

28 NOV 2025

NATIONAL LAW UNIVERSITY, JODHPUR  
End Term Examination August-December, 2025  
UG V Semester  
Subject: Interpretation of Statutes (Compulsory)

Time: Three Hours

Marks: 100

**Instructions**

1. Start each question on a new page. Correctly mention the question numbers and sub-parts of each question
2. Attempt any 5 Questions
3. Missing data may be suitably assumed.

Q.1) It is a settled canon of interpretation that the legislature is presumed to make laws in conformity with justice, equity, and good conscience; the judiciary begins interpretation with certain presumptions in mind before construing any statute. Discuss the presumptions applied by courts before undertaking statutory interpretation. Explain how these presumptions guide judicial reasoning and illustrate your answer with relevant case laws. (Marks 20)

Q.2) Mr. Paramdev got married to Meera Devi in 1950 and in 1953 got married to Kamla Bai through hindu religious ceremonies. After the death of her husband, Smt. Meera Devi, one of the two widows, adopted a son under the authority allegedly given by her late husband. The other widow, Smt. Kamla Bai, challenged the validity of the adoption, contending that under the Hindu Adoptions and Maintenance Act, 1956, the consent of all surviving widows was mandatory for a valid adoption.

Kamla Bai argued that the proviso attached to Section 7 of the Act (relating to adoption by a male Hindu) should be read along with Section 8 (relating to adoption by a female Hindu) to interpret the scope of authority and consent in cases involving multiple widows.

Hindu Adoption and Maintenance Act Provisions in issue:

**Section 7: "Capacity of a male Hindu to take in adoption - Any male Hindu who is sound mind and is not a minor has the capacity to take a son or a daughter in adoption:**

**PROVIDED that, if he has a wife living, he shall not adopt except with the consent of his wife unless the wife has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind.**

**Explanation: If a person has more than one wife living at the time of adoption, the consent of all the wives is necessary unless the consent of any one of them is unnecessary for any of the reasons specified in the preceding proviso."**

**Section 8: "Capacity of a female Hindu to take in adoption- Any female Hindu :- (a) Who is of sound mind, (b) who is not a minor, and (c) who is not married, or if married, whose marriage has been dissolved or whose husband is dead or has completely and finally renounced the world or has ceased to be a Hindu or has been declared by a court of competent jurisdiction to be of unsound mind, has the capacity to take a son or daughter in adoption."**

In the light of the above facts, answer the following:

(15+5=Marks 20)

- (a) Explain different ways through which proviso may play its role in the Interpretation of Statutes alongwith relevant case laws .
- (b) Address the issue in the above facts that is whether such a proviso, attached to one section, could be extended to interpret another section of the same statute. Support your answer with a case law.

Q.3) Explain the following with help of an example and a case law:

(4\*5= Marks 20)

- (a) Dictionary
- (b) Foreign Decisions
- (c) International Conventions
- (d) Statement of Object and Reason

Q.4) The Street Offences Act, 1960 was passed to clean up the streets to enable people to walk along the streets without being molested or solicited by prostitutes. Section 4 of the Act provided that "*it shall be an offence for a prostitute to loiter or solicit in a street or public places for the purposes of prostitution*". Section 5 provided punishment of imprisonment upto two years for anyone found guilty under Section 4 of the Act.

'G', a prostitute standing on a balcony, solicits 'B' and his friends who were walking in the street. 'G' is charged under the aforesaid Act. She takes the plea that she was not soliciting "in a street" as she was not physically present in the street and that the statute being penal in nature, the court must strictly interpret the Act and should decide the case in her favour.

Decide this case with the help of relevant primary rules of interpretation of statutes. Discuss the importance and procedure which is followed by the courts to apply this rule. Support your answer with relevant case laws.

(Marks 20)

Q.5) Discuss the following:

(10+10=Marks 20)

- (a) Discuss the doctrine of colorable legislation with help of relevant case laws.
- (b) The Venkataramana Temple Trust, a denominational temple established and managed by a specific sect of Hindus, has a long-standing custom allowing only members of that sect to perform rituals and enter the inner sanctum. Following the enactment of the State Temple Entry Authorization Act, the government issued a notification directing all public temples to open their doors to every Hindu, irrespective of caste or sect, to promote social equality under Article 25(2)(b) of the Indian Constitution.

The Temple Trust challenges the notification, arguing that such interference violates their right to manage religious affairs under Article 26(b) and infringes upon their denominational autonomy. The State, however, defends its action, claiming that Article 25(2)(b) empowers the legislature to make laws for social welfare and reform, ensuring that public religious institutions are accessible to all Hindus.

Article 25 (2) (b) - "Nothing in this article shall affect the operation of any existing law or prevent the State from making any law - providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus."

Article 26(b) - "Freedom to manage religious affairs - Subject to public order, morality and health, every religious denomination or any section thereof shall have the right— (b) to manage its own affairs in matters of religion"

As a judge, discuss which constitutional doctrine can be applied to reconcile the apparent conflict between Article 25(2)(b) and Article 26(b). Support your reasoning with relevant case laws.

Q.6) Discuss the major principles used by the courts for interpretation of taxing statutes. Whether a person avoiding taxes by all legitimate means is allowed in India? Write your answer while discussing the famous *Vodafone International Holdings BV v. Union of India* ((2012) 6 SCC 613).  
(Marks 20)