



THE GENERAL CLAUSES ACT, 1897



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THE GENERAL CLAUSES ACT, 1897

¹Act No. X OF 1897

[11th March, 1897]

An Act to consolidate and extend the General Clauses Acts, 1868 and 1887.

WHEREAS it is expedient to consolidate and extend the General Clauses Acts, 1868 (I of 1868) and 1887 (I of 1887); It is hereby enacted as follows:—

PRELIMINARY

1. Short title.—(1) This Act may be called the General Clauses Act, 1897 (I of 1897); 2*

2* * * * * * *

2. [Repeal.].Rep. by the Repealing and Amending Act, 1903 (I of 1903), s. 4 and Schedule III.

GENERAL DEFINITIONS

3. Definitions.—In this Act, and in all ³[Central Acts] and Regulations made after the commencement of this Act, unless there is anything repugnant in the subject or context,—

(1) “**Abet**”.— “abet”, with its grammatical variations and cognate expressions, shall have the same meaning as in the Pakistan Penal Code (Act [XLV of 1860](#)):

¹For Statement of Objects and Reasons, see Gazette of India, 1897, Pt. V, p. 38; for Report of the Select Committee, see *ibid.*, p. 77; and for Proceedings in Council, see *ibid.* Pt. VI, pp. 35, 40, 56 and 76.

This Act has been declared to be in force in Baluchistan by the British Baluchistan Laws Regulation, 1913 (2 of 1913).

It has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., subject to certain modifications; and also extended to the Excluded Area of Upper Tanawal (N.W.F.P.) other than Phulera with effect from such date and subject to such modifications as may be notified,— see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

It has also been extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G.G.O.3 of 1950); and applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt. I, p. 1499.

The Act has been extended to the whole of Pakistan and shall be deemed to have been so extended on the 14th day of October, 1955, see the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and Second Sch.

The provisions of this Act have been extended to the Special Areas of West Pakistan by West Pakistan Regulation No.1 of 1961 (with effect from the 13th September, 1961).

²The word “and” in sub-section (1) and the whole of sub-section (2) rep. by the Repealing & Amending Act, 1914 (10 of 1914), s. 3. and sch. II.

³Subs. by A. O. 1937. for “Acts of the G.G. in C.”.

1* * * * *

(2) “**Act.** "act ", used with reference to an offence or a civil wrong, shall include a series of acts, and words which refer to acts done extend also to illegal omissions:

(3) “**Affidavit**”. "affidavit" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing:

2* * * * *

(3c) “**Baluchistan**”. ”Baluchistan” shall mean the territories comprised in the Chief Commissioner's Province of Baluchistan immediately before the fourteenth day of October, 1955 ³[,] ³[and after the first day of July, 1970, the Province of Baluchistan, comprising the territories mentioned in the Schedule to the Province of West Pakistan (Dissolution) Order, 1970:]

4* * * * *

(4) “**Barrister**”. "barrister" shall mean a barrister of England or Ireland, or a member of the Faculty of Advocates in Scotland:

5* * * * *

6* * * * *

7* * * * *

8* * * * *

9* * * * *

¹Cl. (1a) as amended by A. O., 1949, Sch., has been omitted by the Federal Laws (Revision and Declaration), Ordinance, 1981 (27 of 1981) s. 3 and 2nd Sch.

²Cls. (3a) and (3b) as amended by Act 10 of 1914, s. 2 and Sch. I, Act 24 of 1917, s. 2 and Sch. I, Act 18 of 1928, s. 2 and Sch. I, A.O., 1937, and Ord. 21 of 1960, s. 3 and 2nd Sch. (w.e.f. 14th October, 1955), has been omitted by Ord. 27 of 1981, s. 3 and 2nd Sch.

³Subs. and added by F. A. O., 1975, Art. 2 and Sch.

⁴El. (3d) omitted by Ord. 27 of 1981, s. 3 and Sch. II.

⁵Cl. (5) as amended by Act 10 of 1914, s. 2 and Sch. I and Act 24 of 1917, s. 2 and Sch. I, has been omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981, (27 of 1981) s. 3 and 2nd Sch.

⁶Cl. (5a) relating to “Berar”, which was ins. by A.O., 1937, rep. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3 and 2nd Sch.

⁷Cl. (5b) relating to “Bihar and Orissa Act”, which was first ins. as c1. (5a) by the Repealing and Amending Act, 1914 (10 of 1914), s. 2 and Sch. I and then re-numbered as c1. (5b) by A. O., 1937, rep. by the Federal Laws (Revision and Declaration) Act, 1951, (26 of 1951), s. 3 and 2nd Sch.

⁸Cl. (5c) which was ins. by A. O., 1937, rep. by Act. 26 of 1951, s. 3 and 2nd Sch.

⁹Cl. (6) as amended by various enactments has been omitted by the Federal Laws (Revision and Declarations) Ordinance, 1981, (27 of 1981), s. 3 and 2nd Sch.

¹[(7) **“British India”**. "British India" shall mean, as respects the period before the ²commencement of Part III of the Government of India Act, 1935 (26 Geo. 5, c.2.), all territories and places within His Majesty's dominions which were for the time being governed by His Majesty through the Governor General of India or through any Governor or officer subordinate to the Governor General of India, and as respects any period after that date ³[and before the establishment of the Federation of Pakistan] means all territories for the time being comprised within the Governors' Provinces and the Chief Commissioners' Provinces, except that a reference to British India in an Indian law passed or made before the ²commencement of Part III of the Government of India Act, 1935 (26 Geo. 5, c.2.) , shall not include a reference to Berar:]

(8) **“British possession”**. "British possession" shall mean any part of Her Majesty's dominions, exclusive of the United Kingdom, and, where parts of those dominions are under both a central and a local legislature, all parts under the Central Legislature shall, for the purposes of this definition, be deemed to be one British possession:

4* * * * *

⁵[(8aa) **“Central Act”**. "Central Act" shall mean an Act of the Central legislature, and shall include, except in section 5, an Act made by the Governor General under section 67 B of the Government of India Act, ⁶* * *:]

⁷[(8ab) **“Federal Government”**. ⁸[Federal Government]" shall—

- (a) in relation to anything done before the ²commencement of Part III of the Government of India Act, 1935 (26 Geo. 5, c.2.) , mean the Governor General in Council or the authority competent at the relevant date to exercise the functions corresponding to those subsequently exercised by the Governor General;
- (b) in relation to anything done after the ²commencement of Part III of the said Act, but before the establishment of the Federation of Pakistan, mean, as respects matters with respect to which the

¹Subs. by A.O., 1937, for the original clause (7).

²I.e., the 1st April, 1937.

³Ins. by the Pakistan (Adaptation of Existing Pakistan Laws) Order, 1947 (G. G. O. 20 of 1947).

⁴Cl. (8a) relating to "Burma Act" which was ins. by the Amending Act, 1903 (1 of 1903), s. 3 and Sch. II, rep. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3 and 2nd Sch.

⁵Ins. by A. O., 1937.

⁶The words and figures "or section 44 of the Government of India Act, 1935" omitted by the Pakistan (Adaptation of Existing Pakistan Laws) Order, 1947 (G. G. O. 20 of 1947).

⁷Subs. *ibid.*, for clause (8ab), which had been ins. by A. O., 1937.

⁸Subs. by F.A.O. ,1975 for Art. 2 and Table for, "Central Government".