

**B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE**

**SEMESTER-IX**

Course Code	BAL901
Course Title	Interpretation of Statues and Principle of Legislation
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12th
Course Objectives (Co.)	Enacted laws, i.e. Acts and rules are drafted by legal experts. Language used will leave little or no room for interpretation or construction. But the experience of all those who have to bear and share the task of application of the law has been different. Courts and lawyers are busy in unfolding the meaning of ambiguous words and phrases and resolving inconsistencies. The statute is to be construed according to the intent of them that make it. To ascertain the true meaning, intent of the maker, numerous rules of interpretation have been formulated by courts. The objective of this course is to make the student familiar with various rules of interpretation.

**UNIT-I**

Statute: Meaning and classification  
Interpretation: Meaning, object and necessity  
General Principles of Interpretation:  
The Literal or Grammatical Interpretation  
The Golden Rule  
The Mischief Rule (Rule in the Heydon's case)

**UNIT-II**

Harmonious Construction  
The Statute should be read as a whole  
Construction ut res magis valeat quam pereat  
Identical expressions to have same meaning  
Construction noscitur a sociis  
Construction ejusdem generis  
Construction expression unius est exclusion alterius  
Construction contemporanea exposition est fortissimo in lege  
Contemporanea Expositio

### **UNIT-III**

Beneficial Construction  
Construction of Penal Statutes  
Construction of Taxing Statutes  
Commencement, Repeal, Revival of Statute  
Prospective and Retrospective Operation of Statutes  
General Clauses Act 1897.

### **UNIT-IV**

Aids to Interpretation of Statutes:  
Need to invoke Aids to Construction  
Internal Aids to Construction and their Limitations: Title ,Preamble, Headings  
,Marginal notes, Punctuation marks , Illustrations ,Proviso , Explanation,  
Schedules .  
External Aids to Construction and their Limitations :Parliamentary history ,  
historical facts, Subsequent Social Political Developments and scientific  
inventions , Dictionaries , Text books , Statues in Pari material , Previous  
legislations ,Foreign Decisions .

#### **Suggested Readings:**

Maxwell on the Interpretation of Statutes- P.St. Langan, Lexis Nexis, New Delhi  
(2004)

Principles of Statutory Interpretation- G.P. Singh, Wadhwa and Co., New Delhi  
(2008)

Interpretation of Statutes- V.P. Sarathi, Eastern Book Co., Lucknow (2003)

The Interpretation of Statutes- T. Bhattacharyya, Central Law Agency,  
Allahabad (2009)

Interpretation of Statutes- D.N. Mathur, Central Law Publications, Allahabad  
(2008)

Interpretation of Statutes and Legislation- M.P. Tandon and J.R. Tandon, Allahabad  
Law Agency, Faridabad (2005)

Interpretation of Statutes- P.M. Bakshi, Orient Pub., New Delhi (2008)

