
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**UNDERSTANDING THE PRINCIPLES OF EJUSDUM GENERIS AND
NOSCITUR A SOCIIS**

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INTRODUCTION

In the labyrinthine world of legal intricacies, the interpretation of statutes plays a key role in making sure that there is proper implementation and application of law. Every word in the statute is carefully examined and analyzed to determine its intended meaning and purpose within the legal context. Each word in a statute plays an active part like a building block that constructs the legislative intent and guides the courts in their decision-making process.

Ambiguities and unclear language within the statute arise quite often. In such cases, judges have the responsibility to utilize various interpretive tools to bring out the true purpose of the statute. To resolve such discrepancies, lawyers and judges majorly rely on certain canons of interpretation, which are rules and principles that help in the process of the interpretation and construction of statutes.

Let us understand the importance of interpretation with an example. Let say law says “you cannot have dangerous weapons in a government office or building”. In this example, the sentence might be straight forward but the interpretation of what might constitutes dangerous ? and what exactly is a dangerous building ? are key questions that arise when applying the statute. So this question will be resolved by utilizing the canons of the interpretation.

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As we embark on a journey through the intricacies of statutory interpretation, our focus hones in on two pillars named Ejusdem Generis and Noscitur a sociis. These two canons of interpretation are often used in unraveling the intentions within legal texts. The Principle Ejusdem Generis prevents overly broad interpretations and on the other hand, Noscitur a sociis principle helps to draw the meaning of a specific word or phrase by considering the surrounding words and their overall context. This article aims to elevate the discourse by incorporating a wealth of case laws. Through the case laws we aim to showcase how these rules have been applied in different legal scenarios.

Noscitur a sociis: Understanding the meaning of words through context and Association.

Noscitur a sociis is one such canon of interpretation that helps draw the meaning of a specific word by considering the surrounding words. The word Noscitur means to know or understand, and the term a sociis means to know from its association. The philosophy underlying this principle is that when a word's meaning is unclear, it can be understood by examining the meanings of words linked or associated with it². This principle underscores that the meaning of a particular phrase or word can be better comprehended by considering the words and phrases surrounding it.

Here is an example to illustrate how Noscitur a sociis principle is applied

Let's say a statute which says, "No person shall drive a vehicle in a reckless manner, including but not limited to excessive speeding or aggressive lane changing." This example demonstrates the application of the Noscitur a sociis principle.

By considering the surrounding words "excessive speeding" and "aggressive lane changing," we can infer that driving in a reckless manner encompasses behaviors that are determined by the specific context and association of the words in question.

²*State of Bombay v. Hospital Mazdoor Sabha*, AIR 1960 SC 610

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One practical example of "noscitur a sociis" can be found in traffic regulations. Consider the term "intersection" within a law that states, "Vehicles must come to a complete stop at intersections, including crossroads, junctions, and other traffic control points." Here, the term "intersection" gains clarity when viewed in conjunction with the associated terms like "crossroads" and "junctions." By understanding the context provided by these related terms, we can interpret "intersection" more broadly as any point where roads meet or traffic control is present.

Let's take one more Example. In employment law, the phrase "reasonable accommodations" takes on a specific meaning through its association with other terms. A law may state, "Employers are required to provide reasonable accommodations for employees with disabilities, including adjustments to work schedules, job duties, and other workplace conditions." Here, the term "reasonable accommodations" draws its meaning from the specific examples provided—adjustments to work schedules and job duties. The surrounding words clarify that accommodations should be practical to enable individuals with disabilities to perform their job duties effectively.

From all the above examples given, the principle serves to elucidate the intended meaning of specific terms within the context of law.

Application of the principle

- The general word should have a similar or related meaning to the words it is associated with
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- The lawmakers must have intended for the associated words to influence each other's meanings based on the context in which they are being used.
- The overall intention of the legislature should align with the idea that the associated words derive meaning from each other, as per the noscitur a sociis principle.

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To illustrate the practical application of "Noscitur a Sociis," we will delve into some case laws, providing concrete examples that underscore the importance of understanding words within the framework of their statutory associations. With these insights, we aim to offer a comprehensive understanding of the principle and its pivotal role in shaping the interpretation of legal texts.

Case Laws

In *Alamgir v. State of Bihar*,³ the construction of Section 498, Indian Penal Code was involved.

Brief Facts: There is a married woman, who, by her own choice, started living openly with the appellant against whom a prosecution under Section 498, Indian Penal Code was launched. The appellant contended that the charge must be dismissed because he had neither taken nor enticed away the woman nor had he hidden or detained her.

In this stipulated case, the interpretation of Section 498 of the IPC became a focal point, offering insight into the application of the legal principle "Noscitur a Sociis." Section 498 deals with the offense of taking or enticing away a married woman from her husband, with the intent of her having illicit intercourse with another person, or concealing or detaining her for such a purpose. The appellant's defense hinged on the argument that the charge under Section 498 should fail because he had neither taken nor concealed the woman; instead, she was voluntarily living with him.

The Supreme Court, in its judgment, applied the principle of "Noscitur a Sociis" to determine the scope of the term "detains" within Section 498. The Court recognized that while the word "detains" generally implies detention against one's will, in the context of Section 498, it needed to be construed in harmony with the surrounding words such as "takes," "entices," and "conceals."

³AIR 1959SC 436

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The Court determined that the term "detains" implies as keeping a woman without the consent of husband, highlighting that the woman's consent, in this specific provision, is considered unimportant.

This application of "Noscitur a Sociis" in Alamgir's case showcases the principle's significance in statutory interpretation. By examining the surrounding words and their collective intent, the Court ensured a cohesive understanding of the provision, thereby highlighting the nuanced and context-dependent nature of legal interpretation.

In essence, the Court construed "detains" to signify keeping a woman without the permission of her husband. Significantly, the Court emphasized that, in the context of Section 498, highlighting the contextual nature of legal interpretation.

In the legal case of *State of Rajasthan v. Sripal Jain*⁴, the respondent subjected to compulsory retirement under Rule 244 of the Rajasthan Service Rules, granting the State Government the unrestricted power to retire any government servant, without specifying a reason, after completing twenty-five years of service. The respondent contested the retirement order, arguing that the Chief Minister had not submitted his case to the Governor, as mandated by Rule 31(vii)(a) of the Rules of Business. This rule stipulates that proposals for dismissing, removing, or compulsorily retiring any officer must be presented to the Governor by the Chief Minister.

The Supreme Court, in its deliberation, applied the legal principle of "Noscitur a Sociis" to interpret the scope of Rule 31(vii)(a) in conjunction with Rule 244. The Court noted that the Rajasthan Service Rules delineate three categories of compulsory retirements: those imposed as a penalty under Rule 56, those upon reaching the age of superannuation, and those governed by Rule 244. While Rule 31(vii)(a) seemingly encompasses all forms of compulsory retirements, the Court cautioned against such a broad interpretation.

By applying the principle," the Court stated that Rule 31(vii)(a), dealing with proposals for dismissing, removing, and compulsorily retiring, should be interpreted in the context of removal or dismissal, both of which inherently imply a penal consequence. Consequently, the Court

⁴AIR 1963 SC1323

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reasoned that the phrase "compulsory retirement" under Rule 31(vii)(a) must also be construed as compulsory retirement as a penalty. Since the respondent's retirement did not entail a penal aspect, the Court concluded that Rule 31(vii)(a) did not apply to proposals of compulsory retirement under Rule 244.

This application of "Noscitur a Sociis" in *State of Rajasthan v. Sripal Jain* exemplifies how the surrounding words within a legal provision influence the interpretation of specific terms, ensuring a more clear understanding of legislative intent. The Court's analysis underscores the importance of context in statutory interpretation and provides clarity on the application of Rule 31(vii)(a) to cases of compulsory retirement under Rule 244.

In the case of *Pardeep Aggarbatti v. State of Punjab*⁵, the primary contention revolved around the taxation of "dhoop" and "agarbatti" under the provisions of the Punjab General Sales Tax Act, 1948. The construal of Entry 16 in Schedule A of the Act became crucial to determine the applicability of sales tax. Initially, Entry 16 encompassed "cosmetics, perfumery and toilet goods," with certain exclusions such as toothpaste, tooth powder, kumkum, and soap.

Subsequently, a notification resulted in the subdivision of Entry 16 into Entries 16 and 16-A. Entry 16 retained "cosmetics and toilet goods," while Entry 16-A included "perfumery, including dhoop and agarbatti." The question was whether "dhoop" and "agarbatti" fell within the scope of "perfumery" as per the amended entry.

Applying the principle of "Noscitur a Sociis," the Supreme Court observed that in the context of the entry, the word "perfumery" must be interpreted in relation to the words "cosmetics" and "toilet goods." The bench reasoned that the term "perfumery" drew color from the preceding words, implying that it could only refer to articles used on the person, akin to cosmetics and toilet goods. Therefore, the Court held that the term "perfumery" did not extend to include "dhoop" and "agarbatti."

By analyzing the surrounding words in the entry, the Court arrived at an understanding, limiting the scope of "perfumery" to items that align with the nature of cosmetics and toilet goods. This

⁵AIR 1998 SC 171

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interpretation clarified the taxable status of "dhoop" and "agarbatti" under the relevant provisions of the sales tax law.

Ejusdem Generis: Principles of interpretation and application of Statutory Law:

Ejusdem Generis is a guiding principle which is used when specific words are followed by general ones. This principle states that when specific words are followed by general words, the general words should be construed narrowly to include only items of the same kind or nature as the specific words. This principle helps to avoid an overly broad interpretation and ensures that the intention of the legislature is respected. By employing the ejusdem generis principle, the courts can ensure that the interpretation and application of statutory law align with the intended scope and purpose of the legislation. This principle is particularly useful in situations where the statute lists specific examples or instances and then uses general language to encompass other similar cases.

Using the ejusdem generis principle in the interpretation of statutory law helps to maintain consistency and coherence in legal principles. It ensures that the legislation is applied in a way that aligns with the specific context and intention of the lawmakers while avoiding potential ambiguities or unintended interpretations. Therefore, understanding and applying the ejusdem generis principle is crucial in ensuring that statutory laws are interpreted and applied correctly, reflecting the specific intent of the legislature and promoting clarity and fairness in legal proceedings. Furthermore, the ejusdem generis principle also helps prevent potential abuse and misuse of legislation by narrowing the scope of general words. By adhering to the ejusdem generis principle, the courts can uphold the rule of law and ensure that the interpretation and application of statutory law are consistent, fair, and aligned with the intended purpose of the legislation.

Some pre-requisites that must be made for the application of the principle of ejusdem generis are:

- There must be a list or series of specific terms or words.
- The specific terms in the list should share common characteristics or a similarity in nature (basically the terms should constitute a particular class, category or genus).

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- There must be a general or more generic term following the specific words.
- There is no proper intention of the legislation present which shows that the general term should be interpreted more broadly than the doctrines allow.
- The specific terms should be exhaustive or illustrative of a particular category rather than merely providing examples.

This principle was applied many times by the judges to solve the cases. Some of these cases are mentioned below

Assistant Collector of Central Excise v. Ramdev Tobacco Company⁶

In this case, the focus was on interpreting Section 40(2) of the Central Excises and Salt Act, 1944, before its amendment in 1973. This section specified that no legal action, prosecution, or other legal proceeding could be instituted for anything done or ordered to be done under the law after the expiration of six months from the accrual of the cause of action. So now, the central question that arises in the case is whether the term 'other legal proceedings' in Section 40(2) should be construed using ejusdem generis with the preceding terms 'suit' and 'prosecution.'

In this case, the Supreme Court applied the principle of ejusdem generis to interpret the meaning of 'other legal proceedings' in Section 40(2). The court reasoned that 'suit' and 'prosecution' constitute a distinct category or genus of legal proceedings. Therefore, the term 'other legal proceedings' should be understood in light of the specific words 'suit' and 'prosecution' that precede it.

The court held that 'suit' and 'prosecution' refer to judicial or legal proceedings that are lodged in a court of law, excluding proceedings before any executive body, even if it is a statutory one. The inclusion of the term 'instituted' in the section was seen as reinforcing this interpretation, suggesting a formal legal initiation of proceedings in a court.

So, by applying Ejusdem Generis principle, the Court reasoned that the general term "other legal proceedings" should be interpreted narrowly to include only proceedings of the same kind

⁶AIR 1991 SC 506

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as suits and prosecutions. As a result, penalty and adjudication proceedings, which were more administrative or executive in nature, did not fall within this specific category and were not subject to the limitation period specified in Section 40(2).

M/s. Siddeshwari Cotton Mills Private Limited v. Union of India⁷

The case involved the interpretation of Section 2(f)(v) of the Central Excises and Salt Act, 1944. This section defined the term "manufacture" and included various processes such as bleaching, mercerising, dyeing, printing, etc., followed by the phrase "or any other process." The issue was whether the term "any other process" should be construed broadly or whether it should be limited by the specific processes listed.

The Supreme court observed that the specific processes listed before the phrase 'or any other process,' such as bleaching, mercerising, dyeing, printing, water-proofing, all involve a change of a lasting character to the fabric. These processes typically entail the addition of chemicals or other transformative actions that fundamentally alter the fabric, giving it new characteristics. So, the court applied the principle and held that the phrase "or any other process" should be construed in the context of the specific processes listed before it. The Court reasoned that "any other process" must share characteristics with the listed processes, specifically involving a change of a lasting character to the fabric.

State of Bombay v. Ali Gulshan⁸

In this case, the issue revolved around interpreting Section 6(4a) of the Bombay Land Requisition Act, 1948. This provision granted the State Government the power to requisition property for the purpose of the State or any other public purpose. The specific issue was whether the State Government had the authority to requisition premises to house a member of a foreign consulate under the broad category of "any other public purpose."

⁷AIR 1989 SC 1019

⁸AIR 1955 SC 810

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The High Court interpreted the phrase "any other public purpose" in light of the ejusdem generis principle. The High Court applied this principle to conclude that "any other public purpose" should be of the same kind as the "purpose of the State." Since providing accommodation to a member of a foreign consulate was seen as a purpose of the Union (central government) and not of the State, the State Government, according to the High Court, lacked the authority to requisition for such a purpose.

The Supreme Court disagreed with the High Court's application of the principle. The Court held that ejusdem generis cannot be applied because there was no distinct genus or category after the specific mention of the "purpose of the State." In other words, the phrase "any other public purpose" did not follow a list of specific purposes forming a distinct category. The Court emphasized that ejusdem generis is only relevant when there is a specific genus or category.

The Supreme Court noted that the expression "any other public purpose" included providing accommodation to a member of a foreign consulate. The Court held that the rule of ejusdem generis had no application in this context.

Maharashtra University of Health Sciences v. Satchikitsa Prasarak Mandal⁹

The case involved the interpretation of the term 'teacher' under Maharashtra University of Health Sciences Act, 1999. The central issue was whether the definition of 'teacher' included unapproved teachers and whether the Grievance Committee could consider complaints filed by non-approved teachers.

The Supreme Court in this case noted that the definition of 'teacher' U/S 2(35) encompasses both approved teachers and individuals categorized as 'other persons' who are teaching and giving instructions. The presence of the disjunctive term 'and' before 'other persons' was interpreted to indicate a distinct class of individuals. So, the Court clarified that the disjunctive use of 'and' before 'other persons' signifies a separate category. The court also implies that within the group of 'other persons,' there are individuals who, on a full-time basis, are teaching or giving

⁹AIR 2010 SC 1325

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instructions in colleges affiliated with the University, and they are considered teachers, even if unapproved.

The Court explicitly dismissed the application of the Ejusdem Generis principle in this case. It argued that the matter written after the words 'other persons' envisaged a different category of persons, and the disjunctive 'and' indicated a separate class. Therefore, the Court concluded that the principle of Ejusdem Generis was not applicable in this context.

Conclusion

In summary, the scrutiny of statutory interpretation, particularly focusing on ejusdem generis and noscitur a sociis, highlights the intricate nature of these legal principles in discerning legislative intent. Case laws like Pardeep Aggarbatti v. State of Punjab and Assistant Collector of Central Excise v. Ramdev Tobacco Company exemplify their practical application, showcasing how the interpretation of specific terms is influenced by surrounding words.

This exploration reveals that each word in a statute significantly contributes to the precision and coherence of the legal framework. Grasping the benefits of these interpretative principles equips us for accurate and context-aware statutory interpretation.

In the ever-changing field of statutory interpretation, ejusdem generis and noscitur a sociis stand out as crucial instruments, cultivating a nuanced and equitable understanding of statutes. These principles are pivotal in revealing the intended meaning of legislation, providing clear insights into complex legal language, and maintaining the integrity of the legal system.

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