

## **EXECUTIVE PROGRAMME**

# **JURISPRUDENCE, INTERPRETATION & GENERAL LAWS**

This paper consists of three components, namely Jurisprudence, Interpretation and General Laws. Jurisprudence is the study of the science of law. The study of law in jurisprudence is not about any particular statute or a rule but of law in general, its concepts, its principles and the philosophies underpinning it.

The primary object of the interpretation is to discover the true intention of the Legislature. The necessity of interpretation arises 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.

The General Laws is an important pre-requisite for professional course like Company Secretary. Reading and understanding of the Law has become an important aspect for professional assignments. Interpretation of Statutes covers the essentials principles of understanding Laws. Constitutional Law deals with powers, functions and responsibilities of various organs of the State; Administrative law deals with day to day governance mechanism, Arbitration Mediation and Conciliation deals with Alternate Dispute Resolution Mechanism and Civil and Criminal Procedure, Information Technology Act, Right to Information Act, 2005, Contract Law, Negotiable Instrument Act etc., spreads into approximately every phase of modern life.

Fundamental objective of this Study Material enable the students to understand and acquire working knowledge of Jurisprudence, Interpretation and General Laws. After studying this study material the student will be able to analyse principles underlying the legal postulates and propositions, and connection between theory of law and practice.

This study material has been published to aid the students in preparing for the Jurisprudence, Interpretation and General Laws paper of the CS Executive Programme. It is part of the educational kit and takes the students step by step through each phase of preparation emphasizing key concepts, principles, pointers and procedures. Company Secretaryship being a professional course, the examination standards are set very high, with focus on knowledge of concepts, their application, procedures and case laws, for which sole reliance on the contents of this study material may not be enough. This study material may, therefore, be regarded as the basic material and must be read alongwith the Bare Acts, Rules, Regulations, Case Law.

The subject of Jurisprudence, Interpretation and General Laws is inherently fundamental to evolution and refinement of legislations, rules and regulations. It, therefore becomes necessary for every student to constantly update with legislative changes made as well as judicial pronouncements rendered from time to time by referring to the Institute's monthly journal 'Chartered Secretary' and e-bulletin 'Student Company Secretary' as well as other law/professional journals and reference books.

The legislative changes made upto November, 2024 have been incorporated in the study material. The students are advised to refer to the updations at the Regulator's website, Supplement relevant for the subject issued by ICSI and ICSI Journal Chartered Secretary and other publications. Specifically, students are advised

to read “**Student Company Secretary**” e-Journal which covers regulatory and other relevant developments relating to the subject. In the event of any doubt, students may contact the Directorate of Academics at [academics@icsi.edu](mailto:academics@icsi.edu).

***The amendments to law made upto 31st May of the Calendar Year for December Examinations and upto 30th November of the previous Calendar Year for June Examinations shall be applicable.***

Although due care has been taken in publishing this study material, the possibility of errors, omissions and/or discrepancies cannot be ruled out. This publication is released with an understanding that the Institute shall not be responsible for any errors, omissions and/or discrepancies or any action taken in that behalf.

**Important Note:**

The new criminal laws i.e. Bharatiya Nyaya Sanhita 2023, Bharatiya Nagarik Suraksha Sanhita 2023 and Bharatiya Sakshya Adhiniyam 2023 have repealed Indian Penal Code 1860, Criminal Procedure Code 1973 and Indian Evidence Act 1872 (old criminal laws) respectively.

Therefore, by virtue of Section 8 of General Clauses Act 1897, the references to the old criminal laws, unless a different intention appears, be construed as references to the provision of new criminal laws.