

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 6th June 1951:—

Issue No.	No. and Date	Issued by	Subject
95	S. R. O. 855, dated the 1st June 1951.	Ministry of Commerce & Industry.	Amendment in the Schedule to S. R. O. 500, dated 2nd September 1950.
96	S. R. O. 856, dated the 1st June 1951.	Ministry of Food and Agriculture.	Fixation of maximum prices of vegetable oil products.
97	S. R. O. 857, dated the 1st June 1951.	Ministry of Finance (Revenue Division).	Amendment to the Second Schedule to the Indian Tariff Act, 1934.
98	S. R. O. 858, dated the 1st June 1951.	Ministry of Home Affairs.	Extension to the State of Delhi of the West Punjab Agriculture Pests Diseases and Noxious Weeds Act, 1949, together with the Act as modified.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF LAW

New Delhi, the 29th May 1951.

S. R. O. 861.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the Notification of the Government of India in the Ministry of Law No. F. 35-I/50-L, dated the 26th January, 1950, relating to the execution of contracts and assurances of property, namely:—

1. In Part IV of the said notification, under Head C, for item 8, the following item shall be substituted, namely:—

“ 8. Policies of Postal Life Insurance and Endowment Assurance ; by the Director of Postal Life Insurance, Calcutta or the Assistant Director of Postal Life Insurance, Calcutta.”

2. In Part V of the said notification under Head E, in item 9, after the words "by the Secretary", the words "or a Joint Secretary" shall be inserted.

3. In Part VI of the said notification, after Head D, the following Head shall be added, namely :—

"E.—In the case of the Lawrence School, Lovedale, Nilgiris and the Lawrence School, Sanawar (Simla Hills) :—

Security bonds in connection with the employment of office cashiers store-keepers and other subordinates required to handle cash, stores and valuables in the course of their official work and whom the respective Principals have power to appoint; *by the Principals of the respective Schools concerned.*"

4. In Part X of the said notification, under Head D, in items 3 and 5 for the words "Chief Opium Officer, Neemuch", the words "Assistant Collector (Opium), (Neemuch)" shall be substituted.

5. In Part XI of the said notification, for the words "Regional Food Commissioners" wherever they occur, the words "Regional Directors (Food)" shall be substituted.

6. In Part XIII of the said notification :—

(i) In item 2, the words "Chief Technical Adviser (Fertiliser Project) and any of his subordinate Gazetted Officers to whom this power is formally delegated by him" shall be omitted.

(ii) In item 3, the words "Chief Technical Adviser (Fertiliser Project)" shall be omitted.

7. In Part XVII of the said notification, under Head A :—

(i) In item 6 for the words "Executive Officer, Golden Rock", the words "Station Executive Officer, Kharagpur" shall be substituted.

(ii) In item 7, the words "or the Station Executive Officer, Kharagpur" shall be added.

(iii) In item 12, the words "Executive Officer, Golden Rock" shall be omitted.

(iv) In item 35, the words "Executive Officer, Colony Committee, Golden Rock" shall be omitted.

8. In Part XX of the said notification, after Head F, the following Head shall be added, namely :—

"G.—In the case of the Fertiliser Project, Sindri :—

1. All service agreements; *by the General Manager or the Principal Administrative Officer.*

2. Security bonds for the due performance of their duties by Government servants; *by the General Manager.*

3. Leases of houses, lands or other immovable property; *by the General Manager.*

4. All other contracts, deeds and instruments; *by the General Manager or the Principal Administrative Officer.*

9. In Part XXIX of the said notification, in item 3(a), for the words "Commissioner of Police", the words "District Superintendent of Police" shall be substituted.

[No. F. 35-I/51-L]

SHERI GOPAL SINGH, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 31st May 1951

S. R. O. 862.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Delhi the Bengal General Clauses Act, 1899 (Bengal Act I of 1899) as at present in force in the State of West Bengal, subject to the following modifications, namely :—

1. References to a Bengal or a West Bengal Act shall be construed as references to the Bengal Act or the West Bengal Act as extended to the State of Delhi.

2 In section 3, for clause (8), the following clause shall be substituted ; namely,

'(8) "Collector" means the Collector of Delhi'.

3. Section 6 shall be omitted.

4. In section 23—

(a) the words "on the passing thereof" shall be omitted ;

(b) for the words "after the passing of the Act", the words "after the extension of the Act to the State of Delhi" shall be substituted.

2. The text of the said Act as modified is published as an annexure to the notification.

ANNEXURE

BENGAL ACT I OF 1899.

(THE BENGAL GENERAL CLAUSES ACT, 1899).

An Act for further shortening the language used in Bengal Acts, and West Bengal Acts, and for other purposes.

WHEREAS it is expedient further to shorten the language used in Bengal Acts and West Bengal Acts, and to make certain other provisions relating to those Acts ;

It is hereby enacted as follows :

Preliminary.

1. This Act may be called the Bengal General Clauses Act, 1899. Shorttitle.

2. (*Repeal of Bengal Act V of 1867.*) *Rep. by the Amending Act, 1903 (I of 1903).*

GENERAL DEFINITIONS.

3. In this Act, and in all Bengal Acts as extended to Delhi made after the commencement of this Act, and in all West Bengal Acts as extended to Delhi unless there is anything repugnant in the subject of context,—

(1) "abet," with its grammatical variations and cognate expressions, shall have the same meaning as in the Act XLV Indian Penal Code ; "Abet."

of 1860.

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

- "Affidavit."** (3) "affidavit" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing ;
- " Barrister."** (4) "barrister" shall mean a barrister of England or Ireland, or a member of the Faculty of Advocates in Scotland :

* * * * *
- " Bengal Act."** (6) "Bengal Act" shall mean an Act made by the Lieutenant-Governor of Bengal in Council under [the Indian Councils Act, 1861, or] the Indian Councils Acts, 1861 and 1892 [or the Indian Councils Acts, 1861, 1892 and 1909, or made by the Governor in Council of Fort William in Bengal under the Indian Councils Acts, 1861, 1892 and 1909] [or the Government of India Act, 1915, or by the Local Legislature or the Governor of Bengal under the Government of India Act, or by the Provincial Legislature or the Governor of Bengal under the Government of India Act, 1935.]
- " Chapter."** (7) "Chapter" shall mean a Chapter of the Act in which the word occurs ;
- " Collector."** (8) "Collector" means the collector of Delhi.
- " Commencement."** (9) "commonment," used with reference to an Act, shall mean the day on which the Act comes into force ;
- " Commissioner."** (10) "Commissioner" shall mean the chief officer in charge of the revenue administration of a division ;
- " Consular officer."** (11) "Consular officer" shall include consul-general, consul, vice-consul, consular agent, pro-consul and any person for the time being authorised to perform the duties of consul-general, consul, vice-consul or consular agent ;
- District Judge."** (12) "District Judge" shall mean the Judge of a principal Civil Court of original jurisdiction, but shall not include a High Court in the exercise of its ordinary or extraordinary original civil jurisdiction ;
- " Document."** (13) "document" shall include any matter written, expressed or described upon any substance by means of letters, figures or marks or by more than one of those means, which is intended to be used or which may be used, for the purpose of recording that matter ;
- " Enactment"** (14) "enactment" shall include a Regulation (as hereinafter defined) and any Regulation of the Bengal Code, and shall also include any provision contained in any Act or in any such Regulation as aforesaid ;
- Father.** (15) "father " in the case of anyone whose personal law permits adoption, shall include an adoptive father ;
- " Financial year."** (16) "financial year" shall mean the year commencing on the first day of April ;

24 & 25,
Viot., c.
67, 55 & 56
Viot., c.
14.

(17) a thing shall be deemed to be done in "good faith" where it is in fact done honestly, whether it is one negligently or not ; "Good faith."

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(21) "immovable property" shall include land, benefits to arise out of land, and things attached to the earth, or permanently fastened to anything attached to the earth ; "Immovable property."

Act XLV
of 1860.

(22) "imprisonment" shall mean imprisonment of either description" as defined in the Indian Penal Code ; "Imprisonment."

(23) "local authority" shall mean a Municipal Committee, District Board, body of Port Commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund ; "Local Authority."

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Act V of
1898.

(25) "Magistrate" shall include every person exercising all or any of the powers of a Magistrate under the Code of Criminal Procedure for the time being in force ; "Magistrate."

(26) "master," used with reference to a ship, shall mean any person (except a pilot or harbour-master) having for the time being control or charge of the ship ; "Master" (of a ship).

(27) "month" shall mean a month reckoned according to the British calendar ; "Month."

(28) "movable property" shall mean property of every description, except immovable property ; "Movable property."

(29) "oath" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing ; "Oath."

(30) "offence" shall mean any act or omission made punishable by any law for the time being in force ; "Offence."

(31) "Part" shall mean a part of the Act in which the word occurs ; "Part."

(32) "person" shall include any company or association or body of individuals, whether incorporated or not ; "Person."

Act XLV of
1860

(33) "public nuisance" shall mean a public nuisance as defined in the Indian Penal Code ; "Public nuisance."

(34) "registered," used with reference to a document, shall mean registered in a Part A State or a Part C State under the law for the time being in force for the registration of documents ; "Registered."

33 & 34
Vict., c.3,
5 & 6 Geo.
V, c.61.
26 Geo. v.
.2.

(35) "Regulation" shall mean a Regulation made by the Governor under sub-paragraph (2) of paragraph 5 of the Fifth Schedule to the Constitution and shall include a Regulation made by the Central Government under the Government of India Act, 1870, "Regulation."

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or the Government of India Act, 1915, or the Government of India Act, 1935, or by the Governor under the Government of India Act, 1935, or by the President under article 243 of the Constitution ;

- "Rule" (36) "rule" shall mean a rule made in exercise of a power conferred by any enactment, and shall include a regulation made as a rule under any enactment ;
- "Schedule". (37) "Schedule" shall mean a schedule to the Act in which the word occurs ;
- "Scheduled District." (38) "Scheduled District" shall mean a "Scheduled District" as defined in the Scheduled Districts Act, 1874 ; XIV of 1874
- "Section." (39) "section" shall mean a section of the Act in which the word occurs ;
- "Ship." (40) "ship" shall include every description of vessel used in navigation not exclusively propelled by oars ;
- "Sign." (41) "sign" with its grammatical variations and cognate expressions, shall with reference to a person who is unable to write his name, include "mark" with its grammatical variations and cognate expressions ;
- "Son." (42) "son" in the case of anyone whose personal law permits adoption, shall include an adopted son,
- "Sub-section." (43) "sub-section" shall mean a sub-section of the section in which the word occurs ;
- "Swear" (44) "swear," with its grammatical variations and cognate expressions, shall include affirming and declaring in the case of persons by law allowed to affirm or declare instead of swearing ;
- "Vessel." (45) "vessel" shall include any ship or boat or any other description of vessel used in navigation ;
- "West Bengal Act". (45a) "West Bengal Act" shall mean an Act made by the Provincial Legislature of West Bengal under the Government of India Act, 1935, or by the Legislature of the State of West Bengal under the Constitution ;
- "Will." (46) "will" shall include a codicil and every writing making a voluntary posthumous disposition of property ;
- "Writing." (47) expressions referring to "writing" shall be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form ; and
- "Year". (48) "year" shall mean a year reckoned according to the British calendar.

4. The definitions in section 3 of the following words, that is to say, "affidavit," "Magistrate," "month," "oath," and "swear," apply also, unless there is anything repugnant in the subject or context, to all Bengal Acts, made between the first day of June, 1867, and the commencement of this Act.

Application of certain of the foregoing definitions to previous Bengal Acts.

5. In all Bengal Acts made between the first day of June, 1867, and the commencement of this Act, unless there is anything repugnant in the subject or context,—

Continu-1332
ance of
certain de-
finitions for
purposes of
previous
Bengal Acts.

- (1) "land" includes houses and buildings and corporeal hereditaments and tenements of any tenure, unless where there are words to exclude houses and buildings or to restrict the meaning to tenements of some particular tenure; and
- (2) "person" includes any incorporated company or incorporated association of persons.

5A. (1) The definitions in section 3 of the Central Clauses Act, 1897 (X of 1897) of the expressions "British India", "Central Act", "Central Government", "Chief Controlling Revenue Authority", "Chief Revenue Authority", "Constitution", "Gazette", "Government", "Government securities", "High Court", "India", "Indian Law", "Indian State", "merged territories", "Official Gazette", "Part A State", "Part B State", "Part C State", "Province", "Provincial Act", "Provincial Government", "State", "State Act", and "State Government" shall apply also unless there is anything repugnant in the subject or context to all Bengal and West Bengal Acts as extended to Delhi.

Application
of certain
definitions
in section 3
of Act X of
1897 to all
Bengal and
West Bengal
Acts.

(2) In any Bengal Act or West Bengal Act as extended to Delhi, references to the "State Government" or "Central Government" in any provision conferring power to make appointments to the civil services of, or civil posts under, the Government in India include references to such person as the State Government or the Central Government, as the case may be, may direct, and in any provision conferring power to make rules prescribing the conditions of service of persons serving Government in a civil capacity in India, include references to any person authorised by the State Government or the Central Government, as the case may be, to make rules for the purpose.

(3) The references in any Bengal Act or West Bengal Act as extended to Delhi to servants of or under, or to service of or under, the Central Government or the State Government or the State of West Bengal, to property of, or belonging to, or vested in, the Secretary of State in Council or the Central Government or the State Government or the State of West Bengal and to forfeitures to the Central Government or the State Government or the State of West Bengal, shall be construed as references respectively to persons in the service of the Government, to the service of the Government, to property vested in the Government, and to forfeitures to the Government.

GENERAL RULES OF CONSTRUCTION

6. (1) Where any Bengal Act or West Bengal Act is not expressed to come into operation on a particular day,—

Coming into
operation of
Bengal and
West Bengal
Acts.

- (a) in the case of a Bengal Act or a West Bengal Act made before the commencement of the Constitution, it shall come into operation, if it is an Act of the Legislature, on the day on which the assent thereto of the Governor the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and if it is an

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Act of the Governor of Bengal, on the day on which it is first published as an Act in the Official Gazette ;

- (b) In the case of a West Bengal Act made after the commencement of the Constitution, it shall come into operation on the day on which the assent thereto of the Governor or the President, as the case may require, is first published in the Official Gazette.

(2) Unless the contrary is expressed, a Bengal Act or West Bengal Act shall be construed as coming into operation immediately on the expiration of the day preceding its commencement.

Printing of date on which Act is published after having received the assent of the Governor, Governor-General or His Majesty.

7. In this Act, and in every Bengal Act or West Bengal Act made after the commencement of this Act, the date of such publication as is mentioned in section 6, shall be printed above the title of the Act, and shall form part of the Act.

Effect of repeal.

8. Where this Act, or any Bengal Act or West Bengal Act as extended to Delhi made after the commencement of this Act, repeals any enactment hitherto made or hereafter to be made, then, unless a different intention appears, the repeal shall not—

- (a) revive anything not in force or existing at the time at which the repeal takes effect ; or
- (b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder ; or
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed ; or
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed ; or
- (e) affect any investigation, legal proceeding or remedy, in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed.

82. Where any Bengal Act or West Bengal Act as extended to Delhi made after the commencement of this Act repeals any enactment by which the text of any former enactment was amended by the express omission, insertion or substitution of any matter, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.

Repeal of Act making textual amendment in former Act.

9. (1) In any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act it shall be necessary, for the purpose of reviving, either wholly or partially, any enactment wholly or partially repealed, expressly to state that purpose.

Revival of repealed enactments.

(2) This section applies also to all Bengal Acts made between the first day of June, 1867, and the commencement of this Act.

10. Where this Act, or any Bengal Act or West Bengal Act as extended to Delhi made after the commencement of this Act, repeals and re-enacts with or without modifications, any provision of a former enactment, then references in any other enactment or in any instrument to the provision so repealed shall, unless a different intention appears, be construed as references to the provision so re-enacted.

Construction of references to repealed enactment

11. In any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act, it shall be sufficient, for the purpose of excluding the first in a series of days or any other period of time to use the word "from", and, for the purpose of including the last in a series of days or any other period of time, to use the word "to".

Commencement and termination of time.

12. Where, by any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act, any act or proceeding is directed or allowed to be done or taken in any Court or office on a certain day or within a prescribed period, then if the Court or office is closed on that day or the last day of the prescribed period, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open :

Computation of time.

IX of 1908. Provided that nothing in this section shall apply to any act or proceeding to which the Indian Limitation Act, 1908, applies.

13. In the measurement of any distance for the purposes of any Bengal Act or West Bengal Act as extended to Delhi made after the commencement of this Act, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane.

Measurement of distances.

14. In all Bengal Acts and West Bengal Acts as extended to Delhi unless there is anything repugnant in the subject or to context,—

Gender and number.

(1) words importing the masculine gender shall be taken to include females ; and

(2) words in the singular shall include the plural and vice versa.

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POWERS AND FUNCTIONARIES.

Powers conferred to be exercisable from time to time.

15. Where, by any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act, any power is conferred then, unless a different intention appears that power may be exercised from time to time as occasion requires.

Power to appoint to include power to appoint *ex-officio*.

16. Where, by any Bengal Act or West Bengal Act as extended to Delhi, a power to appoint any person to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment if it is made after the commencement of this Act, may be made either by name or by virtue of office.

Power to appoint to include power to suspend or dismiss.

17. Where, by any Bengal Act or West Bengal Act as extended to Delhi, a power to make any appointment is conferred, then, unless a different intention appears, the authority having power to make the appointment shall also have power to suspend or dismiss any person appointed by it in exercise of that power.

Substitution of functionaries.

18. In any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act it shall be sufficient, for the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer at present executing the functions, or that of the officer by whom the functions are commonly executed.

Successors.

19. In any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act it shall be sufficient, for the purpose of indicating the relation of a law to the successors of any functionaries or of corporations having perpetual succession, to express its relation to the functionaries or corporations.

Official chiefs and subordinates.

20. In any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act it shall be sufficient, for the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully performing the duties of that office in the place of their superior, to prescribe the duty of the superior.

PROVISIONS AS TO ORDERS, RULES, ETC., MADE UNDER ENACTMENTS

Construction of orders, etc., issued under Bengal or West Bengal Act as extended to Delhi.

21. Where, by any Bengal Act or West Bengal Act as extended to Delhi, a power to issue any order, scheme, rule, by-law, notification or form is conferred, then expressions used in the order, scheme, rule, by-law, notification or form, if it is made after the commencement of this Act, shall, unless there is anything repugnant in the subject or context, have the same respective meanings as in the Act conferring the power.

Power to issue to include power to add to, end,

22. Where, by any Bengal Act or West Bengal Act as extended to Delhi, a power to issue orders, rules, by-laws or notifications is conferred, then, that power includes a

power, exercisable in the like manner and subject to the like sanction and conditions (if any), to add to, amend, vary or rescind any orders, rules, by-laws or notifications so issued. 226
rescind
orders. etc.

23. Where, by any Bengal Act or West Bengal Act as extended to Delhi, which is not to come into operation immediately, a power is conferred to make rules or by-laws, or to issue orders with respect to the application of the Act, or with respect to the establishment of any Court or office, or the appointment of any Judge or officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under the Act, Making of
rules or
by-laws
and issuing
of orders
between
passing and
commence-
ment of
Bengal or
West Bengal
Act, as ex-
tended to
Delhi.

then that power may be exercised at any time after the extension of the Act to the State of Delhi, but rules, by-laws or orders so made or issued shall not take effect till the commencement of the Act.

24. Where, by any Bengal Act or West Bengal Act as extended to Delhi, a power to make rules or by-laws, is expressed to be given subject to the condition of the rules or by-laws being made after previous publication, then the following provisions shall apply, namely:— Provisions
Applicable
to making
of rules or
by-laws
after
previous
publication.

- (1) the authority having power to make the rules or by-laws shall, before making them, publish a draft of the proposed rules or by-laws for the information of persons likely to be affected thereby;
- (2) the publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the Government concerned prescribes;
- (3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration;
- (4) the authority having power to make the rules or by-laws, and, where the rules or by-laws are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules or by-laws from any person with respect to the draft before the date so specified;
- (5) the publication in the Official Gazette of a rule or by-law purporting to have been made in exercise of a power to make rules or by-laws after previous publication shall be conclusive proof that the rule or by-law has been duly made.

25. Where any enactment is, after the commencement of this Act, repealed and re-enacted by a Bengal Act or West Bengal Act as extended to Delhi, with or without modification, then, unless it is otherwise expressly provided, any appointment, order, scheme, rule, by-law, notification or form Continua-
tion of
orders, etc.,
issued under
enactments
repealed.

1331 and re-enacted.

made or issued under the repealed enactment shall, so far as it is not inconsistent with the provisions re-enacted, continue in force, and be deemed to have been made or issued under the provisions so re-enacted, unless and until it is superseded by any appointment, order, scheme, rule, by-law, notification or form made or issued under the provisions so re-enacted.

MISCELLANEOUS

Recovery of fines.

26. Sections 63 to 70 of the Indian Penal Code, and the provisions of the Code of Criminal Procedure for the time being in force in relation to the issue and the execution of warrants for the levy of fines shall apply to all fines imposed under any Bengal Act or West Bengal Act as extended to Delhi or any rule or by-law made under any Bengal Act or West Bengal Act as extended to Delhi unless the Act, rule or by-law contains an express provision to the contrary. Act XLV of 1860. Act V of 1898.

Provision as to offences punishable under two or more enactments.

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

Meaning of service by post.

28. Where any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act authorizes or requires any document to be served by post, whether the expression "serve" or either of the expressions "give" or "send" or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Citation of enactments.

29. (1) In any Bengal Act or West Bengal Act as extended to Delhi, and in any rule, by-law, instrument or document made under, or with reference to any Bengal Act or West Bengal Act as extended to Delhi, any enactment may be cited by reference to the title or short title (if any) conferred thereon or by reference to the number and year thereof, and any provision in an enactment may be cited by reference to the section or sub-section of the enactment in which the provision is contained.

(2) In this Act, and in any Bengal Act or West Bengal Act as extended to Delhi, made after the commencement of this Act, a description or citation of a portion of another enactment shall, unless a different intention appears, be construed as including the word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Saving for previous Acts, Rules and by-laws.

30. Where any Act, rule or by-law made after the commencement of this Act continues or amends any Acts, rules or by-laws made before the commencement of this Act, the foregoing sections of this Act shall not by reason merely

of such continuance or amendment affect the construction of such Acts, rules or by-laws.

31. The provisions of this Act shall apply :—

- (a) in relation to any Eastern Bengal and Assam Act as in force in West Bengal and any regulation made by the Governor under section 92 of the Government of India Act, 1935, as they apply in relation to a Bengal Act or West Bengal Act as extended to Delhi made by the Provincial Legislature, and in relation to any Ordinance promulgated by the Governor of Bengal under section 88 or section 89 of the said Act or by the Governor of West Bengal under section 88 of the said Act, as they apply in relation to a Bengal Act made under the said Act by the Governor ; and
- (b) in relation to any Ordinance promulgated by the Governor under article 213 of the Constitution or any regulation made by the Governor under sub-paragraph (2) of paragraph 5 of the Fifth Schedule to the Constitution, as they apply in relation to a West Bengal Act as extended to Delhi, made by the State Legislature :

Provided that clause (b) of sub-section (1) of section 6 of this Act shall apply to any Ordinance referred to in clause (b) as if for the reference in the said clause (b) of sub-section (1) to the day of the first publication of the assent to an Act in the Official Gazette there were substituted a reference to the day of the first publication of the Ordinance in that Gazette.

[No. 20/3/51-Judicial.]

H. V. R. IENGAR, Secy-

New Delhi, the 1st June 1951

S.R.O. 863.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878) the Central Government hereby directs that the following further amendment shall be made in the Indian Arms Rules, 1924 :—

In the said Rules—

In the table annexed to Schedule I the following entry shall be added at the end, namely :—

"5. The Prince of Aroot.	Ditto.	The exemption shall be subject to—	Ditto.
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- (a) the orders of the Central Government regarding the number of retainers and the quantity and description of arms and ammunition to be permitted, the purposes for which such arms may be carried, and
- (b) the annual registration of retainers' weapons exempted, the number and description only being specified.

[No. 9/70/50-Police (I).]

U. K. GHOSHAL, Dy. Secy-