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## General Clauses Act 1897 s 30 - Application of Act to Ordinances

In this Act the expression ‘Central Act’, wherever it occurs, except in section 5<sup>i</sup>, and the word ‘Act’ in clauses (9)<sup>ii</sup>, (13)<sup>iii</sup>, (25)<sup>iv</sup>, (40)<sup>v</sup>, (43)<sup>vi</sup>, (52)<sup>vii</sup> and (54)<sup>viii</sup> of section 3 and in section 25<sup>ix</sup> shall be deemed to include an Ordinance<sup>x</sup> made and promulgated by the Governor General under section 23 of the Indian Councils Act, 1861 or section 72 of the Government of India Act, 1915, or section 42 of the Government of India Act, 1935 and an Ordinance promulgated by the President under article 123<sup>xi</sup> of the Constitution.

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<sup>i</sup> **GC Sec 5:** Coming into operation of enactments

<sup>ii</sup> **GC Sec 3(9):** Chapter

<sup>iii</sup> **GC Sec 3(13):** Commencement

<sup>iv</sup> **GC Sec 3(25):** High Court

<sup>v</sup> **GC Sec 3(40):** Part

<sup>vi</sup> **GC Sec 3(43):** Political agent

<sup>vii</sup> **GC Sec 3(52):** Schedule

<sup>viii</sup> **GC Sec 3(54):** Section

<sup>ix</sup> **GC Sec 25:** Recovery of fines

<sup>x</sup> **Ordinance:** The Ordinance may be construed as an Act of Parliament for the purpose of GC Sec 30 provided it complies the following two conditions: (1) The provisions made in the Ordinance must be such which Parliament under the Constitution has the power to enact. (2) The President must have been satisfied that circumstances exist which render it necessary for him to take immediate action. – R. C. Cooper v Union of India (1970) 1 SCC 248 [19700210A].

<sup>xi</sup> **Art 123:** Power of President to promulgate Ordinances during recess of Parliament.