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No. D.13023/1/2009-HMJ
GOVERNMENT OF MIZORAM
HOME DEPARTMENT

Dated Aizawl, the 31st August, 2018

To,

All Superintendents of Police,
Mizoram.

Subj.: Provision of Prison Van and Armed Escort for transportation of prisoners.

Sir,

The Mizoram Police Manual 2005 Rule 200(2) states that '*As regards conveyance, labourers and other requirements for conveying prisoner or treasure, necessary arrangements have to be made by the requisitioning Department*'. However, at present, the Prisons Department does not have Prison Van for transportation of long term and high risks prisoners from District Jails to Central Jail, Aizawl. Hence, all Superintendents of Police are hereby requested to provide Prison Van with Armed Escort for transfer of such prisoners while the fuel expenses may be borne by the Prisons Department until other arrangements are made by the State Government.

Yours faithfully,

(ZAHMINGTHANGA)

Under Secretary to the Govt. of Mizoram,
Home Department

Memo No. D.13023/1/2009-HM : Dated Aizawl, the 31st August, 2018
Copy to:-

Inspector General of Prisons for information and necessary action.

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(ZAHMINGTHANGA)

Under Secretary to the Govt. of Mizoram,
Home Department

AKG 26/8/18

THE MIZORAM POLICE MANUAL – 2005

Introductory:

1. In exercise of the powers conferred by relevant provisions of the Police Act (Act V of 1861) as applied to Mizoram and of the Code of Criminal Procedures 1973 (Act II of 1974), the State Government of Mizoram in consultation with the Director General of Police Mizoram, framed the "Mizoram Police Manual 2005" as follows:
 2. This Manual may be called the "Mizoram Police Manual, 2005".
 3. It shall come into force from the date of Notification in the Official Gazette by the Government of Mizoram and will apply to Mizoram Police Forces.

CHAPTER – I

PRELIMINARY

1. Legal Basis of State Police:

The Police Act, 1861 (Act V of 1861) and the Criminal Procedure Code, 1973 (Act II of 1974) are the two major legislations which form the basis of the organisation and functioning of the Police. The Police Act 1861 (Act V of 1861) lays down the provisions for constitution of the Police Force and their duties in a general way and the Criminal Procedure Code, 1972 (Act II of 1974) lays down detail provision about detection, investigation, prosecution and prevention of crime.

2. Position of the Police Act 1861 and Code of Criminal Procedure, 1973 in Mizoram:

The Police Act, 1861 is in force in the State of Mizoram but only few chapters of the Criminal Procedure Code, 1973 (Act II of 1974) apply pro-prio vigore and the rest of the Code being applicable in spirit only. These chapters may be brought into force by the State Government as and when it is thought proper. The Police shall, however, apply the provisions of Code of Criminal Procedures, 1973 (Act II of 1974) in letter and spirit to regulate its functioning within definite bounds.

3. Different Branches in Police:

The State Police Force is also required to perform duties under a number of other legislations. Several special branches are also established under the Police Organisation to enable the Police Force to perform its duties effectively. These branches are the Mizoram Police Radio Organisation, the State Special Branch, the Criminal Investigation Department and the Mizoram Armed Police Battalions. They are all deemed to be part of one Police Force under the State Government under Section 2 of the Police Act, 1861. Further the State Fire Service comes under the State Police and its personnel are appointed under the Police Act. The State Forensic Science Laboratory also functions under the control of the State Police.

4. Authority:

- (1) The Mizoram Police Manual is made in pursuance to the relevant provisions of the Police Act, 1861 (Act V of 1861) and the code of Criminal Procedure 1973 (Act II of 1974) and in exercise of all enabling powers conferred by Sub-Section (2) of Section 46, in particular and other provisions of the said Act, and by the said Code.
- (2) This supersedes the provisions of the Assam Police Manual in so far as it was applied to Mizoram by way of adaptations and amendments.

(3) Where the Governor of Mizoram is satisfied that the operation of any of the provision of this Manual causes undue hardship, in any particular case, he may dispense with or relax that provision to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.