

## **Understand how to file an FIR.**

### **What is an FIR?**

First Information Report (FIR) is a written document prepared by the police when they receive information about the commission of a cognizable offence. It is a report of information that reaches the police first in point of time and that is why it is called the First Information Report.

It is generally a complaint lodged with the police by the victim of a cognizable offence or by someone on his/her behalf. Anyone can report the commission of a cognizable offence either orally or in writing to the police. Even a telephonic message can be treated as an FIR.

### **Why is FIR important?**

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

### **Who can lodge an FIR?**

Anyone who knows about the commission of a cognizable offence can file an FIR. It is not necessary that only the victim of the crime should file an FIR. A police officer who comes to know about a cognizable offence can file an FIR himself/herself.

### **You can file an FIR if:**

You are the person against whom the offence has been committed;  
You know yourself about an offence which has been committed;  
You have seen the offence being committed.

### **What is the procedure of filing an FIR?**

The procedure of filing an FIR is prescribed in Section 154 of the Criminal Procedure Code, 1973.

When information about the commission of a cognizable offence is given orally, the police must write it down.

It is your right as a person giving information or making a complaint to demand that the information recorded by the police is read over to you.

Once the information has been recorded by the police, it must be signed by the person giving the information.

**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.

**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 police may not investigate a complaint even if you file a FIR, when:

- (i) The case is not serious in nature;
- (ii) The police feel that there is not enough ground to investigate.

However, the police must record the reasons for not conducting an investigation and in the latter case must also inform you. —[Section 157, Criminal Procedure Code, 1973]

You should sign the report only after verifying that the information recorded by the police is as per the details given by you.

People who cannot read or write must put their left thumb impression on the document after being satisfied that it is a correct record.

Always ask for a copy of the FIR, if the police do not give it to you. It is your right to get it free of cost.

### **What should you mention in the FIR?**

- Your name and address;
- Date, time and location of the incident you are reporting;
- The true facts of the incident as they occurred;
- Names and descriptions of the persons involved in the incident;

You can send your complaint in writing and by post to the Superintendent of Police concerned. If the Superintendent of Police is satisfied with your complaint, he shall either investigate the case himself or order an investigation to be made.

You can file a private complaint before the court having jurisdiction.

You can also make a complaint to the State Human Rights Commission or the National Human Rights Commission if the police do nothing to enforce the law or do it in a biased and corrupt manner.

### **Things you should NOT do:**

- Never file a false complaint or give wrong information to the police. You can be prosecuted under law for giving wrong information or for misleading the police. —[Section 203, Indian Penal Code 1860]
- Never exaggerate or distort facts.
- Never make vague or unclear statements. What can you do if your FIR is not registered?
- You can meet the Superintendent of Police or other higher officers like Deputy Inspector General of Police

### **When you have to lodge a Police F.I.R?**

In case of loss/misplace/ theft of your important documents like PAN Card, Election Card (Voter ID), Driving License, Passport, Property sale-purchase papers etc. etc.

### **Why F.I.R is important?**

Because when you lost your important documents like PAN Card, Election Card(Voter ID), Driving License, Passport, Property sale-purchase papers etc. you must to get a duplicate or reprint of the lost one. These documents are very important for every individual/common man for many reasons.

Also any unauthorized person can misuse your lost original documents. For a simple example, one can get Mobile SIM CARD in your name and can misuse it.

So, it is important to lodge a F.I.R for your lost documents with your local Police station and get a copy of the same which is an evidential proof for you.

<https://www.iaaRore.com/know-your-police/procedure-of-filing-fir>

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# FIR CHECKLIST

- An FIR can either be recorded with a police officer in writing or verbally
- When verbally accounting details of a crime, it is the duty of the officer to write it down
- Once the police officer has written down all the details of the FIR, he must read it back to the individual so that they can be sure that the details have been recorded exactly the way they were stated
- It is the right of the person filing a verbal FIR to ask that the police officer read out what has been written down to confirm that it is correct
- Once satisfied that the details have been recorded accurately, the person filing must sign the FIR
- When submitting a written FIR, it must be signed the person who is filing it
- Once the FIR has been recorded, signed and registered the police must give the individual a copy
- It is the right of anyone who files an FIR to receive a copy of the FIR free of cost

**How to make an application for lodging a F.I.R with your Local Police station?**

**Sample FIR**

**Proforma for Reporting the First Information (FIR) of a Cognizable Offence  
(Under Section 154 of the Criminal Procedure Code)**

An FIR must include the following Items

Police Station.....

District.....

1. Personal details of the Complainant / Informant:

- (a) Name
- (b) Father's / Husband's Name
- (c) Address
- (d) Phone number & Fax
- (e) Email:

2. Place of Occurrence:

- (a) Distance from the police station
- (b) Direction from the police station

3. Date and Hour of Occurrence:

4. Offence:

- (a) Nature of the offence (e.g. murder, theft, rape, etc.)
- (b) Section (To be decided/written by Office only)
- (c) Particulars of the property (in case one has got stolen):

5. Description of the accused:

6. Details of witnesses (if any)

7. Complaint: Briefly lay down the facts regarding the incident reported in an accurate way.

Note: At the end of the complaint, the complainant's/informant's signature or thumb impression should be there.

**Sample FIR**

From (Applicant's Name),

Father's/Husband's Name

Applicant's contact address

Applicant's contact mobile number/Phone number

Applicant's e-mail id. (If any)

Date.....

To,

The Police Officer In charge

Address (Name of Local Police station)

Sub.: (mention subject e.g. your lost document/phone name and Number)

Respected Sir,

I would like to bring the following facts to your kind notice:

(Include details/contents 1-7 as given in Proforma)

.....  
.....

I seek your help and request you to kindly register my F.I.R in the subject matter. For your ready reference I enclose herewith (a) Copy of [Complainant/Informant] I.D. proof. Hope you will do the needful favourably at the earliest.

Thanks and regards

Yours Sincerely

\_\_\_\_\_ (Complainant/Informant Signature)  
\_\_\_\_\_ (Complainant/informant Name)

Note: You should make 2 copies of the Application.(1 copy for police station record, 1 copy for your own record)

**Task:** Visit the official website for Online- filing of FIR

**Activity:** Prepare sample FIR for loss of the following:

1. Loss of College Identity Card
2. Loss of Driving License
3. Loss of PAN Card
4. Loss of Passport
5. Loss of class 10 mark sheet

## **Research: Submitting a consumer complaint Online**

Visit the official website [www.consumercomplaints.in/municipal-corporation-of-delhi-b100274](http://www.consumercomplaints.in/municipal-corporation-of-delhi-b100274) and you will be guided to register a complaint as under:

Publisher please provide relevant snapshots with the write ups from above site

### **User Manual**

1. How to create a new account?
2. How to Sign in?
3. What should I do if I forgot my password?
4. How to submit a complaint?

### **Create an account**

First of all, you have to create an account. Registration form is very fast and simple. There are also multiple ways you can create an account. You can register by using either your Facebook, Google+, Twitter or LinkedIn account or you can use your e-mail address. If you're creating an account via social media websites, a new window will appear that will ask for a permission to access some of your information (mainly your name and e-mail account), just click "Okay" and you're good to go. If you're using an e-mail to register, don't forget to pick a password that you're going to use on our website.

### **Note that there are two types of accounts:**

1. If you're a consumer, it's recommended to select default "Personal" type of an account.
2. If you're a representative of a company that you want to act on behalf of, select "Business". It grants additional options and possibilities to set up your business profile, for further use to communicate with the customers. Please, keep in mind that we're going to send a verification e-mail to your company's domain e-mail address.

### **Sign In**

Once you've created an account or if you already have an account, log in to your account. To do that press the "Sign In" button.

There are multiple ways you can log in. You can connect via your Facebook, Google+, Twitter or LinkedIn account, or you can sign in using your e-mail account, depending on how your account was created. Select your option. If you have selected to login via e-

mail using our Consumer Complaints, in account, type your password (not your actual e-mail password, but a password that you're using solely on our website) and click "Login".

## **Password Reset**

If you have forgotten your password, you can click on "Forgot your password?", then type your e-mail account and hit "Reset". Your password will be sent to your e-mail account.

## **How to submit a complaint**

Once you're logged in, click on "Submit a Complaint"

In a new Complaint Registration Form type all the necessary information.

You can actually start typing a complaint first and log in later right before submitting a complaint.

In "Company Name" type the company you're complaining about. Not your name, not your personal address, not your phone number, not "Home", not the type of product such as "washing machine", but an actual company you want to file a complaint against. If your internet speed is slow, it's not your Dell computer, but rather your internet provider (for example, Reliance). If it's a bank, don't type "Bank", but type actual name of a bank (for example. "State Bank of India" or "SBI"). Please do not type city/state name in this field, there's an option for it elsewhere. If it's a website, it's okay to use it as a company name.

Our system will try to find relevant name of a company while you're typing. If you see the correct one, just click on it.

In "Complaint Subject" state description of your issue. Something like "my iPhone is not working", "I've got cheated!" or "package is not delivered". You do not need to type an actual name of a company twice, you've already mentioned it in company's name.

In "Complaint Details" thoroughly explain the problem. It's beneficial for you to have higher chances of having your complaint resolved if the company has all the necessary information:

Date of the incident

Your contact number (if available)

Full description of an incident

Desirable resolution of your complaint, for example: request a refund, return, repair, etc.

Attach all available documents:

Photo of the damaged or defective product

Invoices

Copy of the e-mail correspondence or chat(s)

Any other relevant documents

Do NOT attach highly private information, such as credit card information, your passwords, etc. Adding your own photo is not needed, unless you 're trying to find true love on our website

Make sure your complaint is easy to read, be polite, avoid using CAPITAL letters and/or abusive language.

In "Category" select the proper category of a company you're complaining about. Choosing the right category increases the chance of solving your problem or getting helpful comments from other consumers.

In "Country" please select a country, where the company of your complaint is located.

In "City" enter a city, where the company of your complaint is located (if known).

All relevant documents are added via "Add Photo Proof". Click on it, select a document that is relevant to your complaint and select "Open", You can add multiple files that way.

In "Confirmation Code" please enter the correct confirmation code and click "Submit".

That's it, the complaint has been submitted successfully. Simple, isn't it?

**Task:** Research in detail the Consumer Complaint's Website

And practice writing complaints to resolve the following:

**Activity:**

1. Complain against a website for selling products that are not genuine.
2. Complain against mushrooming of agents outside RTO in your area
3. Complain against loudspeakers in a temple near your house
4. Complain against anti-social elements causing nuisance outside a liquor shop in your locality
5. Complain against over pricing at a government approved Fair Price Shop near you



