

Insecticides Act, 1968

Section 31 - Cognizance and trial of offence.—

1) No prosecution for an offence under this Act shall be instituted except by, or with the written consent of, the State Government or a person authorised in this behalf by the State Government. (2) No court inferior to that of a 1[metropolitan magistrate or a judicial magistrate of the first class] shall try any offence under this Act. 2 [31A. Special Courts.(1) If the State Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act in any district or metropolitan area, it may, by notification in the Official Gazette and after consultation with the High Court, notify one or more Courts of Judicial Magistrates of the first class, or, as the case may be, Metropolitan Magistrates, in such district or metropolitan area to be Special Courts for the purposes of this Act. (2) Unless otherwise directed by the High Court, a court notified under sub-section (1) shall exercise jurisdiction only in respect of cases under this Act. (3) Subject to the provisions of sub-section (2), the jurisdiction and powers of the presiding officer of court notified under sub-section (1) in any district or metropolitan area shall extend throughout the district or the metropolitan area, as the case may be. (4) Subject to the foregoing provisions of this section, a court notified under sub-section (1) in any district or metropolitan area shall be deemed to be a court established under sub-section (1) of section 11, or, as the case may be, sub-section (1) of section 16 of the Code of Criminal Procedure, 1973 (2 of 1974) and the provisions of that Code shall apply accordingly in relation to such courts. Explanation. In this section, High Court has the same meaning as in clause (e) of section 2 of the Code of Criminal Procedure, 1973 (2 of 1974).] 32. [Magistrates power to impose enhanced penalties.] Omitted by the Insecticides (Repealing and Amending) Act 1977 (24 of 1977), s. 8 (w.e.f. 2-8-1977).