

Paper 1.7

**INTERPRETATION OF STATUES & PRINCIPLES OF
LEGISLATION**

Max. Marks: 100

Min.

Marks: 36

Note:

- a. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- b. Leading cases prescribed under this paper may be read whenever they are relevant.

INTERPRETATION OF STATUES

Meaning of Interpretation - Basic principles of interpretation: Intention of the Legislature: Statute should be read as a whole, Literal or grammatical interpretation Harmonious Construction, Golden and Mischief Rule - Utres magis quam valeat quam pereat.

Aids to Interpretation - (a) External - Parliamentary - Legislative debates, Statement of objects and reasons Dictionary, Statutes in Peri-materia, Contemporanea expositio

(b) Internal- Title, Preamble, Heading, Marginal Notes, Proviso and Punctuation. Principle of Interpretation of Constitution and Penal and Fiscal Statues.

Delegatus non-protest delegate, Ejusdem Generies, Pith and Substance Rule. Expression uniuestet exclusion alterius. Non-obstance clause, Mandatory and Directory provision Noscitur a Sociis, Redendo do Singula Singulis Operation, Expiry and Repeal of Statutes.

Principles of Legislation

SEGGESTED READING :

1. G.P. Singh : Interpretation of Status
2. Swarup J. : Interpretation of Statutes

3. Bindra : Interpretation of Statutes
4. Sarathi : Interpretation of Statutes
5. Bhattacharya T. : Interpretation of Statutes (English & Hindi)

