

# CITIZENS CHARTER

## Mission statement of Murshidabad police

The Murshidabad Police Department, as part of, and empowered by, the community, is committed to protect the lives, property, and rights of all people, to maintain order, and to enforce the law impartially. We will provide quality police service in partnership with other members of the community.

## Preamble

In accordance with the existing laws of the land, various Government and departmental orders and guidelines certain procedures have been evolved with respect to citizens' dealing with the police. For the purpose of easy understanding and wide reach, this Citizens' Charter is intended to provide a simplified outline of such procedures. It describes, in simple terms, what the citizens' rights are, what they can expect from the police and what is expected of them in turn. The Citizen's Charter is not supposed to be a compendium of the existing laws or a commentary thereon.

Citizen charter therefore provides the broader view of the department, that how it works and where to approach for help. It is a document to give eagle eye vision of the department and services rendered.

Broadly speaking services means:

- Prevention and detection of crime.
- Maintaining Law and Order in civil society.

Apart from these police also performs other functions like:

- Traffic regulation.
- Providing guards and protection to individual and institutions.

Apart from these service police is also involved in giving various type of permission and licenses, antecedent verification, etc as law and order situation is connected with it.

## Citizen's Rights

- Right to complaint.
- Right to get protection and also can ask for it.
- A complaint can be lodged in writing at any time or at the Police Station. Even if the crime is committed beyond the jurisdictional limits of the police station, a complainant cannot be asked to go to the concerned police station. Complaint must get registered at any police station. It is the duty of the police station to the complaint to the police station concerned.
- If complaint is not taken at the police station then the complaint can be given to the higher authority. The complainant has the right to obtain a copy of the registered F.I.R. free of cost.
- A complainant has the right to know about the progress of the inquiry in respect of the complaint.
- The police do not have the powers to inquire about non-cognizable complaints without permission of the court.
- Woman and children below the age of 15 years cannot be called to the Police Station to take their statements.
- While going on long tour or travel arms with license can be deposited with the police station.

## **Citizen's duties**

It is the duty of a citizen to obey the law, to keep the peace and to assist the police. By helping the police the citizens help to preserve the rights and freedom of other members of society. The responsibility for the maintenance of law and order rests on the citizens. The police perform the function of law enforcement on a full time basis on behalf of society. Citizens are expected to perform this role on a part time basis. In performing this role it is the duty of citizens to give relevant crime related information to the police and to assist the police in preventing breach of peace. Citizens will not shelter or harbour any proclaimed offender. Citizens have the duty to render evidence in a court of law.

## **Arrested Persons' Rights :-**

The police personnel carrying out the arrest and handling the interrogation of the arrestee should wear accurate, visible and clear identification and name tags with their designations. The particulars of all such police personnel who handle interrogation of the arrestee must be recorded in a register.

1. Everyone has the right to liberty and security of the person. Everyone has the right to liberty of movement.
2. Everyone has the right to the protection of the law from arbitrary or unlawful interference privacy, family, home or correspondence and unlawful attacks on honour and reputation.
3. Arrest is depriving a person of his or her liberty, or otherwise expressed as "the act of apprehending a person for the alleged commission of an offence or by the action of an authority". No law enforcement official shall make any arrest which is unlawful or unnecessary.

That the police officer carrying out the arrest of the arrestee shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may either be a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be countersigned by the arrestee and shall contain the time and date of arrest.

4. The arrestee may be permitted to meet his lawyer during interrogation, though not throughout the interrogation
5. Copies of all the documents including the memo of arrest, referred to above, should be sent to Illaqa Magistrate for his record
6. The person arrested must be made aware of this right to have someone informed of his arrest or detention as soon as he is put under arrest or is detention
7. The arrestee should, where he so requests, be also examined at the time of his arrest and major and minor injuries, if any present on his/her body, must be recorded at that time. The "Inspection Memo" must be signed both by the arrestee and the police officer effecting the arrest and its copy provided to the arrestee.

## **Children's Rights :-**

The UN convention on the Rights of Child which India ratified in 1992, lists the following as the Rights of the child.

### **The Right to Survival**

According to the convention, the "Right to survival includes the right to life, the attainable standard of health, nutrition and an adequate standard of living. It also includes the right to a name and

nationality". These rights seek to ensure that the children have nutritious food, potable drinking water, a secure home and access to health facilities.

### **The Right to Protection**

According to the convention, this right includes freedom from all forms of exploitation, abuse and inhuman or degrading treatment. This includes the right to special protection in situations of emergency and armed conflict. The aim is simple, to protect vulnerable children from those who would take advantage of them and to safeguard their minds and bodies.

### **The Right to Development**

The right includes the right to be educated, to receive support for development and care during early childhood and to social security. It also includes the right to leisure, to recreation and to cultural activities. This right seeks to ensure that children can study and play with whomever they want, practice their own religion and culture and accept their own uniqueness of other cultures and religion.

### **The Right to Participation**

According to the convention, the Right to participation accords the child access to appropriate information and the freedom of thought and expression, conscience and religion. In addition to this, one ought to respect the views of the child. The aim here is to see that the children are able to develop their own set of values and principles and that they have the opportunity to express themselves and their own opinions.

## **Special Rights :-**

### **Rights of Citizen under Trials**

Everyone charged with a criminal offence is entitled to a fair and public hearing, by a competent, independent and impartial tribunal. It is the duty of all governmental institutions, including the police, to respect and observe the independence of the judiciary.

No one, including law enforcement officials shall attempt to influence a judge's decision through improper restrictions, offers, pressures, threats or any other interference, for any reason.

When there is a reason to believe that evidence was obtained by unlawful methods all necessary steps should be taken to ensure that those responsible for using such methods are brought to justice.

### **Rights of Citizen as a Victim**

Victims are entitled access to the mechanisms of justice and to prompt redress as provided for by national legislation for the harm they have suffered.

Victims should be informed of their options for seeking redress through mechanism.

Victims should be informed of the steps they must take in proceedings, and also about the scope, timing and progress of the proceedings and of the disposition of their cases.

Measures should be taken to ensure the privacy and safety of victims from intimidation and retaliation.

Victims should be informed of the availability of health and social services and other relevant assistance.

### **Women's Rights :-**

Every woman has a right to take legal action against any person who assaults or tries to outrage her modesty by any deliberate constant gesture or physical force (Sec. 354 of IPC).

Every woman has a right to lodge a complaint in the police station , if she is forced to have sexual intercourse against her will (Sec. 376 of IPC).

A woman has the right to lodge a complaint if she is being harassed, even teased and passed rude remarks in public places like buses, trains, roads etc. (Sec. 354 of IPC).

Every woman has a right to take legal action against her husband if she is being tortured both physical and mentally or tortured for not agreeing to the demand of money or valuables (Sec. 498(A) of IPC).

If the relations of the husband of a woman or her mother-in-law or any other relatives, torture her and demand money, valuable articles from her parents, she can lodge a complaint against them. (Sec. 498(A) of IPC).