective of its consequences?

- a. rule of literal construction
- b. rule of reasonable construction
- c. rule of harmonious construction
- d. rule of beneficial construction

57. What is attached to a section to explain the meaning of words contained in the section?



- a. proviso
- b. schedule
- c. explanations
- d. examples

58. Which or the following Interpretation applies when the court goes beyond the words and tries to discover the Intention of statute in some other way?

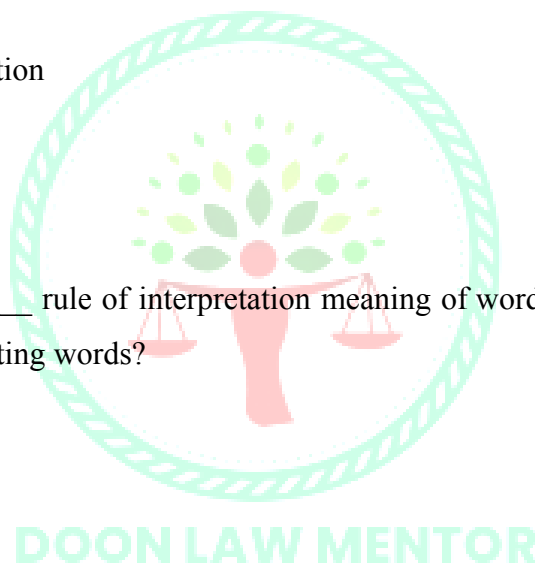
- a. authentic interpretation
- b. usual interpretation
- c. grammatical interpretation
- d. logical interpretation

59. According to \_\_\_\_\_ rule of interpretation meaning of word should be known from its accompanying or associating words?

- A.Mischief rule
- B.Golden rule
- C.Nosciturasociis
- D.Primary rule

60. \_\_\_\_\_ means that contemporaneous exposition is the best and strongest in law

- A.Ejusdem generis
- B.Contemporanea Exposition Est Optima Est Fortissimain Lege
- C.Nosciturasociis
- D.None of above

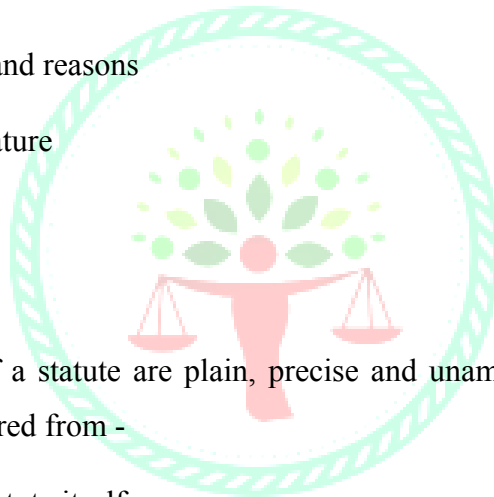


61. Which of the following are internal aids of a Statute?

- (a) Definitions
- (b) Provisos
- (c) Saving Clauses and non-obstante Clauses
- (d) All of the above

62. External Aid for interpretation are those which are not contained in the statute but are found else-where. They may be as follows:-

- (a) Historical background
- (b) Statement of objects and reasons
- (c) Debates in the Legislature
- (d) All of the above



63. Where the words of a statute are plain, precise and unambiguous, the intention of the Legislature is to be gathered from -

- (a) the language of the statute itself
- (b) no external aid is admissible to construe those words
- (c) the external aid may be looked into for the purpose of ascertaining the object which the Legislature had in view in using the words in question
- (d) Both (a) and ©

64. Which form of interpretation allows the judge to depart from a word's normal meaning in order to avoid an absurd result?

- (a) Golden Rule of interpretation
- (b) Mischief Rule of Interpretation

- (c) Literal Rule of interpretation
- (d) Liberal Rule of interpretation

65. While making a construction, it is permissible for the Court even to “read down” a provision in order to so understand it as not to attempt something beyond the competence of the legislative body. This is called the principle of -

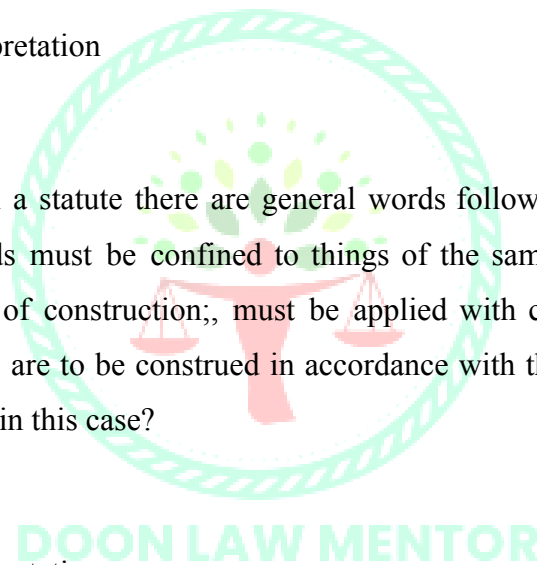
- (a) Reading down
- (b) Ejusdem Generis
- (c) Literal Interpretation
- (d) Golden Rule of Interpretation

66. “As a rule, where in a statute there are general words following particular and specific words, the general words must be confined to things of the same kind as those specified, although this, as a rule of construction, must be applied with caution, and subject to the primary rule that statutes are to be construed in accordance with the intention of Parliament. Which rule is referred to in this case?

- (a) Ejusdem Generis
- (b) Golden Rule of Interpretation
- (c) Liberal rule of interpretation
- (d) Literal rule of interpretation

67. Heydon’s case is related to –

- (a) Golden Rule of Interpretation
- (b) Liberal rule of interpretation
- (c) Literal rule of interpretation
- (d) None of the above

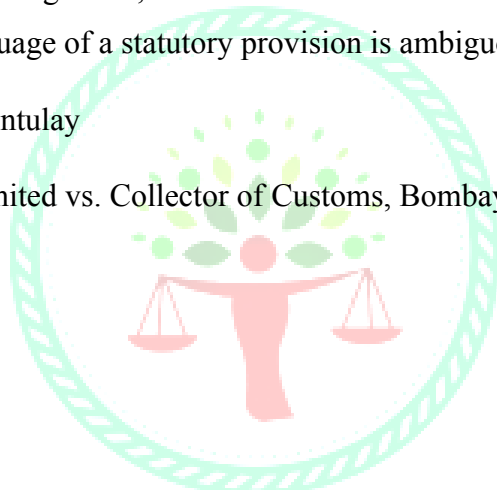


68. Which of the following maxim means that words must be construed in conjunction with the other words and phrases used in the text?

- (a) Noscitur A Sociis
- (b) Eiusdem Generis
- (c) Expressio Unius Est Exclusion Alterius
- (d) Dissimilum Dissimilise Ratio

69. In which of the following cases, the Court has held that necessity of interpretation would arise only where the language of a statutory provision is ambiguous?

- (a) R.S Nayak vs. A.R. Antulay
- (b) Grasim Industries Limited vs. Collector of Customs, Bombay
- (c) Both (a) and (b)
- (d) Neither (a) nor (b)



70. Important principles in the context of interpretation of statute are –

- (a) Statute must be read as a whole
- (b) Statute should be construed so as to make it workable and effective
- (c) The process of construction combines both the literal and purposive approaches
- (d) All of the above

71. Which of the following would mean “Referring each to each”, that is the words should be taken distributively?

- (a) Redeendo Singular Singulis
- (b) Ubi Lex Non Distinguit Nec Dos Distinguere Debemos

(c) Dissimilum Dissimilisest Ratio

(d) Casus Omissus

72. A Statute may be classified on the basis of –

(a) duration

(b) object and extent of application

(c) nature of operation

(d) All of the above

73. In which of the following cases it was held by the Supreme Court that “It is also a cardinal principle of construction that external aids are brought in by widening the concept of context as including not only other enacting provisions of the same statute, but its preamble, the existing state of law, other statutes in pari materia and the mischief which the statute was intended to remedy”?

(a) B. Prabhakar Rao and others vs. State of A.P. and others

(b) District Mining Officer and others vs. Tata Iron and Steel Co. and another

(c) K.P. Varghese vs. Income Tax Officer, Ernakulam

(d) None of the above

74. Which of the following are conditions applicable to the literal rule of interpretation?

(a) Words will not be inserted by implication

(b) Words undergo shifts in meaning in course of time

(c) Statute may itself provide a special meaning for a term

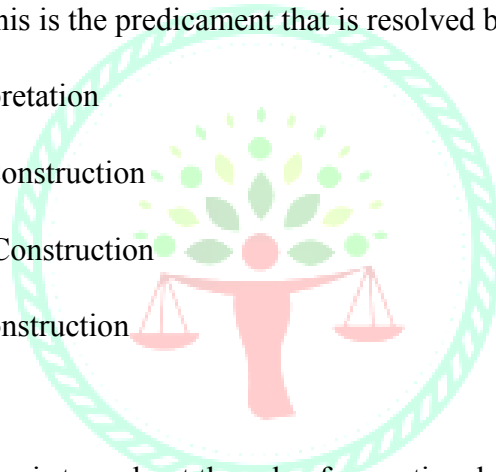
(d) All of the above

75. Which among the following is the oldest rules of construction/interpretation used in present times?

- (a) Ejusdem Generis
- (b) Mischief Rule
- (c) Liberal Interpretation
- (d) Literal Interpretation

76. When a word is ambiguous i.e. if it has multiple meanings, which meaning should be understood by that word so as to effectuate the purpose of the act, advance the remedy and suppress the mischief? This is the predicament that is resolved by the principle of -

- (a) Golden Rule of Interpretation
- (b) Rule of Reasonable Construction
- (c) Rule of Harmonious Construction
- (d) Rule of Beneficial Construction



77. Which of the following is true about the rule of exceptional construction?

- (a) The rule of exceptional construction stands for the elimination of statutes and words in a statute which defeat the real objective of the statute or make no sense.
- (b) While this rule seems simple, the draftsmanship lies in deciding whether the statute should use a mandatory force or a directory force.
- (c) Both (a) and (b)
- (d) Neither (a) nor (b)

78. In which of the following cases, the rule of ejusdem generis is applicable –

- (a) The statute contains an enumeration of specific words
- (b) the subjects of enumeration constitute a class

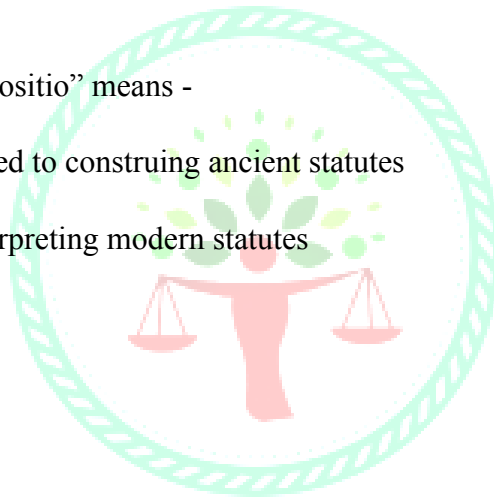
- (c) the general item follows the enumeration
- (d) All of the above

79. The maxim “Expressio Unius Est Exclusion Alterius” means –

- (a) Expression of one thing is the exclusion of another
- (b) Exclusion of one thing is the expression of another
- (c) Exclude all others while interpreting a provision
- (d) Expressions to be made strictly.

80. “Contemporanea Expositio” means -

- (a) The maxim was applied to construing ancient statutes
- (b) It can be used for interpreting modern statutes
- (c) Both (a) and (b)
- (d) Neither (a) nor (b)



81. Interpretation of statute should not be given a meaning which would make other \_\_\_\_\_ provisions.

- A. Ineffective
- B. Redundant
- C. Dormant
- D. None of the above

82. According to which rule of interpretation old statutes should be interpreted as they would have been at the date when they were passed?

- A. Expression unisest exclusion alterius
- B. Contemporanea Exposition Est Optima Est Fortissimain Lege
- C. UtresmagisvaleatQuam Pareat
- D. NosciuraSociis

83. According to primary rule, the \_\_\_\_\_ of a statute are to be understood in their natural, ordinary or popular and grammatical meaning unless such a construction leads to an absurdity or contents or object of the statute suggests a different meaning?

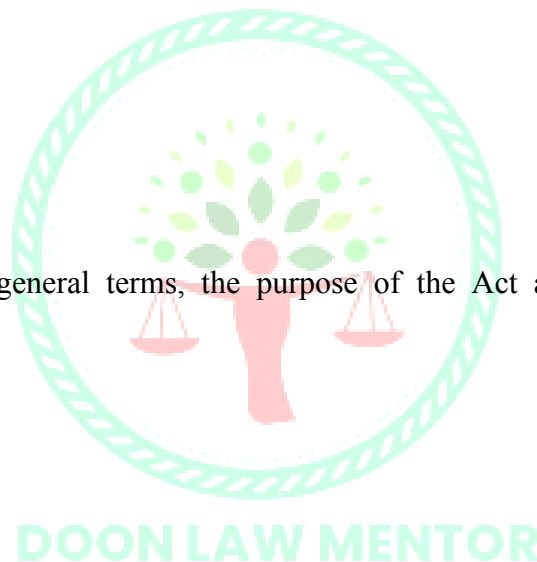
- A. Words
- B. Phrase
- C. Sentences
- D. All of above

84. If you were looking for the meaning of provision, the first place you would look is \_\_\_\_\_?

- A. A dictionary
- B. The internet
- C. The definition section
- D. Any of the above

85. \_\_\_\_\_ sets out in general terms, the purpose of the Act and it often precedes the preamble.

- A. Long title
- B. Short title
- C. Preamble
- D. None of above



86. Which of the following is an external aid for interpretation of statute?

- A. Parliamentary history
- B. Use of foreign decisions
- C. Historical background
- D. All of above

87. When statute do not profess to make any alteration in the existing law, but merely declare or explain what it is, then such law is known as \_\_\_\_\_?

- A. Codifying statute
- B. Remedial statute
- C. Declaratory statute



D. Consolidating statute

88. According to the \_\_\_\_\_ the words, phrases, sentences of a statute are to be understood in their natural, ordinary or popular and grammatical meaning, unless such a construction leads to an absurdity or contents or object of the statute suggests a different meaning.

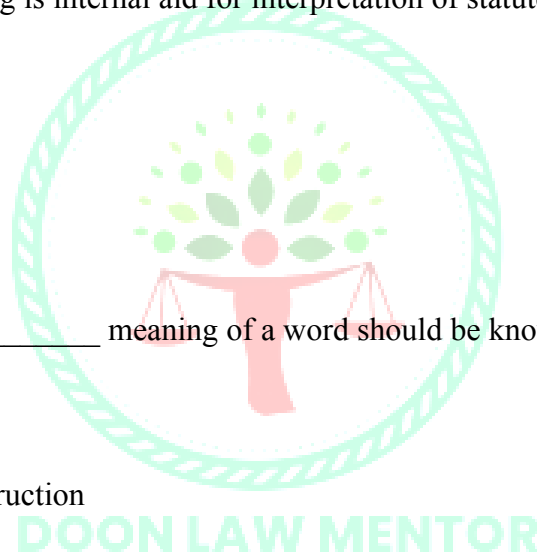
- A. Literal construction
- B. Mischief rule
- C. Strict rule of interpretation
- D. None of above

89. Which of the following is internal aid for interpretation of statute?

- A. Long title
- B. Marginal notes
- C. Interpretation clauses
- D. All of above

90. As per the rule of \_\_\_\_\_ meaning of a word should be known from its accompanying or associating words.

- A. Noscitur a sociis
- B. Strict and liberal construction
- C. Eiusdem generis
- D. None of the above



91. Which of the following are acceptable extrinsic material used in interpreting legislation?

- A. Parliamentary committee reports
- B. Dictionaries
- C. Notes on Clauses of the bill
- D. All of above

92. What is the rule in Pepper v Hart?

- A. Judges can refer to newspapers when interpreting statutes
- B. Judges can refer to other judges when interpreting statutes
- C. Judges can refer to Hansard when interpreting statutes

D. Judges cannot refer to any external aid when interpreting statute

93. If there is any appearance of inconsistency between the schedule and specific provision in an enactment, the \_\_\_\_\_ shall prevail.

A. Schedule

B. Provisions

C. Both will be applicable as per situation

D. None of the above

94. Non obstante clause usually starts with the word \_\_\_\_.

A. Provided that

B. Notwithstanding anything contained

C. Save as provided otherwise

D. Any of the above

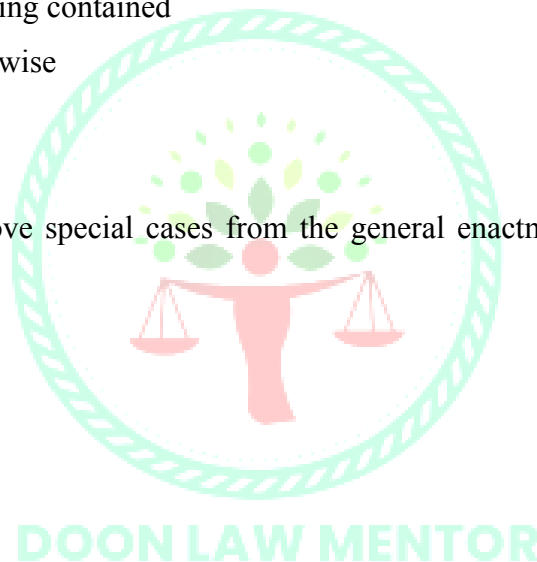
95. \_\_\_\_\_ is used to remove special cases from the general enactment and provide for them specially.

A. Exception clause

B. Saving clause

C. Proviso

D. Non obstante clause



96. Ut Res Magis Valeat Quam Pareat is also known as \_\_\_\_\_

A. Rule of harmonious construction

B. Rule of reasonable construction

C. Rule of ejusdem generis

D. All of above

97. \_\_\_\_\_ contain the main object of the Act.

A. Long title

B. Short title

C. Preamble

D. None of the above

98. Heydon's case, in 1584, was resolved by the-

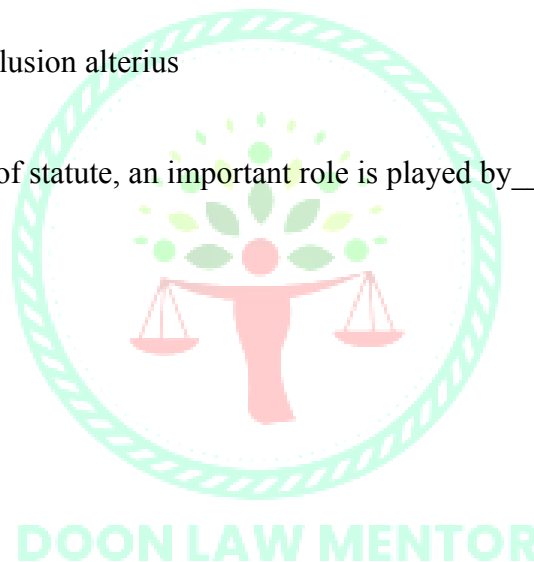
- A. Supreme court of India
- B. Bombay high court
- C. Barons of the Exchequer
- D. House of lords

99. When a general word follows a specific word of a distinct category, the general word may be given a restricted meaning of the same category. The general word takes its meaning from the preceding expression. This is what is known as-

- A. Rule of harmonious construction
- B. Ut Res Magis Valeat Quam Pareat
- C. Eiusdem generis
- D. Expression unius est exclusion alterius

100. In the interpretation of a statute, an important role is played by \_\_\_\_\_

- A. Schedule
- B. Preamble
- C. Heading
- D. All of above



## ANSWER KEYS

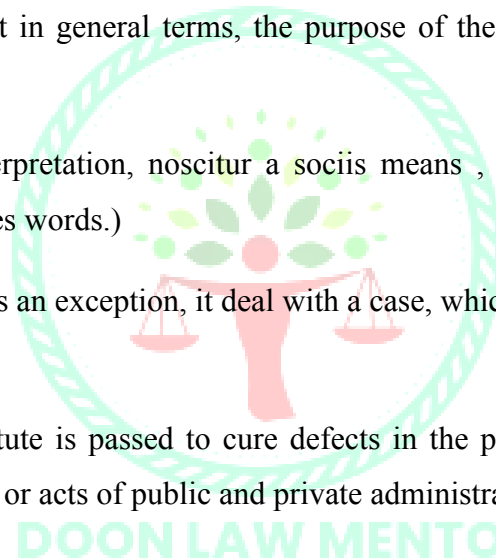
### **Rajasthan Junior Legal Officer Exam, 2023**

#### **Interpretation of Statutes**

Answer Key

1. c (Hint: Rule of liberal construction should generally be applied to labour and welfare cases as it involves questions of facts)
2. d (Hint: all of the above are presumed for interpreting a statute)
3. d (Hint: according to Maxwell, a statute has been defined as the Will of the legislature.)
4. a (Hint: rule of literal construction is also called 'literal Legis')

5. c (Hint: in the process of interpretation, non-statutory aids are illustrated by common law rules of Interpretation and/or case law relating to interpretation of statute)
6. a (Hint: Nand Prakash Vohra v state of HP, it was stated that interpretation should not be given such that they would make other provisions redundant.)
7. c(Hint: in the process of Interpretation' non statutory aids are illustrated by general clauses act and/or case law relating to Interpretation of statute.)
8. b (Hint: The constitution of India does not use the term 'statute but employs the term law' to describe an exercise of legislative power.)
9. b (Hint: the word "and' generally act as a Conjunctive word while interpretation)
10. b (Hint: title sets out in general terms, the purpose of the act and it often precedes the preamble.)
11. b (Hint: rule of interpretation, noscitur a sociis means , the meaning of the words is derived from its associates words.)
12. b (Hint: proviso act as an exception, it deal with a case, which would otherwise fall within the general enactment.)
13. b (Hint: curative statute is passed to cure defects in the prior law and to validate legal proceedings, instruments or acts of public and private administrative powers.)
14. d (Hint: the maxim Contemporanea exposition means interpreting a statue or other document by reference to the exposition it has received from contemporary authority)
15. d(Hint: In a statute, in the definition section, definition can be either restrictive or extensive or inclusive or exclusive.)
16. a (Hint: repealing statute either expressly or by necessary implication revoke or terminates another statute).
17. a (Hint: the word 'or' generally act as a Disjunctive word while interpretation)
18. d (Hint: penal laws are enacted by the legislature for imposing fines and penalty on wrong doer)



19. a (Hint: The word 'may' is construed as compulsory, whenever the object of the power is to give effect to a legal right and has discretion coupled with an obligation.)
20. d (Hint: The general words must follow the specific words is condition of rule of ejusdem generis.)
21. c (Hint: *contemporanea expositio est optima et fortissimo in lege* means It is the process of ascertaining the true meaning of the words used in a statute, rule will not be applied by court when applying this rule will lead to effect on title of property and/or transaction gets affected)
22. a (Hint: The maxim 'Expressio Unius Est Exclusio Alterius' means mention of one thing excludes all others)
23. b (Hint: Proviso are is not interpreted as stating a general rule)
24. d (Hint: The primary rule of interpretation called Ejusdem Genes means of the same class/specie)
25. c (Hint: Heydon's rule of interpretation does not apply when there is no ambiguity and to fiscal statute like Income Tax and Central Excise Act.)
26. a (Hint: Strict construction must be applied to Criminal statutes This means that a criminal statute may not be enlarged by implication or intent beyond the fair meaning of the language used or the meaning that is reasonably justified by its terms)
27. a (Hint: in case CIT v. Indian Bank Ltd. AIR (1965) SC 1473)
28. b (Hint: consolidating statutes and previous law is external aid of interpretation)
29. d (Hint: All of them are Internal or Intrinsic aids to Interpretation.)
30. c (Hint: The word 'shall' when used not of itself make the provision of the act mandatory, but prime facie when used by statute, it is mandatory)
31. a (Hint: Doctrinal interpretation applies when the purpose is to discover real and true meaning of the statute)
32. d (Hint: Means is the fourth element of document by which can be used to communicate between two persons)

33. c (Hint: Statute generally means the laws and regulations of every sort without considering from which source they emanate)
34. b (Hint: When there are two or more provisions which cannot be reconciled with each other' they should be interpreted, whenever possible' as to give effect to all of them' is given in rule of harmonious construction.)
35. a (Hint: Authentic interpretation falls under legal interpretation)
36. c When there are two or more provisions which cannot be reconciled with each other they should be interpreted, whenever possible as to give effect to all of them is given in which of the following rule of construction - rule of harmonious construction
37. d (Hint: Any aid that is legal can be used by court.)
38. a (Hint: General statute is not a category of statute)
39. b (Hint: Under rule of reasonable construction the words at statute must be constructed so as to lead to a sensible meaning)
40. b (Hint: Rule of beneficial construction is also called heydon rule)
41. c (Hint: Interpretation is the process by which the real meaning of the act or a document and the intention of the legislature in enacting it is ascertained.)
42. b (Hint: Legal interpretation applies when there is actual rule of law which binds the Judge to place a certain interpretation of the statute.)
43. b (Hint: construction is termed as drawing of conclusion respecting subjects that lie beyond the direct expression of the text)
44. c (Hint: It is the duty of the court to give effect to the meaning of an act when the meaning can be equitably gathered from the words used (State of Madras v. Gannon Dunkerly C. AIR1958))
45. c (Hint: grammatical interpretation falls under doctrinal interpretation.)
46. b (Hint: Deeds are instruments but all instruments are not deed)
47. a (Hint: A Document means a paper or any other material thing giving information, proof or evidence of anything.)

48. b (Hint: An internal aid that may be added to include something within the section or to exclude something from it, is Explanation)

49. c (Hint: substance is the third element of document by which a mental or Intellectual elements comes to find a permanent form)

50. d (Hint: the court while applying the mischief rule should consider all the above parameters.)

51. a (Hint: explanations cannot be said as aid in interpretation.)

52. a (Hint: reference to marginal note permitted by all)

53. c Provisions to be reconciled and Act to be read as a whole is the essence of Rule of Harmonious Construction

54. c (Hint: According to Harmonious Construction, it is the duty of the court to avoid a clash between two section of the same act)

55. c (Hint: grammatical interpretation applies to ordinary rules of speech to find out meanings of the words.)

56. d (Hint: rule of beneficial construction is the rule of construction where if a word has a definite and clear meaning, it should be Interpreted with that meaning only, irrespective of its consequences)

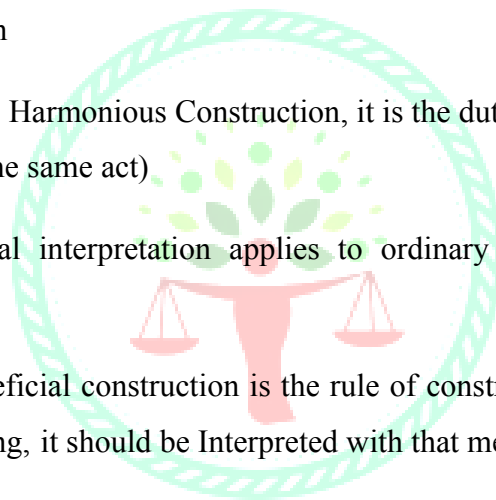
57. c (Hint: sections are made available in lay man's language through explanations.)

58. d(Hint: when the court goes the words and tries to discover the intention of statute in some other way, it is said resort to what is called logical interpretation)

59. c According to Nosciturasociis rule of interpretation, meaning of word should be known from its accompanying or associating words

60. b *Contemporanea Exposition Est Optima Est Fortissimain Lege* means that contemporaneous exposition is the best and strongest in law

61. Definitions, Provisos and Saving Clauses and non-obstante Clauses are internal aids of a Statute



DOON LAW MENTOR

62. (d) External Aid for interpretation are those which are not contained in the statute but are found else-where. They are - Historical background, Statement of objects and reasons and Debates in the Legislature

63. (d) Where the words of a statute are plain, precise and unambiguous, the intention of the Legislature is to be gathered from the language of the statute itself and the external aid may be looked into for the purpose of ascertaining the object which the Legislature had in view in using the words in question

64. (a) The Golden rule is also called as British rule of interpretation, it is a form of statutory interpretation which allows a judge to depart from a normal meaning of the word in order to avoid an absurd result. As we know applying the bare letter of law sometimes may lead us to confusion and gives us an absurd result, in order to overcome these kinds of results judges will give an opportunity to the lawyer to come up with the new interpretation to the law which will be more certain and accurate to the case. This method of interpretation is also known as the compromise method between literal rule and the mischief rule.

65. (a) While making such construction It is permissible for the Court even to "read down" a provision in order to so understand it as not to attempt something beyond the competence of the legislative body. This is called the principle of "reading down".

66. (a) The ejusdem generis rule is explained in Halsbury's Laws of England thus:- "As a rule, where in a statute there are general words following particular and specific words, the general words must be confined to things of the same kind as those specified, although this, as a rule of construction, must be applied with caution, and subject to the primary rule that statutes are to be construed in accordance with the intention of Parliament. For the ejusdem rule to apply, the specific words must constitute a category, class or genus; if they do constitute such a category, class or genus, then only things which belong to that category, class or genus fall within the general words "

67. (d) Mischief rule (Heydon's case)- When a question arises as to the interpretation to be put on an enactment, what the Court is to do is to ascertain "the intent of them that make it," and that must of course be gathered from the words actually used in the statute. That, however, does not mean that the decision should rest on a literal interpretation of the words used in disregard of all other materials. The literal construction, then, has, in general, but prima facie preference. To arrive at the real meaning, it is always necessary to get an exact conception of the aim, scope and object of the whole Act; to consider: 1. What was law before the Act was passed? 2. What was the mischief and defect for which the law had not



provided? 3. What remedy Parliament has resolved and appointed to cure the disease? and 4. The true reason of the remedy and then the judges have to make such construction as shall suppress the mischief, and advance the remedy, and to suppress subtle inventions and evasions for continuance of the mischief.

68. (a) According to the Merriam Webster Dictionary, *noscitur a socii* refers to “*the meaning of an unclear or ambiguous word (as in a statute or contract) should be determined by considering the words with which it is associated in the context.*”

The rule of *noscitur a socii* is considered to be a subsidiary rule of interpretation. The term has Latin origins, with *noscitur* meaning knowing, *a* meaning with, and *socii* meaning association. Simply put, it refers to ‘knowing with association.’

69. (c) In *R.S Nayak vs. A.R. Antulay and Grasim Industries Limited vs. Collector of Customs, Bombay*, the Court has held that necessity of interpretation would arise only where the language of a statutory provision is ambiguous

70. (d) Important principles in the context of interpretation of statute are –

- (i) Statute must be read as a whole
- (ii) Statute should be construed so as to make it workable and effective
- (iii) The process of construction combines both the literal and purposive approaches

71. (a) *Reddendo singula singulis* is a Latin term that means by referring each to each; referring each phrase or expression to its corresponding object. In simple words “*reddendo singula singulis*” means that when a list of words has a modifying phrase at the end, the phrase refers only to the last. It is a rule of construction used usually in distributing property. Where there are general words of description, following a record of particular things such general words are to be construed distributively, and if the general words will apply to some things and not to others, the general words are to be applied to those things to which they will, and not to those to which they will not apply; that is to say, each phrase, word or expression is to be referred to its suitable objects.

72. (d) A Statute may be classified on the basis of –

Duration, object and extent of application and nature of operation

73. (b) In *District Mining Officer and others vs. Tata Iron and Steel Co. and another*, it was held by the Supreme Court that “It is also a cardinal principle of construction that external aids are brought in by widening the concept of context as including not only other enacting provisions of the same statute, but its preamble, the existing state of law, other statutes in *pari materia* and the mischief which the statute was intended to remedy”

74. (d) Conditions applicable to the literal rule of interpretation -

Words will not be inserted by implication

Words undergo shifts in meaning in course of time

Statute may itself provide a special meaning for a term

75. (d) Literal Interpretation is the oldest rules of construction/interpretation used in present times

76. (d) When a word is ambiguous i.e. if it has multiple meanings, which meaning should be understood by that word so as to effectuate the purpose of the act, advance the remedy and suppress the mischief. This is the predicament that is resolved by the principle of - Rule of Beneficial Construction

77. (c) The rule of exceptional construction stands for the elimination of statutes and words in a statute which defeat the real objective of the statute or make no sense. It also stands for construction of words 'and', 'or', 'may', 'shall' & 'must'. While 'and' is normally considered conjunctive so that both provisions of a statute can be satisfied, 'or' is used of satisfying the clauses or either of the provisions in a statute. The word 'may' generally has a directory for but is also has a mandatory force where subject involves discretion coupled with obligation, where the word 'may' has been used in the statute as a matter of pure conventional courtesy and also where the word 'may' may defeat the objective of the statute.

78. (d) The rule of ejusdem generis is applicable to –

(i) The statute contains an enumeration of specific words

(ii) the subjects of enumeration constitute a class

(iii) the general item follows the enumeration

79. (a) “Expressio Unius Est Exclusion Alterius” - Expression of one thing is the exclusion of another

80. (a) “Contemporanea Expositio” means the maxim was applied to construing ancient statutes

81 b Interpretation of statute should not be given a meaning which would make other redundant provisions

82 b *Contemporanea Exposition Est Optima Est Fortissimain Lege* - According to the rule of interpretation old statutes should be interpreted as they would have been at the date when they were passed

83 d According to primary rule, the words, phrase and sentences of a statute are to be understood in their natural, ordinary or popular and grammatical meaning unless such a construction leads to an absurdity or contents or object of the statute suggests a different meaning

84 c If you were looking for the meaning of provision, the first place you would look is the definition section

85 a Long Title sets out in general terms, the purpose of the Act and it often precedes the preamble

86 c External Aid for interpretation are those which are not contained in the statute but are found else-where. They may be as follows:- 1. Historical background. 2. Statement of objects and reasons. 3. The original Bill as drafted and introduced. 4. Debates in the Legislature. 5. State of things at the time a particular legislation was enacted. 6. Judicial construction. 7. Legal dictionaries. 8. Commonsense.

87 c When statute do not profess to make any alteration in the existing law, but merely declare or explain what it is, then such law is known as Declaratory statute.

88 a According to the Literal Construction, the words, phrases, sentences of a statute are to be understood in their natural, ordinary or popular and grammatical meaning, unless such a construction leads to an absurdity or contents or object of the statute suggests a different meaning. In construing a statutory provision the first and the foremost rule of construction is that of literal construction. All that the Court has to see at the very outset is, what does the provision say? The Courts are bound by the mandate of the Legislature and once it has expressed its intention in words which have a clear significance and meaning, the Court is precluded from speculating. If the provision is unambiguous and if from that provision the legislative intent is clear, the other rules of construction of statutes need not be called into aid. They are called into aid only when the legislative intention is not clear. But the courts would not be justified in so straining the language of the statutory provision as to ascribe the meaning which cannot be warranted by the words employed by the Legislature.

89 d The Internal Aids are those which are found within the statute. They may be as follows:-  
1. Long title of the statute. 2. Preamble of the statute. 3. Chapter Headings of the statute. 4. Marginal Notes to every section of statute. 5. Punctuations. 6. Illustrations given below the sections. 7. Definitions. 8. Provisos. 9. Explanation. 10. Saving Clauses and non-obstante Clauses.

90 a As per the rule of Noscitur a sociis meaning of a word should be known from its accompanying or associating words.

NOSCITUR A SOCIIS - Words must be construed in conjunction with the other words and phrases used in the text. Legislative intent must be ascertained from a consideration of the statute as a whole. The particular words, clauses and phrases should not be studied as detached and isolated expressions, but the whole and every part of the statute must be considered in fixing the meaning of any of its parts and in order to produce a harmonious whole. Where a particular word or phrase in a statement is ambiguous in itself or is equally susceptible of various meanings, its true meaning may be clear and specific by considering the company in which it is found or with which it is associated.

91 d External Aid for interpretation are those which are not contained in the statute but are found else-where. They may be as follows:- 1. Historical background. 2. Statement of objects and reasons. 3. The original Bill as drafted and introduced. 4. Debates in the Legislature. 5. State of things at the time a particular legislation was enacted. 6. Judicial construction. 7. Legal dictionaries. 8. Commonsense.

92 c Judges can refer to Hansard when interpreting statutes – Pepper vs. Hart

93 b If there is any appearance of inconsistency between the schedule and specific provision in an enactment, the provision shall prevail.

94 b Non obstante clause usually starts with the word “Notwithstanding anything contained”.

95 c Proviso is used to remove special cases from the general enactment and provide for them specially.

96 b Ut Res Magis Valeat Quam Pareat is also known as Rule of reasonable construction

97 c Preamble contain the main object of the Act

98 c Heydons case, in 1584, was resolved by the Barons of the Exchequer

99 c When general word follows specific word of a distinct category, the general word may be given a restricted meaning of the same category. The general word take its meaning from preceding expression. This is what is known as- Eiusdem generis.

EJUSDEM GENERIS Where a statute describes things of particular class or kind accompanied by words of a generic character, the generic words will usually be limited to things of a kindred nature with those particularly enumerated, unless there be something in the context of the statute to repel such influence. Eiusdem generis could be expansive, however, because the list is not exclusive; it may be expanded if a juridical tie could be found with another item.

100 d In the interpretation of statue, an important role is played by-

- i. Schedule
- ii.Preamble
- iii.Heading

