



SGT UNIVERSITY, GURGAON
FACULTY OF LAW

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL. B. (Hons)	IV	Interpretation of Statutes	08040406

Interpretation of Statutes

Course Objective:

The primary task of Parliament or the Legislature is to enact laws, i.e. the Statutes. But, the Courts and the lawyers are the persons who actually aids in the process of implementation of the law by 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.

Module – I Introduction to Interpretation of Statutes

- 1.1 Meaning of Interpretation of Statutes
- 1.2 Objects & Kinds of Interpretation of Statutes
- 1.3 General theories of Interpretation of Statutes

Module – II Rules of Statutory Interpretation

- 2.1 Primary Rules
 - Literal or Grammatical Rule
 - Golden Rule
 - Mischief Rule (Rule in the Heydon's case)
 - Purposive Rule
- 2.2 Secondary Rules or Subsidiary Rules of Interpretation
 - Noscitur a Sociis*
 - Ejusdem Generis*
 - Reddando Singula Singulis*

Module – III Aids to Interpretation

- 3.1 Internal Aids
 - Definitions; Interpretation clauses General Clauses Act
 - Proviso
 - Exceptions and saving clauses
- 3.2 External Aids
 - General

Travaux préparatoires or surrounding circumstances
Parliamentary History

Module – IV Commencement of Statutes; Retrospective effect of Statutes, Repeals and Temporary Statutes

- 4.1 Commencement of Statutes
- 4.2 Retrospective effect of Statutes
- 4.3 Consequences of Repeals
- 4.4 Temporary Statutes

Module – V Interpretation with reference to the subject matter of Statutes

- 5.1 Taxing Statutes
- 5.2 Penal Statutes
- 5.3 Remedial and Beneficial Statutes

Module – VI Interpretation of Constitutional

- 6.1 Harmonious Construction – *Generalis Specialibus Non Derogant*
- 6.2 Interpretation of Fundamental Rights
 - The rule of Severability
 - Doctrine of Eclipse
 - Doctrine of Waiver

Course Outcome: After the completion of the course the students will be able to:

1. Work efficiently and with critical engagement with various concepts of Interpretation of Statutes, having due regard to the practical implementation of the principles in actual cases;
2. Develop coherent, comprehensive and persuasive arguments from an adversarial point of view;
3. Understand the various dimensions of the various aspects of the implementation of the law through Judicial interpretation, etc;
4. Demonstrate a thorough and contextual knowledge of rules of interpretation and the various leading cases, particularly in its application to real life legal scenario;
5. Demonstrate a high level of skill on academic and professional legal writing.

Suggested Readings

1. G.P. Singh "Principles of Statutory Interpretation, (9th Edition) 2008, Wadhwa, Nagpur.
2. P. St. Langan (Ed.) Maxwell on The Interpretation of Statutes (1976), Lexis Nexis Butterworths, New Delhi.
3. N.S. Bindras's Interpretation of Statutes, 2007, Lexis Nexis Butterworths, New Delhi.
4. Vepa. P, Interpretation of Statutes, (2008) Orient Publishing, New Delhi.
5. Bakshi, P.M. Interpretation of Statutes. (2008) Orient Publishing, New Delhi.
6. Dias – Jurisprudence – chapt. 7, 8, and 15