

No. IV/16011/23/2016-CSR.II
Government of India/Bharat Sarkar
Ministry of Home Affairs

N.D.C.C. II Building, Jai Singh Road, New Delhi
Dated the 3rd October, 2016

To,

The Chief Secretaries,
All State Governments/UT Administrations.

Subject: Actionable points on recommendations of the DsGP/IsGP Conference- 2015 held on 18-20th December 2015 at Rann of Kuchchh, Gujarat- Regarding.

Sir/Madam,

Reference is invited to this Ministry's Advisories No. 15011/31/2013-SC/ST-W dated 10th May 2013, 5th February 2014 and dated 12th October 2015 on Compulsory Registration of FIRs, copies of which are available in this Ministry's website www.mha.nic.in.

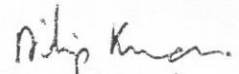
2. In these advisories it was made clear that as per Section 154(1) of the Cr.P.C. a police officer is duty bound to register a case on the basis of such information disclosing a cognizable offence and FIR has to be registered irrespective of territorial jurisdiction. Failure to comply with the provisions of registering an FIR on receipt of information about the cognizable offence invites prosecution of the police officer u/s166A of the IPC for an offence specified u/s166A or departmental action or both. Copy of FIR also needs to be made available to the applicant filing the FIR under Section 154(2) of the Cr.P.C.

3. This Ministry is receiving reports from various quarters about non-compliance of above provisions despite clear instructions to States to ensure strict compliance to the provisions of Cr PC. These issues were also deliberated in the DGPs Conference held in Kuchchh, Gujarat in 2015 wherein it was agreed to take appropriate steps for ensuring its compliance. Various judgments of courts also stress upon the need for stricter compliance of these provisions.

4. It is the duty of State/UT administrations to bring transparency as well as efficiency in the governance framework so that public trust in government service delivery is upheld and image of police is also kept in high esteem. Therefore, State Governments/UT Administrations must ensure utmost promptness in registering FIRs without any discrimination and jurisdiction and also make available the copy of FIR. The resultant increase in crime statics, if any should be used as criteria for opening of new Police Stations, deployment of additional police forces as well as for their better training.

5. States/UTs are once again requested to take appropriate steps to ensure compliance to the Advisories dated 10th May 2013, 5th February 2014 and dated 12th October 2015. It is requested to kindly ensure that these instructions are brought to the notice of all concerned Departments/Organizations and concerned officials under your jurisdiction by appropriate means such as office circulars, duty briefings, interaction with senior officers and training programs etc.

Yours faithfully,

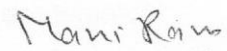


(Dilip Kumar)

Joint Secretary to the Govt. of India,
Tele No. 23438100.

Copy for information and necessary compliance to:-

1. The Principal Secretary/ Secretary Home – All State Governments/UT Administrations.
2. The Director General of Police – All State Governments/UT Administrations.



(Mani Ram)

Under Secretary to the Government of India.