

# LL.B. VI Term

## Paper : LB – 6041 - Interpretation of Statutes

### Prescribed Books:

1. P. St. J. Langan, *Maxwell on the Interpretation of Statutes* (12<sup>th</sup> ed., 1969)
2. Vepa P. Sarathi, *Interpretation of Statutes* (4<sup>th</sup> ed., 2003)
3. G.P. Singh, *Principles of Statutory Interpretation* (11<sup>th</sup> ed., 2008)

### Recommended Books:

S.G.G. Edgar, *Craies on Statute Law* (1999)

### Topic 1 : General

- (a) Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Un-codified, State-made and State-recognised laws; Meaning and Scope of 'statute'
- (b) Meaning, Objects and Scope of 'interpretation' and 'construction'
- (c) Basic Sources of Statutory Interpretation
  - (i) The General Clauses Act, 1897 : Nature, Scope and Relevance (with special reference to sections 6 to 8 of the Act)
  - (ii) Definition clauses in various Legislations : Nature and Interpretative Role

### Topic 2 : General Theories and Rules of Interpretation

- (a) The Function of the Court is to interpret the law and not to legislate
  1. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578 1
  2. *Padma Sundara Rao v. State of Tamil Nadu* (2002) 3 SCC 533 17
  3. *D.M., Aravali Golf Club v. Chander Hass*, 2007 (14) SCALE 1 22
- (b) Statute must be read as a whole
  4. *Padma Sundara Rao v. State of Tamil Nadu* (2002) 3 SCC 533
  5. *Bhatia International v. Bulk Trading S.A.* (2002) 4 SCC 105 31
- (c) The Primary Rule : Literal Construction
  - (i) Literal rule
    6. *Tej Kiran Jain v. N. Sanjiva Reddy* (1970) 2 SCC 272 41
    7. *Jugalkishore v. Raw Cotton Co.* AIR 1955 SC 376 43
    8. *B.N. Mutto v. T.K. Nandi (Dr.)* (1979) 1 SCC 361 46
    9. *Ramavtar Budhaiprasad v. Assistant Sales Tax Officer*, AIR 1961 SC 1325 54

10.	<i>M/s. Motipur Zamindary Co. (Private) Ltd. v. State of Bihar,</i> AIR 1962 SC 660	56
11.	<i>State of West Bengal v. Wasi Ahmed</i> (1977) 2 SCC 246	59
12.	<i>M.V. Joshi v. M.U. Shimpi,</i> AIR 1961 SC 1494	61
13.	<i>The Queen v. Charles Arthur Hill Heaten Ellis</i> (1844) 6 Q.B. 499	68
14.	<i>Matthews v.Dobbins</i> [1963] 1 ALL ER 417	
(ii)	Golden Rule	
15.	<i>Lee v. Knapp</i> (1967) 2 Q.B.442	71
16.	<i>G. Narayanaswami v. Pannersevan</i> (1972) 3 SCC 717	73
17.	<i>Union of India v. Filip Tiago De Gama of Vedem Vasco De Gama,</i> AIR 1980 SC 981 : (1990) 1 SCC 277	81
18.	<i>Nokes v. Doncaster Amalgamated Collieries</i> (1940) AC 1014	87
(d)	Mischief Rule of Construction : <i>Heydon's Case</i>	
19.	<i>Heydon's case</i> (1584) 3 Co. Rep. 7	
20.	<i>R.M.D.C. v. Union of India,</i> AIR 1957 SC 628	92
21.	<i>Commissioner of Income-tax. v. Smt. Sodra Devi,</i> AIR 1957 SC 832	104
22.	<i>Utkal Contractors &amp; Joinery (P) Ltd. v. State of Orissa,</i> AIR 1987 SC 1454	124
23.	<i>Smith v. Hughes</i> (1960) 1 W.L.R.830	133
(e)	Construction <i>Ut res magis valeat quam pereat</i>	
24.	<i>Avtar Singh v. State of Punjab,</i> AIR 1955 SC 1107	134
25.	<i>Corporation of Calcutta v. Liberty Cinema,</i> AIR 1965 SC 661	138
26.	<i>M. Pentiah v. Muddala Veeramallapa,</i> AIR 1961 SC 1107	
(f)	Rule of Purposive Construction	
27.	<i>Rev. Stainislaus v. State of M.P.,</i> AIR 1977 SC 108	141
28.	<i>S.R. Chaudhuri v. State of Punjab</i> (2001) 7 SCC 126	146
29.	<i>All India Reporter Karamchari Sangh v. All India Reporters Ltd.,</i> AIR 1988 SC 1325	158
30.	<i>State of Mysore v. R.V. Bidap,</i> AIR 1973 SC 255 : (1974) 3 SCC 337	165
(g)	Rule of Strict Interpretation (Penal and Tax Statutes)	
31.	<i>Bowers v. Gloucester Corporation</i> (1963) 1 Q.B.881	175
32.	<i>George Banerji v. Emperor</i> (1917) 18 Cr L J 45	177
33.	<i>The Empress Mills, Nagpur v. The Municipal Committee, Wardha,</i> AIR 1958 SC 341	178
34.	<i>A.S. Sulochana v. C. Dharmalingam,</i> AIR 1987 SC 242	184
35.	<i>R. v. Oakes</i> (1959) 2 All ER 92	

(h)	Rule of Harmonious Construction	
36.	<i>Sri Venkataramana Devaru v. State of Mysore</i> , AIR 1958 SC 255	186
37.	<i>K.M. Nanavati v. State of Bombay</i> , AIR 1961 SC 112	195
38.	<i>Calcutta Gas Co. v. State of West Bengal</i> , AIR 1962 SC 1044	208
39.	<i>Sirsilk Ltd. v. Govt. of Andhra Pradesh</i> , AIR 1964 SC 160 : (1964) 2 SCR 448	216
40.	<i>The Remington Rand of India Ltd. v. The Workmen</i> , AIR 1968 SC 224 : (1968) 1 SCR 164	221
(i)	Principles of <i>Ejusdem Generis</i> and <i>Noscitur a sociis</i>	
41.	<i>Calcutta Municipal Corporation v. East India Hotels Ltd.</i> , AIR 1996 SC 419	222
42.	<i>Oswal Agro Mills Ltd. v. CCE</i> , 1993 Supp(3) SCC 716	226
43.	<i>Ashbury Railway Carriage &amp; Iron Co. v. Riche</i> (1875) LR 7 HL 653	
44.	<i>Brownsea Havens Properties v. Poole Corpn.</i> (1958) 1 All ER 205	

**Topic 3 : Intrinsic/Internal Aids to Interpretation**  
(Parts of the statute and their interpretative role)

(a)	Language, phraseology, clauses and punctuation	
(b)	Short and long titles, preamble, marginal headings, parts and their captions, chapters and their captions, marginal and section-headings	
(c)	Explanations, exceptions, examples, provisos and schedules	
(d)	Defining legal expressions like 'means', 'includes', 'that is to say', etc.	
(e)	Phrases like 'grammatical variations and cognate expressions'; 'without prejudice to the generality of....', etc.	
45.	<i>Biswambhar Singh v. State of Orissa</i> , AIR 1954 SC 139 : 1954 SCR 842	233
46.	<i>M/s. Hiralal Rattanlal v. State of U.P.</i> (1973) 1 SCC 216	240
47.	<i>Manoharlal v. State of Punjab</i> , AIR 1961 SC 418 : (1961) 2 SCR 343	248

**Topic 4 : Extrinsic/External Aids to Interpretation**

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| (a) | Role of Constituent Assembly debates in the interpretation of the Constitution of India                                    |
| (b) | Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, etc. |
| (c) | International-law and human-rights documents   |

48. *ShashiKant Laxman Kale v. Union of India*, AIR 1990 SC 2114 :  
(1990) 4 SCC 366 251
49. *S.R. Chaudhary v. State of Punjab* (2001) 7 SCC 126
50. *State of Mysore v. R.V. Bidap*, AIR 1973 SC 255

**IMPORTANT NOTE:**

1. The students are advised to read only the books prescribed above along with legislations and cases.

2. The topics and cases given above are not exhaustive. The teachers teaching the course shall be at liberty to add new topics/cases.

3. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.

4. The Question Paper shall include one compulsory question consisting of five parts out of which four parts will be required to be attempted. The question papers set for the academic years 2008 and 2010 are printed below for guidance.

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**LL.B. VI Term Examinations, April-May, 2008**

**Note:** Answer any *five* questions including Question No. 1 which is compulsory.  
All questions carry *equal* marks.

1. Attempt briefly any *four* of the following:
  - (a) Literal Rule of interpretation
  - (b) Parliamentary history as a source of interpretation.
  - (c) Effect of repeal of a statute in the light of section 6 of the General Clauses Act, 1897.
  - (d) Principles of *Noscitur-a sociis*
  - (e) Popular meaning of words of common usage, to be adhered to in statutory interpretation.
  
2. "Punishment can be meted out to a person only if the plain words of the penal provision are able to bring that person under its purview. No extension of the meaning of the words is permissible." Critically analyse this statement.  
 Selling of adulterated butter is an offence under the Prevention of Food Adulteration Act, 1954. Under the Act, the term butter is defined as "butter prepared exclusively from milk or cream of cow or buffalo or of both".  
 X, who is being prosecuted for selling adulterated butter argues that the butter which he is selling is neither prepared from milk nor cream but from the curd and therefore not covered within the definition of butter under the Act. Also, it being a penal provision should be constructed strictly in his favour. How would you decide?
  
3. "Where two provisions operate on one field, both have to be allowed to have their play, unless such operation would result in patent inconsistency."  
 Discuss the Harmonious Rule of construction to be applied in such situations with reference to decided cases.
  
4. The Street Offences Act, was passed to clean up the streets, to enable people to walk along the streets without being molested or solicited by common prostitutes. The Act provides that "it shall be an offence for a common prostitute to loiter or solicit in a street for purpose of prostitution."  
 'A' a prostitute was attracting the attention of the passersby from balconies and windows and was charged under the aforesaid provision. She takes the plea before the court that she was not soliciting 'in a street' as she was not physically in the street.  
 As a judge, which rule of construction will you apply and why? Discuss by giving reasons and judicial decisions in support of your answer.
  
5. With the help of decided cases, explain and illustrate the maxim *ut res magis valeat quam pareat* as applied to statutory interpretation.
  
6. Section 154 of the English Companies Act, 1929 provided machinery for transfer of a company to a new company. Under the section, 'transfer' included all properties, rights, liabilities and duties of the transferor company which will vest in the transferee company.

N was working with H & Co. under a contract of service. H & Co. was transferred to D & Co. in terms of section 154, N continued to work at the same place and neither he had any knowledge of such transfer nor H & Co. or D & Co. informed him. N made a willful absence from work for 3 days and D & Co. brought an action against him under Employers and Workmen Act, 1875. N contended that he was not an employee of D & Co. as he had no contract of service with them and thus no action could be taken against him by D & Co. On the other hand, D & Co. argued that the contract of service between N and H & Co. was 'property' and since all the properties of H & Co. stood vested in D & Co. by virtue of section 154, which is plain and unambiguous, D & Co. could bring an action against N.

Decide in the light of Golden Rule of interpretation.

7. The rule of *ejusdem generis* has to be applied with care and caution. It is not an inviolable rule of law, but it is only permissible inference in the absence of an indication to the contrary, and where context and the object and mischief of the enactment do not require restricted meaning to be attached to words of general import, it becomes the duty of the courts to give those words their plain and ordinary meaning.  
Comment critically.
8. Assess the importance of the following in interpretation of statutes:
  - (i) Preamble and Long Title
  - (ii) Explanation

**LL.B. VI Term (Supplementary) Examinations, Aug.-Sept. 2008**

**Note:** Answer *five* questions including Question No. 1 which is compulsory.  
All questions carry *equal* marks.

1. Attempt briefly any four of the following:
  - (a) Statute must be read as a whole.
  - (b) The function of the court is to interpret the law and not to legislate.
  - (c) Interpretation and construction.
  - (d) Words of common usage are to be understood in their popular sense.
  - (e) Consequences of repeal in the light of Section 6 of General Clauses Act, 1897.
2. “The rule of construction is well-settled that when there are in an enactment two provisions which cannot be reconciled with each other, they should be so interpreted that, if possible, effect should be given to both. This is what is known as the rule of “harmonious construction”. Discuss with reference to decided cases.
3. Bring out the distinction between penal and remedial statutes and the rules of interpretation applicable to them. Discuss the present trend in interpretation of penal statutes.
4. What do you understand by the maxim *ut res magis valeat quam pereat*? Discuss the utility of this maxim in the interpretation of statutes with the help of decided cases.
5. Discuss and illustrate the Golden Rule as applied to the interpretation of statutes. How far is this rule different from the Literal Rule?
6. “The soundness of *Heydon’s* Rule lies in suppressing the mischief and advancing the remedy.” Discuss various conditions for the application of this rule citing relevant cases.
7. Explain and illustrate the rule of *noscitur a sociis* and rule of *ejusdem generis* as applied to the construction of statutes. Do you think the latter rule is a particular application of the former one? Discuss.
8. What are ‘internal and ‘external’ aids to the interpretation of statutes? Assess the importance of any *two* of the following in the interpretation of statutes:
  - (a) Preamble;
  - (b) Parliamentary History;
  - (c) Proviso.

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**LL.B. VI Term Examinations, April-May, 2009**

**Note:** Answer *five* question including Question No. 1, which is compulsory.  
All questions carry *equal* marks.

1. Attempt briefly answer any *four* of the following:
  - (a) *Ejusdem Generis*
  - (b) Preamble as a source of interpretation
  - (c) Omissions not to be inferred.
  - (d) Consequence of repeal in the light of section 6 of General Clauses Act, 1897.
  - (e) *Ex viscoribus Actus*.
2. “The length and details of modern legislation”, wrote Lord Evershed M.R., “has undoubtedly reinforced that claim of literal construction as the only safe rule.” Critically analyse this statement with the help of decided cases.
3. To curb the wide-spread practice of husbands entering into nominal partnership with their wives and fathers admitting their minor children to the benefits of the partnership of which they were members, section 16(3)(a)(ii) of the Indian Income-Tax Act, 1922 was brought, which provides as follows:

Section 16(3)

“In computing the total income of any individual for the purpose of assessment, there shall be included –

- (i) So much of the income of wife or minor child of such individual as arises directly or indirectly:
- (ii) From the admission of the minor to the benefits of the partnership in a firm of which such individual is a partner.

In the light of the above provision, decide whether the word ‘individual’ occurring in the aforesaid sub-section meant only a male or also includes female?

4. Section 17(1) of the Industrial Disputes Act, 1947 requires the Government to publish every award of a Labour Tribunal within thirty days of its receipt and by sub-section (2) of Section 17, the award on its publication becomes final. Section 18(1) of the Act provides that a settlement between employer and workmen shall be binding on the parties to the agreement.  
In a case where a settlement was arrived at after receipt of the award of a Labour Tribunal by the Government but before its publication, the question was whether the Government was still required by section 17(1) to publish the award. Decide in the light of these two equally mandatory provisions.
5. “Statutes levying taxes or duties upon citizens will not be extended by implication beyond the clear import of the language used, nor will their operation be enlarged so as to embrace matter not specifically pointed out.” Do you agree with this statement? Give reasons.
6. “Constitutional provisions are required to be understood and interpreted with an object-oriented approach. A Constitution must not be constructed in a narrow and pedantic



sense. The word used may be general in terms but, their full import and true meaning, has to be appreciated considering the true context in which the same are used and the purpose which they seek to achieve.” Comment.

7. “In its zeal to protect the right to speedy trial of an accused, can the court devise and almost enact such bars of limitation though the legislature and the statutes have not chosen to do so.” The above statement refers to which basic principle of interpretation and what that principle provides for?
8. Write short notes on any *two* of the following:-
  - (a) Statute must be read as a whole
  - (b) *Ut res magis valeat quam pereat*
  - (c) Parliamentary History

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### **LL.B. VI Term (Supplementary) Examinations, July-August, 2009**

**Note:** Attempt *five* questions including Question No. 1 which is compulsory.  
All questions carry *equal* marks.

1. Attempt briefly any *four* of the following:
  - (a) Distinction between the principles of *Ejusdem Generis* and *Noscitur a sociis*.
  - (b) Effect of repeal of a statute in the light of section 6 of the General Clauses Act, 1897.
  - (c) The principle that statute must be read as whole.
  - (d) Importance of ‘Preamble’ and ‘Long Title’ as internal aids.
  - (e) Parliamentary history.
2. “Courts can declare the law, they can interpret the law, they can remove obvious lacunae and fill the gaps but they cannot entrench upon in the field of legislation properly meant for the legislature”.  
Critically examine the above statement and clearly explain the purpose that various rules of interpretation of statutes are intended to serve.
3. For interpreting the words ‘vegetable’ and ‘green vegetable’ in clauses providing for exemption from tax liability under various Sales Tax legislations, the Indian courts including the Supreme Court of India, were having various choices in interpreting these terms ranging from botanical, dictionary and ordinary meaning of the said words. Clearly bring out which rule of interpretation was adopted by the Supreme Court of India while interpreting these words, meaning given to them and the rationale behind such interpretation.
4. The Street Offences Act, 1960 was passed to clean up the streets to enable people to walk along the streets without being molested or solicited by common prostitutes. Section 54 of the Act provided that “it shall be an offence for a common prostitute to loiter or solicit in

a street or public places for the purposes of prostitution”. Section 5 provided punishment of imprisonment upto two years for anyone found guilty under section 4 of the Act.

‘G’, a prostitute standing in a balcony, projects her solicitations addressed to ‘B’ and his friends who were walking in the street. ‘G’ is charged under the aforesaid Act. She takes the plea that she was not soliciting “in a street” as she was not physically present in the street and that the statute being penal in nature, the court must adopt the construction that favoured her. Decide with the help of relevant rules of interpretation of statutes.

5. “Anglo-American jurisprudence, unlike other systems, has generally frowned upon the use of parliamentary debates and press discussions as throwing light upon the meaning of statutory provisions.... The Rule of Exclusion has been criticized by jurists as artificial. The trend of academic opinion and the practice in the European system suggest that interpretation of a statute being an exercise in the ascertainment of meaning, everything which is logically relevant should be admissible.” [K. Iyer J. in *State of Mysore v. R.V. Bidap* (1977) 3 SCC 337].

Critically examine the above statement and discuss in detail the role that Supreme Court has assigned to the Constituent Assembly Debates in the interpretation of the Constitution.

6. “If the strict grammatical interpretation gives rise to absurdity or inconsistency, the court could discard such interpretation and adopt an interpretation which will give effect to the purpose of the legislature. This could be done, if necessary, even by modification of the language used”.

Discuss the above rule of interpretation of statutes and refer to at least two decided cases in which the courts in order to avoid the absurdity that the literal rule, if applied, would have resulted in the felt justified to modify the language of the statute to arrive at the true intent of the legislature.

7. Bring out clearly the distinction between penal and remedial statutes and the rules of interpretation applicable to them. Discuss the recent judicial trend in the interpretation of penal statutes.
8. Explain and illustrate any two of the following rules of interpretation:
  - (a) Harmonious construction.
  - (b) The maxim *ut res magis valeat quoam pareat*.
  - (c) Purposive construction of the Constitutional provisions.

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### LL.B. VI Term Examinations, May-June, 2010

1. Attempt briefly any *four* of the following :-
  - (a) Popular meaning of words of common usage, to be adhered to in statutory interpretation.
  - (b) Principle of *Noscitur-a-Sociis*. (c) Statute must be read as a whole.
  - (d) Effect of repeal of a statute in the light of Section 6 of the General Clauses Act, 1897.

2. “If two constructions are possible, one which suppresses the mischief and advances the remedy should be given.” Discuss in the light of Heydon’s Rule as applied by Indian Courts in various judicial decisions.
3. Discuss and illustrate the Golden Rule as applied to the interpretations of Statutes. How far is this rule different from the Literal Rule ?
4. To remove the disability imposed by custom or usage on certain classes of Hindu against entry into a Hindu Public Temples, state X enacts a law under Article 25(2)(b) of the Constitution and throws open the entry to any such temple to all sections of Hindus. The trustees of a denominational Hindu temple resist the application of such law on the ground that their temple had been built for the benefit of a particular Hindu sect. They contend that under Article 26(b) of the Constitution, they have a right to manage their affairs in the matters of religion which includes right of entry also. Discuss the rule of interpretation that you will apply to resolve the above dispute.
5. The rule of ejusdem generis has be applied with case and caution. It is not an inviolable rule of law, but only permissible inference in the absence of an indication to the contrary, and where the context and object of the enactment do not require restricted meaning to be attached to the words of general import, it becomes the duty of the courts to give those words their plain and ordinary meaning. Comment critically.
6. What are external and internal aids to the construction of statutes ? Assess the importance of the following in the interpretation of statutes.
  - (a) Preamble and Long Title.
  - (b) Parliamentary History of an Act.
7. “The rule which requires that penal statute should be construed strictly has lost much of its force in recent times.” How far you agree with the above statement ?  
Selling of adulterated butter is an offence under the Prevention of Food Adulteration Act. Under the Act, the term butter is defined as ‘butter prepared exclusively from milk or cream of cow or buffalo or of both’.  
  
X, who is being prosecuted for selling adulterated butter argues that the butter which he is selling is neither prepared from milk nor cream but from the curd and therefore not covered under the Act. Also it being a penal provision should be construed strictly in his favour. Decide.
8. Write notes on any two of the following :
  - (a) Function of the Court is to interpret the law and not to legislate.
  - (b) Rule of Purposive Construction.
  - (c) Importance of maxim **ut res magis ualeat quam pereat** in the interpretation of statutes.

**LL.B. VI Term Examinations, July-August, 2011**

1. Write short notes with illustrations on any *four* of the following:
  - (a) Principle of *Noscitur a Sociis*.
  - (b) Effect of repeal of a statute under section 6 of the General Clauses Act, 1897.
  - (c) Importance of explanation as an internal aid in the interpretation of statute.
  - (d) Need for dilution of the exclusionary rule of parliamentary debate in the interpretation of statutes.
  - (e) Omissions not to be inferred.

2. Selling of adulterated butter is an offence under the Prevention of Food Adulteration Act, 1954. Under the rules framed under the Act 'Butter' is defined as 'butter prepared exclusively from milk or cream of cow or buffalo or of both'.

Ramu is being prosecuted for selling adulterated butter as the milk fat ratio and the moisture ratio are not in accordance with the percentage prescribed under the rules. He assails his prosecution on three grounds:

- (i) the butter which he is selling is neither prepared from milk nor cream of cow or buffalo but from curd;
- (ii) no adulteration in the form of any foreign material or substance has been proved in the analyst's report and in the alternate and without prejudice to his other two submissions.
- (iii) the statute being penal must be interpreted strictly in favour of the accused as the word 'butter' is capable of more than one meaning.

Decide the case in the light of the submission made by the accused and the judicial interpretation of the term 'butter'.

3. Clearly bring out the rules of interpretation debated before the Supreme Court in *R.M.D.C. vs. Union of India* AIR 1957 S.C. 628 by the parties involved and which rule/rules of interpretation were applied by the Supreme Court in resolving the dispute and why?
4. Critically examine the importance and relevance of the rule of strict interpretation in the interpretation of fiscal and penal statutes. Do you think that the Supreme Court is justified in extending this principle of interpretation even to Rent Control Statutes?
5. Write short comments on the following of the *two* judicial decisions:
  - (a) The rules of interpretation pressed in service by the parties in the *Express Mills Nagpur vs. Municipal Corporation Wardha*, AIR 1958 S.C. 341 and the rule of interpretation/s on the basis of which the controversy in the case was decided.
  - (b) The rule/s of interpretation applied by the court in resolving the controversy in *Avtar Singh vs. State of Punjab*, AIR 1955 S.C. 1107.

- (c) The interpretation given to words 'vegetable' and 'green vegetable' in clauses providing for exemption from tax liability in various judicial decisions which came up for consideration before the Supreme Court under various state sales tax legislations.
6. "If the strict grammatical interpretation gives rise to absurdity or inconsistency, the court could discard such interpretation and adopt an interpretation which will give effect to the purpose of the legislature. This could be done, if necessary, even by modification of the language used."
- Discuss the above rule of interpretation of statutes and refer to at least *two* decided cases in which the courts in order to avoid the absurdity that the literal rule, if applied, would have resulted in felt justified to modify the language of the statute to arrive at the true intent of the legislature.
7. "Constitutional provisions are required to be understood and interpreted with an object-oriented approach. A Constitution must not be constructed in a narrow and pedantic sense. The words used may be general in terms but, their full import and true meaning has to be appreciated considering the true context in which the same are used and the purpose which they seek to achieve." Comment and discuss at least two judicial decisions where the Supreme Court of India has applied this rule in constructing constitutional provisions.
8. Write short notes on any *two* of the following:
- (a) Rule of harmonious construction in the interpretation of statutes.
  - (b) Preamble and long title as aids in the interpretation of statutes.
  - (c) The function of the court is to interpret the law and not to legislate.