

Coffee Act, 1942

Section 40 - Cognizance of Offence

(1) No Court other than the Court of ¹[a Metropolitan Magistrate or a Judicial Magistrate of the first class] shall take cognizance of any offence punishable under this Act.

(2) No Court shall take cognizance of an offence punishable under section 35 except on complaint made by an officer authorised in this behalf by the ²[State] Government ²[or of the offence specified in sub-section (2) of section 16 except on complaint made by an officer authorised in this behalf either by the ²[State] Government or by the Board] or of an offence punishable under any other section except on complaint made with the previous sanction of the Central Government by an officer authorised in this behalf by the Board:

³[Provided that the Central Government may, by notification in the Official Gazette, direct that the previous sanction of the Central Government shall not be necessary for complaints in such cases or classes of case as may be specified in the notification.]

1. Substituted for "a Magistrate of the first class" by The Coffee (Amendment) Act, 1994 (23 of 1994) w.e.f. 14.01.1994.

2. Inserted by Coffee Market Expansion (Amendment) Act (2 of 1944), S. 4 (27-2-1944).

3. Added by Coffee Market Expansion (Amendment) Act (7 of 1943), S. 15 (26-3-1943).

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