

A Statute means any Law, Act, Enactment. The Parliament is given authority of Lawmaking. According to Blacks Dictionary, "A Statute is a formal written enactment of Legislative authority that governs a country, state, city or county. In Simple words, it is the Law, Enactment, Act. According to Gray, The process by which a Judge (or indeed any person, lawyer or layman who has occasion to search for the meaning of a statute) constructs from the words of Statute book a meaning which he either believes to be that of a legislature or which he proposes to attribute to it, is called interpretation.

According to Subba Rao J.

"Interpretation is the method by which the true sense or the meaning of the word is understood." (The State of Jammu and Kashmir V. Thakur Ganga Singh, 1960 2SCR 346)

## 2) What are Types of Statutes

There are Several Types of Statutes, Such as Temporary Statute, Perpetual Statute, Consolidating Statute, Codifying Status, Fiscal Statute, Remedial Statute,

Penal Statute, Declaratory Statute. Generally, Statute can be classified with reference to its duration, Method, Object, and extent of Application.

### 3) Classification Of Statute/Types of

Statutes are as follows -

Statutes can be classified by object, by method, by reference to duration -

#### 1) Classification by object -

##### a) Declaratory Statutes -

Declaratory Statute may be defined as an Act to remove doubts existing as to the common law, or the meaning or effect of any Statute such Acts are held to be retrospective. This may happen for, instance, where the courts have been interpreting a particular expression as connoting a specific meaning which in the opinion of the legislature is a wrong notion of the expression. In such case, the legislature may pass a declaratory statute declaring the correct meaning of that expression thereby setting aside the controversy regarding the correct meaning of the expression.meaning of the expression.meaning of the expression.

b) Codifying and consolidating Statutes -

i) Codifying Statutes -

A Codifying Statute is a Statute which presents a detail authoritative statement of the rules of law on a given subject. The object is not merely to declare the law upon some particular subject but to declare it in the form of code.

Example - Civil Procedure Code 1908,  
The Hindu Marriage Act 195 The Hindu  
Succession act 19556.

ii) Consolidating Statutes -

Consolidating Statute it is a Statute which presents the whole body of statutory law on the subject in complete form repealing the former Statute. It is a Statute which consolidated laws on a particular subject at one place. The main purpose of the consolidating statute is to present the whole body of statutory law on a subject in complete form repealing the former statute.

Example -

Arbitration and conciliation act 1996,

c) Remedial statute -

Remedial Statutes are those statutes which provide the remedy for a wrongful act

in the form of damages or compensation to the aggrieved party but do not make a wrongdoer liable for any penalty. This types of Statute are beneficial to the weaker section of the society. They are directed towards extending a certain benefit to the particular class of society... Therefore they are also called as welfare legislation, for example, industrial dispute act 1947 workmen compensation act 1923, Consumer Protection Act 1986.

Examples -

Workmen's Compensation Act 1923, Maternity Benefit Act 1961 Consumer Protection Act 1986, Industrial Dispute Act 1947.

d) Enabling statute -

Enabling statute is a Statute Which enables something to be done. It basically gives the power to do something.

According to Craies, "many statutes have been passed to enable something to be done which was previously forbidden by law, with or without prescribing the way it is to be done.

e) Amending Statute -

As we all know, Amendment means a change in the existing law. A law is amended when it is in whole or in part permitted to remain and something is added to or taken away from it or it is some way changed or altered to make it more complete or perfect or make it suitable to accomplish the purpose for which it was made.

f) Repealing Statute -

Repealing Statute is a Statute which repeals Statute which already exists.

Example - The Code of Criminal Procedure, 1973 repealed and reenacted Criminal Procedure Code 1898.

g) Taxing Statute -

A tax is imposed for the public purpose for raising general revenue of the state. A taxing statute is to be strictly construed.

According to Lord Halsbury and Lord Simonds stated, "The subject is not to be taxed without clear words for that purpose; and also that every Act of Parliament must be read according to the natural construction of its words."

#### h) Penal Statute -

A penal statute is one which Punishes certain acts or wrong. Such Statute may be in the form of a comprehensive criminal code or large number of sections providing punishment for different wrongs for example - Criminal Procedure Code, Indian Penal Code etc. The penalty for disobedience may be in the form of fine, forfeiture of property, imprisonment, death sentence etc.

#### 2) Classification by method -

##### a) Mandatory or Directory Statute -

##### i) Mandatory Statute -

A Mandatory statute may be defined as one whose provisions or requirements, if not complied with, will render the proceedings to which it relates illegal and void.

##### ii) Directory Statute -

A directory statute is one where noncompliance will not invalidate the proceedings to which it relates.

#### 3) Classification by reference to duration -

##### a) Temporary and Permanent/Perpetual Statute -

i) Temporary Statute -

This type of statutes are Statutes which are in existence for a known Period such Statutes are called Temporary Statute. Life period of Statute is Fixed. In simple words this type of Statute, the period of operation is fixed by the statute itself the statute is temporary in nature.

ii) Permanent/ Perpetual Statute -

When no time period is fixed the statute is permanent in nature. The dictionary meaning of the term 'perpetual' is forever. Therefore perpetual Statutes are those which remain in force forever. These Statutes comes to an end only when they are abolished by the legislature itself by way of enacting another Statute.