

e-F.I.R. Lodging System: A Step for Proper Maintenance of Law and Order

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Abstract: Crime is as old as mankind itself. There is hardly any civilization in the world which has not witnessed the upward trend in the crime graph. The forms of crime and the pattern of commission of crimes have varied from place to place and at the same place from time to time. In India, after an F.I.R. has been lodged, the contents of the F.I.R. cannot be changed except by a ruling from the High Court or the Supreme Court of India. That is why some policemen refuse to register an F.I.R. The idea for writing this paper came from the episode “Satyamev Jayate” which is being run by Aamir Khan Productions telecasted on Star Plus. In the episode, it was shown that the people are afraid of the police and sometimes policemen take bribe to register an F.I.R., so there is need to change the existing system. This research paper proposes an e-F.I.R. lodging system which is an easy and efficient way of lodging an F.I.R. The e-F.I.R. lodging system can be placed at district or tehsil level. The e-F.I.R. lodging system will help in maintenance of law and order in a particular area by recording the actual crime rate. After getting the actual crime rate, suitable steps can be taken to curb the activities of unsocial elements. This research paper also discusses about the various components and services of the proposed system.

1. INTRODUCTION

In our legal system, the criminal offences have been defined in different sections of the Indian Penal Code (IPC) with punishment for each offence. Similarly, the procedure to be followed by the police and law courts for applying criminal laws is also clearly specified in the Criminal Procedure Code (Cr. P.c.)

Lodging F.I.R.st Information Report (F.I.R.) [1] is a citizen's fundamental right against any criminal offence. In fact, it is the F.I.R.st requirement of law to be completed for initiating criminal proceedings against any criminal offender. The police is duty bound to register the complaint of an aggrieved person. A F.I.R.st Information Report is a written document prepared by police organizations in Bangladesh, India, and Pakistan when they receive information about the commission of a cognizable offence. It is generally a complaint lodged with the police by the

victim of a cognizable offense or by someone on his or her behalf, but anyone can make such a report either orally or in writing to the police.

An F.I.R. [2] is an important document because it sets the process of criminal justice in motion. It is only after the F.I.R. is registered in the police station that the police take up investigation of the case. Anyone who knows about the commission of a cognizable offence, including police officers, can file an F.I.R.

People are often heard saying that though a crime against them is committed, police is not registering F.I.R. To register a F.I.R. is a burden for a police officer. If F.I.R. is registered, in 24 hours or as early as possible, he has to send a copy of F.I.R. to Court. F.I.R is governed by Section 154 of the Criminal Procedure Code. According to Section 154, Every information relating to the commission of a cognizable offense, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informants and every such information, whether given in writing or reduced to writing as a fore said, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe in this behalf. A copy of the information as recorded under sub-section shall be given forthwith, free of cost, to the informant.

Any person, aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in sub-section may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer Subordinate to him, in the manner provided by this Code, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence.

2. RELATED WORK

An F.I.R. is a very important document as it sets the process of criminal justice in motion. It is only after the F.I.R. is registered in the police station that the police takes up investigation of the case.

Dr. Mehraj Uddin Published a report [3] on Filling of F.I.R.: Its efficacy and Importance which exhibit that crime is on increase throughout the globe and there is no scientific apparatus to record the actual number of the crimes committed, as most of the crimes are not reported at all and out the crimes reported to the police only a small portion of the crimes is registered. An analysis of Crime in India 2006, the report compiled by National Crimes Record Bureau (NCRB) reveals that Delhi has the most murders, rapes, dowry deaths, kidnappings and molestation cases. The National Capital remains unsafe for women. The City recorded 31.2 percent of all the rape cases reported in major cities and had a high number of dowry deaths (120) and molestation cases (629). Among the States, Madhya Pradesh recorded the highest number (1,94,711) followed by Maharashtra (1,91,788), Andhra Pradesh (1,73,909), Tamil Nadu (1,48,927) and Rajasthan (1,41,992) during 2006. Madyha Pradesh earned the distinction of having the highest number of rapes 7.4 percent in 2002 to 8.2 percent during 2006. The report reveals a new trend, as young people in the 6 country are taking to crime. As many as 44.6 percent of all the criminals arrested in 2006 were between 18 to 30 years, a sharp rise from 2005, when the figure was 44.0 percent.

An international, independent non-profit organization, Commonwealth Human Rights Initiative (CHRI) [4] defines two types of offences

- i. Cognizable Offence
- ii. Non-cognizable Offence

i. Cognizable Offence

A cognizable offence is one in which the police may arrest a person without warrant. They are authorized to start investigation into a cognizable case on their own and do not require any orders from the court to do so.

ii. Non-cognizable Offence

A non-cognizable offence is an offence in which a police officer has no authority to arrest without warrant. The police cannot investigate such an offence without the court's permission.

The objectives of Commonwealth Human Rights Initiative [5] (CHRI), an international, independent non-profit organization, are to promote the practical realization of human rights in the Commonwealth. CHRI educates on human rights issues and advocates for greater adherence to human rights standards. Presently it is working in the following areas:

- Police Reforms
- Prison Reforms
- Human Rights Commissions
- Right to Information
- Human Rights Advocacy
- Constitutionalism
- Biennial Report to the Commonwealth heads of Government meeting on Human Rights Issues

3. PROPOSED APPROACH

This research paper will propose a model for e-F.I.R. lodging system which will help a citizen to get his fundamental right of lodging an F.I.R.. The model for e-F.I.R. system is shown in Fig. 1.



Fig. 1 Model for e-F.I.R. Lodging System

Various Components of e-F.I.R. lodging system are:

- i. Display Unit.
- ii. Input Panel.
- iii. Software/O.S.
- iv. Internet Connectivity.
- v. Camera.
- vi. Biometric system for recording thumb impression.
- vii. Printer.
- viii. Paper.

The display unit of the system is responsible for providing the GUI interface so that the informer can use the machine easily. The F.I.R. can be filed with the help of the input panel provided within the system. The system will provide various language interfaces to the user like English, Hindi etc. No doubt, the system should have an operating system which will act as interface between the user and hardware. Internet connectivity is used for sending information of an F.I.R. to the Local Police Station (P.S.) and State Head Quarter. A camera should be there for security purpose and it is also responsible for taking photo of the informer as proof in order to avoid mischievous activities.

The biometric system can also be provided with the e-F.I.R. Lodging System. The informer can use his/her thumb for signing the F.I.R. document. This system will add security to lodging process. Printer is also attached with the system for printing the receipt and copy of filed F.I.R. Since printing is there, paper becomes an important part of the lodging system.

By using these components, the lodging system will provide various services. The services provided are:

1. File an F.I.R.
2. Status of F.I.R.
3. Receipt.
4. Integration with T.I.V. /P.S.
5. Guidance for Further Action.
6. Actual Crime Rate.
7. Proper Record Date Wise.
8. Printed Copy of F.I.R.

The system will help an informer in successful lodging of an F.I.R. Also, the informer can get the status of the F.I.R. that it has been sent to the court or not. On successful submission of an F.I.R. the machine will print a slip/receipt containing the title or subject of F.I.R. and a copy of F.I.R. registered. Moreover, the information from this system can be integrated with the database of traffic interceptor vehicle (T.I.V.) in theft and criminal cases. The lodging system will inform the local police station for successful lodging of an F.I.R.

The lodging system can help in providing guidance to the informer that what are the laws for a particular offences and what the next steps to be taken are. So it also works as an instructor or an educator. The lodging system is also responsible for the proper management of database of lodged F.I.R.s date wise. This system when implemented will generate the actual crime rate of a state. Now a day, sometimes police does not lodge an F.I.R. in order to show the lowest crime rate

4. CONCLUSION-

The proposed approach will bring transparency to the law and order system. It will improve the relation between the police and common man. It shows the actual crime rate in a particular area. It helps in management of proper records of offences committed in an area. It highlights the main problems of a particular region which people are suffering from and police can take necessary steps against these offences.

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