

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:913

ANSWERED ON:10.12.2013

NON REGISTRATION OF FIRS

Shivanagouda Shri Shivaramagouda;Singh Shri N.Dharam

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there are complaints/reports of non-registration of First Information Reports (FIRs) by the Police in different parts of the country;
- (b) if so, the details thereof along with the number of such complaints received/ matters reported and the action taken against the erring police personnel during each of the last three years and the current year, State-wise;
- (c) whether the Supreme Court has recently made it mandatory for the Police to register FIRs on receiving complaints about serious offence before a preliminary inquiry;
- (d) if so, the details thereof and the reaction of the Union and the State Governments in this regard; and
- (e) the details of the advisories/ guidelines issued by the Union Government on compulsory registration of FIRs to the State Governments and Police departments?

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): In the matter of Lalita Kumari Vs Government of Uttar Pradesh & Ors viz Writ Petition (Criminal) No. 68 of 2008, the Hon'ble Supreme Court in its judgment dated 12.11.2013 ruled that registration of FIR is mandatory under Section 154 of Cr.P.C. on certain cases of crime.
- (d) to (e): 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 continued to urge to the State Governments/UT Administrations to give more focused attention towards improving the administration of criminal justice system and taking such measures as are necessary for prevention and control of crime. In this regard, Advisory on Prevention, Registration, Investigation and Prosecution of Crime has been issued on 16th July, 2010 and Advisory on Registration of FIR irrespective of territorial jurisdiction has been issued on 10th May 2013.