

Mines Act, 1952

Section 79 - Limitation Of prosecutions

No court shall take cognizance of any offence under this Act, unless complain thereof has been made--

- (i) within six months of the date on which the offence is alleged to have been committed, or
- (ii) within six months of the date on which the alleged commission of the offence came to the knowledge of the Inspector, or

1 [(iia) in any case in which the accused is or was a public servant and previous sanction of the Central Government or of the State Government or of any other authority is necessary for taking cognizance of the offence under any law for the time being in force, within three months of the date on which such sanction is received by the Chief Inspector, or]

(iii) in any case where a court of inquiry has been appointed by the Central Government under section 24, within 2 [one year] after the date of the publication of the report referred to in sub-section (4) of that section,

whichever is later.

3 [Explanation.-- For the purposes of this section--

- (a) in the case of continuing offence, the period of limitation shall be computed with reference to every point of time during which the offence continues;
- (b) where for the performance of any act time has been extended under this Act, the period of limitation shall be computed from the expiry of the extended period.]

1. Inserted by Act 42 of 1983, section 42 (w.e.f. 31-5-1984).

2. Substituted by Act 42 of 1983, section 42, for "six months" (w.e.f. 31-5-1984).

3. Explanation added by Act 62 of 1959, section 43 (w.e.f. 16-1-1960).
