

KERALA PUBLIC MEN (PREVENTION OF CORRUPTION) ACT, 1983(ACT 6 OF 1984)

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as defined in the Trade Emonk Act 1926 (Cent) al"Act '16 of 1926) 3, Definztzon of corruptzon •Whoever a public man— (a) , •accepts or obtains frmn any .PCI son fb' himself 01 any othc•• peréon, anv gratificaåon ,vhatcvcl , (0)thcl thän.lcgal 1 emuncrauon, as a Inotnve or rewmcl for doing 01 forl)cal Ing to do' anv 'officlal acl 01 0) for l)carmg to show In the exrcrlsc of his officlal functions lavolti o) disfavour to anv person or 1 endel mg any scr VICC or chs-sc\ ICC to anv pct son, With the Government or-any Board, authoritv, body, Cot pot atlon Connpany 01 Society r.ferred to In sub-clauses (no. (x) and (VI) of clause (I) of qcctlori 2 or with any pu.l)hc man or pübhc vant as such or (b) accepts or obtains froin anv persona fol himself 0) any other person, any gratification whatever as a Inotive ot I (heard fol Inducing, corrupt .01 Illegal means any pul)hc Inan or public servant to do 01 to forbear to any Dfhcla] act, or In the exercise of thé oilicläl functions of such pul)hc man or public sei vant, to show lavotll 0' disfavour to •any pel son,01 to lendér anv set vice of drs-ser to any person the-Governmcent 01 any Boald authoritv, body, Corporation, Companv 01 Soocty) efened to m sub-clauses (v) and (VI) of clause, (1) of section 2 01 "nth any pul)hc man 01 public servant as such 01 a, (c) by con upt or Incans o' • b; Dthcl abusing Ins position as a pubhc man obtains fol Inrnscll ot fol any other son any valuable thing or pccurnal raavantaac, ' or (d) abusing his • positron. as publics Inan wilfullv does any act In contl aventuon of any ,prox Blon of, any . iaw The time beng In •force IS, •said •to corniut, con upüon. e. 45 EVIanalton I —'Ilhc wold • 'gratificaoon' Ineans pccurnmv gallficall')ll and gratification csuual)lc In money Explanatunt 11 —The Old ' Includes any byclä'i . rule, regulation or notification Explanalzon 111 —The "legal Icinunoäön•• a) c not) cslnctcl to M hic-h a pubhc man can laq fulÅ dcñ)and, but Include all renouneratlon Inch fullv pcrnnqslblc Fnplanatlon IV —A person ho recene a Ballficaoonat-, a mollvc-for doing hat he does not Intend to do, or as a aid doing Mhat he has not done, connes ltlun the expl cs',lon "a mol)vc arcl for domg Any person v.'ho abets 01 conccals or attempts to öonccal from (2) detection, lhc commnsslion of corruption of lhc nattnc 'pcclfied in sub- section (1) by a public Ina n also commits corruption (1) The Gove) nor shall constilute a 4 Comstl/utzon g/ (hnnnsslion consisting of three members ('o deal effectively Ilh allegauons of corruption against public Inen. (2) The Governor shall in consultaüon M'lth the (hlCf MnustC) of the State and the Ghicf Just lcc appomt under hand and scal lhc mernbers oft he (3) of the pcwons appointed undo sub-secoon (2) shall bc silting or reared Judges of the Suprone Couil or of the High Coult (herclnafter lcfened i o as Judicial and the othe] mernbcr Rhall be a r»creon ho IS an ofhcez not the) ank of Secretarv to Governmentl (4) The Governor shall, In consultation Mith the Cluef Mn-nster of the State and the ('luefJusuce, appoint one of lhc Judicial Memberq Io bc the Cha Irman of the C,omnnsslion F,ver';• Inatter to bc decided by {he Cornnusslon shall bc decided (5) In accordance lth the opinion of the nnaJ0J Ily of the Cornnnlsslioners (•,01nnusSlonc1 shall not be a Inembc) of Parhamcent 0) a membel (6) of the Legislature of any State and shall not hold any office of trust or profit (other than the oflicc as Cornnussloncr). bc connected v, lth any 01ganisa- tion the activities of ',vhclh are likely Io result in communal dl.shal mony or hAtred 01 carry on any business, or pracucc an) profess:on and accordingly before cntcllmg upon Ins office, a person appcnnted as Comn-nss'oncr (a) (b) If he IS a Menlber of Palliauneni or of the LcglRlature of a State, resign such Inen)bership; or if he holds any office of trust or profit. resign from such offcc; or If hc as cairynu,r on anvr business, sever his •connection t df divestlmg him•self of owne ship) with the conduct' and rnana- gement of such business, af hc is- actising a•n••,' profesqon, cease to practise such pro- fcsslion A son who has been' a of a pbhtical party at an') tune . dünnng the period of fiv'c pFcccdmg— The conMnencernent of this Act, the casc of first appointment aftcn - 'uch ,cömmnccmént; . the date bn which •the Jscn. m .the casa of any . subsequent appomtnnent, shall not' bc chgll)lc 'to . bc 5 Conditions of servtce Comnnsszoner — (1) . lit person' appointed as Cornnlsyoncr shall hold ofliée foy 'h trer öf five ycais f) OID date on Which he cntels upon his •office oi till •he attains the a'ge of seventy vears, Inchever is carlier (2) On ' ceasln% to hold Conn n-ssionm shall bc •nnchgl)le fc)-leappenntment as Cömmnlsslionel eot TO) fill tho app&ntmtnt either ündcl the 'Govei mnent• of. Kerala 01 undef anv public undertaking of the State •Göverynnent. •EAPlanafion posés:of this *su15-scetlon,' "pul)hc undertaking' mcabs•any.coinpany m hlCh liot less than' fiftv-one per cefit• of the paid u]» share capital 1s- held the Gove nmént of Kerala •and mclvdes h statutory , corporation ö) .Board con<tlüited by •that Governhment.- (3) Notwithstanding anything contamed., sub;scclöñ '(I), a • Cdmh-nsslioncr may— by rung undo Ins hand add) essed -to "thé Governor resign his office at-ansauc',e tbe:lemoved •fiom his office In accordance with the:pr0'v'ls1nns of sub-sectiÖn (4) (4) Corimrsslone,r shall a-not- 'from his omce *except 'by an ,ordCl of the Goi'érnor paged 'aft& an ,address by the Legislative Assembly-

supported by a majority of the total members in the House or by a majority of not less than two-thirds of the members of the Legislative Assembly present and voting. Qhasw been presented to the Governor in the same session. for such removal on the ground of proved misbehaviour or incapacity. 47 (5) The procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a Commissioner under sub-section (4) shall be such as may be prescribed by an order of the Governor and approved by the Legislative Assembly. (6) A Commissioner shall have the like status, shall be entitled to the same salary, allowances and pension and shall be subject to the same conditions of service, as a Judge of the High Court of Kerala. Provided that the status, salary, allowances, pension and conditions of service of a sitting or the Sessions Court appointed as Commissioner shall be such as may be specified by the Governor. (6) A Commissioner shall not be, and other conditions of service of, varied to his disadvantage after his appointment. 6 Oath of Office — Every person appointed as Commissioner shall, before he enters upon his office, make and subscribe before the Governor or some person appointed according to the form set out hereunder:— "I, A. B, having been appointed Commissioner do swear in the name of God/ solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will duly and faithfully and to the best of my ability, knowledge and judgement perform the duties or my office without fear, or favour, or affection or ill-will. 7 Staff of Commission — (i) There shall be a Secretary and such other officers and employees as may be prescribed by the Governor in consultation with the Commission to assist the Commission in the exercise of its powers and the discharge of its functions. (2) The conditions of service of the Secretary and other officers and employees shall be such as may be prescribed by the Governor in consultation with the Commission. (3) Appointment of the Secretary and other officers and employees shall be made by the Commission. Provided that where such appointment made by the Commission the Kerala Public Service Commission shall be consulted in the selection of appointments and posts. (4) The rules for Government service in favour of the Scheduled Castes, Scheduled Tribes and other backward classes, apply to and other backward classes of citizens shall, appointments to be made by the Commission under sub-section (1). 48 (5) Without prejudice to the provisions of sub-sections (1), (2), (3) and (4), the Commission may, for the purpose of dealing with any particular case or class of cases, secure— (D) the services of any official or employee of any Government agency or the Government of Kerala with the concurrence of that Government, or (11) the services of any other person or agency. (6) The terms and conditions of service of the officers, employees, agencies and persons included in sub-section (5) shall be such as may be prescribed by the Governor in consultation with the Commission. (7) In the discharge of the functions under this Act, the officers and employees referred to in sub-section (1) and the officers, employees, agencies and persons included in sub-section (5) shall be subject to the exclusive administrative control and direction of the

8. Petition for investigation proceedings* (1) Any person other than a public servant or a service association or a trade union may present a petition to the With idduational copy sets ICC on the opposite party requesting that allegation of corruption against any public man specified such petition may be investigated under this Act. (2) Every petition under sub-section (1) shall be accompanied by an affidavit in support of the allegation contained therein and a duly receipt evidencing the deposit of a sum of five hundred rupees. Provided that no such receipt shall be necessary where the petition is presented jointly by not less than ten members of the Legislative Assembly. (3) Every petition under sub-section (1) as well as any schedule or annexure thereto shall be verified by the maker (or) in Code of CIVIL PROCEDURE, 1908 (Section 5 of 1908), for the filing of pleadings. (4) The person who presents a petition under sub-section (1) or any other person shall not publish or cause to be published the contents of the petition in any manner whatsoever. (5) Any person who contravenes the provisions of sub-section (4) shall be punishable with imprisonment for a term which may extend to two years, or with or with both. 9 to 11. In certain cases — (2) The Commission shall not conduct any investigation under this Act, — (a) If the allegation of corruption mentioned in the petition has been the subject matter of another investigation or inquiry or other proceedings by or before a Commission of Inquiry appointed under the Commissions of Inquiry Act, 1952 or any other Commission appointed by the Government, or (b) if the petition does not comply with the provisions of section 8, (C) If the corruption is alleged to have taken place before a period of five years immediately preceding the commencement of this Act, or (d) If the petition under section 8 has been presented after the expiry of a

pel 'Od of twenty-four months from the date on which the corruption alleged to have taken place, or (e) In respect of corruption alleged to have taken place within a period of five years immediately preceding the commencement of this Act, If the presentation of the petition is after the expiry of a period of twenty-four months from the date on which the corruption is alleged to have taken place or six months from such commencement, whichever is later. 10 Preliminary Investigation —(1) On receipt of a petition under section 8 containing any allegation of corruption against a public man, the Commission shall, In a case not falling under section 9, scrutinise such allegation and shall furnish a copy of the petition to the public man and also give the petitioner and the public man concerned an opportunity of being heard In the matter. (2) The Commission shall call for any relevant information or document In respect of the allegation of corruption from the petitioner or the Government or any other person or authority who or which, in the opinion of the Commission is in possession of such information or document, and thereupon the petitioner or the Government or such other person or authority shall be bound to furnish such information or produce such document. (3) Every preliminary investigation under this section shall be conducted In private and In camera and In particular the identity of the petitioner, If any, or the public man affected by such investigation shall not be disclosed to the public or the press whether before, during or after such investigation (4) Save as aforesaid, the procedure for conducting any such investigation shall be such as may be prescribed by the Governor in consultation With the Commission

11. Result of preliminary investigation and further If, after the preliminary investigation under section 10, the Commission is of the opinion that the allegation of corruption is without substance or that further investigation is not likely to prove useful, It shall - record a finding to that effect and report to the Government accordingly, stating the reasons for such finding (2) The Commission shall, In cases not falling under sub-rule (1), conduct a detailed investigation In regard to the allegation of corruption. (3) The Commission shall, subject to the provisions of this Act and of the rules made thereunder, have power to regulate its own procedure including the fixing of the time and place of sitting. (4) The public man against whom corruption has been alleged and the petitioner, If any, shall have the right to be represented In person or by counsel. (5) In every detailed investigation under this Act, the Government shall be made a party. (6) The Commission may, If it considers necessary to do so, having regard to the nature and circumstances of the case under investigation, appoint a counsel to assist it on such terms and conditions as may be prescribed. (7) The Commission may, at any stage, also permit— (a) any witness, or (b) any other person, who claims that he is to be represented in person or by counsel to take such part in the proceedings as the Commission may, In the interest of justice, think fit

12. Reports of The Commission shall, at the end of the detailed investigation, record its findings including a finding to or against the public man concerned (3) stating the reasons therefor and report the same to the Government With its recommendations. (2) The report of the Commission under sub-section (1) shall be communicated to the Government within a period of one year from the commencement of the detailed investigation referred to in sub-section (2) of section 11. (3) Where the Commission is of opinion that it is expedient in the interests of justice that the public man against whom corruption has been alleged or any other person concerned with the subject matter of the allegation should be prosecuted for any offence referred to in section 6 of the Criminal Law Amendment Act, 1952 (Central Act of 1952), they shall, If no prosecution for such offence has already been initiated against the public man or other person in any court, record a finding to that effect stating the reasons therefor. (4) Where a finding referred to in sub-section (3) is recorded by the Commission the Government shall take all necessary steps for the prosecution of the persons concerned (5) Where no action is taken by the Government on the recommendation of the Commission within a period of six months from the date of receipt of such recommendation by the Government or where the Commission is not satisfied with the action taken by the Government on its recommendation, the Commission shall make a special report thereof to the Governor (6) The Commission shall present annually a consolidated report on the performance of its functions under this Act to the Governor. (7) On receipt of a special report under sub-section (5) or the annual report under sub-section (6), the Governor shall cause a copy thereof to be laid, as soon as may be, before the Legislative Assembly. (8) The Government shall cause every report of the Commission under sub-section (1) to be laid before the Legislative Assembly together with a copy of the action taken thereon within a period of six months of the submission of the report to the Government

13. Public man to vacate office if directed by Commission —(1) Where, after an Investigation under this Act, the Commission is satisfied that an allegation against a public man has been substantiated and that such public man should not continue to hold the post held by him, the Commission shall make a declaration to that effect. In its report under sub-section (1) of section 12 and thereupon the Government may either accept the declaration or reject it. (2) If the declaration is not rejected under sub-section (1) within a period of three months from the date of receipt of the report under sub-section (1) of section 12, it shall be deemed to have been accepted by the Government on the expiry of the said period of three months. (3) If the declaration referred to in sub-section (1) is accepted or is deemed to have been accepted by the Government, the fact of such acceptance or (the deemed acceptance shall be intimated to the public man and notwithstanding anything contained in any law, order, notification, rule or contract of appointment, the public man shall, with effect from the date of such intimation,— (i) If he is the Chief Minister or a Minister or a Member of the Legislative Assembly of the State, resign his office of Chief Minister, Minister or Member of the Legislative Assembly, as the case may be; (ii) If he is any other person, be deemed to have vacated his office.

14. Costs—(1) The Commission may, in case the allegation is found to be without substance or trivial in nature or is not substantiated, order the petitioner, to pay such amount of costs as may be specified in the order to the public man against whom the allegation has been made or to any other person referred to in sub-section (7) of section 11. (2) The Commission may order any part of the costs ordered to be paid under sub-section (1) to be paid out of any amount deposited under section 8 and issue a certificate of recovery in respect of the remainder, if any. (3) Any person in whose favour a certificate is issued under sub-section (2) may apply to the principal civil court of original jurisdiction with in the local limits of whose jurisdiction any person against whom a certificate is issued has a place of residence or business for recovery of the amount specified in the certificate and such court shall, on the certificate, cause the same to be executed, in the manner executable and by the same procedure as it were a decree for the payment of money passed by itself in a suit. (4) The Commission and any officer authorised by the Commission shall have all the powers of a court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of the following matters, namely:— (a) summoning and enforcing the attendance of any person and examining him on oath; (b) requiring the discovery and production of documents; (c) receiving evidence on affidavits; (d) requisitioning any public record or copy thereof or any document; (e) issuing commissions for the examination of witnesses or documents; (f) such other matters as may be prescribed. (5) Any officer authorised by the Commission in this behalf may enter and search any building or place where the Commission has reason to believe that any books of account or other documents relevant to the subject matter of the enquiry may be found, and may seize any such books of account or documents or take extracts or copies therefrom. (6) The provisions of section 100 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), shall, so far as may be, apply to searches under sub-section (5). (7) Any proceedings before the Commission shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code (Central Act 45 of 1860). (8) Power of Commission to call for special preliminary statements.— The Commission shall have power to call for a special preliminary statement in the prescribed form from any public man, an allegation against whom is under investigation under this Act. (9) Statements made to the Commission.—(1) Subject to the provisions of sub-section (2), no obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to the Government or any public servant, whether imposed by any enactment or by any rule of law, shall apply to the disclosure of information for the purpose of any investigation under this Act and the Government or any public servant shall not be entitled, in relation to any such investigation, to any such privilege in respect of production of documents or giving evidence as is allowed by any enactment or by any rule of law in legal proceedings. (2) No person shall be required or authorised by virtue of this Act to furnish any such information or answer any such question or produce so much of any document, as might prejudice the security of India (including India's relations with any other country or any international organisation), and for the purpose of this sub-section a certificate issued by a Secretary to the Government of India certifying that any information, answer or portion of a document is of the nature specified in this sub-section shall be binding and conclusive. (3) Subject to the provisions of sub-section (1), no

person shall be compelled for the purpose of Investigation under this Act to give any evidence or produce any document which he could not be compelled to give or produce In proceedings before a court (4) No statement made by a person in the course of giving evidence before the Commission shall subject him to, or be used against him In any civil or criminal proceeding except a prosecution for giving false evidence by such statement: 54 Provided that the statement— (a) is made In reply to a question he is required by the Commission to answer; or (b) is relevant to the subject matter of the investigation

18. Secrecy of information —Any information obtained by the Commission or members of its staff or any investigation agency in the course of, or for the purpose of any investigation under this Act and any evidence recorded or collected in connection with such Investigation shall be treated as confidential. and notwithstanding anything contained in the Indian Evidence Act, 1872 (Central Act I of 1872), no court shall be entitled to compel the Commission or any Commissioner or any member of its staff or any investigation agency to give evidence relating to such Information or produce the evidence so recorded or collected (2) Nothing in sub-section (1) shall apply to the disclosure of any information or particulars— (a) for the purpose of the investigation or in any report to be made thereon or for any action or proceedings to be taken on such report; or (b) for the purposes of any proceedings for an offence under the Official Secrets Act, 1923 (Central Act 19 of 1923) or any offence of giving or fabricating false evidence under the Indian Penal Code (Central Act 45 of 1860) or for purposes of any proceeding under section 25; or (c) for such other purposes as may be prescribed (3) No person shall publish any proceeding relating to a preliminary investigation under section 10 which is pending before the Commission nor shall any person publish such proceeding after such investigation is completed (4) Whoever contravenes the provisions of sub-section (3) shall be punished with Simple Imprisonment for a term which may extend to two years, or, with fine, or with both (5) Nothing in sub-sections (3) and (4) shall apply to the publication of any report laid before the Legislative Assembly 19 Protection of action taken under the Act No suit, prosecution or other legal proceedings shall lie against the Commission or any Commissioner or against any officer, employee, agency or person referred to in section 7 in respect of anything which is in good faith done or intended to be done under this Act. 55 (2) No proceeding of the Commission shall be held Invalid for want of form and, except on the ground of Jurisdiction, no proceeding or decision of the Commission shall be liable to be challenged, review or called in question In any court. 20 Power of Commission to try cases; trial of offences summarily 21 If, at any stage of a proceeding before the Commission, It appears to them that any person appearing In such proceeding had knowingly or wilfully given false evidence or had fabricated false evidence with the intention that such evidence should be used In such proceeding, the Commission may, If satisfied that It is necessary and expedient In the interests of Justice that the person should be tried summarily for giving or fabricating, as the case may be, false evidence, take cognizance of the offence and may, after giving the offender a reasonable opportunity of showing cause why he should not be punished for such offence, try such offender summarily, so far as may be In accordance with the procedure prescribed for summary trials under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and sentence him to imprisonment for a term which shall not be less than three months but which may extend to one year, and with fine which shall not be less than two thousand rupees but which may extend to five thousand rupees. (2) In every case tried under this section, the Commission shall record the facts constituting the offence with the statement (If any) made by the offender as well as the finding and the sentence. (3) Any person convicted on a trial held under this section may appeal to the High Court and the provisions of Chapter XXIX of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), shall, so far as may be, apply to appeals under this section and the High Court may alter or reverse the finding or reduce or reverse the sentence appealed against. (4) The provisions of this section shall have effect notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974). (5) Words and expressions used In this section and not defined in this Act shall have the same meaning as in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) 21. Power to delegate —The Commission may, by general or special order in writing, direct that any powers conferred or duties imposed on It by or under this Act (except the power to make investigation or to report to the Government) may also be exercised or discharged by such of its officers, employees or agencies referred to in section 7, as may be specified in the order. 56 22 Bar to inquiries —No formal or open inquiry into any alleged commission of corruption by any public man in respect of which a petition has been presented under section 8 shall be made at the instance of the Government either under the

Commissioners of Inquiry Act, 1952 (Central Act 6() of 1952) or by any other order or resolution of the Government, but nothing herein contained shall be construed as affecting any right or power of any other person or authority under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) or under any other law for the time being in force, or as affecting the constitution of, or the continuance of the functioning of or exercise of powers by, any committee or Commission of Inquiry appointed before the commencement of this Act.

23. Disposal of deposit — The Commission shall at the end of the investigation make such orders in respect of the sum deposited by any petitioner under section 8 including orders for the forfeiture of the whole or any portion of such sum as having regard to the circumstances of the case it thinks fit.

24. Pendency of case not to bar proceedings under this Act — The pendency of any civil or criminal case in the High Court or any court subordinate thereto in respect of any allegation of corruption shall not bar the scrutiny, investigation or inquiry of or into that allegation under this Act, and no such scrutiny, investigation or inquiry shall be deemed to amount to contempt of such court.

25. Intentional insult, etc., to the Whoever intentionally offers any insult, or causes any interruption, to the Commission while they are conducting any investigation under this Act, shall be punishable with simple imprisonment for a term which may extend to two years, or with fine, or with both. (2) Whoever, by words spoken or intended to be read, makes or publishes any statement or does any other act, which is calculated to bring the Commission into disrepute, shall be punishable with simple imprisonment for a term which may extend to two years, or with fine, or with both. (3) The provisions of sub-section (2) of section 199 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), shall apply in relation to an offence under sub-section (1) or sub-section (2) as they apply in relation to an offence referred to in sub-section (2) of the said section 199, subject to the modification that no complaint in respect of such offence shall be made by the Public Prosecutor except with the previous sanction of the Commission.

26. False allegations of corruption to be punishable—(1) Whoever makes any allegation of corruption against a public man with malicious motive or with intent to cause injury to him knowing that there is no just or lawful ground for making such allegation, shall be punishable with imprisonment for a term which may extend to six months and with fine which may extend to two thousand rupees. (2) No court shall take cognizance of any offence under sub-section (1) except with the previous sanction of the Commission.

27. Power to make rules The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act. (2) In particular, and without prejudice to the generality of the foregoing such rules may provide for— (a) the form in which petitions may be made under section 8; (b) the conditions of service of the Commissioners; (c) the powers of civil court which may be vested in the Commission; (d) the deposit, forfeiture, refund or disposal of sums referred to in section 8; (e) any other matter which has to be, or may be, prescribed under this Act. (3) Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

28. Power to remove difficulties—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, do anything not inconsistent with such provisions which appear to them to be necessary or expedient for the purpose of removing the difficulty. (2) No order under sub-section (1) shall be made after the expiration of a period of two years from the commencement of this Act.