

Paper- 505

Interpretation of Statutes and Principles of Legislation

(Honours Paper -III)

Full Marks: (Written 80 + Internal 20) =100. Credit-5

1. Statute-Meaning and Nature: Classification of Statutes-Object and Purpose of Interpretation, distinction between Interpretation and Construction
2. Internal and External Aids to Construction
Basic Rules of Interpretation
3. General Principles of Interpretation-Literal or Grammatical Rule, the Golden Rule, the Mischief Rule
Interpretation of Construction:
Contemporanea Exposition, Ut res magis valet quampereat, Noscitur a sociis, Ejusdem Generis, RaddendoSingulaSingulis, Expression unis est exclusion alterios, Generaliaspecialibus non derogant, BonamPartem
4. Construction with reference to other statutes-(i) Statutes in *pari material* (ii) construction with reference to earlier statutes (iii) construction with reference to subsequent statutes
5. Harmonious Construction and Beneficial Construction
6. Test of constitutionality of statutes-Doctrine of Eclipse, Pith and Substance, Doctrine of Severability, Colourable Legislation
7. Presumptions in Interpretation, Construction of Penal Statutes and Taxing Statutes
8. Principles of Legislation, Theory of Legislation, Law and Morality
9. General Clauses Act(must be specific)

Suggested Readings:

1. Sarathi, V: Interpretation of Statutes
2. Chakraborty, K. P.: Interpretation of Statutes
3. Singh, G. P.: Principles of Statutory Interpretation
4. Mathur, D. N.: Interpretation of Statutes

NOTE- 1. Questions are to be set taking from each unit of the syllabus of a paper

2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).

3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.