

ABSTRACT

PREDOMINANCE OF LEGISLATIVE INTENT

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There has been a conflict as to the admissibility of extrinsic aids in construction of the provisions of the statutes. The extrinsic aids to construe a statute may include debates in Parliament, report of the parliamentary Committees, Commissions, Statement of Objects and Reasons, Notes on Clauses, any international treaty or international agreement which is referred to in the statute, any other document relevant to the subject matter of the statute. It has also been felt that our courts have not been following uniform approach to principles of statutory construction especially regarding tools relating to external aids. At the same time our courts have often been referring to text books, decision of the foreign courts rather than the judgement of our Supreme Court. In these circumstances, it needs to be considered whether there should be independent legislation or provisions which may be part of the General Clauses Act, clearly providing whether extrinsic aids or other aids may be admitted for construction of a statute. The rules of interpretation are drawn to identify the intentions, scope of the provisions and the nature of the rights and duties. These rules are construed that the thing may rather stand than fall. It is required to find out the sense which is intended to convey by the Legislature by which the meaning of the language is ascertained, where the language is plain and lucidly convey the meaning, resort of interpretation is never called. So far as the interpretation of a deed or document is concerned, it is meant to ascertain what intentions the writer intended to convey to the reader by it, or to use other words, what intentions are expressed in it

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