

OFFICE OF THE DIRECTOR GENERAL OF POLICE

MEGHALAYA:: SHILLONG

C I R C U L A R N O.61/2012

**Sub : DUTIES OF POLICE OFFICERS IN RESPECT OF MENTALLY ILL PERSONS-
NECESSITY FOR TAKING CORRECT LEGAL ACTION - INSTRUCTIONS.**

Attention of all the District Superintendents of Police is invited to this office letter No.M/CID/Cell-V/HR-8/PT/2011/288 Dated 19th July, 2011 wherein they were instructed to sensitize the officers of the Police Stations/ Outposts/Beat House to be aware of the obligations and duties under the provisions of the Mental Health Act, 1987. In this connection, it is clarified that Police Officers have to take action in respect of mentally ill persons for their protection as well as the safety of others from such persons

02. The Mental Health Act, 1987 prescribes the powers and duties of Police Officers in respect of mentally ill persons. According to Section 23(1)(a) of the Act, Officer-in-Charge of a Police Station may take into protection any mentally ill person found wandering at large who is incapable of taking care of himself.

03. Further, according to Section 23(1)(b) of the Act, Officer-in-Charge of a Police Station must take into protection any person whom he has to reason to believe to be dangerous because of mental illness. After taking such person into protection he should be produced before the nearest Magistrate within a period of 24 hours, excluding the journey time. Further action should be taken as ordered by the Magistrate only. In this regard, it should be clearly understood that any action by Police to admit such persons in psychiatric or other Hospital without order of a Magistrate is illegal.

04. Under Section 25 of the Mental Health Act 1987, every Officer-in-Charge is duty bound to report to the Magistrate the fact that a person within the Police Station limit is mentally ill and is not under proper care and control, or is ill-treated or neglected by any relative or other persons having charge of the mentally ill person.

05. All the district Superintendents of Police are hereby instructed to strictly abide by the procedures as laid down in the law. These provisions of law should also be brought to the notice of all the officers and men under their control.

Sd/-

N.Ramachandran, IPS
Director General of Police,
Meghalaya. Shillong.

Memo No. MG/XXIX-8/2006/Pt./4

Dated Shillong the 24th May, 2012.

Copy to :-

1. The Addl. Director General of Police, (L&O), Meghalaya, Shillong.
2. The Addl. Director General of Police, (CID), Meghalaya, Shillong.
3. The Addl. Director General of Police, (SB), Meghalaya, Shillong.
4. The Inspector general of Police, (TAP), Meghalaya, Shillong
5. The Inspector General of Police, (R/PR), Meghalaya, Shillong
6. The Inspector General of Police, (CID), Meghalaya, Shillong
7. The Inspector General of Police, (Hqr/Admn), I/C Operations Meghalaya, Shillong
8. The Deputy Inspector General of Police, (E/R), Meghalaya,
9. The Deputy Inspector General of Police, (CID), Meghalaya,
10. The Superintendent of Police, East Khasi Hills, Shillong
11. The Superintendent of Police, Jaintia Hills, District, Jowai
12. The Superintendent of Police, West Khasi Hills, Nongstoin
13. The Superintendent of Police, West Garo hills, Tura
14. The Superintendent of Police, East Garo Hills, Williamnagar
15. The Superintendent of Police, Ri-Bhoi District, Nongpoh
16. The Superintendent of Police, South Garo Hills, Baghmara
17. The Principal, Police Training School, Mawlai, Mawroh for information and necessary action. The Provisions of the Mental Health Act should be taught to the trainees in the PTS.
18. The Spl. Superintendent of Police, (CID), Meghalaya, Shillong for information.

*For favour of
information.*

*For favour of
information.*

*For information
and necessary
action*

Sd/-

Asstt. Inspector General of Police, (R)
Meghalaya, Shillong.