

### (iii) Rule of Harmonious Construction:

- In case of any doubt about the meaning of the words of a statute, these should be understood in the sense in which they harmonise with the subject of the enactment and the object which the legislature had in view.
- This rule is applicable only when there is a real and not merely apparent conflict between the provisions of an Act.
- If after having construed their context, the words are capable of only a single meaning, this rule disappears and rule of literal construction will prevail.

Ex: Use of words like 'Subject to', 'Notwithstanding'; 'without prejudice'

### (iv) Mischief Rule or Heyden's Case:

For the true interpretation of all statutes in general, four things are to be considered:

- (a) What was the law before making of the Act?
- (b) What was the defect, mischief or discrepancy caused by earlier law?
- (c) How does the Act of Parliament seek to resolve the mischief?
- (d) What are the true reasons for the remedy?

(v) Beneficial Construction!

When two constructions are reasonably possible, a liberal interpretation may be sought, which brings into effect the provisions



for improving condition of certain classes of people who are underprivileged or not treated fairly in the past.

(vi) Rule of Exceptional Construction!

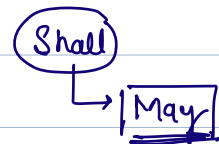
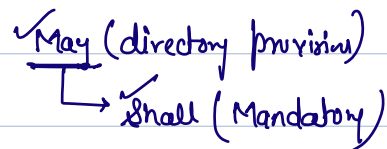
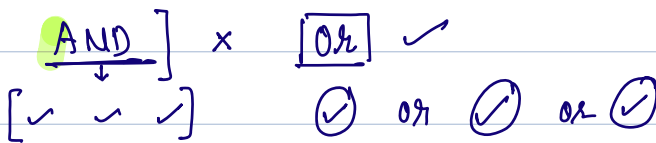
Notwithstanding the general rule that full effect must be given to every word, yet if no sensible meaning can be given to a word or phrase, or if it would defeat the real object of the enactment



it may or rather it should be eliminated.

or

may be construed exceptionally / differently.

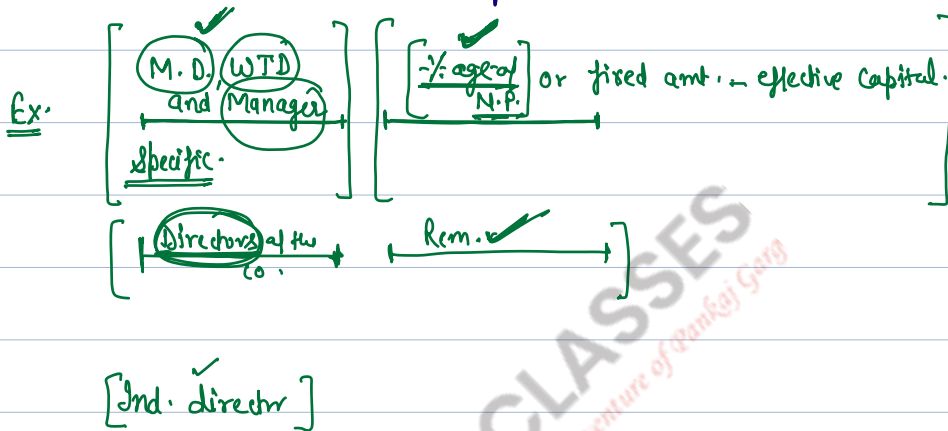


### (vii) Rule of Ejusdem Generis!

when specific words pertaining to a class or category are followed by general words,

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general words shall be construed as limited to the things of the same kind as those specified.



### (C) Secondary Rules of Interpretation!

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Noscitur a Sociis

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If two or more words that are susceptible to analogous meaning are coupled together

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they are to be understood in their cognate sense.

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Contemporanea Expositio

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- A statute or document is to be interpreted by referring to the exposition it has received from contemporary authority.

- A law should be understood in the sense in which it was understood at the time when it was enacted.