

In **CBI v. Braj Bhushan Prasad**, (2001) 9 SCC 432, Court was asked to construe Section 89 of the Bihar Reorganisation Act with reference to *noscitur a sociis*. In turning this down, this Court held:

“26. We pointed out the above different shades of meanings in order to determine as to which among them has to be chosen for interpreting the said word falling in Section 89 of the Act. The doctrine of *noscitur a sociis* (meaning of a word should be known from its accompanying or associating words) has much relevance in understanding the import of words in a statutory provision. The said doctrine has been resorted to with advantage by this Court in a number of cases vide *Bangalore Water Supply & Sewerage Board v. A. Rajappa* [(1978) 2 SCC 213 : 1978 SCC (L&S) 215], *Rohit Pulp and Paper Mills Ltd. v. CCE* [(1990) 3 SCC 447], *Oswal Agro Mills Ltd. v. CCE* [1993 Supp (3) SCC 716], *K. Bhagirathi G. Shenoy v. K.P. Ballakuraya* [(1999) 4 SCC 135] and *Lokmat Newspapers (P) Ltd. v. Shankarprasad* [(1999) 6 SCC 275 : 1999 SCC (L&S) 1090].

27. If so, we have to gauge the implication of the words “proceeding relating exclusively to the territory” from the surrounding context. Section 89 of the Act says that proceeding pending prior to the appointed day before “a court (other than the High Court), tribunal, authority or officer” shall stand transferred to the “corresponding court, tribunal, authority or officer” of Jharkhand State. A very useful index is provided in the Section by defining the words “corresponding court, tribunal, authority or officer in the State of Jharkhand” as this: [Section 89(3)(b)(i)]

“The court, tribunal, authority or officer in which, or before whom, the proceeding would have laid if it had been instituted after the appointed day;”

28. Look at the words “would have laid if it had been instituted after the appointed day”. In considering the question as to where the proceeding relating to the 36 cases involved in these appeals would have laid, had they been instituted after the appointed day, we have absolutely no doubt that the meaning of the word “exclusively” should be understood as “substantially all or for the greater part or principally”.

29. We cannot overlook the main object of Section 89 of the Act. It must not be forgotten that transfer of criminal cases is not the only subject covered by the Section. The provision seeks to allocate the files or records relating to all proceedings, after the bifurcation if they were to be instituted after the appointed day. Any interpretation should be one which achieves that object and not that which might create confusion or perplexity or even bewilderment to the officers of the respective States. In other words, the interpretation should be made with pragmatism, not pedantically or in a stilted manner. For the purpose of criminal cases, we should bear in mind the subject-matter of the case to be transferred. When so considering, we have to take into account further that all the 36 cases are primarily for the offences under the PC Act and hence they are all triable before the Courts of Special Judges. Hence, the present question can be determined by reference to the provisions of the PC Act.”

Tags: [Bihar Reorganisation Act](#), [Interpretation of Statutes](#), [noscitur a sociis](#)