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# Principle of Beneficial Construction: Nature and Scope

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## ABSTRACT

*Every legislation is made for the benefit for the citizens of any country, directly or indirectly, in a welfare state. This is because the intention of legislature is always to make such laws which will either, in the form of new law or changes of the previous one, to tackle the new complications came into existence or make it as per the contemporary social need respectively. In the words of interpretation such process is properly known as suppressing the mischief and advancing the remedy. Then the primary question which arises is whether all the legislations are beneficially constructed by the court and if not then why. Further as the Court always have a duty, firstly, to abide by the textual interpretation because it is presumption that the legislative words are itself the intention of legislation and no need to go beyond that. Then, secondly, the Court applies any of golden, mischief or purposive rule of interpretation for finding the intention of legislature. The Court thus anyway have to bind by the intention of legislature and the beneficial rule of construction gives a wider scope to match out with the intention by giving wider interpretation. Therefore it can be rightly assumed that such beneficial legislation certainly have a larger public interest and more welfare ambitions. In light of beneficial construction or interpretation the court read the text differently but even then it doesn't allow the court to legislate the laws because it is not a competent authority to do so.*

**Keywords:** *Benefit, Welfare, Intention, Social need, Mischief, Remedy, Presumption, Purposive, Wider, Scope, Public interest, Textual, Legislate, Competent, Authority.*

## I. INTRODUCTION: BENEFICIAL STATUTES

The statutes are made undoubtedly to be functional and workable and applicable for either particular class of society or society as whole. The classification of Statutes on such ground can be in general and special by taking into account the context of the case and subject matter of the statute.<sup>2</sup> Thus, broadly, statutes either general or special, if, purport to achieve the

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<sup>2</sup>“For example it may be argued that the Contract Act, which is applicable to all, is general in relation to Labour Act, which is limited to relationship of the employer and the employee; and in another sense Labour Act which

beneficial object as a social welfare legislation<sup>3</sup>, then, such statutes is interpreted in such a way to achieve the object. In this References it can be rightly ascertained about beneficial legislation that:

“Statutes which purport to confer benefit on individuals or a class of persons, by relieving them of onerous obligations under contracts entered into by them; or which tend to protect persons from oppressive acts of individuals with whom they stand in certain relations, are called beneficial legislations.”<sup>4</sup>[BINDRA 2017: 797]

Now from another viewpoint every legislations doesn't have the tendency to give directly the benefit to the people despite that it is in benefit for the society as a whole. For instances to punish an offender under penal provision is also in benefit to the society because it will remove the chaos from the society as no society supports such activity for which offender punishes under such provisions. Similarly Taxing statutes are made not for the direct benefit to the people but tax is used in welfare projects for the society. Here, such legislations however does not interpreted as per beneficent construction except in otherwise cases. There are however other legislations which directly is in benefit and provide remedy to aggrieved person or in other words are more responsive to some urgent social demands and also have more immediate and visible impact on social vices by operating more directly to achieve social reforms.<sup>5</sup> The observations of Justice GP Singh:

“...there are legislations which are directed to cure some immediate mischief and bring into effect some type of social reform by ameliorating the condition of certain class of persons who according to present-day notions may not have been fairly treated in the past. Such legislations prohibit certain acts by declaring them invalid and provide for redress or compensation to the persons aggrieved. If a statute of this nature does not make the offender liable to any penalty in favour of the State, the legislation will be classified as remedial. Remedial statutes are also known as welfare, beneficent or social justice oriented legislations.”<sup>6</sup>[SINGH 2016: 629]

Hence when the statutes are of social welfare legislation and directed to bring some social reform by supressing the mischief and doesn't make the offender liable to pay penalty in favour of state are beneficent statutes. However there are exceptions to it also in the case like

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applies to all concerns, will be general in relation to the labour employed in essential services or providing essentials supplies.” For more refer Bindra, N.S., “ Interpretation of Statute”, (2017) at pg. 719

<sup>3</sup> Bhattacharyya, T., “The Interpretation of Statutes”, (2014) at pg. 91

<sup>4</sup>Bindra, N.S., “ Interpretation of Statute”, (2017) at pg. 797

<sup>5</sup>DUA J., in *Central Railway Workshop, Jhansi v. Vishwanath*, AIR 1970 SC 488

<sup>6</sup> Singh, G.P., “Principle of Statutory Interpretation” (2016)

the modern welfare legislations which are designed for the benefit of a class of persons such as labourers, workmen, tenants and the like, but which quite often contain penal provisions.<sup>7</sup> For such legislations it can be observed that:

“A statute, therefore, may in certain aspects be a penal enactment and in certain others a remedial one. In respect of those provisions, in such a complex statute, which are sanctioned on the pain of punishment for a crime the rule of strict construction in the limited sense now known may have to be applied.”<sup>8</sup> [SINGH 2017: 631]

## II. PRINCIPLES OF BENEFICIAL CONSTRUCTION

It is general rule that when words are susceptible of single meaning and free from ambiguity then every effect have be given to it. The scope of application of any other interpretation arises only when the words are susceptible to more than one meaning. In the case when out of two or more meanings only one meaning is not producing absurd result, then such meaning would prevail as per the maxim *ut res magis valeat quam pereat* to make it workable and functional.

When two or more views are possible, then it is duty of court to interpret a provision, especially a beneficial legislation, liberally so as to give it wide meaning rather than a restrictive meaning.<sup>9</sup> [BINDRA 2017: 797] Therefore it is clear that this rule will apply only when two meanings are possible and in such case as per the Maxwell observation:

“It is said to be the duty of the judge to make such construction of a statute as shall suppress the mischief and advance the remedy. Even where the usual meaning of the language falls short of the whole object of the Legislature, a more extended meaning may be attributed to the words, if fairly susceptible of it.”<sup>10</sup> [MAXWELL 2007: 123]

As in the case of *Lalappa Lingappavs. L.V. Textiles Mills* the Hon’ble Supreme Court observed:

“..If a provision is capable of two constructions, that constructions should be preferred which fulfils the policy of the Act and is more beneficial to the persons in whose interest the act has been passed. When, however, the language is plain and unambiguous, effect must be given to it whatever may be the consequences, for, in that case, the words of the statute speak the intention of the legislature. When the languages are explicit. Its consequences are

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<sup>7</sup> Singh, G.P., “Principle of Statutory Interpretation” (2016)

<sup>8</sup> Ibid.

<sup>9</sup> Bindra, N.S., “ Interpretation of Statute”, (2017) at pg. 797

<sup>10</sup> Maxwell, Sir Peter Benson, “On The Interpretation of Statutes” (2007) at pg. 123

for the legislature and not for the courts to consider.”<sup>11</sup>

The principle of this rule also suggests restrictions that the rule would not be apply in such a way that it becomes out of the scope of the Act or Statute and it means that it should not be interpret which legislative have not intended to do while construing such provisions and should avoid judicial legislation. Hence a legislation cannot be liberally interpreted beyond the legislative intent<sup>12</sup> or to frustrate the statutory purpose<sup>13</sup> or doing violence to the language<sup>14</sup> or virtually rewrite the provision<sup>15</sup> or when statute is unambiguously pointing out the intention of legislature<sup>16</sup>.

### III. NATURE: BENEFICIAL CONSTRUCTION IS TENDENCY RATHER THAN A RULE

The nature of beneficial construction is remedial in nature as it applies to suppress the mischief and advances the remedy. This rule is applying from starting to prevent statutes from becoming nullities or failing to achieve their purposes on account of unskilful or inartistic drafting.<sup>17</sup> The basic characteristics of remedial Statute is that it receives liberal construction and doubt is resolved in the favour of the persons for whose benefit the statute is enacted.<sup>18</sup> It is generally said that the governing principle of the remedial enactment has been extended to cases not included in its language, to prevent a failure of justice and consequently of the probable intention.<sup>19</sup> Now the Beneficial Statutes has become synonymous to the remedial statutes and are interchangeably used as:

Beneficial statutes, as the name implies, were those designed to provide rights, privileges, or entitlements to segments of the public or to the public as a whole. Today, such laws are commonly referred to as remedial and are subject to the canon of construction that remedial legislation is to be liberally construed in order to effectuate its purpose.<sup>20</sup>

While deciding the case of *Kala v. Union of India*<sup>21</sup> on matter related to compensation for a railway accident the Court held that the word ‘Untoward incident’ include the accidental falling while trying to board a train, and was not limited to situations where a person got inside and fell off thereafter. In this case the court held the Railways Act as beneficial

<sup>11</sup>Lalappa Lingappa v. L.V. Textiles Mills AIR 1981 SC 852

<sup>12</sup> Dalco Engineering Private Limited v. Satish Prabhakar Padhye AIR 2010 SC 1576 (in reference to socio economic statute)

<sup>13</sup> Bhavnagar University v. Palitana Sugar Mill Private Limited AIR 2003 SC511

<sup>14</sup> H. Shiva Rao v. Cecilia Pereira AIR 1987 SC 284

<sup>15</sup> Shivram v. Radhabai AIR 1984 SC786

<sup>16</sup> Anadilal v. Ram Narain AIR 1984 SC 1383

<sup>17</sup>Bindra, N.S., “Interpretation of Statute”, (2017) at pg. 800

<sup>18</sup> Bhattacharyya, T., “The Interpretation of Statutes”, (2014) at pg. 7

<sup>19</sup> Maxwell, Sir Peter Benson, “On The Interpretation of Statutes” (2007) at pg. 141

<sup>20</sup>Jeffrey W Stempel, 'The Insurance Policy as Statute' (2010)

<sup>21</sup> Kala v. Union of India ILR (2011) III Del 266

legislation and thus it should be given liberal and not literal or strict interpretation. In another case the Supreme Court held welfare Statute must, of necessity, receive a broad interpretation<sup>22</sup>. Actually in this case the Court has upheld the jurisdiction of the Labour Court even in circumstances where actual orders of dismissal had not passed and it was held that where the case is related to prevention of unfair labour practices construction should be effectuates which serves the purpose for which legislation is enacted.

But again it is desirable to note that even if it is remedial in nature but does not beyond the Statute's scope and there is no such rule that beneficial construction is always retrospective in operation, unless legislation either expressly or by necessary intendment is not made retrospective.<sup>23</sup> The court held in *Mungi Lal v. Sujan Chand*<sup>24</sup> that:

“The liberal construction must flow from the language used and the rule does not permit placing of unnatural interpretation of words contained in the enactment, nor does it permit the raising of any presumption that protection of widest amplitude must be deemed to be conferred upon those for whose benefit the legislation may have been enacted.”<sup>25</sup>[Bhattacharyya 2014: 91]

Further, Crawford in Statutory Interpretation has observed:

“...But, as we have stated elsewhere, a liberal construction does not justify an extension of the statute's scope beyond the contemplation of the legislature even if the statute is purely remedial, and liberal construction would produce a result highly beneficial or desirable.” [BINDRA 2017: 799]

The value of express provision remains even in such interpretation and its non – compliance have the effect of nullifying it. As in the case of *Mangilal v. Sujan Chand*<sup>26</sup> while analysing the dispute related to sub section 1 of section 4<sup>27</sup> the Supreme Court refused to apply the beneficial construction and held in clear terms that ‘The material thing under Section 4(a) was whether the tenant had paid up the arrears within one month from the date on which the notice of demand had been served on him. If he did, no suit lie; if he did not, a suit will lie.’

In this regards:

“It is true beneficial provisions have to be envisages the conferment of benefit limited in

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<sup>22</sup> Hindustan Lever Ltd. v. Ashok Vishnu Kate (1995) SCC 1385

<sup>23</sup> Bindra, N.S., “ Interpretation of Statute”, (2017) at pg. 798

<sup>24</sup> AIR 1965 SC 101

<sup>25</sup> Bhattacharyya, T., “The Interpretation of Statutes”, (2014) at pg. 91

<sup>26</sup> AIR 1965 SC 101

<sup>27</sup> Section 4 is related to grounds under which a suit for eviction can be filled and sub section is one of the ground which states that tenant must have defaulted to pay arrears of rent within one month from the date on which a notice for demand has been served upon him by landlord.

point of time and subject to the fulfilment of certain conditions, there non-compliance will have the effect of nullifying the benefit.”<sup>28</sup>[BINDRA 2017: 798]

It is also necessary that that conditions fulfilled as per stated in the Act by himself except in otherwise cases as Maxwell observed that:

“A statute which requires something to be done by a person would, except in cases subject to the principle that *delegatus non potest delegare*, be complied with, in general, if the thing were done by another on his behalf and by his authority; for it would be presumed that there was no intention to prevent the application of the general principle of law that *qui facit per alium facit per se* there was something either in the language or in the object of the statute which showed that a personal act was intended.”<sup>29</sup> [MAXWELL 2007: 135]

Thus now it is can be concluded that it is general tendency of remedial statute to be interpreted as per beneficial construction rule as it is already stated above every legislation is made to suppress the mischief and in such cases the Court favour the persons for whose benefit the statute is enacted. All this is done via liberal interpretation but not going outside the scope of the Act and without the violation of the words. However one of the important requirement of getting benefit via beneficial construction is that one should fulfil the condition and comply with the statutory requirement.

#### IV. SCOPE OF BENEFICENT OR BENEFICIAL CONSTRUCTION

As beneficial construction enlarges the scope of interpretation and allows the court to choose for the wider connotation such that beneficiaries come under its large scope to meet the intention of legislature. Similarly it applies to a large number of statutes which ranges from welfare legislations like Rent controls, Tenancy Act, Debts Adjustment Act, Hindu Adoption and Maintenance Act etc. to Socio – economic and Labour Legislation like Unfair Labour Practice Act, Motor Vehicles Act, Industrial Disputes Act, Contract Labour Act, Maternity Benefit Act, Minimum wages Act etc. The scope of this rule is not limited to that only as even criminal statutes, which are subject to what has been called a strict construction, will be found to furnish abundant illustrations of giving an extended meaning to a word.<sup>30</sup> [MAXWELL 2007: 134] In this regard as it was held in *Tola Ram v. State of Bombay*<sup>31</sup> that while construction of penal statutes if two possible and reasonable meaning could be put upon, the courts must lean towards that construction which exempt the subject from penalty

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<sup>28</sup>Bindra, N.S., “ Interpretation of Statute”, (2017) at pg. 798

<sup>29</sup> Maxwell, Sir Peter Benson, “On The Interpretation of Statutes” (2007) at pg. 135

<sup>30</sup> Ibid. at pg.134

<sup>31</sup>AIR 1954 SC 496

rather than the one which imposes penalty. The similar view were in taxing Statutes as in *CIT v. Trans Co. Pvt. Ltd.*<sup>32</sup> it was held that if two views are possible in taxing statute the view which is favorable to assessee must be accepted. So in simple words all these can be termed as case, that, when beneficent objectives found or beneficial consequences requires, the interpretation bends towards beneficial construction.

It is required to be construed liberally the statutes when the Act provides for beneficial consequences<sup>33</sup> and the same was held by Hon'ble Supreme Court in *Pratap Singh v. State of Jharkhand*<sup>34</sup> when the Court was considering the Juvenile Justice (Care Protection and Treatment ) Act, 2020. Actually the Act has provided that all persons below the 18 years of age would be juvenile under the new Act. The Court have to decide that whether for purpose of sentencing person who were not a Juvenile under the earlier Act would be Juvenile under the new Act or not. The Court held in affirmative in the wake of beneficent objective of the new Act and stated that person for the purpose of sentencing to be treated as juvenile under the new Act. Thus these legislations make the court adopts that construction which advances, fulfills and furthers the object of the Act rather than the one which would defect the same and render the protection illusory. The scope of it extends to secure the weaker one and for provide remedy as K. IYER, J. advised: "Recall the face of the poorest and the weakest man whom you may have seen, and ask yourself, if the step you contemplate is going to be of any use to him"<sup>35</sup> and thus:

The words of such a statute must be so construed as "to give the most complete remedy which the phraseology will permit," so as "to secure that the relief contemplated by the statute shall not be denied to the class intended to be relieved." In the field of labour and welfare legislation which have to be broadly and liberally construed the court ought to be more concerned with the colour the content and the context of the statute rather than with its literal import; and it must have due regard to the Directive Principles of State Policy (Part IV of the Constitution) and any international convention on the subject and a teleological approach and social perspective must play upon the interpretative process.<sup>36</sup> [SINGH 2016: 632]

The Beneficial rule further extends the Court's view to use purposive construction as well

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<sup>32</sup>1970 2SCC 192

<sup>33</sup> Bindra, N.S., "Interpretation of Statute", (2017) at pg. 807

<sup>34</sup> (2005) 3 SCC 551

<sup>35</sup> Singh, G.P., "Principle of Statutory Interpretation" (2016). At pg. 633

<sup>36</sup> Singh, G.P., "Principle of Statutory Interpretation" (2016)

and Delhi High Court in *Prafulla Samantra v. Ministry of Environment & Forests*<sup>37</sup> held that ‘A well-established rule of interpretation is that a beneficial statute be given a purposive construction, to further legislative intention, if literal interpretation thwarts’. Actually the Delhi High Court here interpreted the term ‘person aggrieved’<sup>38</sup> such that it would give right to protest to person, although, not directly affected by an Environment clearance. The court reasoning is important here to understand how they have come to conclude it under Purposive construction:

The expression ought to be interpreted widely to ensure that persons, as long as they work in the field of environment, possess right to oppose and challenge all the actions, whether of the state or private parties, that impair or potentially impair the environment. In cases where complaints, appeals etc. are filed bona fide by public spirited, interested persons, environmental activists, or other voluntary organizations working for the betterment of the community as a whole, they were to be construed as person aggrieved.<sup>39</sup> [BINDRA 2017: 808]

Further in case of industrial disputes the Courts emphasized the doctrine of Social justice which is said to be founded on the basic ideal of socio-economic equality as enshrined in the preamble of the constitution.<sup>40</sup> The scope of social welfare legislation doesn’t attract the application of limitation Act. It also does not allow mere technicalities to defeat the purpose of the Social justice. The Supreme Court in Case of *B. Shah v. Presiding officer, Labour Court*<sup>41</sup>, had to decide whether the female employee would get the wages for six days or for week during maternity leave (considering that Sunday as holiday) under Maternity Benefit Act, 1961. The Court removed such technicalities on ground of object of Social justice and held:

“In interpreting provisions of beneficial pieces of legislation intended to achieve the object of doing social justice to women workers employed in the plantations and which squarely fall within the purview of Article 42 of the constitution, the beneficent rule of construction, which would enable the women worker not only to subsist but also to make up for her dissipated energy, nurse her child, preserves her efficiency as a worker and maintain the level of her provision efficiency and output, has to be adopted by the court.”

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<sup>37</sup> 159 (2009) DLT 604

<sup>38</sup> Under Section 11(2) National Environmental Authority Act, 1997

<sup>39</sup> Bindra, N.S., “Interpretation of Statute”, (2017) at pg. 808

<sup>40</sup> *Ajaib Singh v. Sirhind Co-op Marketing – cum- Processing Service Society Ltd.* (1999) 6 SCC 82

<sup>41</sup> AIR 1978 SC 12

## V. LIMITATIONS AND WAY AHEAD

From one of the sides it is clear that the beneficial construction being a tendency used by court in interpreting the beneficial statutes in wider sense but the question is to what extent. The duty of judiciary never considered as legislating the laws and the only competent authority that have power to make laws are legislators. Whatever laws made by legislators are presumed to be valid and it is presumed that they neither put unnecessary words and nor put less words than needed while making a legislations. That is why as stated above liberal construction must flow from the language used. This rule equally applies even in Beneficial Construction as well:

The provisions of a welfare legislation cannot be interpreted in such a manner as to bring about a result so plainly contrary to the object of the legislation. It is not the law that rights other than those created by a particular statute may be taken away in proceedings under that statute without affording a hearing to those desiring to be heard. If, however, the statute says that only a category of persons will be heard and no other, then, of course, no other will be heard.<sup>42</sup>[BINDRA 2017: 798]

As the Supreme Court held in *Madhya Pradesh Mineral Association v. Regional Labour Commissioner*<sup>43</sup> that it cannot be imagined under the act that the breaking and crushing of the stones in manganese mine would fall within the scheduled employment of breaking and crushing of stones. In another case<sup>44</sup> the Supreme Court while interpreting a provision ‘when any person under twenty one years of age is found guilty...’ founds language unambiguous and held that the material date for counting the age is date of passing of the sentences and not the date of commission of offences.

Secondly, as previously stated that non compliances with the certain conditions supposed to do in the legislation would be nullifying the effect, except in certain cases like noncompliance with limitation Act, in any such cases mere sympathy<sup>45</sup> is not at all any guiding principle for interpretation. As in *Western India Plywood Ltd. v. P. Ashokan*<sup>46</sup> the interpretation of provision related to Employees’ State Insurance Act, 1948 come which read as ‘...any other law of the time being in force or otherwise in respect of an employment injury will not be available to an insured person or his defendants..’ the Court thus held that even though it is a beneficial legislation but law of tort in such case would also not grant a

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<sup>42</sup> Bindra, N.S., “Interpretation of Statute”, (2017) at pg. 798

<sup>43</sup> AIR 1960 SC 1068

<sup>44</sup> Ramji v. State of Bihar, AIR 1963 SC 1088

<sup>45</sup> Singh, G.P., “Principle of Statutory Interpretation” (2016) pg. 634

<sup>46</sup> AIR 1997 SC 3883

remedy in the form of compensation or damage.

Thirdly, although it is true that, for statutes remedial in nature, the court are justified in providing *Casus omissus* by construction but that is not be supplied in those cases where the languages of the statute is plain and free from ambiguity, and expresses a single, definite, and sensible meaning.

The judicially are authorized to judge the law and legislatures are to make legislations and it is actually based on the concepts of separation of powers. That's why both of them are not allowed to do each other's work i.e. legislative are not supposed to do judicial work and judicially not to supposed the legislative work. The actual inspection of judicial work arise when they interpret different types of laws. But on the other side every legislation is made with some mischief and legislative words sometimes becomes unambiguous or having no single meaning despite the fact that it is made with some legislative purpose and they haven't intended that such ambiguity will arise. In such circumstances as we have already seen that the judicially have to find the intention of the legislators through various methods and techniques of interpretation. The Beneficial construction being one of the subsidiary rule of interpretation applies as per the statutes and not applicable with every statutes in general. It is already said in the beginning that every legislations are made for the benefit and also that now every modern legislation are remedial legislation then it means the power of court rises in deciding whether any Act is Beneficial Statutes or beneficial construction would apply. However again the court would not go beyond the intention of legislature while enlarging the connotation of any disputed words/ phrases.

Even then it doesn't mean all things are settled down as in many case judicially while making the beneficial statutes more effective go far beyond the legislative intention and such intention may odds the larger objective of the statute. In this regard one observation can be helpful:

In construing a social services legislation, which represents a strategy about deployment of limited funds, the courts shall bear in mind "that to overstrain one element of the legislation in order to relieve someone whose case attracts sympathy will only divert resources from someone else whose case falls squarely within the intention of the scheme."<sup>47</sup> [SINGH 2016: 632]

Further, in another case<sup>48</sup> the court held:

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<sup>47</sup> Singh, G.P., "Principle of Statutory Interpretation" (2016). At pg. 632

<sup>48</sup> Colour-Chem Ltd. v. AL Alaspurkar (1983) 3 SCC 192

“Where an Act is conceived to establish industrial peace and harmony between the employers and employees and the object would not be achieved or advanced by adopting a technical interpretation, it might further embitter the relations between management and labour and create more difficult situation for both.”

The Hon’ble Supreme Court held in *Lucknow Development Authority v. M.K. Gupta* that housing construction was a service within the meaning of section 2(o) of consumer protection Act, 1986 and later through 1993 amendment the Act was amended and accordance with this judgment ‘housing construction’ was added as service in the Act. This can be example of both in form of justice as well as judicial decision beyond the legislator’s objective. Since this was adopted through later amendment in Act as well, so it seems to be positive but many other times it may become against the spirit. Actually there is no beneficial result to the discussion that who have to provide welfare or Justice: legislatives or Judiciary. It is general thought that Judiciary have the task to provide justice but reality lies in the fact that in democratic setup legislatives, executives and judiciary all have to provide justice although the way to provide it may changes according to their tasks. Thus, the formation of Just law is itself a beneficent tasks and when such Just laws are executed with beneficent purpose it is itself Public welfare and the judging of such laws to provide benefit to beneficiaries is the ultimate welfare. Hence, the beneficial constructions starts itself with legislation and should continue till justice. This can be called Origination theory of Beneficial Construction. Further, this also provides explanation that why court should not go beyond legislative intent. Finally more remedial statutes are increasing and the utility of beneficial construction is increasing, but, then the Court certainly need to be bind itself to its position for maintaining the separation of power and must not alter the purpose by going extremely beyond the legislative intent or either legislate the law.

## VI. CONCLUSION

The Beneficial statutes are now known by different names as Remedial or welfare or social justice oriented legislations. Beneficial statutes, as the name implies, are those designed to provide rights, privileges, or entitlements to segments of the public or to the public as a whole. These Statutes are more responsive to some urgent social demands and also have more immediate and visible impact on social vices by operating more directly to achieve social reforms and those are beneficial statutes. The nature of beneficial construction is remedial in nature as it applies to supress the mischief and advances the remedy. When two or more views are possible, then it is duty of court to interpret a provision, especially a

beneficial legislation, liberally so as to give it wide meaning rather than a restrictive meaning. It applies to a large number of statutes which ranges from welfare legislations to Socio – economic and Labour Legislation. In simple words when beneficent objectives found or beneficial consequences requires, the interpretation bends towards beneficial construction. A well-established rule of interpretation is that a beneficial statute be given a purposive construction, to further legislative intention. As it clear that the beneficial construction being a tendency rather than only rule and are used by court in interpreting the beneficial statutes in wider sense but it does not permit to legislate the law by judicially. *Casus omissus* by Court is not to be supplied in those cases where the languages of the statute is plain and free from ambiguity, and expresses a single, definite, and sensible meaning. Finally more Statutes of remedial nature is increasing and the also utility of beneficial construction is increasing but, then, the Court certainly need to be bound itself to its position for maintaining the separation of power and not to disguise the purpose of beneficent rule by going beyond the legislative intent or legislate the law.

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