

INTERPRETATION OF STATUTES & GENERAL CLAUSES ACT 1897

1.	Statute	Written will of the legislature solemnly expressed according to the forms necessary to constitute it the law of state.
2.	Document	Any matter expressed or described upon any substance by means of letters, figures or marks or by one of those means which is intended to be used, or which may be used for the purpose of recording that matter.
3.	Instrument	Every document by which any rights or liability is or purports to be created, transferred, extended, extinguished or recorded. (As per Indian Stamps Act, 1899) Formal legal document which creates or confirms a right or records a fact. Formal writing of any kind, such as an agreement, deed, charter or record , drawn up and executed in technical form.
4.	Deed	Instrument in writing purporting to effect some legal disposition.
5.	Interpretation	Process by which the courts seek to ascertain the meaning of the legislature through the medium of the authoritative forms in which it is expressed.
6.	May Vs Shall	“Shall” imposes an obligation , whereas “may” confers discretionary power . Usage of word “shall” indicates “ Directory ” whereas word “may” indicates “ mandatory ”
7.	Long title	Describes the enactment of the act. To ascertain the object, scope and purpose of the act.
8.	Preamble – Part of enactment	Discloses the primary intention of the legislature. Expresses scope, object and purpose of act more comprehensively than long title. Recite the ground and cause of making a statute and evil which is sought to be remedied by it.
9.	Heading	Title of the chapter referred to for the purpose of construing the enactment or its parts. Referred to as to construction of doubtful expressions but cannot be used to restrict the plain terms of enactment.
10.	Marginal Notes	Held to be part of the constitution as passed by the constituent assembly and therefore have been made use of in construing the articles.
11.	Definitions	To provide key to the proper interpretation of the enactment. To shorten the language of the enacting part by avoiding the repetitions of the same words contained in definition part.
12.	Illustrations	Follow the text of the sections. Do not form part of the sections.

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		Considered to be of relevance and value in construing the text of sections.
13.	Proviso	To except something out of the enactment or to qualify something stated in the enactment which would be within the purview. To qualify the preceding enactment which is expressed in terms which are too general.
14	Explanation	To explain the meaning of the text of the section. To include something within the section or to exclude something from it. To harmonise and to clear up the ambiguity in the main section.
15.	Schedule	The schedules form part of the act. They must be read together with the act for all purposes of construction. If there is any inconsistency between schedules and enactment, enactment shall always prevail.
16.	Affidavit	Affidavit shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing. Affidavit is a written statement confirmed by oath or affirmation for use as evidence in court or before any authority.
17.	Enactment	Enactment shall include a regulation and any regulation of Bengal, Madras or Bombay code and shall include any provision contained in any act or in any regulation as aforesaid.
18.	Good faith	It should be with due care and attention as expected in ordinary prudence.
19.	Object	To shorten the language of central acts. To provide for uniformity of expressions in central acts, by giving definitions of a series of terms in common use.
20.	Immovable property	Includes Land, Benefits to arise in land & things attached to earth or permanently fastened to anything attached to the earth
21.	Oath	Affirmation and declaration in case of persons by law allowed to affirm or declare instead of swearing
22.	Official Gazette	Gazette of India or Official Gazette of state
23.	Gender & Number	Masculine gender includes females. Singular includes plural
24.	Powers & Functionaries	Power to appoint includes power to appoint ex-officio Power to appoint includes power to suspend/ dismiss Power to issue includes power to add/ amend/vary/rescind notifications, orders, bye-laws
25	Service by post	Properly addressing, pre-paying, posting by registered post.