

No. C-31012/9/2025-HM - Part(2)
GOVERNMENT OF MIZORAM
HOME DEPARTMENT

Dated Aizawl, the 1st August, 2025

NOTIFICATION

In exercise of the powers conferred under sections 63-71 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and in the interest of standardizing the procedure for issuance and service of summons by police personnel and authorized personnel, the Government of Mizoram hereby makes the following rules which shall be followed with immediate effect in all cases involving summons other than e-Summons (which shall be dealt with as per concerned rules notified vide Notification No.C-31012/9/2025-HM-Part(1) Dt.1st July, 2025) under the Bharatiya Nagarik Suraksha Sanhita, 2023.

1. Short Title and Commencement, -

These rules may be called "*The Mizoram Summons (Issuance and Service other than e-summons) Rules, 2025*"

2. Applicability, -

These rules may apply to all Police Officers and other authorized persons involved in the service of summons within the territory of Mizoram, in cases arising under the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. Definition of Summons, -

- (i) A summons is a legal document issued by a court requiring a person to appear before it at a specified time and place.
- (ii) Under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), summons may be issued to accused persons, witnesses, or other individuals relevant to judicial proceedings.
- (iii) Summons may be served in physical form as per the provisions of BNSS.

4. Objective of Summons, -

- (1) The primary objective of issuing a summons is to ensure the presence of the concerned person in court proceedings.
- (2) Summons serve as formal legal notifications, providing individuals an opportunity to respond to judicial or investigative requirements.
- (3) The summons process upholds due process, ensuring compliance with the law while safeguarding individual rights.

5. Form of Summons, -

- (1) Every summons shall be in writing, issued in duplicate, and signed by the presiding officer of the court.
- (2) It must bear the court's official seal to establish authenticity.

6. Summons how Served, -

- (1) Every summons shall be served by a police officer or any other authorized person.
- (2) Whenever possible, the summons shall be personally served to the person summoned and duplicate copy of the summons must be delivered to such person.
- (3) Acknowledgement (signature) of receipt of summons should be obtained on the back of the duplicate copy by the recipient.
- (4) Summons shall be served to every person concerned and the person so served shall, if required, acknowledge receipt by giving his/her signature on the duplicate copy of the summon so served.

7. Register for Summons Service, -

- (1) Each police station shall maintain physical register recording details of summons issued.
- (2) The register shall include details of the recipient and proof of service.

8. Service on Corporate Bodies, Firms, and Societies, -

- (1) Summons shall be served on the authorized representative of the company or corporation. The Serving officer may serve the summon by serving it on the Director, Manager, Secretary or other officer of the company or corporation, or by letter sent by registered post addressed to the Director, Manager, Secretary or other officer of the company or corporation in India, in which case the service shall be deemed to have been effected when the letter would arrive in ordinary course of post.
- (2) If unavailable, it shall be delivered to the registered office or principal place of business.

9. Service on when persons summoned cannot be found, -

- (1) If the summoned person cannot be located despite due diligence, the summons may be served by leaving a duplicate copy with an adult family member residing with them.
- (2) The recipient must sign a receipt on the back of the other duplicate.

10. Alternative Service Methods, -

- (1) If prior service attempts fail, the serving officer shall affix a duplicate copy to a conspicuous part of the summoned person's residence.
- (2) The Court may then, upon inquiry, either confirm service or order fresh service as deemed appropriate.

11. Service on Government Servants, -

- (1) Summons to government servants shall be routed through the head of their office.
- (2) The head of office shall return proof of service to the Court.
- (3) If unavailable, the summons shall be served on the next senior officer or on the officer who has taken charge of the duties.

12. Service outside Local Limits, -

When a Court requires a summons to be served outside its local jurisdiction, it shall generally send a duplicate copy to a Magistrate within whose jurisdiction the summoned person resides or is present for service.

13. Proof of Service, -

For out-of-state service, an affidavit before a Magistrate that a summons has been served, and a duplicate of the summons shall serve as proof.

14. Service on Witnesses, -

- (1) Summons to witnesses may also be sent via registered post.
- (2) When an acknowledgment purporting to be signed by the witness or an endorsement by a postal employee stating that the witness refused to accept delivery of the summons, the Court may deem that the summons has been duly served.

15. Court's Discretion and Powers, -

These rules do not limit the authority of the Court to direct service of summons under the Bharatiya Nagarik Suraksha Sanhita, 2023 or any other law in force.

Sd/- VANLALMAIWIA
Secretary to the Govt. of Mizoram
Home Department.

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Dated Aizawl, the 1st August, 2025.

Copy to:

- 1) Secretary to the Governor, Mizoram
- 2) Principal Secretary to Chief Minister, Mizoram
- 3) PS to Home Minister, Mizoram
- 4) Sr. PPS to Chief Secretary, Government of Mizoram.
- 5) Director General of Police, Mizoram
- 6) Controller, Printing & Stationery with 5(five) spare copies for publication in the Mizoram gazette.
- 7) Superintendents of Police of all districts, Mizoram.
- 8) Superintendents of Police, CID (Crime)/Narcotics/Cyber Crime, Mizoram.
- 9) Guard file.



(C. LALFAKMAWIA)

OSD-cum-Under Secretary to the Govt. of Mizoram
Home Department