

**LL.M. 2<sup>ND</sup> SEMESTER**  
**CORE PAPER**  
**PRINCIPLES OF STATUTORY INTERPRETATION**

Paper: 202

Max. Marks: 100

Credits: 5

Time: 3 Hours

Note:

1. There shall be total Five Units in the question paper.
2. Unit-I shall contain one compulsory question having four parts of five marks each. This question shall be spread over the entire syllabus.
3. There shall be two questions in each Unit i.e. Unit-II to Unit-V.
4. The student is required to attempt four questions by selecting one question from each unit i.e. Unit-II to Unit-V. Each question shall carry twenty marks.

**COURSE OBJECTIVES:**

- To understand the foundational principles of statutory interpretation.
- To familiarize students with the internal aids used in construing statutes.
- To explore the various external aids employed in statutory interpretation.
- To develop a comprehensive understanding of the interpretation of penal and remedial statutes.
- To analyze case law and legal precedents to apply principles of statutory interpretation effectively.

**UNIT-I**

***Principles of Interpretation***

- Basic Principles of Interpretation:
- Meaning of Interpretation, Interpretation and Construction, Intention of Legislature, Presumption in favour of Constitutionality of a Statute.
- Rule of Literal Construction.
- Golden Rule of Construction.
- Mischief Rule of Construction.
- Harmonious Construction.

**UNIT-II**

***Internal Aids to Construction***

- Internal Aids to Construction:  
Short Title, Long Title, Preamble, Headings, Marginal Notes, Punctuations, Illustrations, Interpretation Clause, Proviso, Explanation, Schedules.
- Maxims:
  - (i) Ejusdem Generis
  - (ii) Expressio Unius Est. Exclusio Alterius
  - (iii) Noscitur a Sociis
  - (iv) Statute should be read as a whole
  - (v) Statute in Pari-materia
- Interpretation of Constitution.

### **UNIT-III**

#### ***External Aids to Construction***

- External Aids to Construction:
- Parliamentary History, Historical Facts and Surrounding Circumstances, Dictionaries, Text-books, Use of Foreign Decisions.
- Codifying and Consolidation Statutes.
- Retrospective and Prospective Operation of Statutes.
- Commencement, Operation and Repeal of Statutes.

### **UNIT-IV**

#### ***Construction of Penal and Remedial Statutes***

- Beneficial and Liberal Construction.
- Construction of Remedial and Penal Statutes.
- Construction of Taxing Statutes.
- Presumption as to Jurisdiction of the Courts.
- Mandatory and Directory Provisions.
- Construction to Prevent, Evasion and Abuse.

#### **COURSE OUTCOME:**

- Students will demonstrate a thorough understanding of the fundamental principles guiding statutory interpretation.
- Students will be able to identify and analyze internal aids such as definitions, headings, and punctuation marks within statutes.
- Students will acquire the skills to utilize external aids such as legislative history, parliamentary debates, and legal dictionaries in statutory interpretation.
- Students will develop the ability to interpret penal and remedial statutes, considering legislative intent and judicial precedents.
- Upon completion, students will be capable of critically evaluating statutory provisions, applying appropriate interpretative techniques to resolve legal ambiguities effectively.

#### **SUGGESTED READINGS:**

Maxwell	: Interpretation of Statutes.
Craies	: Statute Law.
Sutherland	: Statutory Construction.
Singh, G.P.	: Principles of Statutory Interpretation.
Swarup, Jagdish	: Legislation and Interpretation.
Sarathi, V.P.	: Interpretation of Statutes.
Bindra	: Interpretation of Statutes.