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Purposive Interpretation vs. Golden Rule in Indian Judiciary: A Doctrinal and Comparative Analysis

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ABSTRACT

The fundamental judicial exercise of statutory interpretation serves as the indispensable normative link between static law and the constantly evolving socio-historical contexts it seeks to articulate. Two principal theories in the Indian legal context—the Golden Rule and the Purposive Rule—guide this exercise. The Golden Rule serves as an essentially constrained limitation on literal interpretation, allowing divergence generally only when an accepted construing produces some unqualified absurdity or outré. Heydon's Case provides the origin for the Purposive Rule, a doctrine that obliges a court to explore the legislative intent and social purpose of the enactment itself. This article presents a detailed doctrinal and comparative analysis on these two rules, exploring, with admiration, the Indian judiciary and their transformation from a rigid textual approach to adopting a purposive approach which explicitly ties law to constitutional values and the result of social justice as well. Analyzing landmark Supreme Court decisions, the study examines the inevitable tensions between judicial creativity and legislative supremacy and concludes that purposive interpreting has become a tool for achieving the desired justice and fairness requirements for a rapidly evolving social environment in India. Finally, the paper will conclude by providing a helpful outline of a structured approach for reconciling textual fidelity with teleological reasoning, addressing predictability throughout the democratic constraints inherent with inchoate meaning.

KEYWORDS

Statutory Interpretation, Golden Rule, Purposive Interpretation, Indian Judiciary, Legislative Intent,

*Constitutional Values, Judiciary Activism.***INTRODUCTION**

Any durable legal order must constantly navigate the enduring dialectical tension between the immutable, often antiquated textual language of statutes and the incessantly changing social realities to which they apply. In the Republic of India, where the enormous volume of statutory law was adopted under the specific authority of a transformative, rights-based constitution, the task of interpretation is a consideration above a simple exercise of philology. It is an important ethical and political task that is intentionally engaged in the project of realizing justice, equity and good conscience in a pluralistic community. In order to properly discharge this ponderous task, the Indian judiciary has \not only inherited but moreover\, refined\ the interpretive doctrines which are historical derived from the Anglo-Saxon common law tradition, suited to effectuate the country's own constitutional, welfarist, and post-colonial order.

Of several methods, the Golden Rule and Purposive Rule are the two cornerstones of statutory construction today. The history of Indian law shows a purposeful and progressive move away from the strict application of the Literal Rule—which requires strict adherence to the ordinary, grammatical meaning of words—to a much more adaptable and contextual doctrine in purposivism. The transformation is systemic, and reflects a change in judicial philosophy, with competing priorities, weighing the pursuit of substantive social justice and constitutional objectives, over a rigid, narrow application of the literal meaning of a statute.

DOCTRINAL FOUNDATIONS: THE QUALIFICATION OF LITERALISM

The Golden Rule serves mainly as a necessary but narrow qualification to the rigidness of the Literal Rule, its formulation in *Grey v. Pearson* (1857) positing an exact limit: the work must be taken in a grammatical and ordinary sense, except where doing so would produce a logical or moral 'absurdity or repugnance'. It is this kind of pragmatic reasoning that originates the rule; it is designed to maintain formal deference to the primacy of the legal text but allows a minimal judicial safety valve to avoid outcomes which are self-evidently impossible or unjust. The Indian Supreme Court formally claimed and incorporated this principle, most prominently in *Navinchandra Mafatlal v. CIT* (1955). In this case, the Court endorsed the primacy of the natural meaning of words but qualified that this would need to be abandoned if it leads to a contradiction or absurdity that is plainly contrary to the statutory purpose. The rationale emphasized by the Court in this case was

that statutory interpretation must be attentive to the constitutional context while ensuring that it does not allow manifest injustice. Therefore, the Golden Rule is not an alternative to literalism; it is its emergency brake, used only sparingly when the text of democracy has inadvertently invalidated its own coherence.

THE TELEOLOGICAL IMPERATIVE: PURPOSIVE INTERPRETATION

In contrast, the Purposive Rule engages the law from a fundamentally teleological angle, which asserts that law equally must be interpreted to give effect to its intended policy objectives. The doctrinal roots of the Purposive Rule can be traced from the infamous Heydon's Case (1584) which required courts to go "beyond the words" to discern the true object and intention of the legislature. This investigative approach involves an inquiry into four factors that require judges to consider: (1) what the state of the common law was prior to the statute; (2) what the identified defect or mischief was that the existing law did not remedy; (3) what remedy Parliament intended to provide; and (4) what the purpose was for such a remedy. The Purposive Rule is characterized by its commitment to recognizing external factors, legislative context, and underlying policy objective over mere word structure. Thus, a fundamental difference is made: the Golden Rule functions as a reactive textual safety net, while the Purposive Rule functions as a proactive, goal-driven guiding principle for interpretation.

LITERATURE REVIEW

Theoretical Frameworks and Doctrinal Tension

Although interpretive rules can be traced to a common law past, they are keenly researched and debated, especially as they pertain to their functional capacity with the lens of the transformative constitution of India. Before turning to the literature, we note that a strict reading of the Golden Rule exists on the textualism end of the interpretive continuum—its value can only be realized when the absurd biomedical outcome is avoided, and hence it values predictability relative to the legal text, reflected in an overt respect for the text's choices. This strict position is championed by various academic legal scholars as ensuring respect for the democratic process and outcomes and ensuring legal certainty.

Nonetheless, the scholarship on contemporary rights-based constitutionalism favors a strong embrace of purposivism. Prominent judges, such as Aharon Barak, in *Purposive Interpretation in Law*, directly challenge the basis of textualism.

Barak asserts that the ultimate purpose of interpretation is not just to reconstruct the historical, hypothetical intent of the framers, but rather to articulate the proper legal meaning that keeps the text to its values and norms in the ethical and political framework of the legal system. This conception provides the essential theoretical structure for the progressive interpretive approach of the modern Indian judiciary. Viewed as a form of modernization, the transformation is understandable as no constitution, which promises "socialist, secular, and democratic" tenets can depend on outdated, rigid forms of textualism.

Critiques of Judicial Subjectivity and Comparative Analysis

The most unrelenting and cutting academic criticism of the Purposive Rule concerns the risk of judicial subjectivity and its possible overreach. It is most sharply articulated by Antonin Scalia, who cautioned that the search for legislative purpose is inherently vague, and that interpretation "is always a recipe for judicial subjectivity," creating a confusion of the fundamental constitutional distinction between interpretive and legislative roles. That criticism is important in a historical sense for India, where courts have historically been activist in advancing socio-economic rights, so that interpretation leads to vigilantism. This in effect, presents a dilemma as a fundamental contradiction between the principle of legality (adherence to text) and the principle of justice (adherence to purpose).

From a comparative standpoint, excellent scholarship has established a decisive global preference toward the formalization of purposivism. The United Kingdom's own experience, particularly since the European Communities Act of 1972, recognizes that local law must be interpreted in a compatible and harmonious manner within a broader, essentially external, teleological framework. In the same vein, major common law jurisdictions, notably Australia and Canada, have enacted statutory legislation or, at the very least, judicial directives endorsing this purposive approach. This suggests a growing international consensus that law must evolve as society itself changes, as does international law.

Likewise, India's legal literature—especially recent contributions from authors such as Shrikant P. Thombre or Khushboo N. Yadav and other critical essays—continue to support the idea of moving beyond what appears to be a mechanical application of the classical rules of statutory interpretation. Following this, at the same time, these authors have suggested that there is a significant gap—there is no clear and coherent structured approach in India. While there is a court expectation that purposivism is the preferred approach in every instance, there is

no clear guidance for when one statutory rule needs to be displaced by another. Furthermore, there is no agreed upon underlying rules to objectively establish competing purposes among conflicting statutes. This lack of certainty can lead to an incongruous and thus, seemingly arbitrary process.

RESEARCH METHODOLOGY

Research Design, Objectives, and Scope

This study has been systematically designed using a Doctrinal Research methodology. Doctrinal Research, as a library-based methodology, examines existing legal rules, principles, concepts, and primary legal texts in order to arrive at a binding conclusion regarding the law on any particular issue. The current study is fundamentally founded on an in-depth examination of legal cases, with the intention to identify the ratio decidendi, and the long-term trajectories of developing math and jurisprudential implications of judicial decision making in relation to statutory interpretation in India.

This research has five primary and interrelated objectives:

1. To critically examine the theoretical foundations of the Golden Rule and Purposive Rule, including their historical development and formal incorporation in the context of the Indian legal tradition.
2. To engage in a focused comparative analysis on the operational capacity of both rules as applied by the Supreme Court of India across a variety of legal considerations, with a concentration on constitutional and social welfare law.
3. To investigate and research the evolution of the core interpretive philosophy of the Indian judiciary in a doctrinal fashion, tracking the movement from a conservative understanding of textualism to an engaged understanding of constitutional purposivism.
4. To investigate, critically evaluate, and articulate the contemporary political, theoretical, and practical challenges that face the contemporary interpretative philosophy, including ongoing questions of judicial overreach, a lack of robustness in legislative drafting, and a lack of clarity in methodology.
5. To develop concrete, actionable and implementable prescriptions for a positive structured interpretative methodology that brings together a methodology that will be impartial, explicit and comprehensive.

Data Sources and Advanced Analytical Techniques

The research used secondary sources of data that were clustered and rigorously analyzed:

Primary Legal Sources: These judicial pronouncements constituted the empirical core of the analysis. These include the judgments of the Supreme Court of India and various High Courts. Certain landmark cases (e.g., *Navinchandra Mafatlal v. CIT*, *K.P. Varghese v. ITO*, *Bangalore Water Supply v. A. Rajappa*, *X v. Principal Secretary, Health & Family Welfare Dept.*, *K.S. Puttaswamy v. Union of India*) were closely examined to capture not only the outcome, but also the courts' explicit rationale, methodology, and policy rationale for selecting to act upon one rule of interpretation over other alternatives.

Secondary Academic Sources: These sources provided the essential critical and theoretical framework. These include seminal legal treatises, authoritative commentaries on Interpretation of Statutes, and more contemporary articles published in high impact law journals.

Analytical Methods: The research employed two primary and complex analytical methods:

- **Doctrinal Analysis:** This method was used for a close examination of the semantic and conceptual edges that demarcate the Golden Rule (textualist-pragmatic) from the Purposive Rule (teleological). This yielded both precise terminology and a sense of the conceptual distance between the two methodologies.
- **Case Law Analysis (Inductive Method):** The landmark decisions were analysed inductively. This method required clusters of cases from both policy domain (e.g. health, environment, etc.) and judicial outcome which, followed by an induction of the patterns, latent judicial biases, and unarticulated policy rationale, underpinned both choices on the interpretative rule. The resultant findings were then evaluated, critically, against the overarching constitutional value of liberty, equality, and dignity to move beyond simple description towards deeper critical analysis.

JUDICIAL EVOLUTION & DOCTRINAL ANALYSIS - FOUNDATIONAL FINDINGS

The Trajectory of Constitutional Purposivism

In the aftermath of India's independence, we located a clear watershed moment in which the interpretive role was intentionally embraced in the endeavor of Transformative Constitutionalism. The early judiciary quickly sensed that the application of the

Literal and Golden Rules, inherited from the colonial past, would not suffice to address systemic social inequity in a nation committed to a progressive Constitution. Something had to change. The philosophical pivot was authoritatively articulated in *K.P. Varghese v. ITO* (1981). Justice Bhagwati argued that legislative language should be understood functionally and sociologically, rejecting the notion that meaning should be restricted by mere linguistic interpretations. Her ruling marked a progressive judicial declaration that the functional intent of the legislature—within the framework of constitutional values—would take precedence over textualism. While this idea of judicial activism in pursuit of social objectives was enticing, it was more powerfully deployed in *Bangalore Water Supply v. A. Rajappa* (1978). In that case, the court provided a broad and purposive reading of the term "industry" for the purposes of the Industrial Disputes Act, affording protection under social welfare legislation to a newly defined and traditionally excluded category of workers. In doing so, the court deliberately adopted an understanding of the term that reflected the sociological realities and the imperative of the Constitution to address equity in labor relations.

The finding of the court, which has been confirmed multiple times, is that the modern approach begins with text but ultimately rests on the pursuit of substantive purpose. The Supreme Court has reiterated many times that the purpose of interpretation is fundamentally to promote the object of the Act and to fix the specific mischief that the Act was seeking to ameliorate. Thus what the court is concerned with is what the statute states and what the legislature was hoping to accomplish by saying it.

Functional Delineation and The Role of the Golden Rule

Although the Golden Rule is a foundational canon of construction, the doctrine has been repurposed and has receded to the status of a negative restraint or technical correction. Its more modern and stable function has been in the highly technical fields requiring precision, in the drafting of penal and taxing statutes, or in cases where the Golden Rule has been invoked to avert a clear constitutional illogicality. In the area of penal law, the Golden Rule was employed in *Tolaram Relumal v. State of Bombay* (1954) as commanding strict construction, which meant that where two reasonable interpretations were evident, the court could only select that which was "most favourable" to the accused. This use of the Golden Rule is not teleological—it serves only as a device to prevent the logical absurdity and injustice of subjecting citizens in a democracy to criminal liability without an unambiguous legislative command. In terms of the constitutional context, the Golden Rule was expressly used in *Madhav Rao Jivaji Rao Scindia v. Union of India* (1971), to prevent a literal

construction of the provisions relating to privy purses and, thereby, to prevent a literal construction leading to a total constitutional and governmental breakdown. These two cases establish firmly the function of the Golden Rule as solely making textual sense and as ameliorating manifest technical injustices.

Alternatively, purposive interpretation has unequivocally become the operative principle wherever liberal construction is required by justice or constitutional morality. The judiciary's fidelity to this teleological approach is most compellingly shown in leading rights cases. For example, in *X v. Principal Secretary, Health & Family Welfare Dept.* (2022), the Court delivered a profound, expansive interpretation of the Medical Termination of Pregnancy Act, extending the application of the Act to unmarried women and explicitly rejecting a narrow reading. The Court's decisive pronouncement that "law has to be purposive, not petrified or frozen; it has to be understood in the light of experience and to advance the cause of social justice" functions doctrinally as a beacon, conveying the message that statutes could be purposively re-interpreted in response to shifting societal standards, technological advancements, and justice-promoting principles entrenched under the Constitution, like reproductive autonomy. This principle is embedded within *New India Assurance Co. Ltd. v. Nusli Neville Wadia* (2008), reiterating that interpretation requires "understanding the legislative object" rather than a simple reading of the text. Taken together, these conclusions support the notion that the Indian judiciary relies on purposive reasoning as the primary method for securing substantive justice facilitating the law to align with society and the progressive intents of the Constitution.

CRITICAL INTERPRETATION & CONTEMPORARY CHALLENGES

The Tension Between Creativity and Legislative Supremacy

The judiciary's complete adoption of the purposivist framework stems from an acknowledgment that the Constitution is not a fixed document but rather a living document that embodies the collective ideals of liberty, equality, and dignity. This reality dictates that the process of statutory interpretation is often the vehicle for interpreting the Constitution and that purposivism is the instrument to reconcile the language of the statute with the overarching constitutional guarantees. Nevertheless, this creative judicial role provides a problematic and legitimate tension about judicial overreach. For example, the judicial interpretation of the "spirit" of the law risks disconnecting the interpretation from the "letter" of that text, therefore, judicial policy preferences are being acted out as legislation. This concern about judicial subjectivity is

heightened in India, where the preoccupation of the court, frequently in the form of purposivism, leads to judicial activism, creating a type of constitutional friction between the separation of the respective powers. While the rigidity of the Golden Rule tends to respect democratic will, it often cannot align with the contemporary social context of issues in which we operate. Thus, the fundamental question for the Indian judiciary, therefore, is how to maintain a delicate institutional equilibrium, i.e., to provide a purposive interpretation without contravening the essence of the legislature's mandate, but maintaining a balance or equilibrium so that mechanical literalism does not undermine the delivery of justice.

Structural and Methodological Deficiencies

The effective and consistent use of this emerging hybrid interpretive framework in India is restrained by a number of systemic structural and methodological flaws:

To begin there is clearly a missing, (developed) structured methodology. There is no clearly defined, principled, or codified scheme yet devised by the Supreme Court, nor the Parliament, which outlines on which basis the Literal Rule, the Golden Rule, or the Purposive Rule, should be prioritised in a structured way. This glaring methodological gap leaves the door open to inconsistency and unpredictability between benches in relation to process, leading to an appearance of arbitrariness in the selection of rules based on subjective judicial selection. Second, systemic flaws in drafting compound the problem. A large number of statutory instruments are passed in India without clear object clauses, or statements of purpose. This is an institutional omission which led to the courts inferring the status of legislative intent, which will increase subjectivity by the judicial component into determining the purpose. In terms of legislative scrutiny and reform, it is important to expedite the reform of legislation that would impose detailed preambles, or explanatory memoranda as a lawful way of authorising purposive reasoning by the courts. Thirdly, the fast-changing social context poses an ongoing structural challenge. Changes in technology (cyber law), increased environmental awareness, and the transformed need for law to be gender-neutral will continually test older statutory texts to remain current. These realities of today require an innovative, adaptable reinterpretation, and this is understood to demonstrate a limitation of the Golden Rule as a restrictive foundation for legal interpretation.

Finally, although purposive is an important method of justice for incorporating international human rights case law into domestic law, such as in *K.S. Puttaswamy v. Union of India* (2017), this

advancement comes with a notion of risk. Any progress-promoting ability of purposivism will always need to be restrained in a disciplined way by judicial restraint to ensure that purposive does not become a deliberative and independent ability to create rights that cancels out the limits of democratic authority. For these reasons, the Golden Rule continues to be conceptually necessary in all cases as a deliberate, if not limited, textual safeguard against excessive usage of the purposive approach.

CONCLUSION

The evolution of statutory interpretation in India indicates a significant, systemic shift from strict textualism toward sophisticated purposivism, constitutionalism. The Golden Rule and the Purposive Rule are not antithetical philosophical positions, but represent opposite poles of the judicial commitment to varying degrees of essential textual fidelity and teleological pursuit. The Golden Rule is critical to preserving the certainty and rationality of legislative language, however, the Purposive Rule affords the essential mechanism to give meaning to that text in line with legislative goals, constitutional values, and social needs as society changes and modernizes.

However, as clearly delineated in the already cited paragraph of Nariman, the danger of purposivism, in particular in a framework without specific methodological constraints, is that it risks weakening the fundamental tenets of limited government. The judiciary in India must recognize that creative interpretation (or purposivism), while indeed fundamental for promoting social justice, requires the accompaniment of principled discipline as noted by Justice Chandrachud in *Navtej Singh Johar v. Union of India* (2018): interpretation must be transformative, but disciplined.

In order to foster a truly principled and predictable interpretative framework, the following three prescriptions are critically needed for the future of Indian jurisprudence:

1. **Codification of Interpretative Norms:** The Supreme Court and Law Commission should consider formal codification of interpretative norms. This must provide clear guidance as to the objective criteria under which the purposive rationale may take precedence over the literal meaning, and clear criteria which establishes when the Golden Rule shall take precedence, equalizing and legitimizing the norm.
2. **Legislative Drafting Reform:** Parliament must implement modern reforms to accompany every important piece of legislative enactment with a mandatory, explicit object clause and explanatory statement with detailed

descriptions. Such measures will provide the courts with unrebuttable evidence of the legislative intention and lessen subjective imputation by the court during the purposive process.

3. **Formalized Judicial Training:** Continuing education and training for judges and practitioners of law should be formally made available. That education should focus on comparative interpretative theory and advanced techniques of reconciling textual fidelity with teleological reasoning, within an ethical and sustainable institutional climate.

Statutory interpretation, at the highest possible level, is not simply a contest of semantics, it is an ethic of justice. The balanced and disciplined amalgamation of the Golden Rule and the Purposive Rule within Indian law will serve as the foundation for its future success, allowing the legal system to uphold the democratic word while proactively fulfilling the constitutional spirit.

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