

**DAN IN EIRAWNGBAWLNA 'GAS' (LPG) A  
KHUAHKHIRHNA**



Dr. H.T.C. Lalrinchhana, MJS  
Chief Judicial Magistrate  
Saiha

**KAMKEUNA:**

Ramchhung hmun khawimaw laia chhuanchhama mi tamtak an awm lai hian ramchhung khawimaw laiah chuan eitur (food grains) tam uchuak taka chhekkhawm, tawih nghek nghuk mai a lo awm reng fo va, tampui mitthi kan tih leh meialh en kan tih fo hi ramchhunga ei bar tlakchhamna leh harsatna vang ni lovin, rualkhaia a mamawh tute hnen a thlen phak loh vang tih hi eibar leh sumpai lam zirna (Economics) lama thudik pawm tlan a ni ta. Kan khawpui chhunga mipui mamawh bulthumtui thianghlim in tur te, buhfai te, 'Gas' te leh mamawh dangte pawh hi a tlem leh mamawh khawp kan hnianghnar loh vang lam ai mahin, mipui hnena semchhuah dan kalphung (system) fel tawklo leh rualkhai tawk loh vang tih pawh kan pawm ngam a, kan in enfiah nghal a tul ang.

Kalphung (system) diklo hi kan palzama, kum sawm tel teh meuh emaw chuti ang kalphung felhlel hnuiaia kan lo kal tawh chuan, sawrkar, khawtlang, chungkua leh mimal nun theuh pawh

hi chuti ang kalphung felhlel mil chuan a lo intulut nghet hman leh tawh ang a, kalphung dik lam pan hleih theih tawh lohna hun thimah chuan luh a awl hle ang. Entirna'n, kum 2008 vel maiah khan Kolasib khawpui-ah chuan motor lian sorkar buhfai phur thinte`n an hralh ruk thin hi khauh taka khap beh a ni a, chutiang motor lian khalhtute pawh chuan an zawm tha nangiing mai a; nitin eichawp zawng emaw ni khat tla lek leka eikhawp buhfai lei pha tawk mi rethei te tan dawrkai-ah buhfai lei tur a awm mai ta hauh lo mai a, dan anga fel taka sorkar buhfai kal ral thin tihrem tumna lamah mi rethei nitin inhlawhfa chawpten meialh an en dawn a ruai a ni ta mai, kalphung felhlel hmanga mitin khawsak lo inherrem hman tawh vang a ni ber tih kan chiang awm e. Hun tha leh ni tha kan neih lai leh awlsam taka kawngdik lam kan pan theih laia dan anga nitin mamawh chakkhai semzaina kalpuina lam kan tulpui a nih loh chuan, heti ang hlemhletna hripui lak atanga damkhawchhuah leh chu a harsa tulh tulh dawn a lo ni.

**RAM DAN HRANG HRANG IN 'GAS' A KHUAHKHIRHNA TE LO EN ILA:**

Eirawngbawlna 'Gas' kan tih mai hi a hming lampum chu 'Liquefied Petroleum Gas' (LPG) tih a ni a, Liquefied Petroleum Gas (Regulation of supply and distribution) Order, 2000 hnuaia clause (i) section 2 anga tarlan a nih dan chuan heng - hydrocarbons te, propane te, isobutane te,

normal butane te, butylenes adt. chawhpawlh atanga siam niin eirawngbawlna atana kan hman tlanglawn mek hi a lo ni ta a ni.

### **1. The Gas Cylinders Rules, 1981:**

Eirawngbawlna 'Gas' hi puakthei thil a nih miao avangin Explosives Act, 1884 (4 of 1884) hnuaia section 5 leh 7 na angin he inkaihhraina dan hi siam a ni. He inkaihhraina thu ken tlangpui te chu-

- ˆ Dan-in a tuk thlap ang lo chuan 'Gas Cylinder' thun, kawl, chawkluh leh phurh/dehvel hi phalloh bur a ni [R. 3].
- ˆ Gas Cylinder-ah hian chhinchhiahna fiah fel fai takin, a nihphung tur - a siamtu te, a neitu te, enfiahni leh thla te, a rih zawng tur te, a him dan leh hlauhawm dan te tarlan tur a ni [R. 6]
- ˆ Gas Cylinder-a a dawt (Valve)-ah pawh a nihphung te, siamchhuah kum te, a siam dan phung te, adt. tarlan ngei bawk tur a ni [R. 7]
- ˆ An nihphung anga an rawng tur pawh hnawih vek tur a ni [R. 8]
- ˆ Chhinchhiahna (Warning) pawh Gas hming te, a thun khattu te tiamin tarlan vek bawk tur ani a, Cylinder rawng thlak danglam phalloh thute, a vawnhim dan tur thute pawh tarlan bawk tur a ni [R. 9]

- ˆ Phalna (License) nei lote chuan Gas Cylinder pekchhuah kawngah an in hnamhnawih phal a ni lo [R. 10]
- ˆ Gas Cylinder him tawk lo, lian tham deuh ang chi chu siamtha mai lovin, hmantlakloh anga ngaih zawk tur ani a, thil te thama himtawklo erawh chu dimdawi tak leh fimkhur takin siamthat chauh tur ani [Rr. 11 & 12]
- ˆ Kum 18 hnuailam leh ruih nei reng reng te Gas Cylinder phurh leh dehvelnaah chhawr phalloh a ni [R. 13]
- ˆ Meizuk leh kangmei tichhuak thei thildang te Gas thunna leh dehvelna ah phalloh a ni [R. 14]
- ˆ Cylinder thun khah hi Bike emaw kehnih nei lirthei a phurh phal loh a ni a, motor-a phurh anih pawhin him tawk taka a dalna feltak siana phurh chauh tur a ni [R. 34]
- ˆ Dan anga phalna neih chauh loh chuan Cylinder lo thunchhawn ang vel hi phalloh a ni [Rr. 52 & 53]
- ˆ Gas Cylinder hmanga chhiat tawh thu hi he dan hnuaiia thuneitu 'Chief Controller of Explosives' emaw Police Station hnai berah hrilhhriat vat tur a ni a, District Magistrate emaw a hnuaiia Magistrate ten 'Inquiry' tul an buaipui ang a, 'Chief Controller' emaw a aiawh tura ruatten a hmun an rawn en erawh heta Magistrate hian a lo nghak bawk ang. Chhiatna liantham deuh zawk a thlen palh

anih pawhin Inquiry hi uluk lehzuala neih tur a ni [Rr. 75&76]

A chung a tarlan hrang hrang te khi bawhchhiat a lo nih chuan Explosives Act, 1884 hnuaia section 9B anga hremna pek theih ani.

## **2. Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000:**

- ˆ He thupek hi Essential Commodities Act, 1955 (10 of 1955) hnuaia section 3-na hmanga siam a ni.
- ˆ A bika thuneituten an phalsakna ang chauh lo chuan Public Distribution System (PDS) hnuaiah Gas connection pakhat aia tam mi pakhatin a nei thei lo. Mahni eirawngbawlina (Domestic) atana hman tur LPG bur rihzawng tur hi 14.2 Kg a ni tur ani a, sumdawna (non-domestic) rihzawng tur chu 19kg/47.5kg emaw sorkar laipuiin a tul anga a tuk zat ang ngei a ni thin tur a ni [Cl. 3]
- ˆ Chief Controller of Explosives-in phalna a pek te chauh lo chuan LPG hi a burah an thunin Cylinder pakhat atangin Cylinder dangah pawh an thun chhawng thei lo bawh [Cl. 4]
- ˆ LPG hi a rihzawng tura danin a bituk aia zang leh ritin pekchhuah/hralhchhuah phal a ni lo [Cl. 5]

6

- Dan anga ruat - Sorkar Oil Company emaw zuarchhawng tura sorkar mi ruat dang emaw mipui hnena semchhuak tura ruat (Distributor) te tih chauhlo chuan LPG hi midang (consumer) hnenah an hralh thiang lo [Cl. 6]
- Gas bur ruak emaw a tak awm emaw, Gas hmanraw dang Valve leh Regulator te hi sorkar oil company emaw sorkarin phalna a pek (Parallel Marketeer) te hnenah chauh lo chuan pek chhuah phal a ni lo va, tin, Gas bur ruak emaw a tak awm emaw, Gas hmanraw dang valve leh regulator te hi sorkar oil company emaw sorkarin phalna a pek (Parallel Marketeer) te phalna ang chauhlo chuan Gas connection nei hnenah lo chuan hralh emaw pekchhuah phal a ni lo bawk. Sorkar mi ruat (Distributor) emaw dan anga Gas connection neite tih chauh lo chuan Gas bur ruak emaw a tak awm emaw, Gas hmanraw dang valve leh regulator te hi an lo kawl ve ngawt a thiang lo a ni [Cl. 7]
- Gas semchhuaktu (Distributor) tinte hian Gas bur ruak emaw a tak awm emaw a him tawk lo an kawl zah te leh a man zah te an sumdawnna hmun langsar laiah an tarchhuak ngei tur a ni [Cl. 8]
- Gas semchhuaktu (Distributor) tinte hian an hnathawh hun chhung/darkar chu an sumdawnna hmun langsar laiah an tarlang ngei tur a ni a, hnathawh ni (working day)-ah

hnathawh hun chhung (working hour)-ah Gas pekchhuah duh loh an nei tur a ni lo. Tin, Sorkar Oil Company emaw Parallel Marketeer te hnen atanga phalna an la hmasa a nih loh chuan an hnathawh hun tur darkar ruat chhungin an pisa an khar thiang lo. Distributor te hian Sorkar Oil Company emaw Parallel Marketeer ten a man tur an bituk aia sangin Gas hi an hralh thiang lo.

Chu bakah State Sorkarin a hmunhma mila phurhchhuah man a bituk angin 'Consumer' te in lama pek (Home delivery) hi Sorkar Oil Company te hnen atanga phalna an la hmasa anih loh chuan an tih tur a ni bawk [Cl. 9]

Sorkar Oil Company emaw Parallel Marketeer te hian Gas thuk (stove) emaw Hotplates te tukluehnain 'Consumer' te-ah an lei tir thiang lo va, Gas Cylinder him tawk lo an pechhuak thiang lo bawk [Sch. I]

A chung a tarlan hrang hrang dan te khi bawhchhiat a lo nih chuan Essential Commodities Act, 1955 hnuaia section 7(1)(a)(ii) angin kum sarh(7) thleng tan tir leh pawisa chawi bawka hrem theih a ni ang. Tin, dan bawhchhiatna bungruate pawh sorkara lut tura chhuhsak (forfeit) theih bawk a ni.

### **3. The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 (7 of 1980):**

He dan ang hian sorkar laipua Joint Secretary aia hniam lo leh State sorkara Secretary aia hniamlo ruatte (leh District Magistrate sorkar in a ruat baw k chuan) hian hetiang nitin mamawh bulthum a ruk a rala dan ang lova lo deh velna venna tur atan hian a tul angin hma an la thei ang a, hetiang thila inhnamhnawihte thlaruk aia reilo chhung hren (detention) turin thupek an siam thei ang. A tul angin sorkar laipui leh state sorkar pawhin he dan kenkawhna atan hian mi pathum thutna 'Advisory Board' a din thei baw k ang. Advisory Board-a Chairman tur hian High Court Judge te emaw High Court Judge atana tlingtaw k te ruat tur an ni thung.

### **4. The Mizoram Trade Articles (Licensing and Control) Order, 1987:**

Nitin mamawh bulthum (Essential Commodities) entirna'n- buhfai, khawnvartui, LPG, chini, tel adt. Sorkarin mipui hnena rual khai taka a semchhuahna tur thupek a ni a, phalna 'License' pekchhuah dan leh mipui (consumer) te hnena pekchhuah dan tur bithliahna a ni.

He thupek hnuaia sorkarin hralhchhuaktu tur (dealer) atana a ruatte hian Licensing Authority-in phalna (License) a peka tih tur



leh tih loh tur a tuk ang chauhin bungruate hi a zuar chhuak tur a ni [Cl. 3].

- Thuneituten a man tur an bituk aia sangin bungrua te hi tu hnenah mah hralh emaw hralh chhuah tum pawh phal loh a ni a, man bituk ang zata hralh duh loh hi a thiangolo bawk. Tin, hralhchhuah tura bungraw kawl, hralh phalloh pawh a thiangolo [Cl. 16]
- A zuartu (dealer) te hian an dawr hunchhungah chuan an bungraw kawl mek zah, thuneituten a man an bithliah zah 'Form-E' hmangin an dawr langsar laiah an tarchhuak tur a ni a, kawlsa an neihloh pawhin 'OUT OF STOCK' tih hi hawrawppui ngeiin an tarlang bawk tur a ni. [Cl. 15]
- He thupek bawhchhetute chu Essential Commodities Act, 1955 hnuaia section 7-na anga hremna pek tur a ni [Cl. 32]. Amaherawhchu, Licensing Authority phalna tello chuan thubuai chu putluh theih a ni lo thung [Cl. 31].
- He thupek hnuaia mamawh bulthum tarlan te chu - buhfai, dailuah, chini, khawnvartui, chi, Petrol lam chi reng reng LPG te telin, cement adt. an ni [Sch. I].

**NITIN MAMAWH BULTHUM (ESSENTIAL COMMODITIES) KHUAHKHIRHNA DAN DANG TE:**

**1. Public Distribution System (Control) Order, 2001:**

ˆ He thupek hi Essential Commodities Act, 1955 (10 of 1955) hnuaia section 3-na hmanga siam a ni.

ˆ He thupek hnuaiah hian chhungkua hi chi hrang hranga then tur a ni a, chungte chu-

**Above Poverty Line Families:** State sorkarin Above Poverty Line (APL) tur hi a thlang ang a, Ration Card pechhuak-in he PDS ang hian eitur (foodgrains) pek chhuah tur a ni.

**Antyodaya Families:** Below Poverty Line (BPL) zing atangin state sorkar hian a rethei zual te a thlang chhuak leh ang a, eitur (foodgrains) chu Anthyodaya Anna Yojana (AAY) hnuaiah an dawng thei ang.

**Below Poverty Line Families:** Sorkar laipuiin a chhut ang mila state sorkarin mi rethei a thlanchhuah an ni a, anni hian man tlawm zawkin eitur (foodgrains) an lei thei ang.

ˆ He thupek hnuaia Ration Card neite chuan Essential Commodities Act, 1955 in a tarlan nitin mamawh bulthum (Essential

Commodities) te chu hapta milin sorkar ruat 'Fair Price Shop' atangin an lei thei ang.

- ˆ Hun danglam mila bituk angin sorkar laipui chuan state sorkar hnenah eitur (foodgrains) chu a pechhuak thin ang.
- ˆ He thupek bawhchhetute chu Essential Commodities Act, 1955 hnuaia section 7 na anga hremna pek tur ani.

## **2. Mizoram (Price Fixation of Essential Commodities) Order, 1977:**

Nitin mamawh bulthum te hi Mizoram sorkar hian sorkar laipui berawnin a man tur zah a hmun leh hunbi a zirin a bi tuk ang a, he thupek bawhchhetute chu Essential Commodities Act, 1955 hnuaia section 7-na anga hremna pek tur a ni.

Heta nitin mamawh bulthum (Essential Commodities) tarlan te chu- buhfai, buh hum, chini, tel, chi, bawngnhute, chhang (biscuit), damdawi, sahbawn, khawnvartui, chi, cement, Petrol, sangha, arsa, kelsa, vawksa, bawngsa, thingtuah, meihawl, nawalh adt. ani.

### **TLANGKAWMNA:**

Dan tha tak tak kan neihte hian kenkawh that a hlauh tlat loh avanga zawm hlauh lo an ni tih kan Chiang a, Martin Niemollera thusawi hian hnu

i han khar dawn ang aw, ani chuan - "German ramah chuan 'Communist' ho an rawn man hmasa ber a, 'Communist' ka nih ve loh avangin engmah ka sawilo, 'Juda' ho an rawn man leh a, 'Juda' ka nih ve loh avangin engmah ka sawi lo, Trade Union ho an rawn man leh a, 'Trade Union' a ka tel ve loh avangin engmah ka sawi lo, 'Catholic' ho an rawn man leh a, 'Protestant' ka nih avangin engmah ka sawi lo, Min rawn man ve ta a, chutih hunah zet chuan thusawi tur leh in chhanchhuak tur chuang kan awm tawh lo". Che chhuak thei dinhmuna kan din lai a, kan chetchhuah a tul kan ti anih chu.

---

**Zawhna**

1. *Legal awareness hi tun aia zing zawk hian a hman theih em? Thingtlang khaw tinah hian a hman theih ang em?*

**Chhanna** : Mi tinte thleng phaka awareness hi neih tumin Legal Services Authority hian chak takin ke a pen chho zel a, a phak ang tawka zing leh thain kalpui mek zel a ni e.

2. *MSLSA-a thawkte hi department thenkhat angin biak in har ve viau em?*

**Chhanna** : MSLSA-a thawkte hi a theih ang tawk chuan min dawrtute tan kan inhawng thin a, duhthusam tawk lohna lai kan lo nei a nih pawhin insiam that zel kan inhuam reng e.



## **ARE LAWYERS LIARS ?**

T. Lalnunsiam,  
Advocate

Keini Mizote chauh hi kan lo ni bik lo va, hnampui kan tih mai European ho zingah ngei pawh khuan ukilte hi dawt hmang, dawta eizawng thin ni maia ngaihna a awm ngeth viau mai. A bikin keini Mizo thalai lehkha thiam rual, fing leh fel tak takte pawh hian Court kalphung leh ukilte nihna takte hi kan la hre fuh tawk lo viau a, he mi kawngah hian tan kan lak deuh deuh te pawh a tha viau mai. Ukilte chungchanga kan thlir dan fuh tawk lo te hi ukilte tan hrim hrim vang ni hran chuang lovin kan hriatna tihzauh nan lo sawi fiah ta deuh ila...

### **Tute nge dawthmang chu?**

Dawt sawi tur hian ukil nih kher a lo ngai hauh lo. Tu'n haw lo se- Politician ho zingah te leh sumdawng ho zingah te hian dawthmang chu an tam viau zawk niin a lang! Chu mai a ni lo va, ngun taka han ngaihtuah chuan keini mipui nawlpui zingah ngei pawh hian dawthmanga eizawng, sum hmuhna tur a nih phawt chuan dawth sawi hreh hauh lo kan kat nuk hialin a rinawm. Chutih rual erawh chuan ukil heti zat zingah chuan dawth sawi mai pawh ti lo erawh chu awm pawh an awm ngei ang a, nimahsela ukil

dawt sawi thin nia kan hriat tam takte hi chu anmahni dawt hrilh hmasatu ruaitu(client) an awm hmasak fo a rinawm!

### **Engati nge ukil kher?**

Ukilte dawt hmang nia kan ngaih bik nachhan hi a bulpui berah chuan an hna hi hna dangte aia a pawimawh 'bik' vang niin a lang. Mihring nihna hian thil pawimawh tak tak pathum a keng tel a - rilru, taksa leh thlarau te a ni. Eizawna dang tam berte hi chu kan taksa mamawh leh chak zawng phuhrukna a ni ber a, ukil hna erawh hi chuan mi rilru nâ leh beidawng, an chanvo chhuhsak leh nek chep nia inngai te leh an dikna palzut nia inngaite lo enkawl leh dawnawm hi a ni thung a, chu vang tak chuan ukil hna hi 'Noble Profession' (business ni lovin) tih a ni.

Hetieng taka pawimawh (sensitive) a nih avang hian thu buai hla buai nei, chak lo zawka tangte tan chuan an khingpui, an hmelma(?) te tanpuitu ukil chu sawi chhiat mai a awl viau ang a, dawt hmang nia puh theihna 'chance' pawh a sang hle ang tih chu kan hre tlang mai awm e. Jail tan leh zalen inkar, rosum hloh zawk leh chang zawk tur inkara tlazep an nih avang tak hian an nihna bak han sawi belh hret a, a sawi chhawngtu tan tan han uar leh zual hret chu a awl duh viau ang a, vantlang beng hriat a nih meuh pheih chuan thang mawi lo viau tur chu a ni tawh reng a ni.

### **Vanram lam te hi!!**

Ukilte hian thil sual tia puhte Court-a an dipui hian 'Kima hian a tisual lo hrim hrim...' an ti ngawt ngai lo va. 'Evidence nia sawi hian Kima thil sual tih nia sawi hi a finfiah lo... a mantu lamten dan ang ni lovin an man a, Kima dikna chanvo nasa takin an palzut, chu vang chuan he case hi kal zui zel tlak a ni lo...etc. etc.' tiin dan awmsa bakah Court sang zawk thutlukna (rulings) behchhanin dan hmang vekin an bei let thin.

Mi tam tak chuan ukil hna chu Bible thu nen inkalh tlat ni tein an ngai thin, hriat dan fuh tawk loh vangte pawh a ni thei. Vantlang pawhin mi sual let dera kan ngaihte lamah tangin Court hmaah ukilte chu an ding fo. The Advocates Act 1961 Section 49(1)(c) in thuneihna a pek angin Bar Council of India chuan ukilte tana zawm tur inkaihhraina (Professional Ethics) a siam a, chu inkaihhraina Rule-15 chuan ukil chu amah ruaitu tan 'huaisen tak' leh zahawm tak, hlauh nei hauh lovin a ding tur a ni tih a sawi a, "ama chung a tawrhna thleng thei tur pawh a pawisa tur a ni lo." Chu mai ni lovin ukil chuan thil sual tia puh chu ama mi mal hmuh danin thiam lo hulhual pawh ni se theihtawp chhuaha chhanhim a tum tur a ni a, finfiahna (evidence) tha tawk a awm a nih loh chuan amah ruaitu chu hremna hmachhawn lo turin humhim a tum tur a ni. Court-a Professional Ethics engemawzat awm zingah kan tarlan tak pakhat mai pawh hian ukilte mawhpurhna (duty) chu a tifi ah mai awm e.

Matthaia bung 25-ah khan hun tawp rorelna chungchanga Isua thu sawi tarlan a ni a. Isua ding lama awm turte chu chang 35-na chuan hetiang hian a sawi a: "Ka ril a tamin nangin ei tur min pe a...tan ina ka awmin mi tlawh a..." tiin. Chang 40-na chuan chang 25-na chu hrilhfiyah nawn lehin, "Lalber chuan, 'Thu dik ka hrilh a che u, heng ka unau te ber zinga pakhat chung a in tih chu, ka chung a ti in ni,' tiin a chhang," tiin.

Tan ina tangte tlawh a, an tana dan hnuaia rilru hahdamna thlen thin ukilte hi an zavai maia Vanram chang lo tura ngaih chu a dik lo hulhual a ni tih he Bible chang hian min hrilh a ni. Tih tak emah chuan Eden huan ata lei leh vana Roreltu Chungnungber Pathianin a hnawh chhuah, thihna khawp hial thil soal tia dam chhung tanga rim taka hnathawk (rigorous life-imprisonment) tura hremna pek tawh hnu keini Evi leh Adama thlahte soalna zawng zawng phura kan dik lohna ang ang min rawn chhandamtu hian thil soal ti nia 'puh' te dikna chanvo la neih ve chhunte hailang a, chungte chu palzut a nih loh nana theihtawp chhuaha ke pentu ukilte hi Roreltu hian a vei lama a dah vek bik ka ring phal lo!

### **Ukilte hi**

Rorelna dik a awm theih nana roreltute puitu ber chu ukilte an ni a, chu vang chuan ukilte hi '**Court Officer**' tih an ni. Roreltute (Judge/Magistrate) tan thubuai leh a kaihhnawih 'Dan'



hrang hrangte chipchiar taka en a, hai chhuah dap chu thil harsa tawpkhawk a ni a. Ukilten anmahni ruaitu ve vete dikna hailan tumin dan hrang hrang chipchiar takin an leipse a, pawl pahnihte dikna lai leh tlin tawk lohnate ukilte hmanga hai lan a nih hnu chuan roreltu chuan dik takin thutlukna a lo siam thei ta thin a ni.

Eng anga mi sual tawpkhawk pawh ni se chu mi aiawh chuan ukil chu Court-ah a din ngei ngei a ngai tho thin. Mi tam tak chuan kan la hria ang a, tlem lai khan Coimbatore Bar Association (Tamil Nadu) chuan lungawi lohna an lantir a, Police lam nen an innawr ta vak a, ukil tam tak chuan Police kut tuarin hliam an tuar a. Chutianga Police kutthlak an tawrh avang chuan ukilte chuan thutlukna siamin Police thubuai neite reng reng Court-ah dinsak loh tur an ti ta mai a! Nimahsela, ukilte thutlukna chu Supreme Court chuan Professional Ethics kalh a ni tiin a thiatsak ta vat mai a ni [A.S. Mohammed Rafi Vs. State of Tamil Nadu, Criminal Appeal No. 2310 of 2010]. Chu mi awmzia chu- ukilte hian an mi leh sa kutthlaktute ngei, chu an kutthlakna avang liau liauva thubuai nei te pawh chu Court-ah an dinpui a ngai tlat! Phuba lakna ang ziazanga an laka kut sil mai kha a remchang lo hle tihna a ni.

Kan hriat theuh angin Mumbai beihna rapthlak 26/11-a firfiak nung dama man awmchhun Ajmal Kasab ngei pawh kha a thil tih han en khan India sorkar tan chuan Tairaw tianga hlap zawt zawt a, hruihrual valh nghal nawk

nawka nghawng tawk nei lek lova sasaw thing zara han khai hlum nghal thawr mai awm a nia! Nimahsela dan rorelna chuan thiam thu sawina hun a pek ngei a tul tlat.

Chu mai a ni lo va, Kasab-a tan sawrkar chuan sum tam tak sengin ukil thiam ber ber a rawihsak a, chu ukil chuan Kasab-a thil soal tih chu hre Chiang hle mah se Pathian thilsiam ropui ber 'mihring' a nih ve avanga dikna chanvo a la neih ve chhunte palzut a nih loh nan theihtawp a chhuah zawk a ni. Ukilte chu Kasab-a tana Court-a ding lo turin an ngenna thawm kan hre ve hranpa reng reng lo! Hmanni lawka thil thleng-Aizawl chhuah lam veng pakhata In hal leh, tun hnai tea Saikhumphaiia thil thleng kaihnawih mipui lamten thil soal ti leh pawikhawih tu nia langte Court lama dinsak lo tura ukilte hnena ngenna hial kan siam ta mai hi ngenna siamtute thahnemngaihna chu zahawm viau mahse dan lam thlirna atang chuan thil pawitak, kan tih loh tawp tur a ni.

Amaherawhchu, hetianga ngenna siamtute pawh hian kan rilru soal vang pawh ni chuang lovin ukil dinhmun leh nihna (Code of Ethics) kan hriat fiah tawk loh vangte pawh a ni thei tho mai. Kan hriat reng tur chu mi tute pawh hi thiam loh chantir tur chuan rinhlelh rual loha an thil soal tih nia sawi chu finfiah (proof beyond reasonable doubt) ngei ngei a ngai a, evidence mumal awm lova thiam loh chantir an nih loh nan ukilte chuan tan an lo la ve dawn tihna a ni.

### **Hnukharna**

Justice P.K. Goswamy, Gauhati High Court Chief Justice hlui leh Supreme Court Judge hlui ni bawk chuan hetiang hian a lo sawi a- "Ukil thate`n roreltu tha an chher chhuak a, roreltu thate`n rorelna dik an thlen thin. Court hi roreltu tha leh ukil thaten an cheimawi a, tu emaw zawk a awm loh chuan rorelna chu a khingbai thin. Lotus hian dil tui tanpuina tel lo chuan mawina reng a nei thei lo va, dil ngei pawh chuan amah cheimawitu Lotus tel lo chuan mawina leh ropuina a nei hranpa bik hauh lo, an pahniha intanpui tawinna hian dil pumpui chu a tivul thin. Hetiang chiah hian ukilte leh roreltute thawh dunna chuan Court chu a timawi thin. Chu vang chuan roreltute leh ukilte hi rorelna 'dik' ding leh vei an ni e," tiin.

Hetiang hi a lo nih takah chuan khawvel ram thang duang ber pakhat India rama awm, ziaak leh chhiar thiam tamna ber state nih tuma tan la mekte hian **Lawyers are liars** kan la ti fan ang em? Kei zawng, he tawngkam hi kan la paih phal ngang lo a nih pawhin a hma lamah hian 'SOME' tih dah belh ka rawt e!

## CIVIL SERVICE MITE LEH DANIN A HUMHALHNA



Laldinpuia Tlau, MJS  
Civil Judge, Aizawl

India rama Civil Service hian chanchin a ngah ve ta fu mai. India zalen hma chuan Civil Service mite hnathawh ber chu, dan leh thupek kenkawh leh chhiah khawn chungchang a ni. (Deptt. of AR & PG, Public Service in India, 2012, p. 8) India ram tana civil service exam hmasa ber chu kum 1856 khan London-ah neih a ni. Tuna IAS kan tih tak hi India zalen hma chuan Indian Civil Service tih a ni a, British tana hna thawk duh tak chuan 'heaven-born service' tih a ni thin. (Sugata Bose, His Majesty's Opponent, 2011, p. 34)

Tunah hian India rama civil service hi kawng thuma then a ni.

- (1) **All India Services** - Anni hi sawrkar laipuiin appointment a pek, state hrang hranga a tirh darh an ni a, sawrkar laipui hnuaiah pawh an thawk bawk. Heng IAS, IPS leh IFS (forest) te hi a ni.
- (2) **Central Services** - Anni hi chu sawrkar laipui ta leh hnuaia thawk a ni a, state hnuaiah pawh deputation-in an kal thin bawk.
- (3) **State Services** - Anni hi chu state sawrkar ta leh enkawl liau liau a ni. All India Service-a

post zaa 33 hi state services atangin promotion-in an kal thin. (Public Service in India, p. 11)

Mizoramah hian hna zawng lai leh mi nawlpuiin hna tha leh zahawm bera an ngaih chu Mizoram Civil Service hi a ni awm e. An service kalphung, kaisan theihna te, an mawhphurhna te leh hamthatna hrang hrang en chuan service tha ber zinga mi chu a ni ngei mai.

MCS mi leh sate chu civil servant an ni meuh mai, chutih laiin anni chauh hi civil service mite an ni lo. Heng hna hrang hrang, doctor, engineer, zirtirtu, judiciary, agriculture etc. zawng zawng hi civil servant an ni, mahse, he service-a mite chauh hi civil servant an ni lo.

India sawrkar hnuaia hna hrang hrang hi civil post leh defense post-a then a ni a. Ram venhimna hi union thuneihna a nih avangin state sawrkar hnuaia hna thawk zawng zawngte hi civil servant an ni. (G. B. Singh, Service Law Dictionary, 2010, p. 50) Chuvang chuan civil pensioner zingah police mite an tel ve hi mak tih tur a ni lo e.

A tawi zawngin, Mizoram sawrkar emaw Mizoram sawrkar hnuaia din, commission, board, council etc hnuaia thawk zawng zawng hi civil servant an ni a; mahse, government employee erawh an ni vek lo. Chu chu eng tin nge kan hriat theih? Sub rule (iii) to rule 2 to the Mizoram (Revision of Pay) Rules 2010-ah chuan Autonomous District Council leh Autonomous

Bodies dang, MPSC, MSIC etc. hnathawkte (employee) chu India constitution article 309-na angin sawrkar hnathawk (government employees) an nih loh thu a inziak.

India danpui article 311-in a sawi angin Union emaw state emaw hnuaia civil post hna chelhte chu venhimna (protection) pek (entitled) a ni. Hei hian defense service mi leh ram venhimna kaihnawihna post chelhte a huam lo, chutih laiin police mite chu civil servant-a ngaih a ni. (Central Bank v. Bernard, (1991) 1 SCC 319) Article 311-in Civil servant-te humhalhna a pek pawimawh deuh deuh pathumte chu hetiang hian kan sawi thei ang.

(1) **Dismiss** chu ban emaw hnawl emaw tihna a ni mai a, hna atanga dismiss hi hremna na tak a ni a, hna atanga a thlawn hlawl bakah a lo thawh tawh zawng zawng pawh a thlawn vek a, sawrkar hnuaia hna dang thawk tur pawhin a tling tawh lo bawk. Chu mai a la ni lo a, Pension emaw gratuity emaw pawh pek theih a ni lo (Rule 24, CCS (Pension Rules)).

Article 311 zarah, Civil post chelhtu chu a pawng a puiin dismiss ngawt theih a ni lo a, uluk taka chhuia amah pawh insawifiahna pek phawt tur a ni. Dismiss a lo tul ta a nih pawhin amah appoint-tu aia hniamin a dismiss thei lo.

(2) **Remove** chu dah sawn emaw hlip emaw tihna a ni mai a, hna atanga remove pawh hi hremna theuneu lo tak a ni, hna atanga ban tir mai bakah

a lo thawh tawh zawng zawng channa a ni a, dismiss aia a nep hretna chu hna dang a thawh leh dal a ni lo.

Article 311 zarah Civil post chelhtu chu a pawng a puiin remove ngawt theih a ni lo a, uluk taka chhuia amah pawh insawifiahna pek phawt tur a ni. Remove a lo tul ta a nih pawhin amah appoint-tu aia hniamin a dismiss thei lo.

(3) **Reduction in rank** tih chu an nihna tihnam sak tihna a ni a, sawi tur tam tak a awm thei ang. Supreme Court chuan reduction reng reng chu a hnathawhna lal dan indawta a hnuai chiah post-ah chauh tih theih a ni a, tin, hna a hmuh hlima a nihna aia hniamah dah theih a ni lo a ti. Seniority chungchangah chuan tihnam a nih hnu a post chelhah a senior ber ang a. A nihna tihnam chhung chu hunbi nei niin a hna ngaiah let leh ta se, a tira a seniority kha a chhawm thei tawh lo ang a, a promotion a hmuh leh ni chu chhiar tan ni a ni ang tiin a sawi bawk. (G. B. Singh, Service Law Dictionary, 2010, p. 187-8)

Article 311 zarah Civil post chelhtu chu a pawng a puiin reduce ngawt theih a ni lo a, uluk taka chhuia amah pawh insawifiahna pek phawt tur a ni.

Chhuia insawifiah tirna pe kher loa dismiss, remove leh reduce dan pawh a tul dan azirin a awm ve bawk.

**POLICE TE HNATHAWH DAN:  
A BIKIN AN CHET HLEIHLUAKNA**

-Dr. H.T.C. Lalrinchhana, MJS

**KAMKEUNA:**

Mipa naupang te, tlema mi ang pha zat lo ho te hian 'Police' ngaisangin an 'Uniform' leh police tih dan an zir chamchi thin hian 'Police' hna zahawmna leh danglamna a tarlang chiang hle awm e. Hmun hlauhawm leh hun ralti ah 'Police' pakhat lo tel ve ringawt pawh kan thlamuanpui hle thin ang hian 'Police' te hian inrelbawlina leh in enkawlina dik nen hna han thawk zui zel sela, an zahawmna an hum zui zel dawn tihna pawh a ni ang.

Ruihhlo do kan sawi emaw, hlemhletna umbo kan sawi emaw, helna leh tharum thawhna umbo kan sawi emaw, hmeichhia leh naupangte dikna chanvo kan sawi a ni emaw, 'court' rorelna tha kan sawi a ni emaw kan hmachhuan leh hmatawng lo thei lo chu 'Police' te anni miau mai a, a hotu ten an mimal hna leh insak thu thlenga an naute an chhawr thawm hriat te, pawisa sumpai duham leh hausak tum ngawr ngawr ni mai awm a 'Police' an awm anih chuan, an pawl leh an Department pawl ngawt an khawih lova, India leh Mizoram hmalam hun an ti thim hle a, 'Police' ngaihnepna khawvel a hringchhuak ang a, tu tan mah hlawkna tak tak a awm hauh lo ang.

Ram in hma a sawn mek zel a, rethei leh hausa kar pawh a zau hrat hrat zel lo thei lova,



Police Officer, cheng nuai sang telin a rinawmna a thlemthluk zawh loh, chunglam thupek dik hlel te huaisen leh fing taka a diklo lai finfiahna haichhuak thiam leh ngam, helho lailungdawtin a hlauh, tanpuitu dang neilo miretheite tanpui ngam hi kum sawmnga dang lokal leh turah phei chuan an hlu zual hle dawn a ni. Mi lian/hausa leh rethei/mi mawl zawk tanpuitu nei velo te tan ang khat renga dik leh huaisen taka hnathawk ngam engzat tak chhuak thar zel ang maw!

Hetiang taka ram, khawtlang, mimal leh nunaute tan hna pawimawh chelhtu 'Police' te dan bung leh changin a vawndan leh khuahkhirhna te pawh uluk taka kan bih pui fo a tul dawn a ni.

### **INDIA DANPUI (CONSTITUTION) ANGIN:**

1. A thil tihsual laia dan mil chauhvin mi chungthu rel tur a ni a, mi tumah tihsual/ dan bawhchhiatna pakhat chungthu-ah hrem nawn leh thubuai siam nawn sak theih a ni lo. Tin, thilsual ti-a puh chu amah thiam loh chantirna tur atana thuhretu-ah tan luihtir theih a ni lo [Article 20]
2. Danin tihdan phung tur a tarlan ang tih chauh lo chuan mi tupawh an mimal zalenna leh mimal nun tih khawloh sak theih a ni lo [Article 21]
3. Mi tumah, India ram dotu emaw dan anga himna tur atana thubuai thlen hma-a man lawk (Preventive detention) ang chauh lo

chuan man an nih chhan leh vang te hrilh hre lo leh an Ukil duh ang zawng an rawn/ rawih khapsakin Police hnenah emaw Lung In lamah khung theih a ni lo [Article 22 (1)]

4. Mi man chu Magistrate phalna chauh lo chuan darkar 24 aia rei Police ten an kawl thiang lo, Magistrate panna lama an hun hman erawh chu chhut tel tur a ni lo. Amaherawhchu, India ram dotu emaw dan anga himna tur atana thubuai thlen hmaa man lawk (Preventive detention) angte a huamlo thung [Article 22 (2)]

**CODE OF CRIMINAL PROCEDURE, 1973:**

5. Chhan leh vang tha tawh awma hmeichhe Police Officer-in Judicial Magistrate First Class hnen atang phalna a la hmasa anih chauh loh chuan tlai ni tlak hnu-ah leh zing ni chhuah hma-in hmeichhia tawh phawt man (arrest) theih a ni lo [Section 46(4)]
6. Mi man chu sorkar hnuaia doctorte emaw doctor ni tura dan anga in ziak lutte enfiah tir tur a ni a, hmeichhia an nih chuan hmeichhe doctorte chauh emaw hmeichhe doctorte enpuina ang chauha enfiah theih a ni. Mi man enfiahna copy chu mi man chu pek ve ngei tur a ni [S. 54]
7. Mi mante hriselna tur tul ang ngaihtuah hi a enkawltu Police te mawhphurhna a ni [S. 55A]
8. Bail theihloh thubuai anga mi man, Warrant neilova man anih chuan Police Station a

Officer in charge hnenah emaw Magistrate hnenah a rang thei ang bera hruai tur a ni [S. 56]

9. Mi man chu Magistrate phalna chauh lo chuan darkar 24 aia rei Police ten an kawl thiango, Magistrate panna lama an hun hman erawh chu chhut tel tur a ni lo [S. 57]
10. 'Warrant' tel lova mi man thu reng reng Police Station-a Officer-in-charge chuan District Magistrate hnenah emaw District Magistrate-in thupek a siam anih chuan Sub-Divisional Magistrate hnenah hrilhhriat zel tur ni [S. 58]
11. Mi man reng reng Bond ziahtir emaw, Bail emaw Magistrate phalna chauh ang lo chuan chhuah zalen phal a ni lo [S. 59]
12. Code of Criminal Procedure emaw dan dang hman laiin a tarlan ang tih chauhlo chuan mi man theih a ni lo [S. 60A].
13. Police ten an mi man hmeichhia emaw dap ngai hmeichhia chu a hmeichhiat pui chauhin zahawm leh hawihhawm takin a dap thei ang [Section 51 (2) & 100 (3) Cr PC]
14. Mi chenna in leh mimal bungruate enfiah a tul anihin Police te hian tualchhung mi, rawn kai pahnih aia tlemlo te hriatpuina leh enpuina ang chauhlo chuan an enfiah ngawt thei lo [S. 100 (4)]
15. Hmeichhe zahawmna tibawrhbang zawnga mipat hmeichhiatna lam hawi tharum thawhna thleng reng reng chu a tuartuin

Police hnenah a report a nih chuan Hmeichhe Police-in a lo dawngsawngin pawikhawihna thleng chu a lo ziaak chhawng (record) ang.

Amaherawhchu, a tuartu hmeichhia chu a tawhsual tawhna avang chuan a taksa lamah emaw, a rilru lamah emaw hliam a tuar a nih chuan Police Officer chuan hmeichhe chenna Inah emaw, a tuartu tana hmun remchangah chuan a va pan chilh zawk tur a ni a, tawhsual tawktuin thil awm dan Police hnenah a report lai chuan an kiangah tawng lettu emaw, thiamna bik nei (Special Educator) a awm ve tur a ni. Tin, chutianga thu an inzawh fiah lai chu video-a a thla lak bawk tur a ni. [Section 154 of Cr. PC & Section 161 of Cr. PC]

16. Thuhretute thu zawh fiah an tul a nih pawhin kum 15 la tling lo te leh kum 65 pel tawh te, hmeichhiate leh rilru leh taksoo rualbanlohna neite chu Police chuan an chenna Inah an pan zawk tur a ni [Section 160 (1)]
17. Magistrate phalna pawh hian Police hnenah mi man chu ni 15 aia rei dah theih a ni lo [S. 167 (2)]

**INDIAN PENAL CODE, 1860:**

1. Sawrkar hnathawk, thubuai chhuinaa a tel ve a tul hun pawha thupek zawm lo va thuneitute tanpui duh hauh lo te, hmeichhe pawngsual leh an zahawmna tihbawrhanna lam pawikhawina thleng chungchanga a hnenah thu thehluh lo dawngsawng/ziaklut duh lo te chu thla 6 atanga kum 2 thleng

hrehawm taka tantir a, pawisa chawitir bawk tur an ni [S. 166A].

2. Mi, an thiltihsual inpuantir tumna avang emaw bungraw rosum hmuh let/laklet/hmuhchhuah na tur avanga hliam thlen anih in kum sarih thleng Lung In tantir leh pawisa chawibawka hremtheih a ni [S. 330]
3. Mi, an thiltihsual inpuantir tumna avang emaw bungraw rosum hmuh let/laklet/hmuhchhuah na tur avanga hliampui thlen anihin kum sawm thleng Lung In tantir leh pawisa chawibawka hremtheih ani [S. 331]

**MIZORAM POLICE ACT, 2011 (Act No. 3 of 2012):**

1. He dan hi 1<sup>st</sup> September, 2013 atanga hman tan a ni.
2. Vantlang nun himna tur atan District Magistrate te hian police te hnathawh a enpui thei a ni [S. 13]
3. Mipuite tan hlawk zawka policete hnathawhna tur atan thuneitu sang 'State Security Commission' chu Home Minister Chairman-na hnuaiah din tur a ni [S. 31]. He Commission hian police te zawm tur inkaihruaina siam te, DGP tur atana mi rawt thuah te, mihring dikna chanvo humhalh thuah te, police te hamthatna kawnga hmalak thuah te adt. mawhphurhna anei ang [S. 35]
4. Policeten an hnathawh dan thu-a lungawi loh thu an thlen ve theihna tur 'Police Establishment Board' chu DGP Chairman-na hnuaiah din tur

a ni [S. 39]

5. Ram leh mipuite tana police te mawhphurhna kawng 13 zetin tarlan a ni bawk [S. 40]
6. Mi chaklo- hmeichhia, tar leh naupangte laka police te hawihhawm dan tur chena siam a ni [S. 41]
7. Police Stationtina Officer-in-Charge te hian an bialchhung khua zawng zawng Superintendent of Police-in a tuk angin a tlawhchhuak tur a ni a, vantlang ten police an beisei dan leh tulte khawchhung mite a sawipui thei ang [S. 47]
8. Superintendent of Police hian an hnathawh khawchhunga lo puibawmtu tur Village Defence Party (VDP) chu mi 15 aia tam loin a din ang [S. 49]. VDP hi kum thum chung atan zela din tur a ni [S. 51]
9. VDP member te hian Superintendent of Police in chhinchhiahna (Badge) a ruahman sak chu an bel ang [S. 55]. Tin, VDP te training tul pawh Superintendent of Police hian a ruahman bawk ang [S. 54].
10. Khawchhunga nurawn leh parawn kai te intelkhawmna 'Community Liaison Group' pawh Superintendent of Police hian a din ang a, anni rawtna leh tulte hi Police Station a Officer-in-Charge te hian an kum tin ruahmanna neihah an telh thin tur a ni [Ss. 57-58].

11. Police te hnathawh thu-a lungawihlohna thlenna tura thuneitu sang 'Police Accountability Commission' chu High Court Judge chawl tawh emaw IPS ngei DGP tlukpui atanga hna atanga chawl tawh emaw te Chairmanna hnuaiah he dan hman atanga chhiara thla thum chhungin din tur a ni [Ss. 101 & 102]. Anni hian an hnena lungawihloh thu thlen mai bakah tul an tih angin anmahni thuin (Suo motu) police felhlelte chungthu an ngaihtuah thei ang [S. 108]
12. District tinah pawh Policete hnathawh thu-a lungawih lohna thlenna tura thuneitu 'District Level Police Accountability Authority' din tur a ni bawk [S. 114]. Anni erawh hi chu 'Police Accountability Commission' in an hnathawh dan a enpui bawk ang [S. 117].
13. Khawlai leh vantlang hmuna muanna leh mipui himna tura hmalak hi police te thuneihna a ni [S. 128]
14. Vantlang hmuna thawm bengchheng leh aurinna hman khuahkhirh hi police te mawhphurhna a ni [S. 130]
15. Vantlang kawngpui him taka veivah theihna tur atana mawhphurhna hi police te kut a ni [S. 131]
16. Tulbik thilah vantlang hmun leh hma te khuahkhirh leh thunun hi policete mawhphurhna ani [S. 133]
17. He dan anga police te hnathawh lo tibuitu leh an thupek zawmlo te chu thla thum thleng

tan leh pawisa chawibawka hrem theih a ni [S. 134]

18. Thuneitu tling hnen atanga phalna neilova police uniform anga lo inthuum te hi thla ruk thleng Lung In tan leh pawisa chawibawka hrem theih a ni [S. 135]
19. Mahni hamthatna tur zawnga police te hnena thudiklo hrilh/sawitu chu thla thum thleng lungin tan leh pawisa chawibawka hremtheih a ni [S. 137]
20. Police ten an hnathawh tur an bawhchhiatna a hnuaia mi ang hi thla thum thleng Lung In tan leh pawisa chawibawka hrem theih a ni [S. 138 (1)]. Police te thubuai kalpui tur erawh chuan an chung a thuneitu te phalna lak phawt a ngai [S. 142]
  - (i) Police te hnathawhna tur dan leh hrai zam ang lo zawmlo turte emaw
  - (ii) Dan anga chhan leh vang thatawk awm silova FIR lo ziahluh duhloh ngawtte emaw
  - (iii) Hnathawh hunlaia ruihtheih thil lo rui te emaw
  - (iv) Hnathawh pumpelhna atana mahni lo inhliam te emaw
  - (v) Police awmdan tura inhmehlo zawnga lo khawsak leh nun hman.
21. Policeten an hnathawh tur an bawhchhiatna a hnuaia mi ang hi kum khat thleng Lung In



tan leh pawisa chawi bawka hrem theih a ni [S. 138 (2)]. Police te thubuai kalpui tur erawh chuan an chung a thuneitute phalna lak phawt a ngai [S. 142]

- (i) Police nihdana mawilo khawpa dawizep emaw
  - (ii) Mahni hna tur thawklo emaw phalna tello a ni 21 aia rei hna tlan bosan emaw
  - (iii) Policepui dangte chung a kutthlak emaw hotu zawkte thu zawmloh emaw
  - (iv) Thuneitute laka hel leh nuarte lo zawm ve emaw
  - (v) Hnathawka a duty laia mipat hmeichhiatna lama midang a cheksawlhin (Sexual harassment).
22. Vantlang nunhona mipuite dan bawhchhiat theihna chu a hnuaia mi ang hi a ni a [S. 140], pawisa chawia hrem theih a niin, pawisa chawi tur an neih loh chuan ni 8 thleng Lung Inah khung theih a ni [S. 145]
- (i) Vantlang kawngpui emaw vantlang hmunah midang tana harsatna thlen theia ran kal tir emaw, ran thlah zalen emaw lirtheia mi chuangte fel taka an chhuk theih hun aia rei din luh tir te
  - (ii) Vantlang hmuna ruih emaw buaina siam zawnga khawsak
  - (iii) Khawl emaw tuikhur emaw tuichhunchhuah emaw hmundang engemaw vantlang himna tur atana hungna tihchhiat emaw kawngdanga

vantlang leh mipui himna tichhe zawnga khawsak

- (iv) Thuneitu phalna tello-a hriattirna leh tul dang tarchhuah lo tihchhiat emaw tih hmelhem te
- (v) Chhan leh vang tling awm lova, vantlang in emaw ram emaw leh lirtheiahte lo luh emaw lo khawsak
- (vi) Police emaw kangthelhtu pawl emaw kawng danga rikrum thila mawhphurtute thudiklo lo hriattir
- (vii) Sorkar aurinna leh hriattirna (alarm system) tih chhiat emaw hman khawloh
- (viii) Vantlang mamawh bulthum bunrua lo tihchhiat
- (ix) Pisa thuneitute hriattirna angin police te hian sorkar pisa/in a hriattirna an tar tihchhiat thubuai an la thei bawk
- (x) A tuartuin policete hnena an thlenin vantlang hmuna hmeichhiate cheksawlhna lam hawi hrim hrimah te
- (xi) Tlailamah leh zan lamah vantlang hmuna lirthei ke hnih nei bengchheng leh dawngdah taka khalh chhuah.

**MIZORAM POLICE MANUAL, 2005:**

1. He Manual hi 1st May, 2006 atanga hman tan a ni.
2. Police te hian an thuneihna an chiang hle tur a ni a, Court thupek tlan khalh zawng emaw,

mimal tu emawte chung a inluling leh thuneihna hmangsual zawngin an awm tur a ni lo [S. 10 (2)]

3. Miin Police Station-ah tawngkain dan bawhchhiatna thu an thlen chuan Officer-in-Charge emaw a hnuai miten ziakin an lo pui tur a ni [S. 494 (1)]
4. Dan bawhchhiatna thlenna hmuna hliam leh tawrhna a awm reng rengin 'Investigating Officer' chuan damdawi tul ang ngaihtuahsaka chutiang hliam tuarte tanpuina pek chu a hna hmasa phawt tur a ni. [S. 509]
5. A theih anga tangkaiin 'Investigating Officer' chuan Uisathiam te, Mobile Forensic Team emaw kawng danga science thiamna hmanga hnuchhuina chu a pun ngei tur a ni [S. 510]
6. Police ten thuhretu emaw midang thu an zawhfiah reng rengin tul lova mi tih thlabarna leh vauthaihna ang hi an pumpelh tur a ni. Hmeichhia leh mi kum 18 la tlinglo te thuhretu anga an thusawi ziaik tur chuan an duhna leh remchanna hmun Police ten an panchilh zawk tur a ni [S. 513 (1)]
7. Magistrate ten mi man thu an zawhlaiin Magistrate in mi man tlanbo thu-a tul a ti anih loh chuan Police an awm ve a thiango a, Magistrate chuan Policeten an man dan leh an kawlna hmun te a zawt tel bawk ang. [S. 518 (2)]
8. Mi man hi uluk tak leh fimkhur taka tih tur a

ni a, Supreme Court in Dilip K. Basu Vs. State of W.B., AIR 1997 SC 610: 1996 (10) Suppl. SCR 284: 1997(1) SCC 416: 1997(1) JT 1: 1996 (9) SCALE 298 anga dan a zam te pawh zawm ngei tur a ni [S. 540].

9. Mi man chu 'Investigating Officer' chuan Police te chet danah lungawilohna a neih leh neih loh a zawt ang a, chutianga zawhna leh chhan te chu Case Diary-ah pawh a ziak lut vek ang a, a tul angin damdawia finfiahna pawh a neihpui ang [S. 541]
10. Police-te hian mi man chu Police huan (custody) a kawl fo ngawt chu tihdan phung anga neih ngawt tur a ni lo va, Magistrate hnena chutiang dilnaah pawh chuan chhan tha tawk a awm ngei tur a ni [S. 547 (4)]
11. Mi chenna In emaw dap ngai anih a, a neituten kawngkhar an hawnsak duh loh chuan Police te chuan a tul angin an hawng lui thei thung. A tul bak aia tam bungrua man tur a ni lo va, tin, khawchhung mi hriatpuitu pahnih aia tlemlo enpuina ang chauha mi hmun lo ram hi dap theih a ni [S. 558]

#### **INDIAN EVIDENCE ACT, 1872:**

1. Hlahna emaw vauna emaw thlemna emaw intiamna hmanga inpuanna hi thu tling a ni lo [S. 24]
2. Police hma-a inpuanna reng reng hi thu tling a ni ngawt lo [S. 25]

3. Mi man chu Police ang chhunga dah/awm anih laia a inpuanna hi amah thiamloh chantirna tura thu tlinga ngaih theih a ni lo [S. 26]. Amaherawhchu, a inpuanna anga dan bawhchhiatna bungrua emaw hmuhchhuah anih chuan chu chu thu tlinga ngaih theih a ni [S. 27]

**SUPREME COURT-IN THUTLUKNA A LO SIAM TAWH TE:**

1. State tinah 'State Security Commission' din tur a ni a, ani hian Police te hnathawh dan a enpui ber ang, DGP te, IGP te, DIG te leh Police Station-a Officer-in-Charge te hian an hna hi Pensiona chhuak an nih chauh lo chuan kum 2 tal an thawk tur a ni bawk ang. Tin, dan leh thupek kengkawhtu (law & order/law enforcer) leh thubuai-a hnuchhuitu (Investigation) hi a hranga siam tur a ni bawk. 'Police Establishment Board' pawh State tinah din tur a ni a, hnathawhna leh kaisanna thu-a Police-te lungawiloh thute a ngaihtuah thei ang a, DSP chin hnuai lam insawn kual dan turah thu a nei bawk ang. State pum huap leh District khat huap zelin 'Police Complaints Authority' din tur a ni a, Police te laka lungawiloh thu miin an thlenna tur a ni. Tin, sorkar laipuah pawh 'National Security Commission' din bawk tur a ni [Prakash Singh & Ors. Vs. Union of India & Ors. 2006 (6) Suppl. SCR 473, 2006 (8) SCC 1, 2006 (9)]

SCALE 444, 2006 (12) JT 225].

2. Thubuai chhuina chu pawih khawih dan Chiang faka hmutu emaw an awm lohna 'Circumstantial Evidence' anga put luh anih chuan, dan bawhchhetute rilru put hmang 'Motive' hai lan tel a tul [Sunil Clifford Daniel vs State Of Punjab dt. 14th September, 2012 in Criminal Appeal No. 2001 of 2010]
3. Chhan hriat loh leh tlai uchuaka FIR copy, Magistrate hnena thlen a nihin thubuai kalpui theih a ni lo [In Shival & Anr. vs State Of Chhattisgarh Dt. 19th September, 2011 in Criminal Appeal No. 610 of 2007]
4. Mi thil sual ti-a puh (accused) tawh phawt hi rorelna 'court' in thiam loh a chantir hma chu misual leh dan bawhchhia anga ngaih ngawt tur a ni lo [S. Ganesan vs Rama Raghuraman & Ors. dt. 3rd January, 2011 in Criminal Appeal No. 989 of 2003 reported in (2011) 2 SCC 83]
5. Magistrate phalna angin hnuchhuitute hian dan bawhchhiaa puh te 'voice sample' chu an la (record) thei a ni [Ritesh Sinha vs State Of U.P. & Anr dt. 7th December, 2012 in Criminal Appeal No. 2003 of 2012]
6. Police ten 'Final Report' an thehluh hnu-ah pawh hnu an la chhui theiin 'Charge sheet' an la thehluh thei a, Magistrate chuan a thubuai chu a hawng tha leh tur a ni [Sakiri Vasu vs State Of U.P. And Others dt. 7th

December, 2007 in Appeal (Crl.) 1685 of 2007 reported in 2008 AIR 907, 2007 (12) SCR 1100, 2008 (2) SCC 409, 2007 (13) SCALE 693, 2007 (13) JT 466]

7. Pawngsual thubuai bikah chuan dan bawhchhetu leh a tuartute inngaihdamna hi hremna tih nepsakna chhan atan a tling lo [Shimbhu & Anr. vs State Of Haryana dt. 27th August, 2013 in Criminal Appeal Nos.1278-1279 of 2013]
8. Mi tinin chhan leh vang tling tawk a awm ngawt anih loh chuan hmingtha tak leh zahawm taka nun hi kan dikna chanvo bulthum (Right to reputation) a ni a, Lung In lama khung hnu-a thiamchantira chhuah leh si anih hian mimal zahawmna leh hmingthatna tih chhiatsakna (Deprivation of right to reputation) a ni [Deepak Bajaj Vs. State of Maharastra & Anr. under Writ Petition (Crl.) No. 77 of 2008 dt. 12th November, 2008]
9. Mi man thua te, mi dap thua te leh mi chhuah zalen thua te Magistrate/Court te hi Police te lakah an inrawlh zen zen tur a ni lo a, amaherawhchu, dan ang thlapa tih anih leh nih loh erawh chu an chianpui tur a ni [Kehar Singh & Ors. Vs. State (Delhi Admn.)] Dt. 03/08/1988: 1988 SCC (3) 609]
10. Police te mi man, court-in thubuai uluk taka a ngaihtuah hnu-ah thiam a chantirna reng reng hi dikna-a rorelna mausamna anga ngaih tur a ni a, hetiang thubuaia hnuchhuitu

'Investigating Officer' te emaw inthlahdah leh pawlawh vanga thleng a ni tih Home Department-in a hmuh chhuah chuan hetiang mite lakah hian hremna pek ngei tur a ni [State Of Gujarat vs Kishanbhai Dt. 7th January, 2014 in Criminal Appeal No. 1485 of 2008]

11. Police te hian FIR thehluh hi an ziak lutin hma an la ngei tur a ni a, dan anga hnuchhui lailawk (Preliminary inquiry) a ngai anih pawhin ni 7 aia rei an chiah tur a ni lo, chutiang anih pawhin a chhan leh vang General Diary Entry-ah an ziak lut ngei tur a ni bawk. Chutiang hnuchhui ngai lawk anga ngaihtheih te chu-

- a) Inneih thubuai emaw chhungkaw thubuai (Matrimonial disputes/ family disputes)
- b) Sumdawanna kaihhnawih thubuai (Commercial offences)
- c) Damdawi thiamte pawlawhna (Medical negligence cases)
- d) Hlemhlet thubuaia inpuhna (Corruption cases)

[Lalita Kumari vs. Govt. of U.P. & Ors. dt. 12th November, 2013 in W P (Criminal) No. 68 of 2008]

12. Police ten tahrik April 3, 1991 zanah Hmar Peoples' Convention (HPC) mi pahnih Lalbeiklien and Saikaplien te chu an truck motor-in an phur a, hel anga puhin an



kaphlum zui ta mai a, chhan awm lova hel anga puha mi kahna (fake encounter) anga ngaiin, Manipur sorkar chu mitthi chhungte hnenah cheng nuaikhat ve ve zangnadawmna thla hnih chhunga pe turin Dt. 5/2/1997 khan thupek a ni a, thubuai pu luttu, People's Union for Civil Liberties hnenah cheng singkhat pe turin a ti bawk [People's Union for Civil Liberties Vs. Union of Indian and Another, 1997 ACJ 1299, AIR 1997 SC 1203, 1997 (1) ALD Cri 663, (1997) 3 SCC 433].

13. 'Court' phalna la hmasa lova Lung In tangte 'Court'-a hruai lai leh Lung In lama hruaikir an nih laia kutkawl buntir (Handcuffing) hi dan kalh a ni [Sunil Gupta & Ors. Vs. State of Madhya Pradesh & Ors. (1990) 3 SCC 119, 1990 SCR (2) 871, 1990 SCC (3) 119]. Lung In chhung leh tang hruaikual velna, damdawiina dah luh hial lai pawhin 'Court' phalna tello chuan Lung In tangte kutkawl buntir (Handcuffing) hi dan kalh a ni [Citizen For Democracy Through Its President vs State Of Assam And Others, in AIR 1996 SC 2193, 1996 Cri LJ 3247, (1996) 1 GLR 682]. Pu Prakash Chavan, Inspector of Police chuan Magistrate phalna tello-in mi tang chu kutkawl a lo bun tir a, a chungah sorkarin hremna chu a pe mai zawk ang a, a ruaitu Maharastra sorkar chu zangnadawmna cheng singkhat pe tura tih a ni [State of Maharastra And Ors. vs Ravikant S. Patil dt. 19/3/1991, 1991 ACJ

888, 1991 (1) Crimes 810 SC, JT 1991 (5) SC 442]

14. Mi man hren leh indawp tih vel chungthu-ah ramchhung dan dang awmsa te bakah Supreme Court-in thupek a chhuah hi lo en leh ila-
  - (1) Police-in mi an man dawn leh an dawp dawnin an kawrah an hming leh nihna chiang tak an tarlang tur a ni a, chuti anga mi dawptu hming leh nihna pawh an Register-ah an ziaklut ngei tur a ni.
  - (2) Police ten mi an manna lehkha (Arrest Memo) chu mi an man laiin an buatsaih ngei tur a ni a, chutah chuan mi man chhungte emaw khawtlanga mi rinkai pakhat talin hriatpuiin hming a ziah hnan tur a ni a, mi man hun darkar leh ni zah te tarlangin mi man chuan hming a ziah hnan ngei bawk tur a ni.
  - (3) Mi mannaa khawchhung mi rinkai emaw mi man chhungte an awm ve anih loh chuan Police Station emaw Lock up emaw khawihmunah pawh mi man chu thu an zawhfiah laiin a thian hnaivai emaw a chhungte emaw a hmelhriat midang an awmve phalsak tur a ni a, man anih thu leh an hrenna hmun te an hrilhre tur a ni.
  - (4) Mi man anih veleh a thiante emaw chhungte hrilhriat chu a dikna chanvo anih thu hrilh tur a ni a, District pawn lama awm anih chuan Legal Aid lam pawl emaw Police Station

kaltlang emaw hmanga thu thawnin man anih hun, a hmun leh an hrenna hmun te man anih atanga chhuta darkar 8 emaw darkar 12 chhung ngeia hrilhhriat tur a ni.

- (5) Mi man aniha a chungte emaw a thiante man anih thu hrilh hriat hming te, a mantu Polic hming leh nihna te ziaka chhinchhiah vek tur a ni.
- (6) Mi man chuan a duhna ang anih chuan, a taksa ilo a hliam awm te damdawi hmanga enfiahin chu 'Inspection Memo' chu a mantu Police leh mi man chuan hming an ziahnhan thlap tur a ni a, a copy hi mi man chu an pe ngei bawk tur a ni.
- (7) Health Services-a Director-in a ruat leh a bithliah angin mi man chu darkar 48 dan zelah a hriselna te enfiah zel tur a ni.
- (8) A chung a tarlan tak lehkha pawimawh zawng zawng, Arrest Memo te tiamin Magistrate hnenah hian thawn nghal bawk tur a ni.
- (9) Police ten thu an zawhfiah laiin mi man chu a Ukil a rawnsak emaw a awm ve zawk phalsak theih a ni.
- (10) State leh District hmunpui tinah mi man chungchang a tul anga hre tur tulte hrilh hriat an nih theihna atan 'Police Control Room' siam tur a ni a, vantlang hmuh theihin a pisa hming pawh tarlan ngei tur a ni.
- (11) Achunga thupek zawmlotu Police chungah chuan Court zahloh thubuai High Court-ah a

thlen theih ang a, sorkar hnathawk te hremna, a thawhna Department ten an pe thei bawk ang. [Dilip K. Basu Vs. State of W.B., AIR 1997 SC 610: 1996 (10) Suppl. SCR 284: 1997(1) SCC 416: 1997(1) JT 1: 1996 (9) SCALE 298]

15. Police ten mi man lakah thu tling hmu lovin 'Final Report' theh lut mahse Magistrate chuan a pawm lovin thubuai kalpui tho-in emaw hnu chhui tha leh turin thupek a siam thei [Vinay Tyagi vs Irshad Ali @ Deepak & Ors. Dt. 13th December, 2012 in Criminal Appeal Nos. 2040-2041 of 2012 (Arising out of SLP (Crl.) Nos.9185-9186 of 2009)].
16. Dik taka 'Court'-a thubuai ngaihtuah (fair trial) mai bakah, thlei bikna tel lova dik taka Police ten thubuai an chhui ngei (fair investigation) hi mitin dikna chanvo bulthum 'Fundamental Rights' a ni [Hema vs State Tr.Insp.Of Police Madras dt. 7th January, 2013 in Criminal Appeal No. 31 of 2013 (Arising out of S.L.P. (Crl.) No. 9190 of 2011)]
17. Police te thusawi hi a chian tawk chuan midang (Independent witness) te tello pawhin thiamloh chantirna tura thutling tawk a ni thei [Tahir Vs. State-(Delhi), dt. 21/3/1996, 1996 (3) SCC 338: 1996 (3) SCR 757: 1996 Suppl. JT 386: 1996 (3) SCALE 41: 1996 AIR 3079].
18. Police te hian 'Case Diary' hi an vawng ngei tur a ni [Lalita Kumari vs Govt. Of U.P.& Ors.

dt. 12th November, 2013 in W P (Criminal) No. 68 of 2008]

19. Police ten Police Station-a mi an hruai leh Lock up-a an dah tawh chuan an man (arrest) tihna a ni tawh a, Police te chet hleihluakna (Atrocity) a thleng anih chuan Police che uchuak lakah chuan ana thei ang bera hremna pek tur a ni. Achhan pawh Police te chu mitin himna tura thawk an ni a, an kutah meuh himna a awm tawh loh chuan beisei tur dang a awm tawh chuan loh vang a ni [C.B.I. vs Kishore Singh & Ors. dt. 25 October, 2010 in Criminal Appeal No. 2047-2049 of 2010 [arising out of SLP (Criminal) Nos. 8485-87 of 2009]
20. Tum reng vanga mi man tir leh tan tir (malicious prosecution) thubuai-ah Police annih avang ngawtin an fihlim tur a ni lo [Lalita Kumari vs Govt.Of U.P.& Ors. dt. 27th February, 2012 in Writ Petition (Crl.) No.68 of 2008]
21. Pawngsual thubuai 'Police' ten an kalpui dan tur pawh a hnuaia mi ang hian thupek siam a ni [State Of Karnataka vs Shivanna @ Tarkari Shivanna dt. 25th April, 2014 in SLP (Crl.) No. 5073/2011], chungte chu-
  - (1) Pawngsual thubuai chungchang dawn anih chuan, Investigating Officer (IO) chuan a rang thei ang berin tihtur tul a ti nghal zung zung ang a, a tuartu chu a rang thei ang berin Magistrate hnenah a thusawi (statement)

ziaklut (record) turin a thawn nghal tur a ni a, IO hnenah hian a tuartu thusawi chu a rang thei ang berin thawn leh nghal tur a ni a, chargesheet/report thehluh anih hma chu a tuartu thusawi chu midang hriata tarlan phal loh tur a ni.

- (2) A theih chin chinah pawngsual tuartu chu hmeichhe Magistrate hnenah kher hruai tur a ni.
  - (3) IO chuan pawngsual thlen ni, hun leh darkar te a chhinchhiah fel thlap ang a, Magistrate hnenah a thusawi record tura thawn hun leh nite pawh a chhinchhiah fel vek bawh tur a ni.
  - (4) Police hnena thubuui thlen atanga chhuta darkar 24 chhungin pawngsual tuartu chu Magistrate hnenah hruai anih loh chuan, IO chuan hruai tlai anih chhan leh vang te Case Diary-ah tarlangin Magistrate hnenah chuan a thawn tel bawh tur a ni.
  - (5) Damdawi lam thiamten pawngsual tuartu an finfiahna lehkha pawh a thusawi record tu tur Magistrate hnenah chuan thawn tel bawh tur ani.
22. Kum 18 la pumhlum lote dan bawhchhia-a man annih in Police ten 'Child/Juvenile Welfare Officer' te, a nu leh pa emaw enkawltute leh 'Probation Officer' te an hrilhre nghal tur a ni a. 'Juvenile Welfare Officer' chuan 'Juvenile Justice Board' hnenah

rang takin a hruai zui tur a ni [Dr. Subramanian Swamy And Ors. vs Raju Thr.Member Juvenile Justice Board & Anr. dt. 28th March, 2014 in Criminal Appeal No. 695 of 2014 (Arising Out of SLP (Crl.) No.1953 of 2013)].

23. Criminal thubuai relnaah chuan dan bawhchhia-a puh chu dan bawhchhetu anih theihna lai leh nih theihlohna inbuktawk anga a awm chuan 'Doctrine of Benefit of Doubt' hmangin thiam chantir tur a ni [K.P.Thimmappa Gowda vs State Of Karnataka dt. 4th April, 2011 in Criminal Appeal No. 1499 of 2004]
24. Finfiahna Chiang tawk (Proof beyond reasonable doubt) nei lova, nih theihna lai a awm (Preponderance of probability) vang ngawtin criminal thubuai relnaah mi thiamloh a chan tir theih loh a ni [Iqbal Singh Marwah & Anr. Vs. Meenakshi Marwah & Anr., (2005) 4 SCC 370]
25. Police ten 'court' a thubuai an siam/thehluh reng reng hi uluk leh fimkhur taka thehluh tur a ni a, 'Court' in thilsual ti-a puh thiam a chantirna (Acquittal) reng reng hi diknaa rorelna mausamna anga ngaih tur a ni a, hnuchhuitu (case i/o) te emaw pawlawh leh inthlahdah vanga chutianga dan bawhchhetu chu a fihlim hlauh anih chuan, chuta mawhphurtu Police te chungah dan anga hremna pek ngei tur a ni [State of Gujarat Vs.

Kishanbha in CrI. Appeal No. 1485/2008 Dt. 7/1/2014]. He thupek ang hian court-in dan bawhchhiaa puhte a fihlim tirna (Acquittal) thubuai reng reng te lo enchianga a tul anga rawtna thlen turin Mizoram sorkar pawhin 'Standing Committee' hi ni 9th April, 2014 khan Aizawl leh Lunglei District tan a din tawh a, Aizawl tan chuan DIG (Northern Range) Chairman a ni ang a, Aizawl SP chu Member Secretary a ni ang. Lunglei tan pawh DIG (Southern Range) chu Chairman a ni ang a, Lunglei SP chu Member Secretary a ni ang [Notification No. C. 18018/5/2014- HM (SC) 9th April, 2014 Vide, Mizoram Gazette, Ext. Ordinary, Vol. XLIII Dt. 17.4.2014 Issue No. 147].

**TLANGKAWMNA:**

'Police' hnathawh hian vantlang rin a kai ngei tur a ni a, police te hnathawh leh 'court' rorelnaah mipuiin rinna an hloh tawh chuan ramsa nunchan ang mai, a chak leh thil ti thei apiang dinchanna tur a lo ni tawh ang a, mipui ten haw haw (Mob rule) in ro an rel ngei bawh dawn a, Police Uniform ha mitinin an melh ruk hrek hrek thin hian an danglamna a hril Chiang hle a, an hna zahawmna leh midang himna leh thlamuanna atana thawk tur an nihna hi an chian mai bakah kan chianpui zel hi India mipui sorkarna tih hlawhtlinna tur a ni ang.