

The Punjab General Clauses Act, 1898

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Act 1 of 1898

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The Punjab General Clauses Act, 1898 Act No. 1 of 1898 Statements of Objects and Reasons. - "This Bill does not propose to effect any change in the law. Its object, like that of the Act is to shorten the language of statutory enactments and to provide for uniformity of expression in cases where there is identity of subject-matter. 2. The first enactment of the kind was Lord Brugham's Act (13 and 14 Vict; C. 21). The provisions of that statute were adapted in India, and somewhat amplified, by the General Clauses Act (1 of 1868), and the General Clauses Act (1 of 1887) was a further extension of the same principle. It is obviously expedient legislative dictionary, as it may be called, should be contained in a single enactment, and that the two Acts above referred to should be consolidated, and it seems desirable to take the opportunity of making any additions that later experience may have suggested, and in particular to incorporate such provisions of the Interpretation Act, 1889 (52 and 53 Vict; C 63), as are applicable to India. That Statute, like India Act of 1887, was drafted by Sir C. Ilbert, and is in effect a careful revise and extension of the latter. For example, the definition of 'British India' in the English Act 1869 is merely an expansion of the definition given by the India Act of 1868. Its legal effect is the same, but it is more intelligible, and it avoids a reference to another Statute. The proposed measure will have this further advantage that it will tend to secure uniformity of language and construction in India and English legislation, in so far as both have to deal with the same subject-matter. 3. The references to the margin of the Bill indicate the origin of each provision contained therein, and the annexed notes on clauses furnish such further explanatory details as seem to be called for". Punjab Gazette, 1897, Part V, Page 14. An Act to shorten the language of Acts and for other matters Whereas it is expedient to shorten the language used in [Punjab Acts] [Substituted for the words 'all Acts of the Lieutenant Governor of the Punjab in Council' by the Adaptation of Laws Order, 1917.] and to make certain provisions for the construction of, and other matters relating to, such Acts; It is hereby enacted as follows: Preliminary

1. Short title and commencement.

(1) This Act may be called the Punjab General Clauses Act, 1898; and (2) It shall come into force at once. General Definitions

2. Definitions.

- In this Act and in [all Punjab Acts] [Substituted of the words 'all Acts of the Lieutenant Governor of the Punjab in Council' by the Government of India (Adaptation of Indian Laws) Order, 1937.] [-] [The words 'and East Punjab Acts' inserted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, were omitted by the Adaptation of Laws order, 1951.] unless there is anything repugnant in the subject or context, -(1)"abet", with its grammatical variations and cognate expression, shall have the same meaning as in the Indian Penal Code;(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 extend also to illegal omissions;(3)"affidavit" shall include affirmation and declaration in the case of person by law allowed to affirm or declare instead of swearing;(4)"barrister" shall mean a barrister of England or Ireland or member of the Faculty of Advocates in Scotland,(5)[-] [The definition of 'British India' was omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.](6)"British possession" shall mean any part of Her Majesty's Dominions, exclusive of the United Kingdom, and where parts of those Dominions are under both a central and local Legislature, all parts under the Central Legislature shall for the purposes of this definition, be deemed to be one British Possession.(7)"chapter" shall mean a Chapter of the Punjab Acts [-] [The word 'or East Punjab Acts' inserted by the Indian Independence Order 1948, omitted by Adaptation of Laws Order, 1951.] in which the word occurs;(8)[-] [The definition of 'Chief Court' was omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.](9)"Collector" shall mean the chief officer-in-charge of the revenue administration of a district and shall include a Deputy Commissioner:(10)['colony' [Substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.](a)in any Punjab Act passed after the commencement of Part III of the Government of India Act, 1935, [-] shall mean any part of Her Majesty's Dominions exclusive of British Islands, the Dominions of India and Pakistan (and before the establishment of those Dominions, British India), any Dominions as defined in the Statute of Westminster. 1931, any Province or State forming part of any of the said Dominions and British Burma; and(b)in any Punjab Act passed before the commencement of Part III of the said Act, means any part of Her Majesty's Dominions exclusive of the British Islands and of British India;and in either case where parts of these Dominions are under both a central or local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony.](11)"commencement" used with reference to a Punjab Act [-] [The words 'or East Punjab Act' inserted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, were omitted by the Adaptation of Laws (third Amendment) Order, 1951.] shall mean the day on which the Act comes into force:(12)"Commissioner" shall mean the chief officer-in-charge of the revenue and general administration of a division;(13)"Consular Officer" shall include consul-general, consul vice-counsel, consular agent, pro-consul, and any person for the time being authorised to perform the duties of counsel-general, consul, vice-consul or consular agent;(14)"Deputy Commissioner" shall mean the chief officer-in-charge of the general administration of a District;(15)["District Judge" shall mean the Judge of a principal Civil Court of original jurisdiction; but shall not include the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction;] [Substituted for the old clause by Punjab Act VI of 1918, section 50.](16)"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, of the

purpose of recording that matter;[(16-a)] [Clause (16 a) inserted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, omitted by the Adaptation of Laws Order, 1951.](17)"enactment" shall include any provision contained in any Punjab Act [-] [The words 'or East Punjab Act' inserted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, were omitted by the Adaptation of Laws Order, 1951.](18)"father" in the case of any one whose personal law admits adoption shall include an adoptive father;(19)"Financial Commissioner" shall means the Financial Commissioner of [Punjab] [Substituted for the words 'East Punjab' (which had been inserted for the word 'Punjab' by the Adaptation of Laws Order, 1948) by the Adaptation of Laws Order, 1950.] for the time being;(20)"financial year" shall means the year commencing on the first day of April;(21)[-] [Definition of 'Gazette' was omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.](22)"Good faith" A thing shall be deemed to be done in "good faith" where it is in fact done honestly, whether it is done negligently or not;(23)"Government" or "the Government" shall include the State Government as well as the [Central Government] [Substituted for the words 'Government of India' by the Government of India (Adaptation of India Laws) Order, 1937.];(24)[-] [The definition of 'Government of India' was omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.](25)[-] [The definition of 'Her Majesty or the Queen' was omitted by the Adaptation of Laws Order, 1951.](26)"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;(27)"imprisonment" shall mean imprisonment of either description as defined in the Indian Penal Code;(28)[-] [Definition of 'India' omitted by the Government of India (Adaptation of India Laws) Order, 1937.](29)[-] [Definition of 'India Act' omitted by Government of India (Adaptation of Indian Laws) Order, 1937.](30)"local authority" shall means a municipal committee, district board, body of pot commissions or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund;(31)[-] [The definition of 'Local Government' was omitted by the Government of India (Adaptation of Indian Laws Order), 1937.](32)["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:] [Now Act 5 of 1898, see unpealed Central Acts, Volume IV.](33)Master of a ship "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;(34)"month" shall mean a month reckoned according to the British Calendar;(35)"movable property" shall mean property of every description except immovable property;(36)"notification" shall means a notification published under proper authority in the [Official Gazette] [Substituted for the word 'Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.];(37)"oath" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing;(38)"offence" shall means any act or omission made punishable by any law for the time being in force;(39)"Part" shall mean the Part of Punjab Act [-] [The words 'or East Punjab Act' inserted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, were omitted by the Adaptation of Laws Order, 1951.] in which the word occurs;(40)"person" shall include any company or association or body of individuals, whether incorporated or not;(41)["Political Agent" shall mean - [Old clause (41) was substituted by the Adaptation of Laws Order, 1948. and the clause so substituted was against substituted by the present clause by the Adaptation of Laws Order, 1951.](a)in relation to any territory outside India, the principal officer, by whatever name called, representing the Central Government in such territory; and(b)in relation to any territory in a Part B State, any officer

appointed by the Central Government to exercise all or any of the powers of the Political Agent under the Act or Regulation in which the expression occurs;](42)[The definition of "Privy council was omitted by the Adaptation of Laws Order, 1951.](43.)(43)[The definition of "Province" was omitted by the Adaptation of Laws Order, 1951.](44)"Public nuisance" shall mean a public nuisance as defined in the Indian Penal Code;(45)[The definition of "Punjab" was omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.](46)["Punjab Act" shall mean an Act made by the Lieutenant Governor of the Punjab in Council under the Indian Councils Acts, 1861 to 1909, or any of by those Acts, or the Government of India Act, 1915, or by the Local Legislature or the Governor of the Punjab under the Government of India Act, or by the Provincial Legislature or the Governor of Punjab] [Substituted for the old definition by the Government of India Acts, 1935, the Adaptation of Indian Laws Orders, 1937.] [or by the provincial Legislature or the Governor of East Punjab under the Government of India Act, 1935, or by the Legislature of Punjab under the Constitution;] [Substituted for the words under the Government of India Act, 1935, the Adaptation of Laws Orders, 1951.](47)"registered" used with reference to a document, shall mean reregistered in [a Part A State or a Part C State under the law for the time being in force for the registration of documents;] [Substituted for the words 'a Province of India' by the Adaptation of Laws Order, 1951. The words 'a Province of India' had been substituted for the words 'British India' by the Adaptation of Laws Order, 1937.](48)"rule" shall mean a rule made in exercise of power conferred by any enactment, and shall include a regulation made as a rule under any enactment;(49)"schedule" shall mean a schedule to the Punjab Act [-] [The words 'or East Punjab Act' inserted by the Adaptation of Laws Order, 1948, were omitted by the Adaptation of Laws Order, 1951.] in which the word occurs;(50)['scheduled district' shall mean a scheduled district as defined in the Schedule Districts Act, 1874;] [See unrepealed Central Acts, Volume II.](51)"section" shall mean a section of the Punjab Act [-] [The words 'or East Punjab Act' inserted by the Adaptation of Laws Order, 1948, were omitted by the Adaptation of Laws Order, 1951.] in which the word occurs;(52)"ship" shall include every description of vessel used in navigation not exclusively propelled by oars;(53)"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;(54)"son" in the case of any one whose personal law permits adoption, shall include an adopted son;(55)"sub-section" shall mean a sub-section of the section in which the word occurs;(56)"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;(57)"vessel" shall include any ship or boat or any other description of vessel used in navigation;(58)"will" shall include a codicil and every writing making a voluntary posthumous disposition of property;(59)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(60)"year" shall mean a year reckoned according to the British calendar.General Rules for Construction

3. [Coming into operation of enactments. [See Adaptation of Laws (Third Amendment) Order, 1951.]

- Where any Punjab Act is not expressed to come into operation on particular day, then, -(a)in the case of a Punjab 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 Act of the Governor, on the day on which it is first published in the Official Gazette; and (b) in the case of a Punjab 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; and in every such Act the date of the first publication thereof shall be printed either above or below the title of the Act and shall form part of every such Act.]

4. Effect of repeal

- Where this Act or any Punjab Act [-] repeals any enactment, 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.

4A. [Repeal of Act making textual amendment in Act] [Inserted by East Punjab Act 40 of 1948, section 2]. - Where any Punjab Act made after the commencement of this Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] repeals any amendment by which the text of any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] was amended by the express omission, insertion or substitution of any matters, 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.

5. Revival of repealed enactment.

- In any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] it shall be necessary for the purpose of reviving either wholly or partially, any enactment wholly or partially repealed, expressly to state the purpose.

6. Construction of references to repealed enactments.

- Where this Act or any other Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] repeals and re-enacts, with or without modification, 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.

7. Commencement and termination of time.

- In any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] 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".

8. Computation of time.

- Where by any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] 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: Provided that nothing in this section shall apply to any act or proceeding to which the Indian Limitation Act, 1877, applies.

9. Measurement of distances.

- In the measurement of any distance, for the purposes of any Punjab Act [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] that distance, shall, unless a different intention appears, be measured in a straight line on a horizontal plane.

10. Duty to be taken pro rata in enactment.

- Where, by any enactment now in force or hereafter put in force any duty of customs or excise, or in the nature thereof, is leviable on any given quantity, by weight, measure or value of any goods or merchandise, then a like duty is leviable according to the same rate on any greater or lesser quantity.

11. Gender and number.

- In all Punjab Acts [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.], unless there is anything repugnant to the subject or context, -(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.

12. Powers conferred on the State Government to be exercisable from time to time

- Where by any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] any power is conferred. [-] [The words 'or the Provincial Government' omitted by East Punjab Act 40 of 1948, section 3.] then that power may be exercised from time to time as occasion requires.

13. Power to appoint to include power to appoint ex officio.

- Where, by any Punjab Act [-] [The words or East Punjab Act omitted by the Adaptation of Laws Order, 1951.] any 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 may be made either by name or by virtue of office.

14. Power to appoint to include power to suspend or dismiss

- Where, by any Punjab Act [-] [The words 'or East Punjab Act' were omitted by the Adaptation of Laws Order, 1951.] at power to make any appointment is conferred, then, unless a different intention appears, the authority having [for the time being] [Inserted by East Punjab Act 40 of 1948.] power to make the appointment shall also have power to suspend or dismiss any person appointed [whether by itself or any other authority] [Inserted by East Punjab Act No. 40 of 1940, section 4(ii).] by it in exercise of that power,

15. Substitution of functionaries

- In any Punjab Act, [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] 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 officers by whom the functions are commonly executed.

16. Successors

- In any Punjab Act, it shall be sufficient, for the purpose of indicating the relation of law to the successors of any functionaries or of corporations having perpetual succession, to express its relation to the functionaries or corporations.

17. Official Cheifs and subordinates.

- In any Punjab Act [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] 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 Enactment

18. Constructions of orders, etc., issued under enactments

- Where, by any Punjab Act, [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] a power to issue any [notification,] [Inserted by the East Punjab act 40 of 1948, section 5.] order, scheme, rule, form or bye-law is conferred, then expressions used in the [notification,] [Inserted by the East Punjab act 40 of 1948, section 5.] order, scheme rule, form or bye-law, shall unless there is anything repugnant in the subject or context, have the same respective meanings as in the Act conferring the power.

19. Power to make to include power to add to, amend, vary, or rescind orders, rules or bye-laws.

- Where, by any Punjab Act, [-] [The words 'or East Punjab Act' omitted by Adaptation of Laws Order, 1951.] a power to [issue notifications] [inserted by East Punjab Act 40 of 1948, section 6(i).] or make orders, rules or bye-laws is conferred, then that power includes a power exercisable in the like manner and subject to like sanction and conditions (if any,) to add, to amend, vary or rescind any [notifications] [Inserted by East Punjab Act 40 of 1948, section 6(ii)], orders, rules or bye-laws so [issued or] [Inserted by East Punjab Act 40 of 1948, section 6(ii)] made.

20. Making of rules or bye-laws and issuing of orders between passing and commencement of enactments.

- Where, by any Punjab Act, [-] [The words 'or East Punjab Act' omitted by Adaptation of Laws Order, 1951.] which is not to come into force immediately on the passing thereof, a power is conferred to make rules or bye-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, then that power may be exercised at any time after the passing of the Act, but rules, bye-laws or orders so made or issued shall not take effect till the commencement of the Act.

21. Provisions applicable to making of rules or bye-laws after previous publications.

- Where, by any Punjab Act, [-] [The words 'or East Punjab Act' omitted by Adaptation of Laws Order, 1951.] a power to make rules or bye-laws is expressed to be given subject to the condition of the rules or bye-laws being made after previous publication, then unless such Act otherwise provides, the following provisions shall apply namely:-(1)the authority having power to make the rules or bye-laws shall, before making them, publish a draft of the proposed rules or bye-laws for the information of persons likely to be affected thereby;(2)the publication shall be made in such manner

as the authority deems to be sufficient, or if the condition with respect to previous publication so requires, in such manner as the [Government concerned] [Substituted for the words 'Central Government or as the case may be, the Provincial Government' by the Adaptation of Laws Order, 1951.] 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 bye-laws, and where the rules or bye-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 bye-laws from any person with respect to the draft before the date so specified;(5)the publication in the [Official Gazette] [Substituted for the words 'Gazette' by the Adaptation of Laws Order, 1937.] of a rule or bye-law purporting to have been made in exercise of a power to make rules or bye-laws after previous publication shall be conclusive proof that the rules or bye-laws have been duly made.

22. Continuation of orders, etc. issued under enactments repealed and re-enacted.

- Where any Punjab Act [-] [The words, 'or East Punjab Act' omitted by Adaptation of Laws Order, 1951.] is repealed and re-enacted with or without modification, then, unless it is otherwise expressly provided, any [appointment, notification] [Inserted by East Punjab Act 40 of 1948, section 7(i).], order scheme, rule, form or bye-law, [made or] [Inserted by East Punjab Act 40 of 1948 section 7(ii).] issued under the repealed Act, shall so far as it is not inconsistent with the provisions re-enacted, continue in force, and be deemed to have been [made or] [Inserted by East Punjab Act 40 of 1948 section 7(ii).] issued under the provisions so re-enacted, unless and until it is superseded by any [appointment notification] [Inserted by East Punjab Act 40 of 1948, section 7(i).], order, scheme, rule, form or bye-law [made or] [Inserted by East Punjab Act 40 of 1948, section 7(ii).] issued by under the Provisions so re-enacted.Miscellaneous

23. Recovery of fines.

- 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 Act, rule or bye-laws, unless the Act, rule of bye-law contains an express provision to the contrary.

24. Provision as to offence punishable under two or more enactments.

- Where an act or omission constitutes an offence under two or more enactment, 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.

25. Manner of Service by post.

- Where any Punjab Act [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] authorises or requires any document to be served by post whether the expression "service" 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, pre-paying 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.

26. Citation of enactments.

(1) In any Punjab Act, and in any rule, bye-law, instrument, or document made under, or with reference to any such Act, any enactment may be cited by a reference to the title or short title (if any) conferred thereon or by reference to the number and year thereof, and any provision in any enactment may be cited by a reference to the section or sub-section of the enactment in which the provision is contained. (2) In any Punjab Act, [-] [The words 'or East Punjab Act' omitted by the Adaptation of Laws Order, 1951.] 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.

27. [Application of Act to Ordinances and Regulations. [Substituted for the old section (which has been amended by the Adaptation of Laws Order, 1948, and by East Punjab Act 40 of 1948) by the Adaptation of Laws Order, 1951.]

(1) The provisions of this Act shall apply: -(a) in relation to any Ordinance promulgated by the Governor of the Punjab under section 88 or section 89 of the Government of India Act, 1935, or by the Governor of East Punjab under section 88 of the said Act, as they apply in relation to Punjab Acts made by the Provincial Legislature; and (b) in relation to any Ordinance promulgated by the Governor of Punjab under Article 213 of the Constitution or any Regulation made by the Governor under paragraph 5 of the Fifth Schedule to the Constitution, as they apply in relation to Punjab Acts made by the State Legislature. (2) The Provisions of section 4 and section 4-A of this Act shall apply on the expiry, withdrawal or repeal of any Ordinance promulgated by the Governor of the Punjab under section 88 or section 89 of the Government of India Act, 1935, or by the Governor of East Punjab under section 88 of the said Act, or by the Governor of Punjab under Article 213 of the Constitution, as if such Ordinance had been an enactment repealed by a Punjab Act.]