

SUNANDA P. PATIL, ADV., STATE PUBLIC PROSECUTOR

MMines and Minerals (Development and Regulation) Act, 1957 S. 22 - CrPC S. 2(d) - Karnataka Minor Mineral Concession Rules, 1994, Rules 2(1)(a-1-a) - Police Inspector was not competent to file complaint and register the first information report - Firstly, the Police Inspector who has filed the complaint does not state in the complaint that he is authorized by the State to file such complaint. Secondly, even if he is an authorized person, he has to file a complaint before the concerned Court and not before the police as the definition of complaint excludes the police report - Therefore, the impugned first information report for the offence under the provisions of MMDR Act is incompetent.

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