

General Clauses Act 1897

Serial number: Act 10 of 1897

Date of passing: 11th March 1897

Long title: An Act to consolidate and extend the General Clauses Act, 1868 and 1887.

Preamble and enacting formula: WHEREAS it is expedient to consolidate and extend the General Clauses Acts, 1868 (1 of 1868) and 1887 (1 of 1887); it is hereby enacted as follows.

1. Short Title – This Act may be called the General Clauses Act, 1897.

Legislative dictionary and rules of statutory interpretation

The General Clauses Act 1897 is not confined to a particular branch of the law, but applies to all its branches. The objects of the Act are – to shorten the language of the Central Acts; to provide, as far as possible, for uniformity of expression in Central Acts, by giving definition of a series of terms in common use; to state explicitly certain convenient rules for interpretation of Central Acts (i.e. it does not codifies all the rules of statutory interpretation); and to guard against the slips and oversights by importing into every Act certain common form clauses, which otherwise out to be inserted expressly in every Central Act.

Rayarappan v. Madhavi Amma (1950) — Objective to Avoid Superfluity: The Federal Court observed that the Act's purpose is to avoid superfluity and repetition of language in legislation. [Rayarappan v. Madhavi Amma, AIR 1950 FC 140]

State of Punjab v. Mohar Singh (1955) — Exception for Contrary Legislative Intention: It was held that the provisions of the Act do not apply where the statute expresses a contrary intention. [State of Punjab v. Mohar Singh, AIR 1955 SC 84]

~~~~~

**Dulichand Laxminarayan v. CIT (1956) — Applicability Unless Repugnant to Context:** The Court clarified that the definitions and rules of interpretation in the Act apply to every statute governed by it, unless there is something in the subject or context that makes them inapplicable. [*Dulichand Laxminarayan v. CIT*, AIR 1956 SC 354]

**Pradyat Kumar v. Chief Justice of Calcutta High Court (1956) — Applicability to Constitutional Interpretation:** The Supreme Court affirmed that the General Clauses Act applies to the interpretation of the Constitution via Article 367. [*Pradyat Kumar v. Chief Justice of Calcutta High Court*, AIR 1956 SC 285]

**The Chief Inspector of Mines v. Karam Chandra Thapar (1961) — Centralised Definitions and Principles:** The Court noted that the Act consolidates in one statute the definitions of terms and general legal principles of interpretation that would otherwise be repeated in multiple Acts and Regulations. [*The Chief Inspector of Mines v. Karam Chandra Thapar*, AIR 1961 SC 838]

**Nibaranchandra v. Mahendranath (1963) — Consolidating and Amending Nature of the Act:** The Supreme Court held that the General Clauses Act, 1897 is a consolidating and amending statute. It consolidated and extended the General Clauses Acts of 1868 and 1887, modeled on England's Interpretation Act of 1889. Its primary purpose is to avoid superfluity and repetition of language. [*Nibaranchandra v. Mahendranath*, AIR 1963 SC 1890]

**Panchugopal Barua v. Umesh Chandra Goswamy (1997) — Application of Principles of justice, equity, and good conscience even from Non-Applicable Acts:** An Act not

~~~~~

~~~~~

applicable to an area or state cannot be made to apply there by judicial fiat. However, if a provision in such an Act embodies a principle of justice, equity, or good conscience, that principle may still be applied to a case arising in an area or state where the Act does not extend, if the facts require it. [*Panchugopal Barua v. Umesh Chandra Goswamy* (1997) 4 SCC 713; cited in *Singh 2021 p 407*]

### **State-specific interpretation laws**

The General Clauses Act, 1897 applies only to central enactments, while states may enact their own interpretation laws, such as the Bihar and Orissa General Clauses Act, 1917.