

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:654
ANSWERED ON:15.07.2014
TREATMENT OF POLICE COMPLAINTS AS FIR
Patil Shri A.T. (Nana)

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any proposal to convert all police complaints into First Information Reports (FIRs);
- (b) if so, the details thereof and the preference being given to women related issues and their problems; and
- (c) the steps being taken to protect the innocent people while ensuring justice to the general public at the same time?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU)

(a) & (b): Yes Madam. As per the directives of the Hon'ble Supreme Court of India in Writ Petition (Cr.) No. 68 of 2008 in Lalita Kumar Vs Government of Uttar Pradesh and others; an Advisory on Compulsory Registration of FIR dated 5th February 2014 under Section 154 of Cr. P. C. when the information makes out a cognizable offence has been issued to all the State Governments/Union Territories for strict compliance, which is available at Ministry of Home Affairs' website <http://www.mha.nic.in>.

(c): The 'Police' and 'Public Order' are State subjects under the seventh Schedule to the Constitution of India and therefore, the State Governments are primarily responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the machinery of their law enforcement agencies as also for protecting the life and property of the citizens. The Union Government, however, attaches highest importance to the matter of prevention of crime and therefore has issued Advisories to the State Governments/UTs on

- (i) Advisory on crime against Women- Measures needed to curb- dated 4th September 2009, wherein All States Governments/UTs have been advised that there should be no delay whatsoever in registration of FIR in all cases of crime against women,
- (ii) Advisory on Prevention, Registration, Investigation and Prosecution of Crime dated 16th July, 2010 to provide a signed copy the FIR provided to the complainant on the spot, and
- (iii) Advisory on Registration of FIR irrespective of territorial jurisdiction and Zero FIR dated 10th May 2013 to warrant of transfer the jurisdiction of the FIR to another jurisdiction.

Further, the states have been advised periodically to control such menace and Ministries of Women & Child Development and Social Justice & Empowerment have taken preventive measures along with NGOs working in the field with the close collaboration and assistance of the State Government.