

OFFICE OF THE INSPECTOR GENERAL OF POLICE
PUDUCHERRY

No.4/IGP/SECY/2013-71,



MEMORANDUM

Enclosed is the letter from MHA, New Delhi, which relates to the registration of FIR by the police when they receive a call / complaint related to a crime committed and suspected to be outside the jurisdiction of the police station concerned.

2. In this connection, all SPs / CIs / Inspectors / SHOs concerned must strictly adhere to the instructions and be sensitized to respond to the complaints with alacrity.
3. SSPs (L&O) / (C&I) / (KKL) should ensure strict adherence of the instructions contained in the said letter.

R. S. Krishnia

(R.S. KRISHNIA, IPS)
INSPECTOR GENERAL OF POLICE

Encl: As above.

To

All SDPOs & CID / CIs / Inspectors(CID) / SHOs of Law and Order & AWPS.

Copy to:

- The DIGP(Admn), Puducherry.
- The DIGP (AP&T), Puducherry.
- The Additional Secretary to Govt., Home Department, Puducherry.
- The Sr. Supdt. Of Police (L&O), Puducherry.
- The Sr. Supdt. Of Police (C&I), Puducherry.
- The Sr. Supdt. Of Police, Karaikal.

*forwarded to ci / SHOs of
Villiam circle for 7/9*

*Forwarded to
SHOs for 1/9*

[Signature]
SUPERINTENDENT OF POLICE (SOUTH)
PUDUCHERRY

[Signature]
INSPECTOR OF POLICE
VILLIANUR CIRCLE
PUDUCHERRY

Wels

OFFICE OF THE IGP
PUDUCHERRY
No. 2762/OR
Date 17-06-2013

No.J/11016/2/2013/P3/H
Government of Puducherry
Home Department

Puducherry, dt.13.06.2013

OFFICE MEMORANDUM

Sub: Home (Police) – Registration of FIR irrespective of territorial jurisdiction and Zero FIR – Reg.

Ref: Letter No.15011/35/2013-SC/ST-W, dated 1.05.213 from Joint Secretary(CS), MHA, Centre State Division, New Delhi.

A copy of the reference cited on the above subject is forwarded herewith.

- Inspector General of Police is requested to issue necessary instruction to all the Police Officers, Circle Inspector and SHO's of all Police Stations in this regard with a copy to this Department for record.

02/14/6/2013

(PANKAJ KUMAR JHA)
ADDL. SECRETARY TO GOVERNMENT

To
The Inspector General of Police,
Puducherry.

Secy
P.h. "Circular for all concerned"
Issue - h

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OFFICE OF THE CHIEF SECRETARY
PONDICHERRY
No. 3844/10/12/3
Received on 6/6/2013
Despatched on

No. 15011/35/2013 – SC/ST–W
Government of India
Ministry of Home Affairs
Centre State Division



7 JUN 2013

5th Floor, NDCC-II Building
Jai Singh road, New Delhi
the 10th May, 2013

To

The Additional Chief Secretary/ Principal Secretary (Home)

Sub: Registration of FIR irrespective of territorial jurisdiction and Zero FIR

103
AS Chdamm
Sir/Ma'am,

10/16
This relates to the registration of FIR by the police when they receive a call/complaint related to a crime committed and suspected to be outside the jurisdiction of the police station concerned.

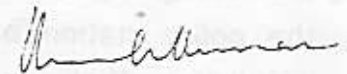
2. instructions are envisaged on account of the delays occurring when there are issues relating to the area jurisdiction regarding the investigation of the case. The hesitation to take up investigation of cases falling in uncertain territorial areas needs to be dispelled to allay the fears that it may be liable to be quashed u/s 482 of the Cr.P.C. There are two rulings of the Supreme Court in Satvinder Kaur vs Govt. of NCT of Delhi on 5/10/1999 (AIR 1999, Delhi 1031) and in Ramesh Kumari vs Govt. of NCT Delhi on 21/2/2006. In the former case, the Court held that at the stage of investigation, the material collected by an investigating officer cannot be judicially scrutinized for arriving at a conclusion that the police station officer of particular police station would not have territorial jurisdiction. That apart, section 156(2) of the Cr.P.C contains an embargo that no proceeding of a police officer shall be challenged on the ground that he has no territorial power to investigate the case. In the latter case, the Court held that a police officer is duty bound to register the case on the basis of such information disclosing a cognizable offence u/s 154(1) of the Cr.P.C.

3. The legal position stated above expects that the police shall register an FIR upon receipt of information of the commission of a cognizable offence. Further, if after registration of FIR, upon investigation, it is found that the subject matter relates to the jurisdiction of some other police station, the FIR may be appropriately transferred to the police station in which the case falls. Moreover, if at the time of registration of FIR, it becomes apparent that the crime was committed outside the jurisdiction of the police station, the police should be appropriately instructed to register a 'Zero' FIR, ensure that the FIR is transferred to the concerned police station u/s 170 of the Cr.P.C. It should be clearly stated that the delay over the determination of the jurisdiction leads to avoidable wastage of time which impacts on the victim and also leads to offenders getting an opportunity to slip from the clutches of the law. It should be clearly instructed that failure to comply with the instruction of registering an FIR on receipt of information about the cognizable offence will invite prosecution of the police officer u/s166A of the IPC for an offence specified u/s166A or departmental action or both.

4. It may also be emphasized that police services should be sensitized to respond to complaints with alacrity whether is from a man or a woman. Apprehending the accused must take place immediately after the complaint as there is a tendency of the person committing the crime slipping away should there be a delay on extraneous grounds like jurisdiction. The police may also put in place a system of rewarding the personnel for timely response and punishment for wanton lethargy.

5. Home Departments of the States/UTs may direct the DGPs/IGPs to issue above instruction so as to reach all police stations at the shortest possible time.

The receipt of the same may kindly be acknowledged.



(S Suresh KUMAR)

JS (CS)