

<b>COURSE TITLE</b>	<b>INTERPRETATION OF STATUTES</b>
<b>COURSE CODE</b>	<b>10FL1602</b>
<b>COURSE CREDITS</b>	<b>4</b>

**Objective:**

- 1 Understand the importance of interpretation.
- 2 Acquaint with the concept of Statutes and how is it different from other sources of laws.
- 3 Learn the mechanism to find out the real intent of the Statutes.
- 4 Understand the relevancy of Internal and External Aids of Interpretation.
- 5 Apply the various doctrines of Constitutional Interpretation.

**Course Outcomes:** After completion of this course, student will be able to:

- 1 To be able to define the concept of Interpretation and its difference with construction
- 2 To be able to demonstrate the different rules of interpretation
- 3 To apply the relevancy of various principles of interpretation
- 4 To be able to analyze the internal aids to construction and external aids to construction.
- 5 To evaluate the roles of the judiciary along with the extent of ascertaining the meaning of any statute and to develop a higher thinking order through identifying the new judicial trend.
- 6 To be able to elaborate on the interpretation of Constitution and its importance.

**Pre-requisite of course:**N/A

**Teaching and Examination Scheme**

<b>Theory Hours</b>	<b>Tutorial Hours</b>	<b>Practical Hours</b>	<b>ESE</b>	<b>IA</b>	<b>CSE</b>	<b>Viva</b>	<b>Term Work</b>
3	1	0	50	30	20	0	0

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>Introduction and Basic Principles</b> Meaning of 'Interpretation' or 'Construction', Importance of Interpretation., Mimansa Principle of Interpretation- Indian Logic System, Difference between Interpretation and Construction, Kinds of Statutes, Intention of the Legislature, Statute must be read as a whole in its context (Ex Viceribus Actus), Statutes to be construed to make it effective and workable (Ut Res Magis Valeat Quam Pereat), If meaning plain, effect must be given to it irrespective of consequences., Appraisal of the principle of plain meaning	8

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
2	<b>Rules of Interpretation</b> Primary Rules a. Literal rule, b. Golden rule, c. Mischief rule (rule in the Heydon's case), d. Rule of harmonious construction, e. Principles of liberal or beneficial construction, Subsidiary Rules a. Noscitur a sociis, b. Ejusdem generis, c. Reddendo singula singulis, d. Non-obstante clause, e. Mandatory and directory provisions, f. Conjunctive and disjunctive words, , g. Construction of legal words, , h. Contemporanea expositio est optima et fortissima lege, , i. Dissimilum dissimilise ratio	7
3	<b>Internal Aids to Interpretation</b> Title including long title and short title, Preamble, Headings, Marginal Notes, Punctuations, Explanations, Illustrations, Definition and Interpretation Clauses, Proviso, Explanations, Schedules, Transitional Provisions	8
4	<b>External Aids to Interpretation</b> Parliamentary History, Travaux Preparatoires or surrounding circumstances, Parliamentary proceeding, Later social, political, economic and scientific developments, Dictionaries, Foreign Judgments, Reference to other statutes, Effect of usage and practice, International Conventions	7
5	<b>Applied Principles of Interpretation</b> Fiscal Statutes, Interpretation of Contracts, Interpretation of Treaties, Operation of Statutes: Prospective and Retrospective Operation.	8
6	<b>Principles of Constitutional Interpretation</b> Doctrine of Pith and Substance, Doctrine of Colourable legislation, Doctrine of Ancillary powers, Doctrine of Residuary power, Doctrine of Repugnancy ?, Doctrine of Presumption, Consequence of Repeals.	7
<b>Total Hours</b>		<b>45</b>

#### **Suggested List of Experiments:**

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>Issues related to Interpretation of Statutes</b> Issues related to Interpretation of Statutes	15
<b>Total Hours</b>		<b>15</b>

#### **Textbook :**

- 1 Principles of Statutory Interpretation, Justice G.P. Singh, Lexis Nexis, 2010

#### **References:**

- 1 Interpretation of Statutes, Interpretation of Statutes, Vepa P. Sarathi, Eastern Book Company, 2010

### **Suggested Theory Distribution:**

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

Distribution of Theory for course delivery					
<b>Remember / Knowledge</b>	<b>Understand</b>	<b>Apply</b>	<b>Analyze</b>	<b>Evaluate</b>	<b>Higher order Thinking / Creative</b>
10.00	10.00	30.00	10.00	20.00	20.00