

C.18018/6/2018-GAD
GOVERNMENT OF MIZORAM
GENERAL ADMINISTRATION DEPARTMENT

Dated Aizawl, the 19th March, 2019.

NOTIFICATION

Whereas Section 20 and 21 of the Criminal Procedure Code (Cr.P.C) provides for appointment of Executive Magistrates and Special Executive Magistrates by the State Government for exercising powers and responsibilities under the provisions of the Code.

And Whereas the Allocation of Business Rules, 2014 of the Government of Mizoram allocates the subject of "Investiture of Magisterial Powers" to Law & Judicial Department, and "Maintenance of Law & Order" to Home Department, wherein certain procedures have been laid down for separate investiture of magisterial powers to the officers posted in the Districts and Sub-Divisions. With a view to streamline the process and obviate the problems relating to Investiture of magisterial power after every transfer and posting, the Governor of Mizoram, in exercise of the powers vested under Section 20 of the Cr.P.C.,1973 and on the basis of the decision of the Council of Ministers in its meeting on 8.3.2019, is pleased to order that officers holding the following posts, which are substantially meant for maintenance of law & order in the Districts and Sub-Divisions etc. shall be invested with the powers & functions of Executive Magistrates as shown against each-

- | | | |
|---|---|--------------------------------|
| 1) Deputy Commissioner | - | District Magistrate |
| 2) Additional Deputy Commissioner | - | Additional District Magistrate |
| 3) Sub-Divisional Officer (Civil) & (Sadar) | - | Sub-Divisional Magistrate |
| 4) Assistant Commissioner/ Sub-Deputy
Commissioner in a District/ Sub-Division | - | Executive Magistrates |

The powers so vested under the Code upon these officers shall be exercised by them within the local limits of their respective jurisdiction with immediate effect.

It is hereby further notified that in such instances where due to the exigency of Law & Order, and other circumstances, there is a need to appoint more Officers as Executive Magistrates, such other Officers holding other posts may also be invested with the powers of Executive Magistrates for such area, and for such period of time. Such exercise of assessing the requirement, and of the appointment of additional Executive Magistrate shall be vested in the Home Department, Government of Mizoram.

Consequently, the subject Investiture of Magisterial Powers placed at Sl.No.14 under the Twenty Fourth Schedule of the Government of Mizoram (Allocation of Business) Rules 2014 shall be placed at Sl.No.30 under the Sixteenth Schedule.

Sd/-BIAKTLUANGA

Commissioner & Secretary to the Govt. of Mizoram
General Administration Department.

Contd..2/-

Memo.C.18018/6/2018-GAD

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Dated Aizawl, the 19th March, 2019.

Copy to :

- 1) Secretary to the Governor, Mizoram
- 2) PS to Chief Minister, Mizoram
- 3) PS to all Speaker/ Ministers/ Deputy Speaker/ Ministers of State/ Vice Chairman, State Planning Board/Govt. Dy Chief Whip.
- 4) Sr.PPS to Chief Secretary to the Govt. of Mizoram
- 5) All Principal Secretaries/ Commissioners/ Secretaries
- 6) All Head of Departments
- 7) All Deputy Commissioners
- 8) Controller, Printing & Stationery with 6(Six) spare copies for publication in the Official Gazette
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- 10) Guard File

R. Lalthazuala 19/3/19

(R.LALTHAZUALA)

Deputy Secretary to the Govt. of Mizoram
General Administration Department