

COURSE PLAN

SUBJECT: INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Date of commencement of Classes- 1st August 2018

Course Objectives: Legislation is the major source of law of the modern era. Enacted laws, i.e. Acts and Rules are drafted by legislature which consists of legal experts. As it is difficult to have legislations without ambiguous provisions, there is a need to make proper study of the rules and principles relating to interpretation of statutes. Language used will leave little or no room for interpretation or construction. But the experience of all those who have to bear and share the task of application of the law has been different. Courts and lawyers are busy in unfolding the meaning of ambiguous words and phrases and resolving inconsistencies. The statute is to be construed according 'to the intent of them that make it.' To ascertain the true meaning, intent of the maker, numerous rules of interpretation were formulated by courts and jurists, which involves construction of words, phrases and expressions. In this attempt Court use to develop certain rules, doctrines and principles of interpretation. The objective of this course is to make the student familiar with various rules of interpretation.

Modules/Units	Topic	No of Hours	Teaching Method/ Tools	Prerequisites- Readings/Assignments	Supplementary Reading	Unit Outcomes
Unit 1 (25 hours)	Introduction to course	1	Lecture	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017)	At the end of the unit the students will be able to understand basics of Interpretation of Statutes and the primary purpose of interpretation, i.e., to find the intent of legislature. The students will also be able to have deeper understanding of primary and guiding principles developed and applied by judges while expounding the meaning of law. The students will also learn about the operation, expiry and repeal of statutes to enable them to apply laws in the manner the law makers intended.
	Guiding rules	3	Lecture, case analysis & Discussion	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017).	

Basic Principles	4	Lecture, Discussion & students Presentation	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017). Singh Avtar & Kaur Harpreeth, <i>Introduction to Interpretation of Statutes</i> , 4 th Edition, (New Delhi: Lexis Nexis, 2018).	
Operation of Statutes	3	Lecture, Discussion & students Presentation	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017). Bindra, N.S., <i>Interpretation of Statutes</i> , (New Delhi: Lexis Nexis, 2013).	
Expiry and Repeal of Statutes	4	Lecture, Discussion & students Presentation	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017). Bindra, N.S., <i>Interpretation of Statutes</i> , (New Delhi: Lexis Nexis, 2013).	
Construction and Interpretation of various statutes	10	Lecture, Discussion & students Presentation	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 14 th	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book	

				<p>Edition, (New Delhi: Lexis Nexis, 2016).</p>	<p>Company, 2017).</p> <p>Bindra, N.S., <i>Interpretation of Statutes</i>, (New Delhi: Lexis Nexis, 2013).</p>	
Unit 2 (13 hours)	Internal aids to construction.	5	<p>Lecture, presentations & Discussion</p>	<p>Singh, G.P., <i>Principles of Statutory Interpretation</i>, 14th Edition, (New Delhi: Lexis Nexis, 2016).</p>	<p>Sarthi, V.P., <i>Interpretation of Statute</i>, 5th Edition, (Eastern Book Company, 2017).</p> <p>Bindra, N.S., <i>Interpretation of Statutes</i>, (New Delhi: Lexis Nexis, 2013).</p>	<p>At the end of the unit the students will be able to understand various aids to interpret the statutes that do not make part of the statutes. The intended outcome of the unit is to make students informed about those materials which may help in understanding the meaning of letters of law when ambiguity persists even after exhausting the internal aids. The students will also be able to understand the importance of internal aids to interpretation</p>
	External aids to construction.	8	<p>Lecture, presentations & Discussion</p>	<p>Singh, G.P., <i>Principles of Statutory Interpretation</i>, 14th Edition, (New Delhi: Lexis Nexis, 2016).</p>	<p>Sarthi, V.P., <i>Interpretation of Statute</i>, 5th Edition, (Eastern Book Company, 2017).</p> <p>Bindra, N.S., <i>Interpretation of Statutes</i>, (New Delhi: Lexis Nexis, 2013).</p>	
Unit 3 (09 hours)	Subsidiary rules	6	<p>Lecture, case analysis, Discussion & student presentation.</p>	<p>Singh, G.P., <i>Principles of Statutory Interpretation</i>, 12th Edition, (New Delhi: Lexis Nexis, 2016).</p>	<p>Sarthi, V.P., <i>Interpretation of Statute</i>, 5th Edition, (Eastern Book Company, 2017).</p> <p>Bindra, N.S., <i>Interpretation of Statutes</i>, (New Delhi: Lexis Nexis, 2013).</p>	<p>At the end of the unit the students will be able to understand and comprehend various rules necessary to solve the ambiguity in the statutes as well as Principles of Constitutional Interpretation.</p>

	Principles of Constitutional Interpretation	3	Lecture & Discussion	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 12 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statutes</i> , 9 th Edition, (Eastern Book Company, 2017). Jain, M.P., <i>Constitutional Law of India</i> , (Wadhwa & Co., 1994) Sukla, V.N., <i>Constitution of India</i> , (Eastern, Lucknow, 1994)	At the end of the unit the students will be able to understand and comprehend the special rules of interpretation relating to statutes affecting the state; Statutes affecting the jurisdiction of Courts, Presumption against what is inconvenient or absurd, intending injustice, impairing obligations or permitting advantage from one's own wrong and Prospective operation of statutes.
Unit 4 (05 hours)	Statutes affecting the state; Statutes affecting the jurisdiction of Courts.	5	Lecture, Discussion & debate.	Singh, G.P., <i>Principles of Statutory Interpretation</i> , 12 th Edition, (New Delhi: Lexis Nexis, 2016).	Sarthi, V.P., <i>Interpretation of Statute</i> , 5 th Edition, (Eastern Book Company, 2017). Bindra, N.S., <i>Interpretation of Statutes</i> , (New Delhi: Lexis Nexis, 2013).	At the end of the unit the students will be able to understand and articulate the principles of legislation propounded by Jeremy Bentham. The intended outcome of the unit is to orient the students about 'theory of utility', and its relevance in law making. The students will get an understanding of the object behind making of laws and how a good law is made, according to Jeremy Bentham.
Unit 5 (10 hours)	Principles of Legislation	10	Lecture, Discussion & debate.	Bentham's Theory of Legislation, 11 th Edition, (LexisNexis Butterworths, 2016)		

No. of Teaching Hrs: 62

No. of Library Hrs: 1

No. of Hrs for Students Presentation: 4

No. of Hand-Outs: 0

No. of Assessment Hrs: 1

No. of writing exercises: 4

No. of Hrs. for revision and Question Paper Setting- 4

No. of Case Studies: 0

Case Analysis: 4

No. of documentaries to be screened: 0

Heydon's Case

Guest Lectures (if any): _____

Grey v. Pearson

Service Learning (if any): _____

Ajay Hasia v. Khalid Mujib

Maneka Gandhi v. Union of India

Course Outcomes: After studying the course the students would be able to understand and articulate the emergence and application of various rules relating to interpretation and construction of statutes. This course will also help them understand the principles of legislation propounded by Jeremy Bentham which will enable them to understand the manner of making provisions of law according to 'principle of utility' and limits within which laws should be made. The students will also be able to understand the role played by internal and external aids to expound the intention of the lawmaker.

Industry/Professional Skills: Argumentative, interpretive and drafting skills will be enhanced.

Human Values: To inculcate the belief of expounding the meaning of law in such a manner so as to advance the interest of downtrodden and underprivileged.

Sudhakar
Course Teacher:

Academic Co-ordinator

Principal
K.L.E. Society's Law College
Sir M. Vishweshwariah Lane,
Bengaluru-560 091