# General Clauses Act, 1897

# Section 1 - Short Title & Commencement

#### Definition/Scope

- Short title: General Clauses Act, 1897.
- Extent & application: It gives general definitions and rules of interpretation for Central Acts/Regulations, unless a different intention appears.

#### Core Provisions

 Provides a uniform set of meanings and construction rules used across Central Acts and the subordinate legislation made under them.

#### **Illustration**

•If a Central Act uses the word "month", meaning is taken from GCA Sec 3 (calendar month) unless that Act defines it differently.

Keywords: uniform interpretation, unless contrary intention.

## Clarity Corner

- •GCA does not override a special definition in a specific Act.
- It is an interpretation aid, not a penal/substantive law by itself.

### Hinglish Corner

• "Yeh Act ek dictionary + rulebook jaisa hai, jab tak kisi khaas Act me alag na likha ho."

#### Exam Traps

- Writing that GCA applies even when the special Act says otherwise.
- Treating it as giving substantive rights (it mainly guides meaning/procedure).



#### PYQ Clast 5 yrs - trend)

- Trend: Intro utility asked as very short/MCQ.
- Model pointers: purpose (definitions + construction rules) + "unless different intention".

#### MCQ Practice (mini)

- 1. GCA primarily provides: (a) Substantive offences (b) Rules of interpretation (Ans) (c) Tax rates (d) Police powers
  - 2. GCA applies subject to: (b) Unless a different intention appears (Ans)

# Section 2 - Repeal

• Repeals the earlier General Clauses Acts of 1868 and 1887; transitional handling is in Sec 4.

Keywords: prior Acts repealed, transition via Sec 4.

#### Hinglish Corner

• "Purane General Clauses Acts ko hataya gaya."

#### Exam Traps

• Mixing Sec 2 (repeal of earlier GCA) with Sec 6 (effect of repeal of any law).

#### PYQ

•No direct PYQ in recent years; MCQ ho sakta hai.

# MCQ (mini)

1. Sec 2 of GCA deals with: (c) Repeal of prior GCAs (Ans)

# Section 3 - Definitions (key exam terms)

Scope: Gives general meanings used across Central Acts, unless contrary intention. Important exam terms:

- Act: Includes a series of acts; extends to illegal acts where context so requires.
- Affidavit: Includes affirmation/declaration (for persons allowed by law to affirm instead of swearing).
- Central Government:
  - ullet Pre-Constitution acts o Governor-General in Council;
  - Post-Constitution  $\rightarrow$  President.
  - Commencement: Day on which Act/Regulation comes into force.
- Document: Matter expressed on any substance by letters, figures, marks, etc. (includes e-records); excludes Indian currency notes.



- Enactment: Act or Regulation, including provisions contained therein.
  - Financial Year: Year commencing on 1 April.
  - Year: Year reckoned by the British (Gregorian) calendar.
  - Good Faith: Done honestly, whether done negligently or not.
  - Government: Central and State Governments.
  - Imprisonment: Includes rigorous or simple imprisonment (as per IPC).
  - Immovable Property: Land; benefits arising out of land; things attached or permanently fastened to the earth.
  - Movable Property: Property of every description except immovable.

#### Case pointer

• Ananda Behera v. State of Orissa - right to catch/carry fish (profit à prendre) treated in context of immovable property.

Keywords: honestly, commencement, financial year, document excludes currency notes, attached to earth. Clarity Corner

- Good faith under GCA ≠ "with due care"; it is honesty-based (even if negligent).
- Document is very wide; currency notes kept out to avoid conflicts with RBI Act.
- Immovable includes benefits from land (e.g., right of way).

#### Hinglish Corner

- •"Good faith = imaan-dari, chahe thodi laaparwahi ho."
- "Document me sab kuchh aa sakta hai (files, emails), par note nahi."
- •"Immovable = zameen se judaa hua."

### Exam Traps

- Writing that good faith needs due care (that is civil law notion; here honesty controls).
- Treating trademark/goodwill as immovable (not immovable).
- Forgetting that financial year starts 1 April.

# PYQ (trend)

- Frequent MCQs/shorts on good faith, document, FY.
- Model pointers: 1-line meaning + one tiny example.

# MCQ Practice (mini)

- 1. "Good faith" in GCA means: (d) Honesty, negligence irrelevant (Ans)
- 2. "Document" excludes: (b) Indian currency notes (Ans)



# Section 4 - Application of previous enactments (Transitional)

• Ensures that provisions corresponding to those in earlier General Clauses Acts (1868/1887) continue to govern older Acts where appropriate. It is a transitory bridge section.

#### Keywords: transitional saving for older Acts.

#### Hinglish Corner

• "Purane kanoon par purane rules ki continuity ensure karta hai."

#### Exam Traps

• Confusing this with Sec 24 (continuance of subordinate legislation on re-enactment).

#### PYQ

•No direct PYQ recently.

#### MCQ (mini)

1. Sec 4 primarily provides: (b) Transitional application for older enactments (Ans)

# Section 5 - Coming into operation of enactments

- ullet If specific commencement date is prescribed in Official Gazette o Act enforces from that date.
- •If no date is specified  $\rightarrow$  Act enforces on the date it receives assent (pre-Const: Governor-General; post-Const: President).
  - Rules take effect from Gazette publication date unless otherwise provided.

# Keywords: Gazette date, assent date, prospective operation.

### Clarity Corner

- Courts cannot compel Govt. by mandamus to bring Act into force on a particular date if Act leaves it to Govt.'s satisfaction.
  - Law does not take note of fractions of a day; date starts from midnight.

### Hinglish Corner

•"Date likhi ho  $\rightarrow$  usi din se; date na ho  $\rightarrow$  assent se."

### Exam Traps

- Confusing passing date with commencement.
- Ignoring Gazette requirement.

# PYQ (trend)

- Seen as short/MCQ; frequently tested in RTPs.
- Model pointers: rule statement + Gazette/assent + fraction-of-day line.

#### MCQ (mini)

1. No commencement date mentioned. The Act starts from: (c) Date of Presidential assent (Ans)

# Section 6 - Effect of Repeal

When an enactment is repealed, unless a different intention appears, the repeal shall not:

- Revive anything not in force or existing at the time of repeal;
- Affect the previous operation of the repealed enactment or anything duly done or suffered;
- Affect rights, obligations, liabilities acquired, accrued or incurred;
- Affect penalties, forfeitures, punishments incurred;
- Affect investigations, legal proceedings, or remedies in respect of such rights/liabilities/penalties.

They may be instituted/continued and enforced as if the repealing Act had not been passed.

# Case pointer

• Kolhapur Cane Sugar Works v. Union of India - repeal obliterates the law prospectively, but saves accrued right and pending proceedings.

#### Keywords: savings on repeal, no revival, proceedings continue.

#### Clarity Corner

- Repeal ≠ delete past liabilities.
- Proceedings filed after repeal for past contraventions still maintainable.

#### Hinglish Corner

- •"Law hata, par pehle ke haq/zimmedari bach gaye."
- "Chalu case jari rahenge."

### Exam Traps

- Writing "repeal se sab kuchh khatam" (wrong).
- •Missing "unless a different intention appears".

### PYQ (trend)

- Repeated short/descriptive favourite.
- Model pointers (6-8M): five savings bullets + one SC case + tiny example.

# MCQ (mini)

1. Repeal does not affect: (b) Accrued rights/liabilities (Ans)

# Section 6a - Repeal of an Act making textual amendment



#### Exam-Ready Notes

•If an Act (A) amends the text of another Act (B) and later Act A is repealed, then the amendments already made in Act B continue as part of Act B, unless a different intention appears.

#### **Illustration**

• Finance Act amends principal Act; even if Finance Act provision is later repealed, the text inserted in principal Act remains.

Keywords: repeal of amending Act-amendment survives.

#### Clarity Corner

• Prevents "rolling back" of text merely because amending Act is repealed.

#### Hinglish Corner

•"To badlaav pehle se main Act me ghusa diya tha, woh bana rahega."

#### Exam Traps

• Confusing Sec 6A with Sec 24 (continuance of orders on re-enactment).

#### PYQ (trend)

• Often MCQ/2M short with a one-line illustration.

#### MCQ (mini)

1. Repeal of an amending Act results in: (b) Amendment continues in principal Act (Ans)

# Section 7 - Revival of repealed enactments

• A repealed enactment shall not revive unless the repealing law expressly provides for such revival.

#### **Illustration**

•If Act X is repealed, it does not come back just because the repealing Act is repealed; express revival needed. Keywords: no automatic revival, express revival required.

### Clarity Corner

• "Repeal of repealing Act = revival," unless statute says so.

#### Hinglish Corner

•"Band ki hui law apne-aap wapas zinda nahi hoti."

#### Exam Traps

• Assuming automatic revival.



# Section 8 - Construction of references to repealed and re-enacted enactments

• Where an Act is repealed & re-enacted, references in any law/instrument to the repealed Act shall be construed a references to the re-enacted provision, unless a different intention appears.

#### **Illustrations**

• References to Companies Act 1956 in other laws now read as Companies Act 2013 provisions.

Keywords: update references on re-enactment.

#### Clarity Corner

- Applies unless the context shows the old reference was intended.
- Works for instruments (notifications, contracts) too.

#### Hinglish Corner

• "Purane Act ka naam pada ho, samjho naye version ko refer kar raha hai."

# Exam Traps

• Forgetting the caveat "unless different intention appears".

#### PYQ (trend)

• Common short; add Companies Act example.

#### MCQ (mini)

1. Old-Act reference after re-enactment is read as: (b) Reference to the re-enacted provision (Ans)

# Section 9 - Commencement & termination of time

- In any Central Act/Regulation:
- When period is described as "from" a day  $\rightarrow$  exclude that day.
- When period is described as "to" a day  $\rightarrow$  include that day.

#### **Illustration**

- •"Within 30 days from 1 Tuly" ightarrow count starts 2 Tuly;
- "... up to 30 Tuly"  $\rightarrow$  30 Tuly included.

Keywords: exclude first with "from"; include last with "to".

### Clarity Corner

•If phrase is "from and inclusive of" o then include first day (because special intention appears).

### Hinglish Corner

• "From = pehla kaat do; to = aakhri le lo."

### Exam Traps

• Reversing inclusion/exclusion.



#### PYQ (trend)

• Regular MCQ with date maths.

#### MCQ (mini)

1. "30 days from 1 Jan" ends on: (d) 30 Jan (Ans)

# Section 10 - Computation of time when court/office is closed

•If any act is directed to be done on a particular day or within a prescribed period, and the court/office is closed on that day/last day, the act shall be deemed done in due time if done on the next day afterwards on which the court/office is open.

#### Illustration

• Limitation last day Sunday o filing on Monday valid.

Keywords: next working day rule.

#### Clarity Corner

- Applies even if closure is due to unexpected holiday.
- Does not extend time fixed by contract unless statute imports GCA.

#### Exam Traps

• Applying rule when special Act excludes it.

#### PYQ (trend)

· Short/MCQ favourite.

### MCQ (mini)

1. Office closed on the last day o filing next day is: (a) Within time (Ans)

# Section 11 - Measurement of distances

 Unless a different intention appears, distance under any Central Act is measured in a straight line on a horizontal plane.

Keywords: straight-line, horizontal plane.

### Clarity Corner

• Road/waterway length irrelevant unless statute

### Exam Traps

• Using road kilometres.

### MCQ (mini)

1. Default statutory distance: (c) Straight-line/horizontal plane (Ans)



# Section 12 - Duty/fees to be taken pro-rata

• Where any duty (e.g., customs/excise) is leviable by quantity, weight, measure, value, duty shall be levied according to the same rate on any greater or lesser quantity.

#### Clarity Corner

• Applies when statute prescribes a rate tied to a measurable unit.

#### Hinglish Corner

•"Titna maal, utna hisaab-rate same."

### Exam Traps

• Assuming rounding unless statute permits.

#### MCQ (mini)

1. Duty on half the quantity will be: (b) Half the duty (Ans)

# Section 13 - Gender and number

- Words importing masculine gender shall include females.
- Words in singular shall include plural, and vice versa.
- Exception: Where context shows a specific gender/number intended, this presumption does not apply.

#### **Illustrations**

- •"He" includes "she", unless statute clearly confines to males (e.g., "male descendants" in a succession clause).
- "Bullocks" cannot be read to include "cows" where the word conveys specific gender.

Keywords: gender/number inclusions, contextual exception.

# Section 14 - Powers conferred to be exercisable from time to time

### Definition/Scope

When an Act confers a power or imposes a duty on any authority/officer, that power or duty shall be capable of being exercised/discharged from time to time, as occasion requires, unless a different intention appears.

- Power once given is continuing; it may be used repeatedly whenever required.
- Applies to Central Acts/Regulations and instruments made thereunder.
- •"Unless a different intention appears"  $\rightarrow$  if the parent Act restricts exercise to once, that restriction prevails.

#### Tests/Conditions

- 1. Identify conferring section.
- 2. Check if statute restricts exercise (e.g., "one-time only").
- 3. If no restriction ightarrow power can be used again and again.



#### **Illustration**

Govt. empowered to issue price control orders  $\rightarrow$  may revise/replace them periodically as situations change. Keywords: continuing power, recurring exercise, unless contrary intention.

#### Clarity Corner

- "From time to time" ≠ "anytime without basis"; it must be for statutory purpose.
- If Act fixes one appointment term, fresh use requires fresh occasion.

#### Hinglish Corner

- "Power mila toh bar-bar use ho sakta hai, jab need ho."
- •"Agar Act ne mana kiya ho, tab nahi."

#### Exambrap

- Writing "once used, power is exhausted" (wrong).
- Missing the phrase unless a different intention appears.

#### PYQ Mapping Clast 5 yrs)

• Trend: Mostly MCQs/short notes. No long descriptive seen.

Model pointers: define continuing power; add "unless contrary intention"; one crisp example.

# Rapid Practice (mini)

- •MCQ: "From time to time" implies: (c) Continuing power (Ans).
- Short: Explain effect of "unless a different intention appears."

# Memory Hook

"FTT = Frequent Till Told-otherwise."

# Section 15 - Power to appoint may be exercised by name or by office

# Definition/Scope

Where an Act confers power to appoint any person to an office or service, appointment may be made either by naming the person or by describing his office (ex officio), unless a different intention appears.

- Two lawful modes: by name / by virtue of office.
- Ex-officio appointee holds the statutory role so long as he holds that office.

#### Procedure/Tests

- 1. See if  $\operatorname{Act}$  prescribes mode; if silent  $\to$  either mode valid.
- 2. For ex-officio, vacancy in parent office ightarrow statutory role also vacates.



#### Keywords: appointment by name, ex-officio, unless contrary intention.

#### Clarity Corner

- Ex-officio ≠ separate appointment order required.
- Name-based appointment does not automatically change with office-holder change.

#### Hinglish Corner

•"Naam se ya kursi se – dono tarah se appointment valid."

#### Exam Traps

- Assuming every appointment must be by name.
- Treating ex-officio as temporary deputation.

Pointers: state both modes; add effect of vacancy for ex-officio.

#### Rapid Practice (mini)

•MCQ: Ex-officio appointment ends when: (b) Holder ceases to hold parent office (Ans).

#### Memory Hook

"N-O = Name or Office.

# Section 16 - Power to appoint includes power to suspend or dismiss

#### Definition/Scope

Where an Act confers power to make an appointment, it shall include power to suspend or dismiss any person so appointed, unless a different intention appears.

- Incidental/ancillary power of suspension/removal travels with power to appoint.
- Must follow lawful grounds & procedure (service rules, natural justice).

Keywords: incidental power, removal, unless contrary intention.

#### Exam Traps

- Writing suspension/dismissal is always with Appointing Authority (check special provisions).
- Ignoring procedural safeguards.

# PYQ Mapping

• Seen as short/MCQ in many attempts.

Pointers: write rule; add "unless different intention"; 1 line on procedure.

## Rapid Practice

•MCQ: Power to appoint impliedly carries power to dismiss? Yes (Ans).

# Memory Hook

"A→SD: Appoint implies Suspend/Dismiss."



# Section 17 - Substitution of functionaries

#### Definition/Scope

Where an Act directs or permits any act to be done by, or any power to be exercised by, a particular officer, the same may be lawfully done by the officer for the time being executing the functions of that office.

- Acting/Officiating holder can perform statutory functions.
- Ensures continuity despite vacancies/leave.

Keywords: acting officer, continuity, in-charge.

#### Clarity Corner

- Needs lawful charge of the office; not any subordinate.
- Different from delegation; it is by virtue of acting in that office.

#### Exam trap

- Confusing with Sec 19 (subordinates).
- Treating ad-hoc committee as "officer for the time being" (not same).

#### Memory Hook

"Seat ightarrow Successor-in-seat acts."

# Section 18 - Successors

#### Definition/Scope

For indicating application of any provisions to the holder of an office, it is sufficient to mention the official title of the officer, and it shall apply to every successor.

• Statute may simply refer to "Collector"/"Registrar"; it covers present and future holders.

Keywords: official title, successor in office.

# Hinglish Corner

• "Naam nahi, designation likhna enough."

### Memory Hook

"Tille tells, not the person."

# Section 19 - Official chiefs and subordinates

### Definition/Scope

Where an Act refers to the chief or superior of an office, the expression shall include the deputies or subordinates who are lawfully performing the duties of that office in place of the chief/superior.

• Ensures workable administration in absence of chief.



Subordinate must be lawfully authorised to act in that place.

Keywords: chief includes lawful deputy, acting in place of.

#### Clarity Corner

- •Not every subordinate; only one performing in his place.
- Different from general delegation.

# Section 20 - Construction of notifications, orders, schemes, rules & bye-laws

#### Definition/Scope

Words and expressions used in a notification, order, scheme, rule, or bye-law issued under an Act shall have the same meaning as in the parent Act, unless a different intention appears.

• Ensures semantic consistency between Act and subordinate legislation.

Keywords: same meaning, parent Act, consistency.

#### Hinglish Corner

• "Rule ki definitions, Act jaisi hi hoti hain – jab tak alag na likha ho."

## PYQ Mapping

MCQ/short expected.

# Section 21 - Power to issue includes power to add to, amend, vary, or rescind

#### Definition/Scope

Where an Act confers power to issue notifications, orders, rules or bye-laws, the same authority shall have power to add to, amend, vary, or rescind them in the like manner and subject to like conditions, unless a different intention appears.

- Modification must follow same formality as original (e.g., Gazette).
- Cannot be used to defeat Act's scheme.

Keywords: modify/rescind, like manner, same conditions.

### Clarity Corner

- Rescission ≠ retrospective unless Act permits.
- If original requires previous publication, amendment needs it too.

### Hinglish Corner

•"Jis tareeke se order nikla, usi tareeke se badal/hataya ja sakta hai."

# PYQ Mapping

• Frequently tested as short.

Pointers: quote "like manner & like conditions"; give 1 example.



### Memory Hook

"IightarrowA-V-R (Issue ightarrow Amend-Vary-Rescind)."

# Section 22 - Making of rules etc. between passing and commencement

#### Definition/Scope

Where an Act is passed but not yet commenced, and it confers power to make rules/bye-laws/orders after its commencement, it shall be lawful to make them anytime after passing of the Act; however, they shall not take effect until the Act commences, unless the Act otherwise provides.

- Pre-commencement framing allowed to avoid delay.
- Effectiveness starts on/after commencement.

Keywords: pre-commencement making, post-commencement effect.

#### Clarity Corner

- Drafting early = early enforceability.
  - •If Act authorises early operation, then follow that special clause.

#### Hinglish Corner

• "Rules pehle bana sakte ho, par chalenge Act ke shuru hote hi."

# Section 23 - Previous publication before making rules/bye-laws (when required)

### Definition/Scope

Where power to make rules/bye-laws is subject to condition of previous publication, the rule-making authority shall:

- a) Publish a draft of the proposed rules for information of persons likely to be affected;
- b) Specify a date on/after which draft shall be taken into consideration; -
- c) Consider objections/suggestions received before the specified date; and
- d) Publish final rules in Official Gazette, and such publication is conclusive proof that the rules have been duly made.
  - Ensures transparency & participation.
  - "Conclusive proof" bars challenges on procedural compliance, except jurisdictional/ultra vires grounds.

Keywords: draft, date, consider objections, final Gazette, conclusive proof.

### Clarity Corner

- Considering objections = accepting all; application of mind is enough.
- Minor changes to draft don't need re-publication if ancillary.

# Hinglish Corner



•"Pehle draft dikhao, logon ki baat suno, phir final Gazette karo."

#### Exam Traps

- Skipping the specified date requirement.
- Assuming re-publication is compulsory after every tweak.

#### Memory Hook

Flow: D-D-C-G (Draft-Date-Consider-Gazette).

# Section 24 - Continuance of orders etc. under repealed and re-enacted law

#### Definition/Scope

If an enactment is repealed and re-enacted with same or substantially the same terms, then orders, notifications, rules, bye-laws made under the repealed law shall continue and be deemed to have been made under the re-enacted law, unless they are inconsistent with the new law or are superseded.

- Continuity without interruption when substance remains same.
- If re-enacted law is somewhat different, earlier instruments operate as repealed to the extent of repugnancy.

Keywords: seamless continuity, same terms, repugnancy test.

#### Clarity Corner

- •No need to re-issue every rule if substance same.
- ullet If new Act conflicts o old instruments drop to that extent.

#### Exam Traps

- · Saying all old rules die automatically (wrong).
- Ignoring repugnancy check.

### Memory Hook

"Same-same o Stay; Different o Displace."

# Section 25 - Recovery of fines

#### Definition/Scope

Unless otherwise provided, recovery of fines under any Act/Regulation shall be in the manner provided by Sections 63 to 70 of the IPC and relevant provisions of CrPC concerning issue and execution of warrants for levy of fines.

- Harmonises fine recovery across special laws.
- Court may issue warrant for levy; imprisonment in default as per IPC/CrPC.

Keywords: IPC 63-70, CrPC warrants, default sentence.



# Section 26 - Offences punishable under two or more enactments (No double

# punishment)

#### Definition/Scope

Where an act/omission constitutes an offence under two or more enactments, the offender may be prosecuted under either or any of those enactments, but shall not be punished twice for the same offence.

- Multiple prosecution permissible, but no double punishment for same offence.
- ullet "Same offence" test o look to ingredients of offences; if distinct, separate punishments possible.

#### Case-law pointer

- State of Bombay v. S.L. Apte (SC): if the ingredients are different, bar of double punishment does not apply.
- •M.P. v. V.R. Agniholri: Acquittal under one charge does not automatically bar trial under another with different ingredients.

### Keywords: prosecute under any, same offence test, no double punishment.

### Clarity Corner

- •GCA S.26 = Article 20(2) (double jeopardy) but principle similar.
- "Same transaction" ≠ "same offence".

#### Hinglish Corner

• "Case kahin bhi chalao, saza do baar nahi milegi ek hi offence ke liye."

#### Exam Traps

- Writing "no second trial at all" Claw allows prosecution under any; bar is on double punishment).
- Treating same facts = same offence (focus on legal ingredients).

# PYQ Mapping

Appears as 4-6M short/long.

Model pointers: quote section; state prosecute under any; bar on double punishment; ingredient test; 1 SC citation.

### Memory Hook

"PA-NP: Prosecute Any – No Punishment twice."

# Section 27 - Service by post (Deemed service)

### Definition/Scope

Where any Central Act authorises or requires service by post, service shall be deemed effected by properly addressing, pre-paying and posting by registered post a letter containing the document, unless the contrary is proved; and it shall

# be deemed effected at the time when the letter would be delivered in ordinary course of post.

- Three conditions: (i) proper address, (ii) pre-paid postage, (iii) registered post.
- Deeming fiction of service; rebuttable by proof to the contrary Ce.g., wrong addres

### Quick Cross-links (helpful but not separate sections)

- Sec. 20 🔛 Sec. 21: meanings in rules mirror Act; power to modify rules exists in like manner.
- Sec. 17/18/19: continuity via acting officer, successor by title, and deputy-in-place.
- Sec. 22/23: rules may be made early but need previous publication if required.

#### Combined Rapid Practice (Sec. 14-27)

#### a) mcQs (10)

- 1. "From time to time" in a conferring provision indicates: (c) Continuing power.
- 2. Ex-officio appointment ends when: (b) Holder leaves parent office.
- 3. Power to appoint includes power to: (d) Suspend or dismiss.
- 4. Acting Registrar can exercise statutory powers of Registrar due to: (a) Sec. 17.
- 5. Reference to "Collector" in an Act applies to his successors because of: (b) Sec. 18.
- 6. Reference to "Chief Engineer" includes deputy performing in his place by: (d) Sec. 19.
- 7. Meaning of a term in rules is taken from the Act owing to: (a) Sec. 20.
- 8. Authority that issued a notification may rescind it: (c) In like manner & conditions (Sec. 21).
- 9. Rules framed before commencement take effect: (b) On commencement (Sec. 22).
- 10. Deemed service by post arises when letter is: (a) Properly addressed, prepaid, registered (Sec. 27).

# Answer Key: 1-c, 2-b, 3-d, 4-a, 5-b, 6-d, 7-a, 8-c, 9-b, 10-a.

# B) Short Questions (3-4 marks) - Skeleton Answers

- 1. Explain Sec. 21 State rule; "like manner & conditions"; cannot override Act; example; 3-4 bullets.
- 2. Differentiate Sec. 17, 18 & 19 Acting officer vs successor by title vs deputy-in-place; 1 line each + example.
- 3. State requirements for deemed service (Sec. 27) Address, pre-pay, registered; deemed time; rebuttable; "unclaimed/refused".



#### C) Descriptive (6-8 marks) - Outline

- 1. Sec. 26 Two enactments same act: Text of section; prosecute under any; same-offence test (ingredients); case pointer; example; conclusion (no double punishment).
- 2. Sec. 23 Previous publication: Four steps (Draft-Date-Consider-Gazette); purpose; effect of "conclusive proof"; whether re-publication needed; example.

# "1-Page Super Revision – Sec. 14–27"

- •14 continuing power  $\rightarrow$  FTT.
- •15 appointment by name/office.
- •16 appoint  $\rightarrow$  suspend/dismiss.
- 17 acting holder may act.
- •18 litle enough  $\rightarrow$  successors covered.
- •19 chief includes lawful deputy-in-place.
- •20 meanings in rules = Act meanings.
- •21 issue  $\Rightarrow$  add/amend/vary/rescind in like manner.
- •22 rules may be made pre-commencement; effective on commencement.
- •23 D-D-C-G (Draft, Date, Consider, Gazette) + conclusive proof.
- 24 continuity on re-enactment; repugnancy ends.
- •25 fines per IPC 63-70 & CrPC.
- 26 any prosecution; no double punishment for same offence (ingredient test).
- •27 A-P-R + deemed at ordinary delivery time; rebuttable; unclaimed/refused ightarrow deemed.

### Top Traps

- 1. Forgetting "unless a different intention appears".
- 2. Missing "like manner & conditions" in Sec. 21.
- 3. Treating ordinary post as sufficient for Sec. 27.
- 4. Mixing same transaction with same offence under Sec. 26.
- 5. Assuming all old rules lapse on re-enactment (Sec. 24).