

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3645
ANSWERED ON:19.03.2013
NON REGISTRATION OF FIRS
Choudhary Shri Bhudeo

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has received any complaints with regard to nonregistration of First Information Reports (FIRs), particularly in cases related to women and children;
- (b) if so, the details thereof and the total number of such cases reported and the action taken against the erring officers during each of the last three years and the current year, State-wise including the NCT of Delhi;
- (c) whether the Government has issued any advisory to the States and police departments in this regard;
- (d) if so, the details thereof and the reaction of the States thereto; and
- (e) the other measures taken by the Government to ensure registration of all complaints in future and also for setting up of an online FIR system?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH)

(a) & (b): There have been some reported instances regarding non-registration of FIRs.

As per data provided by the National Crime Records Bureau (NCRB) no details regarding action taken against the erring officers are maintained centrally by NCRB.

(c) & (d): As per Seventh Schedule, 'Police' and 'Public Order' are the State subjects under the Constitution, and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, lies with the State Governments/Union Territory Administrations. However, the Union Government attaches highest importance to the matter of prevention of crimes against women and in this regard, a detailed advisory dated 4th September, 2009 has been sent to all State Governments / Union Territory

Administrations wherein all States/UTs have been advised to make a comprehensive review of the effectiveness of the machinery in tackling the problem of violence against women and to take appropriate measures aimed at increasing the effectiveness of law and order machinery.

Point 5 (ix) of the advisory specifically points out that "There should be no delay whatsoever in registration of FIR in all cases of crime against women"

Ministry of Home Affairs has also issued an advisory on crime against children dated 14th July, 2010 to all State Governments and UTs Administrations wherein States/UTs have been advised to ensure that there should be no delay, whatsoever, in registration of FIRs in all cases of crime against children.

(e): The President of India on 4th February, 2013 has consented to the Criminal Law (Amendment) Ordinance 2013 wherein amendment has been made vide 166A to the Indian Penal Code which makes non-registration of FIR a punishable offence with imprisonment for a term which may extend to one year or with fine or with both. The Crime and Criminal Tracking Network & Systems (CCTNS) aimed at creating a comprehensive and integrated system for enhancing the efficiency and effectiveness of policing at the Police Station level envisages online registration of FIR.