Law Commission of India

183rd Report

on

A continuum on the General Clauses Act, 1897 with special reference to the admissibility and codification of external aids to interpretation of statutes

November, 2002

D.O.No.6(3)(79)/2002-LC(LS) 8.11.2002

Dear Shri Janakrishnamurthy Ji,

I am sending herewith the 183rd report on "A continuum on the General Clauses Act, 1897 with special reference to the admissibility and codification of external aids to interpretation of statutes".

2. The subject was taken up in pursuance to reference dated 28.1.2002 from the Legislative Department, Ministry of Law, Justice & Co. Affairs, Government of India for examining the Commission's 60th Report on the General Clauses Act, 1897 submitted to the Government of India in the year, 1974. The reference specifically seeks the Commission's views on the issue whether extrinsic aids should be made admissible in construction or interpretation of a statute, and if so, whether rules for extrinsic aids should be codified and incorporated in the General Clauses Act, 1897? Further, it was stated in the reference that there has been conflict in judicial decisions as to the admissibility of extrinsic aids and our courts are not following uniform approach to principles of statutory constructions especially regarding tools relating to external aids. Another question was also posed in the reference that since 1974 when the 60th Report of the Commission was submitted, many new statutes have come into force and some of the canons of interpretation on the use of extrinsic aid have also undergone changes, would it not lead to a 'criticism that the said report has lost its relevance because of a long gap'. The Commission has examined the following main issues arising out of the said reference:

A) Whether the General Clauses Act, 1897 should also provide the principles of interpretation of a statute as regards the extrinsic aids of interpretation and;

B) Whether recommendations made in the said 60th Report need any revision or whether those have lost relevance now.

The Commission has given its considered recommendations on these issues in this report.

With regards,

Yours sincerely,

(Justice M. Jagannadha Rao)

Shri Janakrishna Murthy,
Hon'ble Minister for Law & Justice,
Shastri Bhawan, New Delhi.

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The Law Commission has received a reference dated 28.1.2002 from the Legislative Department, Ministry of Law, Justice and Company affairs, Government of India for examining the Commission's 60th Report on the General Clauses Act, 1897 submitted to the Govt. of India in the year 1974. The reference specifically seeks the Commission's view on the issue whether extrinsic aids should be made admissible in construction or interpretation of a statute, and if so, whether rules for extrinsic aids should be codified and incorporated in the General Clauses Act, 1897? It has been stated in the reference that there has been conflict in judicial decisions as to the admissibility of extrinsic aids and our courts are not following uniform approach to principles of statutory construction

especially regarding tools relating to external aids. Some decisions of Apex Court have also been cited in support of this observation. We will discuss some of these decisions in this report.

The reference also states that the 60th Report was submitted in 1974 and since then, many new statues have come into force and some of the canons of interpretation on the use of extrinsic aid have also undergone changes. Further, if the Law Commission's 60th Report is now implemented, then there may be "criticism that the said Report has lost its relevance because of a long gap". We may, however, state that the question of external aids was specifically dealt with in Chapter II of the 60th report.

It will be appropriate to extract the relevant passages of the above reference to the above effect as follows:

> "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, etc."…
>
> "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."

"Further, the Law Commission Report was given way back in 1974 on a reference made in 1959. Since then, many new statues have come into force bringing to the fore issues such as information technology, in the light of which even the Evidence Act has been amended. Further some of the rules of interpretation on the use of extrinsic aids such as parliamentary debates, preparatory works, reports of the Law Commission of India and Parliamentary reports have undergone changes. It is also felt that if the 60th Report (1974) of the Law Commission is now implemented, there may be criticism that the Report has lost its relevance because of a long gap."

"In the light of above, it is considered appropriate to request the Law Commission of India to re-examine its 60th Report and to state whether at this stage the General Clauses Act should also contain the principles of interpretation of statutes or the said report, as it is at this stage would serve the purpose or the said report needs otherwise to be revised. The Commission may, accordingly, re-examine whether the earlier report needs any modification and if so, further suggestion/recommendations in the matter may be made by the Commission."

It may be pointed out that the Law Commission in Chapter 2 of the said 60th Report examined the issue regarding the feasibility of having a comprehensive code on the interpretation of statutes which may be inserted in the General Clauses Act, but found it to be impracticable on

various grounds. However, in the said Report, the Law Commission, recommended certain changes in the General Clauses Act, 1897 and a tentative draft of Amendment Bill was also annexed with the said Report.

While examining the terms of this reference, the following main issues need consideration:

C) Whether the General Clauses Act, 1897 should also provide the principles of interpretation of a statute as regards the extrinsic aids of interpretation and;

B) Whether recommendations made in the said 60th Report need any revision or whether those have lost relevance now.

Regarding the above said issue (A):

A statute is a will of legislature conveyed in the form of text. Interpretation or construction of a statute is an age-old process and as old as language. Elaborate rules of interpretation were evolved even at a very early stage of Hindu civilization and culture. The rules given by 'Jaimini', the author of Mimamsat Sutras, originally meant for srutis were employed for the interpretation of Smrities also. (Law Commission of India, 60th Report, Chapter 2, para 2.2). It is well settled principle of law that as the statute is an edict of the Legislature, the conventional way of interpreting or construing a statute is to seek the intention of legislature. The intention of legislature assimilates two aspects; one aspect carries the concept of 'meaning', i.e., what the word means and another aspect conveys the concept of 'purpose' and 'object' or the 'reason' or 'spirit' pervading through the statute. The process of construction, therefore, combines both the literal and purposive approaches. However, necessity of interpretation would arise only where

the language of a statutory provision is ambiguous, not clear or where two views are possible or where the provision gives a different meaning defeating the object of the statute. If the language is clear and unambiguous, no need of interpretation would arise. In this regard, a Constitution Bench of five Judges of the Supreme Court in R.S. Nayak v A.R. Antulay, AIR 1984 SC 684 has held:

> "… If the words of the Statute are clear and unambiguous, it is the plainest duty of the Court to give effect to the natural meaning of the words used in the provision. The question of construction arises only in the event of an ambiguity or the plain meaning of the words used in the Statute would be self defeating." (para 18)

Recently, again Supreme Court in Grasim Industries Ltd. v Collector of Customs, Bombay, (2002)4 SCC 297 has followed the same principle and observed:

> "Where the words are clear and there is no obscurity, and there is no ambiguity and the intention of the legislature is clearly conveyed, there is no scope for court to take upon itself the task of amending or altering the statutory provisions." (para 10)

For the purpose of construction or interpretation, the court obviously has to take recourse to various internal and external aids. "Internal aids" mean those materials which are available in the statute itself, though they may not be part of enactment. These internal aids include, long title, preamble, headings, marginal notes, illustrations, punctuation, proviso, schedule, transitory provisions, etc. When internal aids are not adequate, court has to take recourse to external aids. It may be parliamentary material, historical background, reports of a

committee or a commission, official statement, dictionary meanings, foreign decisions, etc.

The Supreme Court has accepted the necessity of external aids in interpretation of statutory provision. O.Chennappa Reddy J. in B. Prabhakar Rao and others v State of A.P. and others , AIR 1986 SC 120 has observed :

> "Where internal aids are not forthcoming, we can always have recourse to external aids to discover the object of the legislation. External aids are not ruled out. This is now a well settled principle of modern statutory construction." (para 7)

Recently, in District Mining Officer and others v Tata Iron & Steel Co. and another , (2001) 7 SCC 358, Supreme Court has observed:

> "It is also a cardinal principle of construction that external aids are brought in by widening the concept of context as including not only other enacting provisions of the same statute, but its preamble, the existing state of law, other statutes in pari materia and the mischief which the statute was intended to remedy." (para 18)

So far as admissibility and utility of these external aids are concerned, law is almost settled in our country now. The Supreme Court in K.P. Varghese v Income Tax Officer Ernakulam, AIR 1981 SC 1922 has stated that interpretation of statute being an exercise in the ascertainment of meaning, everything which is logically relevant should be admissible.

Following are some known external aids, which are admissible for the interpretation of statutory provisions:

(1) Parliamentary material

(a) Debates

Courts often take recourse to parliamentary material like debates in Constituent Assembly, speeches of the movers of the Bill, Reports of Committees or Commission, Statement of Objects and Reasons of the Bill, etc. As per traditional English view, these parliamentary material or Hansard were inadmissible as external aids, on the basis of 'exclusionary rule'. This "exclusionary rule" was slowly given up and finally in Pepper v Hart, (1993) 1 ALLER 42 (HL), it was held that parliamentary material or Hansard may be admissible as an external aid for interpretation of a statute, subject to parliamentary privilege, under following circumstances; where (a) legislation is ambiguous or obscure or leads to an absurdity; (b) the material relied on consists of one or more statements by a minister or other promoter of the Bill, together, if necessary, with such other parliamentary material as is necessary to understand such statements and their effect; and (c) the statements relied on are clear.

Indian Courts, in early days followed the 'exclusionary rule' which prevailed in England and refused to admit parliamentary material or Constituent Assembly debates for the purpose of interpretation of statutory or constitutional provision (see State of Travancore- Cochin and others v Bombay Co. Ltd., AIR 1952 SC 366; Aswini Kumar Ghose and another v Arbinda Bose and another, AIR 1952 SC 369. However, in subsequent cases, the Supreme Court relaxed this 'exclusionary rule, much before the law laid down in England in 'Pepper' case. Krishna Iyer J. in State of Mysore v R.V. Bidop, AIR 1973 SC 2555, quoted a passage from Crawford on Statutory Construction (page 383) in which exclusionary rule was criticized. The relevant passage is quoted below:-

> "The rule of Exclusion has been criticized by jurists as artificial. The trend of academic opinion and the practice in the European system suggests that interpretation of statute being an exercise in the ascertainment of meaning, everything which is logically relevant should be admissible"

Krishna Iyer J. has observed in this case:-

> "There is a strong case for whittling down the Rule of Exclusion followed in the British courts and for less apologetic reference to legislative proceedings and like materials to read the meaning of the words of a statute." (para 5)

In this regard, Bhagwati J. (as he then was) in Fagu Shaw etc. v The State of West Bengal, AIR 1974 SC 613 has stated:

> "Since the purpose of interpretation is to ascertain the real meaning of a constitutional provision, it is evident that nothing that is logically relevant to this process should be excluded from consideration. It was at one time thought that the speeches made by the members of the Constituent Assembly in the course of the debates of the Draft Constitution were wholly inadmissible as extraneous aids to the interpretation of a constitutional provision, but of late there has been a shift in this position and following the recent trends in juristic thought in some of the Western countries and the United States, the rule of exclusion rigidly followed in Anglo American jurisprudence has been considerably diluted…
>
> We may therefore legitimately refer to the Constituent Assembly debates for the purpose of ascertaining what was the object which the Constitution makers had in view and what was the purpose

which they intended to achieve when they enacted cls (4) and (7) in their present form." (para 45)

Again in R.S. Nayak v A.R. Antulay (Supra), the Supreme Court observed in this regard:

"…Therefore, it can be confidently said that the exclusionary rule is flickering in its dying embers in its native land of birth and has been given a decent burial by this Court." (para 34)

The Supreme Court in a numbers of cases referred to debates in the Constituent Assembly for interpretation of Constitutional provisions. Recently, the Supreme Court in S.R. Chaudhuri v State of Punjab and others, (2001) 7 SCC 126 has stated that it is a settled position that debates in the Constituent Assembly may be relied upon as an aid to interpret a Constitutional provision because it is the function of the Court to find out the intention of the framers of the Constitution. (para 33)

But as far as speeches in Parliament are concerned, a distinction is made between speeches of the mover of the Bill and speeches of other Members. Regarding speeches made by the Members of the Parliament at the time of consideration of a Bill, it has been held that they are not admissible as extrinsic aids to the interpretation of the statutory provision. (see - K.S. Paripoornan v State of Kerala and others, AIR 1995 SC 1012). However, speeches made by the mover of the Bill or Minister may be referred to for the purpose of finding out the object intended to be achieved by the Bill (see K.S. Paripoornan's case (supra). J. S. Verma J (as he then was) in R.Y. Prabhoo (Dr.) v. P.K. Kunte, (1995) 7 SCALE 1 made extensive reference to the speech of the then Law Minister Shri A.K. Sen for construing the word 'his' occurring in sub-section (3) of section 123 of the Representation of People Act 1951.

Similarly, Supreme Court in P.V. Narsimha Rao v State, AIR 1998 SC 2120 agreeing with the view taken in Pepper v Hart (Supra) has observed:

> "It would thus be seen that as per the decisions of this Court, the statement of the Minister who had moved the Bill in Parliament can be looked at to ascertain mischief sought to be remedied by the legislation and the object and purpose for which the legislation is enacted. The statement of the Minister who had moved the Bill in Parliament is not taken into account for the purpose of interpreting the provision of the enactment." (Para 77).

The Supreme Court in Sushila Rani v CIT and another, (2002) 2 SCC 697 referred to the speech of the Minister to find out the object of 'Kar Vivad Samadhan Scheme 1998'.

(b) Statement of Objects and Reasons

So far as Statement of Objects and Reasons, accompanying a legislative bill is concerned, it is permissible to refer to it for understanding the background, the antecedent state of affairs, the surrounding circumstances in relation to the statute and the evil which the statute sought to remedy. But, it cannot be used to ascertain the true meaning and effect of the substantive provision of the statute. (Devadoss (dead) by L. Rs, v. Veera Makali Amman Koil Athalur, AIR 1998 SC 750.

(c) Reports of Parliamentary Committees and Commissions

Reports of Commissions including Law Commission or Committees including Parliamentary Committees preceding the introduction of a Bill can also be referred to in the Court as evidence of historical facts or of surrounding circumstances or of mischief or evil intended to be remedied. Obviously, courts can take recourse to these materials as an external aid for interpretation of the Act. Though, the Supreme Court

refused to take recourse to the Report of the special Committee which had been appointed by the Government of India to examine the provision of the Partnership Bill for construing the provisions of the Partnership Act, 1932 in CIT, A.P. v Jaylakshmi Rice and Oil Mills Contractor Co., AIR 1971 SC 1015, yet in another case Haldiram Bhujiawala and another v Anand Kumar Deepak Kumar and another, (2000) 3 SCC 250, the Supreme Court took recourse to the very same report of the Special Committee (1930-31) for construing the provisions of section 69 of the Partnership Act, 1932. The Supreme Court in the above case held that decision in CIT v. Jaylakshmi Rice & Oil Mills (supra) in this respect is no longer good law. Law Commission's Reports can also be referred to where a particular enactment or amendment is the result of recommendations of Law Commission Report. (see Mithilesh Kumari v Prem Behari Khare, AIR 1989 SC 1247). Similarly, the Supreme Court in Rosy and another v State of Kerala and others, (2000) 2 SCC 230 considered Law Commission of India, 41st Report for interpretation of section 200 (2) of the Code of Criminal Procedure,1898.

The above discussion obviously indicates that parliamentary material including committees and commission reports are admissible external aid for interpretation of statutory provisions.

(2) Reference to other statutes

It is a settled principle that for the purpose of interpretation or construction of a statutory provision, courts can refer to or can take help of other statutes. It is also known as statutory aids. The General Clauses Act, 1897 is an example of statutory aid. Apart from this, Court can take recourse to other statutes which are in pari mataria i.e. statute dealing with the same subject matter or forming part of the same system. Supreme Court in Common Cause, A Registered Society v Union of India, AIR 1996 SC 3081, took recourse to section 13A and 139 (4B) of the

Income Tax Act 1961 for the purpose of interpretation of Explanation I to section 77 (1) of the Representation of the People Act, 1951.

The application of this rule of construction has the merit of avoiding any contradiction between a series of statutes dealing with the same subject, it allows the use of an earlier statute to throw light on the meaning of a phrase used in a later statute in the same context. On the same logic when words in an earlier statute have received an authoritative exposition by a superior court, use of same words in similar context in a later statute will give rise to a presumption that the legislature intends that the same interpretation should be followed for construction of those words in the later statute. (see Bengal Imunity Co. Ltd. v State of Bihar, AIR 1955 SC 661). However, a later statute is normally not used as an aid to construction of an earlier statute, but when an earlier statue is truly ambiguous, a later statute may in certain circumstances serve as a parliamentary exposition of the former.

(3) Usages and Practice

Usages and practice developed under a statute is indicative of the meaning ascribed to its words by contemporary opinion and in case of an ancient statute, such reference to usage and practice is an admissible external aid to its construction. But this principle is not applicable to a modern statute and it is confined to the construction of ambiguous language used in old statute. This principle of 'contemporanea exposito' was applied by the Supreme Court in National and Grindlays Bank v Municipal Corporation for Greater Bombay, AIR 1969 SC 1048 while construing Bombay Municipal Corporation Act, 1888. The apex court also referred to the actual practice in the matter of appointment of judges of Supreme Court and High Court in the context of interpreting Articles 74 and 124 of the Constitution and observed that the practice being in

conformity with the constitutional scheme should be accorded legal sanction by permissible constitutional interpretation. (see Supreme Court Advocates on Record Association v Union of India, AIR 1994 SC 268.

(4) Dictionaries

When a word is not defined in the statute itself, it is permissible to refer to dictionaries to find out the general sense in which that word is understood in common parlance. (See Municipal Board Sarahanpur v Imperial Tabacco of India Ltd. (1999) 1 SCC 566). However, in the selection of one out of the various meanings of a word, regard must always be had to the scheme, context and legislative history.

(5) Foreign Decisions

For the purpose of construction of Indian statutes, courts also refer to decisions of foreign courts which are following same system of jurisprudence as ours. The assistance of such decisions is subject to the qualification that prime importance is always to be given to the language of the relevant Indian statute, the circumstances and the setting in which it is enacted and the relevant conditions in India where it is to be applied. These foreign decisions have persuasive value only and are not binding on Indian courts and where guidance is available from binding Indian decisions, reference to foreign decisions is of no use (see Forasol v ONGC, AIR 1984 SC 241; General Electric Co. v. Renusagar Power Co., (1987) 4 SCC 137).

While interpreting provisions relating to fundamental rights contained in the Indian Constitution, Supreme Court took much assistance from American precedents. In case where an International

Convention is involved, it is obviously desirable that decisions in different jurisdictions across the world should so far as possible be kept in line with each other. Therefore, in such cases foreign decisions are more useful for guiding the courts.

(6) Historical facts and surrounding circumstances

Apart from the various external aids discussed above, courts while interpreting a statutory provision, can take into account relevant historical facts or history of enactment in order to understand the subject matter of statute. Court can also have regard to the surrounding circumstances which existed at the time of passing of the statute. But, like any other external aid, the inference from historical facts and surrounding circumstances must give way to the clear language employed in the enactment itself. In this regard, Supreme Court in Mohanlal Tripathi v. Distt. Magistrate Rail Bareilly and others, (1992) 4 SCC 80, has observed:

> "Value of 'historical evolution' of a provision or 'reference' to what preceded the enactment is an external aid to understand and appreciate the meaning of a provision, its ambit or expanse has been judicially recognized and textually recommended. But this aid to construe any provision which is 'extremely hazardous' should be resorted to, only, if any doubt arises about the scope of the section or it is found to be 'sufficiently difficult and ambiguous to justify the construction of its evaluation in the statute book as a proper and logical course and secondly, the object of the instant enquiry' should be 'to ascertain the true meaning of that part of the section which remains as it was and which there is no ground for thinking of the substitution of a new proviso was intended to alter'." (para 7)

> This rule of admissibility permits recourse to historical works, pictures, engraving and documents where it is important to ascertain ancient facts of a public nature.

Recently, Supreme Court while dealing with the Dental Act, 1948 in Dental Council of India v Hariprakash, (2001) 8 SCC 61 has observed:

> "The Act is a pre constitutional enactment but it has application in the post constitutional era also. When interpreting such an enactment, we have not only to bear in mind the historical background leading to the legislation and the amendments effected therein, but also various aspects covered by it". (para 3.1)

It is apparent from this discussion that historical facts and surrounding circumstances are also relevant facts to be taken into account by the Court as external aids for interpretation of statutes.

(7) Later Development and Scientific Inventions

It is often possible that after the enactment of a statute, political and economic developments in the society may take place. New scientific inventions may also come out. The legislature might not have been aware of all these developments and inventions, when the law was made. Therefore, courts take into account all these development while construing statutory provisions. In this regard, Bhagwati J. (as he then was) in S.P. Gupta v Union of India, AIR 1982 SC 149 has stated:

> "The interpretation of every statutory provision must keep pace with changing concepts and values and it must, to the extent to which its language permits or rather does not prohibit, suffer

> adjustments through judicial interpretation so as to accord with the requirement of the fast changing society which is undergoing rapid social and economic transformation … It is elementary that law does not operate in a vacuum. It is, therefore, intended to serve a social purpose and it cannot be interpreted without taking into account the social, economic and political setting in which it is intended to operate. It is here that the Judge is called upon to perform a creative function. He has to inject flesh and blood in the dry skeleton provided by the legislature and by a process of dynamic interpretation, invest it with a meaning which will harmonise the law with the prevailing concepts and values and make it an effective instrument for delivery of justice." (para 62)

Again, in S.P. Jain v Krishan Mohan Gupta and others, AIR 1987 SC 222, the Supreme Court has held:

> "We are of the opinion that law should take pragmatic view of the matter and respond to the purpose for which it was made and also take cognizance of the current capabilities of technology and life style of community". (para 18)

With the change of times, Article 21 of the Constitution which was at one time interpreted in a very narrow way, has now been interpreted in such a way, that the right to life includes everything which makes a man's life meaningful, complete and worth living. The Supreme Court in J.K. Cotton Spinning & Wvg Mills Ltd. v Union of India, AIR 1988 SC 191 observed at para 45 that in a modern progressive society it would be unreasonable to confine the intention of the legislature to the meaning attributed to the word used at the time the law was made and unless a contrary intention appears, an interpretation should be given to the

words used to take in new facts and situations, if the words are capable of comprehending them.

Therefore, court has to take into account social, political and economic developments and scientific inventions which take place after enactment of a statute for proper construction of its provision.

International Conventions

Apart from these external aids, court also take recourse to other material. For example, wherever necessary, court can look into International Conventions (P.N. Krishanlal v Govt. of Kerala, (1995) Sup. (2) SCC 187). The Supreme Court in Visakha v. State of Rajasthan, AIR 1997 SC 3011 took recourse to International Convention for the purpose of construction of domestic law. The Court observed :-

> "In the absence of domestic law occupying the field to formulate effective measures to check the evil of sexual harassment of working women at all work places, the contents of International Conventions and norms are significant for the purpose of interpretation of the guarantee of gender equality, right to work with human dignity in Articles 14, 15, 19(1)(g) and 21 of the Constitution and the safeguards against sexual harassment implicit therein. Any international convention not inconsistent with the fundamental rights and in harmony with its spirit must be read into those provisions to enlarge the meaning and content thereof, to promote the object of the Constitutional guarantee." (para 7)

Other materials

Similarly, Supreme Court used information available on internet for the purpose of interpretation of statutory provision in Ramlal v State of Rajasthan, (2001) 1 SCC 175. Courts also refer passages and materials from text books and articles and papers published in the journals. We are of the view that these external aids are very useful tools not only for the proper and correct interpretation or construction of statutory provision, but also for understanding the object of the statute, the mischief sought to be remedied by it, circumstances in which it was enacted and many other relevant matters. In the absence of the admissibility of these external aids, sometime court may not be in a position to do justice in a case.

Application of external aids cannot be uniform

As discussed above, the external aids are very useful tools for the interpretation or construction of statutory provisions. Law is almost settled in our country on the issue as to which external aids are admissible and what weight age should be given to each such aid. There is no uncertainty about the admissibility of these aids. Courts are following uniform process in this respect. But it does not necessarily mean that in every case, court should take recourse to each admissible external aid. Each case contains different facts and circumstances. Court has to apply the appropriate law to the facts and circumstances of the case. So, when the court refuses to take recourse to a particular external aid in a specific case rather than to another external aid because of the special facts, circumstances and context of the case, it does not mean that courts are not following uniform process or the law is uncertain.

Whether external aids can be incorporated into the General Clauses Act

Now, the issue arises whether law about admissibility of these external aids should be incorporated in the General Clauses Act 1897. This issue was examined by the Law Commission in Chapter 2 of the its 60th Report. The Law Commission was of the view that these rules of admissibility of external aid cannot be codified. These are judge made rules. The Commission thus observed as follows:

> "2.7 It is obvious that all 'rules of interpretation' cannot be codified. Some rules are only guidelines, as we have already stated. A suggestion was made later by Professor Acharya in his Tagore Law Lectures on codification in British India, that the scope of the General Clauses Act should be extended so as to make it a comprehensive code on the interpretation of statutes. This suggestion is, no doubt, attractive at first sight; but a close scrutiny will reveal its impracticability. It is not possible to incorporate, in an Interpretation Act, the rules of interpretation enunciated in the text books on the subject. One of the main reasons for having an Interpretation Act is to facilitate the task of the draftsman in preparing parliamentary legislation. The courts also have recourse to Interpretation Acts to interpret statutes; but they do not confine themselves to these Acts. They certainly take the aid of accepted rules of interpretation as laid down in decided cases.
>
> Moreover, a certain degree of elasticity is necessary in this branch of the law. Rules of construction of statutes are not static. Aims and objects of legislation will be better served by appropriate judicial interpretation of the law, rather than by rigid provisions in the law themselves. At present, Judges have a certain amount of latitude in the matter, which enables them to do justice, after taking into consideration the nature and character of each statute. If the rules of construction are given a statutory form, the

consequential rigidity in this branch of the law is likely to do more harm than good."

The recommendations of the Law Commission in its above Report are well defined and contain sound reasons. These reasons are still valid. We are of the opinion that in view of the reasons forthcoming also, there is no need to disturb those recommendations in Chapter 2 para 2.7 of the 60th Law Commission of India Report and we reiterate the same. It would not be appropriate to limit the extent of resources to be considered as extrinsic aids to interpretation as this step would be anti-progressive. If the rules regarding external aids are provided in legislative form, provisions would become rigid and courts would be deprived of their judicial function of interpretation to achieve social goals or dispense justice. Courts will not be able to take judicial notice of some information which is useful, if reference to that kind of information is not to be made permissible because of straight-jacket rules prohibiting such use by legislative form. The Legislature cannot prepare an exhaustive list of situations to which alone courts may be confined for use of external aids.

The British and Scottish Law Commission in its Report (1969) on the Interpretation of Statutes also favoured non-codification of these rules. Chapter V of the Report deals with this aspect. At para 46, the Report says:

"It is self-evident that in order to understand a statute a court has to take into account many matters which are not to be found within the statute itself. Legislation is not made in a vacuum, and a judge in interpreting it is able to take judicial notice of much information relating to legal, social, economic and other aspects of the society in which the statute is to operate. We do not think it

would serve a useful purpose to attempt to provide comprehensive directives as to these factors."

Again in Chapter IX (Summary of conclusions and Recommendations at para 81 of the said Report), it is observed:

"81. We accept nevertheless the argument summarized in paragraph 79 to the extent that we do not propose any comprehensive statutory enumeration of the factors to be taken into account by the courts in the interpretation of legislation; even in the countries with the most highly codified systems, the principles of interpretation largely rest on a body of flexible doctrines developed by legal writers and by practice of the courts."

We refer to the New Zealand Law Commission Report No. 17 (S) (1990) on 'A New Interpretation Act' in which the New Zealand Law Commission had examined Interpretation Act 1924 and prepared a Report on a New Interpretation Act at para 16 of the summary of the Report, the said Commission identified important issues. One of the issues was whether the Act should regulate the use that can be made of material beyond the text of the enactment to assist its interpretation? Obviously, these materials are known as external aids. The answer to the question is given under para 22 of the Summary of the Report as follows:

"22. The Report concludes that practice shows there is sometimes value in considering parliamentary material. Accordingly, a prohibitory rule is inappropriate. And while a permissive rule could address the questions outlined in the Report, the legislative answers given elsewhere do not appear to provide any significant assistance to the courts. Rather the courts themselves have been

developing and will continue to develop rules and practices about relevance and significance. Accordingly, the Commission does not propose the enactment of legislation regulating the use of parliamentary material."

The Commission recommended that the use of parliamentary material in the interpretation of legislation should not be regulated by a general statute.

It is apparent from the discussion above mentioned that all the three Law Commissions viz., Law Commission of India (in its 60th Report submitted in 1974), British and Scottish Law Commission in their Joint Report submitted in 1969 and New Zealand Law Commission in its report submitted in 1990, categorically recommended that rules of interpretation regarding use of extrinsic material should not be enacted in legislative form. These recommendations of all these Law Commissions are based on sound reasons and we concur with those recommendations. There are some other underlying reasons which also negate the concept of codification of these rules.

Interpretation requires certain amount of discretion and flexibility and judges must have discretion. If the rules regarding use of external aids are codified then judges would loose the discretion which they are having in the present system. In the absence of discretion and flexibility, courts may not be in a position to do justice.

In Bhatia International v Bulk Trading S.A., (2002) 4 SCC 105, the apex court observed:

"Notwithstanding the conventional principle that the duty of Judges is to expound and not to legislate, the courts have taken

> the view that the judicial art of interpretation and appraisal is imbued with creativity and realism and since interpretation always implied a degree of discretion and choice, the courts would adopt, particularly in areas such as constitutional adjudication dealing with social and defuse (sic) rights. Courts are therefore, held as 'finishers, refiners and polishers of legislation…" (para 15)

Therefore, when the interpretation requires discretion and choice, it is not advisable to codify the rules for interpretation especially those regarding use of external aids.

One of the main reasons which requires giving considerable latitude to courts in the matter of interpretation of statutory provision is that the Legislature cannot foresee exhaustively all the situations and circumstances that may emerge after enacting statutory provisions where their applications may be called for. It is impossible even for the most imaginative Legislature to foresee all the future circumstances. In this regard, Supreme Court in Ratanchand Hirachand v Askar Nawaz Jung – (dead) by L.Rs., (1991) 3 SCC 67 has observed:

> "The legislature often fails to keep pace with the changing needs and values, nor it is realistic to expect that it will have provided all contingencies and eventualities. It is, therefore, not only necessary but obligatory on the court to step in to fill the lacuna." (para 17)

The above principle is equally attracted if we propose to legislate rules of interpretation regarding use of external aids. The legislature cannot, when it makes a law today, foresee the kind of aids which may be useful after a gap of years nor can it foresee all situations in which a particular aid can be helpful. For example, now courts use information of judgements of foreign jurisdictions which is available on internet, as

an external aid for interpretation. This facility was unknown in the past. Similarly, in future some other new technology may come out. Again, new or peculiar circumstances may arise where the court has to take recourse to some material or aid which has not been used in the past as external aid. Therefore, rigid and statutory rules for interpretation of statutes for the use of external aids are not warranted.

Similarly, a court has to interpret a statutory provision in the context of current social and economic circumstances prevailing in the society. Krishna Iyer J. in State of Mysore v R.V. Bidop, AIR 1973 SC 2555 has held that 'social context' can be looked as an external aid, where the language is ambiguous. As stated in previous paragraphs, Bhagwati J. (as he then was) in S.P. Gupta's case has held that the interpretation of every statutory provision must keep pace with changing concept and values and it must accord with the requirement of the fast changing society which is undergoing rapid social and economic transformation. Such social and economic changes cannot be formulated in the legislative form. Moreover, with the passage of time, meaning of words may also get changed. For example, in 1950 in A.K. Gopalan's case, meaning of words 'life and personal liberty' in Article 21 of the Constitution of India was interpreted in terms of only physical or bodily liberty and not more than and 'procedure established by law' was interpreted like 'any kind of procedure prescribed by the law of any kind. But the meaning of the words 'life and personal liberty' has been widened considerably to mean protection to all those aspect of life which go to make a man's life meaningful, complete and worth-living with dignity. Right to life would include all that give meaning to a man's life e.g. his tradition, culture, heritage and protection of that heritage in its full measure. (Ramsharan vs Union of India, (1989) Suppl.(1) SCC 251 (Prs. 13-14). It would also include the right to good health (M.C. Mehta vs Union of India, (1999)6 SCC 9 (Pr.1); right to healthy environment (A.P.

Pollution Control Board II vs Prof. M.V. Nayudu, (2001) 2 SCC 62); right to health care (State of Punjab vs Ram Lubhaya, (1998)4 SCC 11). Now, 'procedure established by law' means that substantive law as well as procedural law must be 'just, fair and reasonable'. Meaning of words 'affairs of state' appearing in section 123 of the Evidence Act has also undergone drastic changes with the passage of time. In this regard, Law Commission in its 60th Report at para 2.9 has observed:

> "Moreover, with the passage of time, there may be changes in the meaning of words. As has been stated, 'some words are confined to their history, while some are starting points for history."

In Santa Singh v State of Punjab, AIR 1976 SC 2386, Supreme Court observed:

> "It was Mr. Justice Holmes who pointed out in his inimitable style that, 'a word is not a crystal, transparent and unchanged', it is the skin of a living thought and may vary greatly in colour and content according to the circumstances and the time in which it is used." (para 4)

This kind of rule that the meaning of the words may get changed with the passage of time cannot be expressed in legislative form.

While interpreting a provision, it is not proper for the court to take a mechanical or mathematical meaning of a word. The Law Commission in its 60th Report has observed, in this regard:

> "2.12 It is of course, well recognized that interpretation is not merely a process of spelling out the meaning by set guidelines. Sometimes, it has to partake of the character of law making. …

> Interpretation is not mathematics, where the answer given by every person to the particular mathematical problem must tally with each other if the answer are correct. As we shall show later, a certain amount of latitude is left to those who have to interpret and to this extent, interpretation resembles law making."

The Supreme Court in Hariprasad Shivshankar Shukla v. A.D. Divelkar, AIR 1957 SC 121, has referred with approval the following passage from an American decision (Great Northern Rly. Co. v United States of America, (1942) 315 US 262):

> "We are not limited to lifeless words of the statute and formalistic canons of construction in search for the intent of Congress (Parliament in our case)". …

It was observed in Distt. Mining Officer v Tata Iron and Steel Co., (2001) 7 SCC 358 that a bare mechanical interpretation of the words and application of legislative intent devoid of concept or purpose will reduce most of the remedial and beneficent legislation to futility.

In another case, the apex Court has also observed:

> "Statutes, it is often said, should be construed not as theorems of Euclid but with some imagination of purpose which lies behind them and to be too literal in the meaning of words is to see the skin and miss the soul." (see Tata Engg. and Locomotive Co. Ltd. v State of Bihar, (2000) 5 SCC 346). (para 15)

Further, rules of interpretation are not rules of law; they are mere aids to construction and constitute some broad points. It is the task of

the court to decide which rules are, in the light of all circumstances, or ought to prevail (see Keshavji Ravji & Co. v CIT, (1990) 2 SCC 231).

The Law Commission in its 60th Report has stated at para 2.9:

> "Statutes are the expression of the will of an authority constituted by society to announce general obligatory legal rules. The binding force of statute law attaches to the formula in which the law is expressed. The task of interpretation of a statute is of, extracting, from the formula, all that it contains of legal rules, with a view to adapting it, as perfectly as possible, to the facts of life. Therefore, the insertion of rigid rules may go against the very concept of interpretation."

A statute is a will of legislature conveyed in the form of text. Words in any language are not scientific symbols having any precise and definite meaning, but are capable of referring to a different meaning in different context of times. Two views are often possible. Language of a statutory provision may be ambiguous. All these things give room for interpretation. Parliamentary draftsmen have been criticized in various cases by the court. In Institute of Chartered Accountants of India v Price Waterhouse, (AIR 1998 SC 74) the apex court observed:

> "Interpretation postulates the search for the true meaning of the words used in the statute as a medium of expression to communicate a particular thought. The task is not easy as the 'language' is often misunderstood even in ordinary conversation or correspondence. The tragedy is that although in the matter of correspondence or conversation the person who has spoken the words or used the language can be approached for clarification, the Legislature cannot be approached as the Legislature, after enacting

a law or Act, becomes functus officio, so far as that particular Act is concerned and it cannot interpret it." (para 47)

The court further observed:

"Statute being an edict of the Legislature, it is necessary that it is expressed in clear and unambiguous language. In spite of Courts saying so innumerable times, the draftsmen have paid little attention and they still boast of the old British Jingle, 'I am the Parliamentary draftsman, I compose the country's laws. And of half of the litigation, I am undoubtedly the cause…" (para 48)

In another case (Keshav Mills Company Limited v CIT, Bombay North, AIR 1965 SC 1636), the Supreme Court has observed:

"…It is general judicial experience that in matters of law involving questions of construing statutory or Constitutional provisions, two views are often reasonably possible and when judicial approach has to make a choice between the two reasonable possible views, the process of decision making is often very difficult and delicate." (para 23)

Now, if the rules of interpretations regarding use of external aids are also provided in legislative form, then these statutory provisions about external aids may also require interpretation from the court as the language may bear two views or may be ambiguous. Therefore, the codification of these rules would not serve any purpose, rather it may create some more problems of interpretation.

In our country, rules for interpretation in the form of a scientific system were developed since very early times known as Mimamsa Principles of Interpretation. These principles were regularly used by our renowned jurists like Vijnaneshwara (author of Mitakshra), Jimutvahana

(author of Dayabagh), Nanda Pandit (author of Dattak Mimamsa), etc. Whenever there was any conflict between two Smrities, eg., Manusmriti and Yagnavlkya Smriti, or ambiguity in a Shruti or Smriti, the Mimamsa Principles were utilized. These Mimamsa rules were laid down by Jaimini in his Sutras written abound 500 B.C. No doubt, these principles of interpretation were initially laid down for interpreting religious texts pertaining to 'Yagya' (sacrifice), but gradually the same principles came to be used for interpreting legal texts also, particularly since in the Smrities the religious texts and legal texts are mixed up in the same treatises.

Sir John Edge, the then Chief Justice of Allahabad High Court, has referred to the Mimamsa principle in Beni Prasad v Hardai Bibi, (1892) ILR 14 All 67 (FB).

Similarly, Gunapradhan Axiom of the Mimamsa principle was applied for interpretation of section 419 of UP Sales Tax Act in Amit Plastic Industry, Ghaziabad v Divisional Level Committee, Meerut (CM WP No. 372/1989 decided on Nov.10, 1993). Again in Tribhuwan Mishra v Distt. Inspector of Schools, Azamgarh (CMWP No. 17554/1990, decided on March 30, 1992 'Samajasya Axiom' was applied.

The Supreme Court has also taken note of these ancient principles. In UP Bhoodan Yagna Samiti, UP v Braj Kishore, AIR 1988 SC 2239); The apex court applied one of these principle after quoting a 'Shloka'. In this regard Court observed:

> "In this country, we have a heritage of rich literature, it is interesting to note that literature of interpretation also is very well known. The principless of interpretation have been enunciated in various Shlokas which have been known for hundreds of years." (para 11)

Can these rules of Mimamsa be incorporated in the legislative form? Answer would be a 'no'. Thus if rules of extrinsic aid and construction are codified then it may be that some radical sources are kept out of purview of interpretation unknowingly.

The above discussion clearly indicates that rules for interpretation specially regarding use of external aids should not be and cannot be given legislative form.

Even if it can be given, it can be given only in an 'inclusive' form and not exhaustively. Interpretation Act 1978 of UK also does not contain rules regarding use of external aids. The draft clauses, contained in Appendix A of the joint Report of the British and Scottish Law Commission on the Interpretation of Statute submitted in the year 1969, also do not contain these rules exhaustively. Language of sub-clause (1) of clause 1 clearly indicates this proposition. This sub-clause is as follows:

> "1 – (1) In ascertaining the meaning of any provision of an Act, the matters which may be considered shall, in addition to those which may be considered for that purpose apart from this section, include the following, that is to say –
> ……."

A plain reading of this clause indicates that this provision is inclusive in form and not exhaustive in form. Furthermore, the Interpretation Act of 1978 (UK) does not even contain this provision.

The Draft Interpretation Act, 1991 submitted by the New Zealand Law Commission along with its Report No. 17 (S) on "A New

Interpretation Act" does not contain provisions regarding use of external material.

In Australia, a new section 15AB has been inserted in the Interpretation Act, 1901 regarding use of extrinsic material in the interpretation of an Act. Sub-section (1) provides that in the interpretation of a provision of an Act, any material which is not forming part of the Act (extrinsic material) is capable of assisting in the ascertainment of the meaning of the provision in certain circumstances. Sub-section (2) provides a list of material that may be considered for the interpretation. But this list is also inclusive in form.

Further, some of the rules of interpretation on the use of extrinsic aids even though they have undergone some changes, do not require any codification in this regard and the recommendations made in the 60th Report have not lost relevance.

On the basis of the discussion above, we are of the view; (1) in the event of ambiguity of a provision, for the purpose of interpretation of such a statutory provision, courts can certainly take recourse to material or aids outside the statute, i.e., external aids, and (2) the rules of interpretation specially regarding use of external aids, should not be incorporated in the General Clauses Act, 1897 at all.

We recommend accordingly.

Regarding the issue (B):

Whether recommendations made in the 60th Report of the Commission need any revision or whether they have lost relevance now.

In the letter of reference, we have extracted a passage regarding impact of information technology. Merely because the Indian Evidence Act has been amended by the Information Technology Act, 2000 keeping in view the advancement of information technology, that should not lead to amendment of the General Clauses Act, 1897 because the terms expressed in the amended General Clauses Act will have an all pervasive impact on the "post-amendment General Clauses Act", Central enactments only.

It may suffice to mention that the proposed recommendations made in the 60th Report for making amendments in the General Clauses Act, 1897 will be applicable only to new Central statutes enacted after coming into force of the proposed amending Act and hence there is no possibility of impact of any proposed amending provisions on the existing Central statutes.

The General Clauses Act, 1897 is a consolidation of the General Clauses Act, 1868 and the General Clauses Act, 1887. The main object of these Acts as mentioned in the respective preambles of 1868 and 1887 Acts is to shorten the language used in the Central Acts as applicable in India. Hon'ble Mr. M.D. Chalmers, the then Law Member in the Council of Governor General, while introducing the Bill for 1897 Act, pointed in the Council that the new Bill was not intended in any way to change the existing law. He further stated that its object was simply to shorten the language of future statutory enactments. (see The Gazette of India, Part VI pp 35-6 dated Feb., 6, 1897).

Section 3 of the General Clauses Act, 1897 is the definition section. There are sixty six clauses in the said section which give meaning of words and phrases used in different statutes. The meaning of the words given in these definition clauses are applicable to this Act of

1897 and all Central Acts and Regulations made after the commencement of this Act, unless those Acts or Regulation contain separate definitions of their own or there is something repugnant in the subject or context. The opening words of section 3 is as follows:-

> "3.Definitions – In this Act, and in all Central Acts and Regulations made after the commencement of this Act, unless there is anything repugnant, in the subject or context, ..."

The words, "all Central Acts or Regulation made after the commencement of this Act", indicate that definitions provided in this section would be applicable only to those Acts or Regulations which were made after 1897. So far as the Acts or Regulations made before 1897, section 3 would not apply. Therefore, it was held in State of Orissa v. Gangadhar Subudhi ILR 1966 Cutt 102 that as the Provincial Small Causes Courts Act was passed in 1887, hence, definition provided in section 3 of the General Clauses Act, 1897 does not apply to that Act. Similarly, Andhra Pradesh High Court in Fatima Fauzia v. Syed-ul-Mulk, AIR 1979 AP 229 has held that as Trust Act was passed in 1882, the definition of 'good faith' given in the General Clauses Act, 1897 is not attracted to the Trust Act. On the same ground, Allahabad High Court in Lachmi Prasad v. Lachmi Narain AIR 1928 All.41, also held that definition of 'good faith' given in the General Clauses Act, 1897 does not apply to the Transfer of Property Act, 1882.

The General Clauses Act, 1897 also contains provisions regarding construction of Acts, Regulation, rules and bye-laws. But these provisions are applicable only to those Acts, Regulations, etc., which have been made after the commencement of the General Clauses Act, 1897. So far as the Acts, Regulations etc. made before 1897, are concerned rules of construction specified in sections 5 to 13 of the General Clauses Act, 1897 would not apply to those enactments.

In this connection section 29 of the Act of 1897 is relevant, which is quoted below:

> "29. Savings for previous enactments, rules and bylaws.
> The provisions of this Act respecting the construction of Acts, Regulations, rules or bye laws made after the commencement of this Act, shall not affect the construction of any Act, Regulation, rule or bye law made before the commencement of this Act, although the Act, Regulation, rule or bye-law is continued or amended by an Act, Regulation, rule or bye law made after the commencement of this Act."

This section 29 forbids the application of its provisions for the purpose of construction of such Acts, Regulations, rules or bye laws which had been made before the commencement of the General Clauses Act, 1897, even though they have continued in operation after the commencement of Act of 1897 or amended by a subsequent legislation after 1897.

This section 29 corresponds to section 40 of British Interpretation Act, 1889. It states as follows:

> "40. Saving for past Acts.
> The provisions of this Act respecting the construction of Acts passed after the commencement of this Act shall not affect the construction of any Act passed before the commencement of this Act, although it is continued or amended by an Act passed after such commencement."

These provisions (secs. 3 and section 29 of the General Clauses Act, 1897) make it clear that the rules of construction of statutes and the meaning of the words and phrases given in the General Clauses Act, 1897 would be applicable only to those Central Acts, Regulation, rules or bye laws which are made after the commencement of Act of 1897. As observed in the 60th Report of the Law Commission quoted below, the reason behind the above conclusion is that a particular statute should be interpreted according to the rules for construction prevailing at the time of its enactment. Later changes in the rules of construction should not affect former enactments. It is stated in the 60th Report of the Law Commission of India at para 1.20 as follows:

> "1.20 Whether there should be one Act or two Acts
> Before making our detailed recommendation for revision of the Act, we consider it necessary to examine a few preliminary questions. One such question relates to the form which proposed changes should take. The basic question is whether there should be one Interpretation Act, or whether there should be two Interpretation Acts. Need for making choice in this respect arises because a view has been put forth that the present General Clauses Act should continue for the interpretation of the existing Central Acts etc. and a new full fledged interpretation Act should be proposed for the interpretation of Central Acts etc., to be enacted hereafter."

The Law Commission at para 1.21 of the 60th Report observed as follows:

> "No doubt, the initiation of a totally new interpretation Act (with only prospective effect) has an advantage inasmuch as the radical changes will not apply to existing Acts. But the same object could, in a fair measure, be achieved by suggesting new provisions for

> incorporation in the present Act, at the same time making those new provisions prospective. The proposal for having two Acts does not, in this respect have any peculiar merit."
>
> (emphasis laid)

Again at para 1.22, the Law Commission has observed:

> ".....As regards, the new provisions to be inserted in the Act, care is being taken to ensure that such of them as are likely to create any difficulty will be prospective only..."

Article 367 of the Constitution of India provides that unless the context otherwise requires, the General Clauses Act, 1897 shall apply for the interpretation of the Constitution as it applies for the interpretation of an Act of the Legislature of the Dominion of India. But, it is subject to any adaptation or modification that may be made under Article, 372. Now, question arises whether any amendment made in the General Clauses Act, 1897 would affect the Interpretation of the Constitution? The answer to this question is stated in the 60th Report of Law Commission at para 1.28 which is as follows:

> "Any amendment, additions or deletions which may be made in the General Clauses Act, 1897, would not affect the Constitution. Interpretation of the Constitution will continue to be governed by the General Clauses Act, as in force immediately before the Constitution (subject to adaptations made under Article 372 of the Constitution). The Act cannot be so repealed or modified as to affect the interpretation of the Constitution."

The Commission concluded at para 1.31 as follows:

> "Our conclusion, therefore, is that the revision or amendment of the General Clauses Act, 1897 will not in any way, affect the

operation of the Article 367; and the General Clauses Act, 1897 as it stood immediately before 26 January, 1950 (subject to adaptations made under the Constitution) will continue to apply."

In this background, the Law Commission in its 60th Report recommended insertion of new section 3 A and section 29A which states that proposed changes, in the definition section and rules for construction of Acts etc. would not affect the existing Central Laws and would apply only to future enactments.

The Law Commission in its 60th Report has suggested few changes only. The Commission has observed at para 1.26 that the recommendations given in the report are not numerous or radical. The provisions of the said Act cause no serious difficulty which may necessitate any radical change in the Act.

Therefore, the recommendations contained in the 60th Report will not affect in any way the construction of any enactment which has been made before the date of implementation of the proposed amendments suggested in the 60th Report.

The result is, that the most of the changes proposed in the General Clauses Act 1897 in 60th Report of the Law Commission will be applicable only and only to statutes which will be enacted after the proposed amendments are enforced and not on the existing enactments. Therefore, the Commission does not consider it necessary to undertake a fresh review of the aforesaid recommendations contained in the 60th Report.

We recommend accordingly.

(Justice M. Jagannadha Rao)
Chairman

(Dr. N.M. Ghatate)
Member

(T.K. Viswanathan)
Member-Secretary

Dated: 01.11.2002