

(c) providing a penalty for a contravention of any of the rules so made and determining the authority by which such contravention may be investigated and the penalties imposed;

(d) any other matter which is required to be, or may be, prescribed.

(2) All rules made under this section shall be published in the Official Gazette.

¹[**478. Power to alter functions allocated to Executive Magistrate in certain cases.**—If the Legislative Assembly of a State by a resolution so permits, the State Government may, after consultation with the High Court, by notification, direct that references in sections 108, 109, 110, 145 and 147 to an Executive Magistrate shall be construed as references to a Judicial Magistrate of the first class.]

STATE AMENDMENT

Union territories of Andaman and Nicobar Islands, Dadra and Nagar Haveli and Lakshadweep

In the Code, as it applies to the Union territories to which this Regulation extends, in sections, 478, the words “if the State Legislature by a resolution so requires.” Shall be omitted.

[*Vide* The Code of Criminal Procedure (Amendment) Regulation, 1974 Act (1 of 1974) s. 6.]

479. Case in which Judge or Magistrate is personally interested.—No Judge or Magistrate shall, except with the permission of the Court to which an appeal lies from his Court, try or commit for trial any case to or in which he is a party, or personally interested, and no Judge or Magistrate shall hear an appeal from any judgment or order passed or made by himself.

Explanation.—A Judge or Magistrate shall not be deemed to be a party to, or personally interested in, any case by reason only that he is concerned therein in a public capacity, or by reason only that he has viewed the place in which an offence is alleged to have been committed, or any other place in which any other transaction material to the case is alleged to have occurred, and made an inquiry in connection with the case.

480. Practising pleader not to sit as Magistrate in certain Courts.—No pleader who practises in the Court of any Magistrate shall sit as a Magistrate in that Court or in any Court within the local jurisdiction of that Court.

STATE AMENDMENT

Karnataka

Insertion of new section 480A. —After section 480 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) the following Section shall be inserted, namely:—

“480A. Other powers of Magistrate.—Any Judicial Magistrate or Executive Magistrate shall be entitled to attest, verify or authenticate any document brought before him for the purpose of attestation, verification or authentication, as the case may be, and to affix seals thereon, as may be prescribed by any law for the time being in force.”.

[*Vide* Karnataka Act 35 of 1984, s. 2]

1. Subs. by Act 63 of 1980, s. 8, for s. 478 (w.e.f. 23-9-1980).