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CASE ANALYSIS ON MANOHARLAL VS STATE OF PUNJAB (AIR 1961 SC 418)

AUTHORED BY - NANDINI TANDON

INTRODUCTION

When we talk about the interpretation of statutes the first thing that comes to mind are the rules of interpretation. The rules of interpretation form an important part of the process of interpreting a statute and help guide the courts of law towards a particular conclusion. Apart from rules, we also have the aids to interpretation of a statute, which may be external or internal. This assignment deals with the case of *Manoharlal vs the State of Punjab*¹. “This case was decided by the Hon’ble Supreme Court of India on November 11, 1961 after an appeal was made against the decision of the High Court of Punjab by the appellant in the same case. The legislation being challenged in this case was the Punjab Trade Employees Act, 1940 and the constitutionality of one of its provisions was called into question. This case was decided in favour of the state of Punjab at the end. The case is discussed below in detail. The objective of this assignment is to analyze how the court has interpreted the provision under challenge in this case and the rules of interpretation it has applied.”

THE HISTORY OF THE CASE

In this case the appellant is called Manohar Lal, a man who is a shopkeeper and the owner of the Imperial Book Depot in Ferozepore Cantt. on whom the impugned law the Punjab Trade Employees Act, 1940 (hereinafter referred to as the Act) is applicable. The impugned law had been enacted in social interest to limit the working hours of employees). The respondent in this case is the state of Punjab.

The background of the case is such that once previously the appellant in the case had already been convicted under the impugned law by the ADM of his district. He had been liable to pay a fine that he still had not paid (this was taken into consideration by the Court while pronouncing its judgment in the present case). As per the impugned law, there existed a provision of keeping

¹ Manohar Lal vs. State of Punjab, AIR 1961 SC 418.

shops closed on one particular day of the week which the owner(s) could decide for themselves but it was mandatory for them to follow it. The appellant filed an application in the High Court of Punjab against the order of the ADM which the hon'ble Court dismissed. The appellant then preferred a certificate of appeal from the High Court and the appeal came before the apex Court of India under articles 132 and 134(1) of the Indian Constitution.

“The counsel for the appellant was Adv. K.L. Arora and the counsels for the respondent were Adv. N.S. Bindra and Adv. R.H. Dhebar. The case was finally decided by a constitution bench of the Supreme Court of India in fully majority in favour of the State of Punjab. The bench consisted of Justice N. Rajagopala Ayyangar, Justice Syed Jaffer Imam, Justice J.L. Kapur, Justice K.C. Das Gupta and Justice Raghubar Dayal. The judgment of the court was delivered by Justice Ayyangar. There was no dissenting opinion delivered in this case.”

BACKGROUND OF THE CASE

Facts

The facts of the case are as follows: the appellant was convicted for the second time under the impugned law, after being unsatisfied by the decision of the ADM and the High Court of Punjab, the appellant via appeal brought the case before the Supreme Court. The constitutional validity of Section 7(1) of the impugned law has been challenged on the grounds of being against the fundamental rights guaranteed under article 19(1)(h)² and 19(1)(g)³ of the Constitution of India. As per section 7(1) of the Act, every shopkeeper or an owner of a commercial establishment had to pick one day of the week on which they would keep their shop closed and give their employees an off day at work.⁴ The appellant had decided Friday to be the day he would keep his business closed. However, on a Friday (29.01.1954) upon inspection his shop was found to be open for business with the son of the appellant managing the shop. The appellant was hence held to be liable to a fine under Section 16 of the impugned legislation.

Issue

The issue involved in this case was whether section 7(1) of the impugned law was constitutionally valid or not.

² Punjab Trade Employees Act, 1940, § 7(1), No. 10, Acts of Punjab Legislature, 1940 (India).

³ INDIA CONST. art. 19(1)(h).

⁴ India Const. art. 19(1)(g).

Appellant's Contention

The appellant contended that while the facts were true, he was however not falling under the scope of enactment of the impugned law. One of the major points that he relied on was that this impugned law was hampering the scope of his fundamental rights to trade and profession as envisaged under article 19 of the constitution. He had also contended that “the Act would not apply to him as his son did not constitute his employee under the Act and hence the ground of reasonable restriction as given under article 19(6) cannot be invoked by the state. Another major point of contention for the appellant was that since only his family was involved in the functioning of this business and hence there was no employee the impugned law would not apply and its purpose would also not be invalidated, i.e., since the interest of the general public was not harmed by his actions, the law in question would not apply.”

Respondent's Contention

The contention of the respondents was that the impugned law would be applicable on the establishment of the appellant on the grounds of the law being in furtherance of the general interest of the public.

Judgment

The Court while dismissing the appeal in this case held the impugned law to be constitutionally valid. They were of the opinion that an express provision of the Act such as section 7(1) could not be ignored. The Court held that the section is a provision that clearly helps the legislature achieve its desired objective of protecting the general interest of the public, for this the Court relied on the long title of the Act. The court cited various other provisions of the same enactment to point out the intention of the legislature to protect the interest of the employees and stated that the same provisions can also apply to the employer himself as it is pertinent that the interests of the health and welfare not merely of those employed in it but of all those engaged in it shall also be protected. The court also stated that this is a reasonable restriction under article 19(6). The court was of the opinion that, “acts innocent in themselves may be prohibited and the restrictions in that regard would be reasonable, if the same were necessary to secure the efficient enforcement of valid provisions. The inclusion of a reasonable margin to ensure effective enforcement will not stamp a law otherwise valid as within legislative competence with the character of unconstitutionality as being unreasonable. The provisions could, therefore, be justified as for securing administrative convenience and for the proper enforcement of it without evasion.”⁵

⁵ *supra* note 1.

ANALYSIS OF THE CASE

We can see that the court in this case did not narrowly interpret the provisions of the statute in question. The court in this case referred to a previous judgment by the same court in *Manohar Lal vs. the State* (a case with similar facts with the same appellant) in which the court had stated that, “we are of opinion that such a narrow interpretation cannot be placed upon the entry. The legislature may have felt it necessary, in order to reduce the possibilities of evasion to a minimum, to encroach upon the liberties of those who would not otherwise have been affected. That we think it had power to do. Further, to require a shopkeeper, who employs one or two men, to close and permit his rival, who employs perhaps a dozen members of his family, to remain open, clearly places the former at a grave commercial disadvantage. To permit such a distinction might well engender discontent and in the end react upon the relations between employer and employed. All these are matters of policy into which we cannot enter but which serve to justify a wide and liberal interpretation of words and phrases in these entries.”⁶ The court lays emphasis on the liberal rule of interpretation in this case.

The liberal rule of interpretation as opposed to the literal rule of interpretation is a rule which states that interpretation of a term of a statute or law should be made in a wide manner and in a liberal manner keeping in mind the needs of the society. The statute, according to this rule should not be given a narrow interpretation. In the present case, we can see that the court did not rely on the literal rule of interpretation. This is visible when we pay attention to how the court in this case has interpreted the provisions of the impugned law. The court in this case kept the broader social interest of the public in its mind and did not interpret the term employee or the language of section 7(1) of the Act literally.

The court in this case also took aid of the long title of the Act which reads as, “An Act to limit the hours of work of Shop Assistants and Commercial Employees and to make certain regulations concerning their holidays, wages and terms of service.”⁷ The court in this case paid full regard to the intention of the legislature as well. The court also paid attention to section 4 of the Act that limits the hours a young person can be employed in any establishment. The court upheld the constitutional validity of the Act on the grounds that the Act in every shape or form was protecting the general social interest of the public. This case is hence a beautiful case of the court interpreting a statute liberally so as to protect the public.

⁶ *Id.*

⁷ *supra* note 2.

There are also many other cases in which the Supreme Court has applied the liberal rule of interpretation. In the case of *Francis Coralie Mullin vs. Union Territory of Delhi*, it was stated that, “A constitutional provision must be construed, not in a narrow and constricted sense, but in a wide and liberal manner so as to anticipate and take account of changing conditions and purposes so that the constitutional provision does not get atrophied or fossilized but remains flexible enough to meet the newly emerging problems.”⁸ This may be applied to the provision of a statute as well and not just a constitutional provision and is relevant to the present case. In the case of *Commissioner of Sales Tax, Madhya Pradesh, Indore and Ors. vs. Radhakrishan and Ors.*, the court was of the opinion that, “it is well settled that courts will be justified in giving a liberal interpretation to the section in order to avoid constitutional invalidity.”⁹ In the case of *Madan Singh vs. Union of India*, the Supreme Court it had held that “it is the duty of the court to interpret a provision, especially a beneficial provision, liberally so as to give a wider meaning rather than a restrictive meaning which would negate the very object of the rule.”¹⁰ In the case of *Naz Foundation vs. Government of NCT of Delhi* and the case of *Navtej Singh Johar vs. Union of India*, the liberal rule of interpretation was applied.

CONCLUSION

From the facts cited, arguments advanced, judgment delivered we can deduce that the present case is one in which the Supreme Court has applied the liberal rule of interpretation by not interpreting the impugned law in a narrow and pedantic sense. This can be seen from how the court protects the social interest by upholding the constitutional validity of the legislative enactment in question. Apart from just applying this rule of interpretation the Court has also taken the help of the aids to interpretation of a statute.

⁸ Francis Coralie Mullin vs. Union Territory of Delhi, AIR 1981 SC 746.

⁹ Commissioner of Sales Tax, Madhya Pradesh, Indore and Ors. vs. Radhakrishan and Ors., AIR 1979 SC 1588.

¹⁰ Madan Singh Shekhawat vs. Union of India, AIR 1999 SC 3378.