

	BHAGWAN MAHAVIR UNIVERSITY	Effective From (2023-2024)
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Bhagwan Mahavir College of Legal Education

BBA LL.B course (5 Year)

Semester: VII

Subject Code	Subject Title	Teaching Scheme					
		(Hours/Week)		Credits	Examination Marks		Total Marks
		Theory	Tutorial		Internal	External	
1BL344T	Interpretation of Statutes and Principles of Legislation	4	0	4	50	50	100

DURATION OF EXAM: 2:30 HOURS

COURSE OBJECTIVES:

<ul style="list-style-type: none"> To impart foundational knowledge of statutory interpretation, enabling students to understand how laws are read, applied, and interpreted in legal proceedings.
<ul style="list-style-type: none"> To explore various rules, principles, and aids of interpretation, such as literal, golden, and mischief rules, and internal and external aids to construction.
<ul style="list-style-type: none"> To examine the legislative process and principles underlying statutory enactments, helping students understand the intent and objectives of the legislature.
<ul style="list-style-type: none"> To develop analytical skills for interpreting ambiguous provisions and resolving conflicts in statutes using judicial precedents and canons of construction.
<ul style="list-style-type: none"> To equip students with practical tools and techniques used by judges, advocates, and legal scholars to interpret statutes within constitutional and socio-legal frameworks.

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COURSE OUTCOMES:

Sr. No.	CO statement	Marks % weightage
1	To understand the meaning, necessity, and significance of interpretation in legal systems and the role of judges in statutory interpretation.	20
2	To identify and apply the primary rules of interpretation (literal, golden, and mischief rule) and recognize when each rule is most appropriately used.	20
3	To analyze and evaluate internal and external aids to interpretation, including preamble, headings, marginal notes, legislative history, and judicial decisions.	20
4	To apply the principles of harmonious construction, Ejusdem generis, Noscitur a sociis, and other maxims of interpretation to resolve statutory ambiguities.	20
5	To examine the theory and practice of legislation, including legislative drafting, intention of the legislature, and impact of social, moral, and constitutional contexts.	20

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DETAIL CONTENT

Sr.No.	Topic	Total Hrs.
UNIT-1	1.GENERAL AND RULES OF STATUTORY INTERPRETATION 1.1 Meaning of the term “Statute”. 1.2 Commencement, operation and repeal of statutes 1.3 Purpose and importance of Interpretation of Statutes 1.4 Meaning : ‘Interpretation’ and ‘construction’ 1.5 Rules of Statutory Interpretation 1.5.1 Primary Rules 1.5.2 Literal Rule 1.5.3 Golden Rule 1.5.4 Mischief Rule (Rule in Heydon’s Case) 1.5.5 Rule of Harmonious Construction 1.5.6 Secondary Rules:- •Noscitur a sociis •Ejusdem generis •Reddendo singula singulis	15
UNIT-2	2. AIDS TO INTERPRETATION 2.1 Internal aids 2.1.1 Title, Preamble, Headings and marginal notes 2.1.2 Sections and sub-sections, Punctuation marks 2.1.3 Illustrations, exceptions, provisos and saving clauses 2.1.4 Schedules, Non-obstante clause 2.2 External aids 2.2.1 Dictionaries 2.2.2 Translations 2.2.3 Travaux Preparatoires 2.2.4 Statutes in pari material 2.2.5 Contemporanea Exposito 2.2.6 Debates, inquiry commission report and Law Commission reports	15

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UNIT-3	3. PRESUMPTIONS IN STATUTORY INTERPRETATION 3.1 Statutes are valid 3.2 Statutes are territorial in operation 3.3 Presumption as to jurisdiction 3.4 Presumption against what is inconvenient or absurd 3.5 Presumption against intending injustice 3.6 Presumption against impairing obligations or permitting advantage from one's own wrong 3.7 Prospective operation of statutes	10
UNIT-4	4. INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER & PURPOSE AND PRINCIPLES OF CONSTITUTIONAL INTERPRETATION 4.1 Interpretation with reference to the subject matter & Purpose 4.1.1 Restrictive and beneficial construction 4.1.2 Taxing statutes 4.1.3 Penal states 4.1.4 Welfare legislation 4.2 Principles of Constitutional Interpretation 4.2.1 Harmonious construction 4.2.2 Doctrine of pith and substance 4.2.3 Colourable legislation 4.2.4 Doctrine of repugnancy 4.2.5 Prospective Overruling 4.2.6 Doctrine of Eclipse	10
UNIT-5	5. Contemporary Issues and Judicial Trends 5.1 Judicial Activism vs. Judicial Restraint 5.2 Role of Precedents in Interpretation 5.3 Impact of Technology and Digital Laws on Interpretation 5.4 Recent Landmark Judgments and Evolving Doctrines	10

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	<p>REFERENCE BOOKS:</p> <ul style="list-style-type: none"> •G.P. Singh, Principles of Statutory Interpretation, Wadhva, Nagpur. •P. St. Langan (Ed), Maxwell on The Interpretation of Statutes, N.M. Tripathi, Bombay. •K. Shanmukham, N.S. Binclras’ Interpretation of Statutes, The Law Book Co. Allahabad. •V. Sarathi, Interpretation of Statutes, Eastern, Lucknow. •M.P. Jam, Constitutional Law of India, Wadhawa & Co • M.P. Singh (Ed), V.N. Shukla’s Constitution of India, Eastern, Lucknow. •U. Baxi, Introduction to Justice K.K. Mathew’s Democracy Equality and Freedom Eastern, Lucknow. 	
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