

## **Vision and Statement of Values**

### **Vision:**

"To transform Maharashtra Police into a modern and service driven department by providing better and transparent citizen services through collaboration, efficiency and effectiveness using Information & Communication Technology (ICT)""

### **Statement of Values:**

The Maharashtra Police Service, in pursuit of its mission, believes in providing quality service with the highest possible degree of excellence, based upon the principles of fairness, integrity, honesty, and respect for human dignity.

Polices are reminded to familiarize themselves with the Mission Statement, Statement of Values, and Vision of Success, and to embrace these goals as we collectively strive to provide the most effective police service for our citizens.

## **Basic Duties and responsibility of Police**

Basic duties and purpose of the Maharashtra Police Service is to uphold and maintain the law fairly and firmly, to detect and prevent crime, to protect, help and reassure the community, enforcement of various laws of the land.

### **Rights of Citizen**

**Under the Code of Criminal Procedure, offences have been classified as 'bailable' and 'non-bailable' offences.**

#### **Bailable Offence :**

- For offences that fall under this category, it is binding upon the investigating officer to grant bail if applied for
- If the accused produces proper surety after his arrest, and fulfills other conditions, it is binding upon the Investigating officer to release him on bail.

#### **Non Bailable Offence :**

- For offences that fall under this category, police cannot grant bail. The decision has to be taken by Judicial Magistrate/Judge
- The Investigating Officer must produce the accused before the Judicial Magistrate/Judge concerned within 24 hours of the arrest. At that time, the accused has a right to apply for bail himself or through his representative/lawyer
- if the accused has been subjected to any misbehaviour by police after arrest, he has an opportunity to complain against the same before the Judicial Magistrate/Judge

### **Rights of Arrested Persons:**

- The Police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designation.
- The Police Officer carrying out the arrest shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may be either 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 counter-signed by the arrestee and shall contain the time and date of arrest.
- A Person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock-up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed as soon as practicable that he has been

arrested and is being detained at the particular place, unless the attesting witness of the memo of arrest is himself, such a friend or a relative of the arrestee.

- The time, place of arrest and venue of custody of arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the Legal Aid Organization in the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.
- The person arrested must be made aware of his right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained.
- An entry must be made in the diary at the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest or detention as soon as he is put under arrest or is detained.
- 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.
- The arrestee should be subjected to medical examination by a trained doctor every 48 hours during his detention in custody by a doctor on the panel of approved doctors, appointed by Director, Health Service of the concerned State or Union Territory. Director, Health Service, should prepare such a panel for all Tehsils and District as well.
- Copies of all the documents including the memo of arrest, referred to above should be sent to the Magistrate for his record.
- The arrestee may be permitted to meet his lawyer during interrogation, though not throughout the interrogation.
- A Police control room should be provided at all district and State Headquarters, where information regarding the arrest and the place of custody of the arrestee shall be communicated by the officer causing the arrest within 12 hours of effecting the arrest and at the police control room it should be displayed on a conspicuous notice board.

#### **Provisions of Search:**

- Any officer, who is in charge of a police station or an investigating officer, has the authority to conduct search of any place situated within the jurisdiction of his police station for anything connected with the cognizable offence.
- It is necessary that the police officers concerned should show their identity cards before conducting search. Similarly, their nameplates, along with their designations should also be displayed on their uniforms.
- You are within your right to check and search the raiding party before they start search.
- While conducting a search two respectable panchas/witnesses should remain present.
- After the completion of a search, the officer concerned must prepare a search-panchanama detailing therein the particulars of the seized articles and obtain there upon the signatures of the two panchas/witnesses and the owner. The panchanama of the seized articles must be prepared at the site itself.
- Demand a copy of the said panchanama. It is your right.
- The procedure detailed herein above is applicable for physical search also.

#### **Panchnama:**

- It is essential that a panchanama, in respect of an arrest, search, seizure etc. should always be made at the site of the occurrence of the accident or offence and the signatures of the panchas/witnesses should be obtained thereon.
- An accused/a person whose premise has been searched, must get a copy of the Panchnama.

- It is necessary that two panchas remain present while a Panchanama is being drawn and their signatures should be obtained on it.
- After paying the fees, in form 'AA', a copy of the Panchanama drawn at the site of an accident can be obtained.

#### **My Accident : Your Responsibility**

- If there is no casualty and only the motor vehicles are damaged in the accident, the drivers of both the vehicles should take their respective vehicles to the side of the road to ensure that the traffic is not obstructed. Drivers of both the vehicles should note down the names, address, details of licenses and the number of each other's vehicles and duly register a complaint at the local police station.
- The insurance company should be informed immediately so that compensation could be claimed for the vehicles damaged.
- If you have committed some accident and injured a person, you are duty bound to take the person to the hospital and inform the incident to the police. If it is not possible to remove the injured to hospital, go to the nearest police station and inform about full facts. Any non-compliance of this rule shall make you liable for enhanced punishment.
- If any you come across a person, injured in an accident, try to help him. Provide first aid to the injured and take steps to remove the injured to the nearest hospital. The registration number and the name of the driver and other details of the vehicle, that has caused the accident should be noted down and should be reported to the nearest police station immediately.
- Do not believe in the misnomer that helping an accident victim will lead to harassment by the police. At best, police officer may ask for your statement, that too at hospital itself.

#### **Women : Special Privileges**

- Every policeman is duty bound to ensure that women are treated with due respect. There is no exception to this rule.
  - In cases, where a woman is the complainant, police will make enquiries and investigations expeditiously.
  - When an occasion to arrest a woman or to interrogate a woman witness arises, it is binding upon the police to keep woman police personnel present.
  - If a woman is accused, she shall be treated with dignity, irrespective of the nature of the crime committed.
  - Normally, neither shall women be arrested, nor called to a police station between sunset and sunrise. However, under exceptional circumstances, if it is necessary to arrest them or call them to a police station, it is binding upon the police to allow their relatives to stay with them.
  - Accused women are to be kept in the cells specially reserved for them.
  - A rape victim may ask for her medical examination to be conducted by a female doctor.
  - She can also choose to give her statement to lady police personnel. As far as practicable, lady police officer shall be deputed for this job. If it is not possible, it shall be ensured that some local women must be present at the time of registration of FIR and recording of statement.
  - Maharashtra Police is committed to provide decent treatment to all the citizens, especially women. Any aberrations must be brought to the notice of senior officers.
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- Following sections have been amended in the IPC for protecting and facilitating the legal process against Harassment to the women.

| Section | Offence                   | Punishment                                                                                                                                                                                                                                                                                                                                                         | Notes                                                                                                                                                                                                                                                                                                                                                                    |
|---------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 326A    | Acid attack               | Imprisonment not less than ten years but which may extend to imprisonment for life and with fine which shall be just and reasonable to meet the medial expenses and it shall be paid to the victim                                                                                                                                                                 | Gender neutral                                                                                                                                                                                                                                                                                                                                                           |
| 326B    | Attempt to Acid attack    | Imprisonment not less than five years but which may extend to seven years, and shall also be liable to fine                                                                                                                                                                                                                                                        | Gender neutral                                                                                                                                                                                                                                                                                                                                                           |
| 354A    | Sexual harassment         | Rigorous imprisonment up to five years, or with fine, or with both in case of offence described in clauses (i) & (ii)<br>Imprisonment up to one year, or with fine, or with both in other cases                                                                                                                                                                    | Gender neutral<br>i. physical contact and advances involving unwelcome and explicit sexual overtures; or<br>ii. a demand or request for sexual favours; or<br>iii. making sexually coloured remarks; or<br>iv. forcibly showing pornography; or<br>v. any other unwelcome physical, verbal or non-verbal conduct of sexual                                               |
| 354B    | Public disrobing of woman | Imprisonment not less than three years but which may extend to seven years and with fine.                                                                                                                                                                                                                                                                          | Assaults or uses criminal force to any woman or abets such act with the intention of disrobing or compelling her to be naked in any public place                                                                                                                                                                                                                         |
| 354C    | Voyeurism                 | In case of first conviction, imprisonment not less than one year, but which may extend to three years, and shall also be liable to fine, and be punished on a second or subsequent conviction, with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine. | Watching or capturing a woman in "private act", which includes an act of watching carried out in a place which, in the circumstances, would reasonably be expected to provide privacy, and where the victim's genitals, buttocks or breasts are exposed or covered only in underwear; or the victim is using a lavatory; or the person is doing a sexual act that is not |

| Section | Offence  | Punishment                                                                                                | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------|----------|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |          |                                                                                                           | of a kind ordinarily done in public.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 354D    | Stalking | Imprisonment not less than one year but which may extend to three years, and shall also be liable to fine | Only for women. TO follow a woman and contact, or attempt to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or monitor the use by a woman of the internet, email or any other form of electronic communication. There are exceptions to this section which include such act being in course of preventing or detecting a crime authorised by State or in compliance of certain law or was reasonable and justified. |

## Duties of Citizens

**According to Article 51A of the Constitution of India, it is the duty of every citizen of India to safe guard public property and to abjure violence. The Law also makes it compulsory for the citizens to report to the police, if they have witnessed or they have any information about the following offences made punishable under the Law.**

- (a) Offences against the State.
- (b) Offences against the public tranquility.
- (c) Offences relating to adulteration of food and drugs etc.
- (d) Offences affecting life
- (e) Offences relating to kidnapping for ransom.
- (f) Offences of theft after preparation made of causing death, hurt or restraint in order to the committing of the theft.
- (g) Offences of robbery and dacoity
- (h) Offences relating to Criminal Breach of Trust by public servant.
- (i) Offences of mischief against property.
- (j) Offences of house of lurking house trespass as specified in Sections 449 and 450 Indian Penal Code.
- (k) Offences relating to currency notes and bank notes. Omission to give such information is punishable in law. It is the duty of the Citizens to co-operate with the Police in investigation of the case at the time of drawing up search and seizure list, or inquest proceedings in the interest of furthering criminal justice.

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