

Paper V

**LL.B.: Semester VI
DSE 7**

LAW 605: INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION

Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Explain of the concept of interpretation and its significance in law.
CO2	Identify the various rules of interpretation such as the literal rule, golden rule, and mischief rule.
CO3	Express the principles of legislation and the process of law-making.
CO4	Analyze and interpret statutes using the appropriate rules of interpretation.
CO5	Recognize of the importance of legislative intent in the interpretation of statutes.
CO6	Evaluate the role of the judiciary in the interpretation of statutes and the limits of judicial discretion.

Unit I

Law Making : Legislature, Executive and the Judiciary, Principle of Utility, Law and Public Opinion, Law and Social Control, Relevance of John Rawls and Robert Nozick-individual interest to community interest. Law and Morals

Unit II

Meaning of the term Statute, Enactment, Interpretation and Construction, Kinds of Statutes, Statutes are valid, Intention of the Legislature, Commencement, operation, repeal and revival of statutes, Statute must be read as a whole in its context.

Unit III

Necessity for Rules of Interpretation, Literal Rule, Mischief Rule, Golden Rule. Harmonious Construction. Noscitur a sociis, Ejusdem generis, Reddendo Singula Singulis, ut res magis valeat quam pereat, In bonam partem, Delegatus non potest delegare, Expressio unius exclusio alterius.

Unit IV

Interpretation of Directory and Mandatory provision, Beneficial Construction, Taxing Statutes, Penal Statutes, Internal and External Aids to Interpretation.

Books :

1. P.St.Langan (Ed.), Maxwell on the Interpretation of Statutes, (1997), N.M.Tripathi, M ombai
2. Vepa, Sarathi, Interpretation of Statutes
3. Bawa & Roy, Interpretation of Statutes
4. Benthem Theory of Legislation, Eastern Book Co.
5. P.Singh, Principles of Statutory Interpretation, 1999 Wadhwa

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