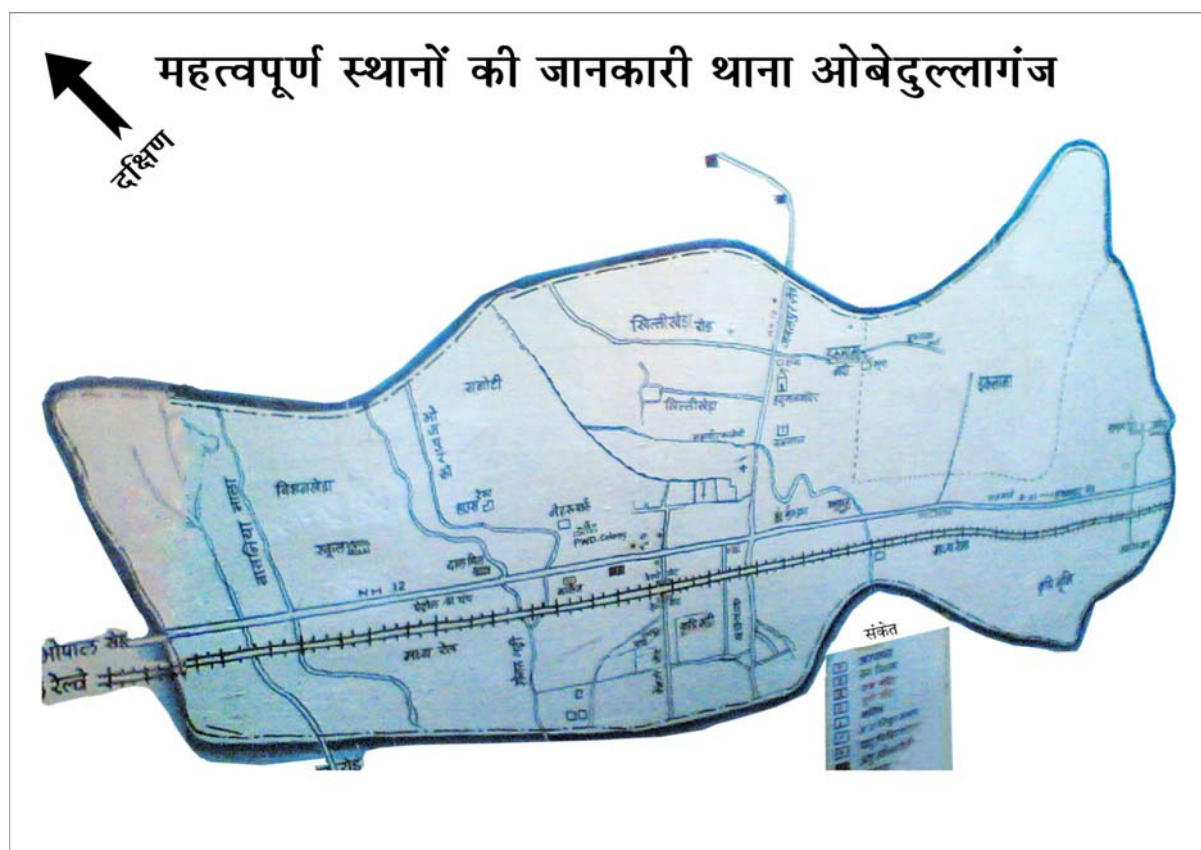


People's Experiences In Filing FIR at the Police Stations in Rural and Urban Areas



**A Research Study For
Madhya Pradesh Human Rights Commission**

**Towards Action And Learning, Bhopal
2007**

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I. INTRODUCTION

1. Need for the Study

1.1 As per section 154 of Code of Criminal Procedure a Police Officer is duty bound to register a cognizable offence when reported by any person. The offence can be reported by submitting in writing the details of offence either personally or through post or through telephone or by narrating orally to officer in-charge of a Police station. The section further provides that the informant has the right to receive the copy of the information report free of cost. Thus, lodging a report and receipt of its copy have been accorded the status of a right to the complainant under the CrPC, 1973.

1.2 State Human Rights Commission, Madhya Pradesh (MPHRC) receives information and complaints from many a people about the difficulties faced in filing FIR at the police stations. To understand the core issues in filing of complaints at the Police stations, MPHRC decided to get a study conducted to explore the causal factors of these difficulties related to both the People and the Police.

2. Scope of Work

The study was proposed to cover two police stations each in Bhopal city, Sehore district and Raisen district. The selection of Police stations in Bhopal was to be done in a manner that one Police station from old city and one from “new” Bhopal is selected. At Sehore and Raisen districts one police station in rural and one in urban areas was to be selected. The Police stations selected for the study are as follows:

S.No	District/City	Police Station selected for the Study	
		<i>Urban</i>	<i>Rural</i>
1	Bhopal	TT Nagar and Koh-e-Fiza	
2	Sehore	Shyampur	Ahmedpur
3	Raisen	Obedullahganj	Goharganj

Code of Criminal Procedure

Section 154: Information in cognizable cases

- (1) Every information relating to the commission of a cognizable offence, 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 informant; and every such information, whether given in writing or reduced to writing as aforesaid, 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.
- (2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant.
- (3) 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 (1) 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.

3. Methodology

3.1 Identification of Respondents

The Research team approached the In-charge of the police station. The following was collected from each of the police stations selected:

1. the geographical area covered by the station
2. the nature of offences being reported at the police station
3. profile of the Community being covered by the police station
4. references were taken from the Police station of the people who have filed the FIR with that Police station. The details taken were the name and address of the victim and the nature of crime. A background of each the case was given by the police.

The victims (respondents) were then visited by the research team and the questionnaire was administered to them. The Questionnaire was administered to them.

For identifying the persons who have been unsuccessful in filing an FIR, the following methodology was adopted.

1. references were taken from the victims who had filed an FIR and had responded to the interviews by the Research team. they were asked if they knew any persons against whom an offence was made and were unsuccessful in filing the FIR. Some of the victims gave references.
2. the immediate neighbours of the person were contacted to know if an offence was made and where the victim was were unsuccessful in filing the FIR.
3. random selection of persons was done within the geographical limits of the police station under study to know whether they had any experience in filing of an FIR. Shopkeepers within the area were also contacted to identify such persons.
4. participatory tool of Focus Group Discussions was used in slums and villages to identify the instances where an offence did take place and FIR was not lodged.

3.2 Method of Data Collection

Three tools for data collection were used:

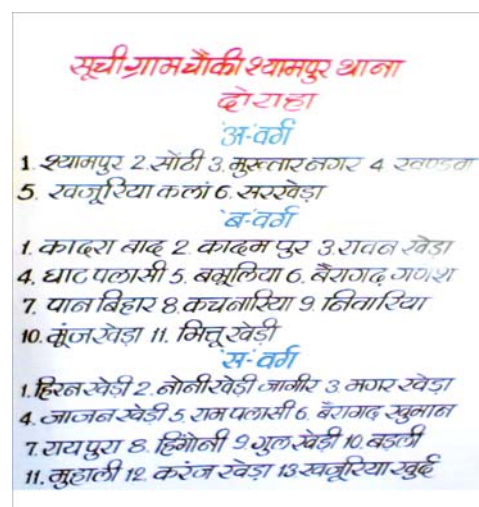
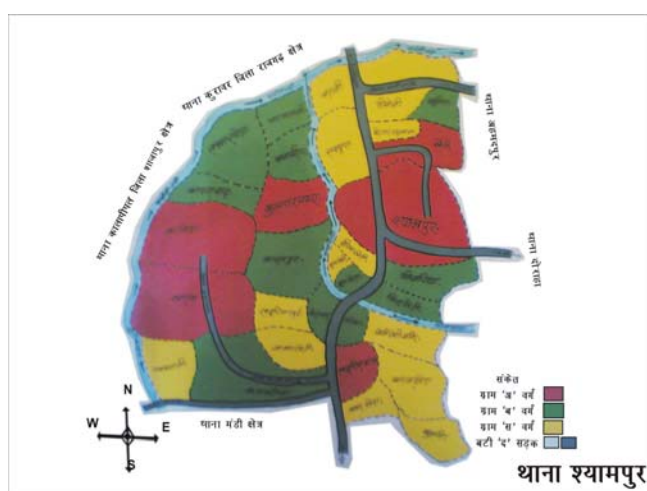
- (a) Interview of identified respondents based on a semi-structured questionnaire
- (b) Focus Group Discussion in slums in the city and in the villages visited
- (c) Basic data of the nature of offenses in the area of the police station selected for the study

II. FINDINGS

1. Profile of Community - Rural

All the Police Stations visited had the following information displayed:

- DK Basu Guidelines
- Map of the villages within the jurisdiction of the Police Station
- Festivals, market days and important religious locations
- Posting of staff at the Police Station



In all the police stations the village visit Plan was clearly displayed. The villages falling within the jurisdiction of the Police Station were categorized as A, B and C. Category A villages was considered to be villages which require more attention from policing point of view. The frequency of visits to Category A villages was high.

1.1 Raisen

Goharganj

The Goharganj Police Chowki has 45 villages under its jurisdiction. The jail and the court are located at Goharganj. The TI shared that the population is mainly tribals having settled here from Dhar and Jhabua districts of Madhya Pradesh.

The major cause of disputes is primarily related to land. These include the disputes over the location of bunding between fields of two land owners. In the year 2006 the Police Chowki registered 80 cases of which 40% cases were related to physical violence, 18% cases were under the minor act and another 18% cases were *aabkari* related cases.

1.2 Sehere

The Shyampur Police Chowki is under the Duraha Police Station. Ahmedpur Police station is an independent police station. The formation of *Gram Raksha Samitis* is complete under both the police stations. The cases are being presented in the *Gram Nyayalaya*.

Shyampur (near Duraha)

This police station is a chowki of the Duraha Police station. It has 30 villages under its jurisdiction. About 20% of the population is Muslims. This police station is located on the highway. It recorded about 160 cases in the year 2006. Since January to September 2007, 102 cases have been recorded. A bigger proportion of cases were accident related or highway crimes like robbery. According to the Police the Kanjar and Pardhi community from Shajapur district indulge in looting on the highway and robberies in residential areas.

One of the achievements of the Police in the area was to work closely with the local administration in 2006 in Ravan kheda to get the harijans occupation over the land allotted to them.

Ahmedpur

Ahmedpur police station has 84 villages under its jurisdiction. Six villages are classified as violence prone and 7 villages are classified as sensitive villages. The area has 60% Gurjars, 20% Muslims and 20% communities belonging to Thakur and Lodhis.

In the year 2006 there were 182 cases being filed at the Police station.

2. Profile of the Community - Urban

The map of the area covered by the police stations is attached as annexure. The crime prone area classified by the police staff were the slums and the lower middle class colonies.

2.1 Raisen

Obeidullaganj

There are 102 villages and the Obeidullaganj town under the Obeidullaganj Police station. It has two Police Chowki one at Goharganj and the other at Barkheda. Goharganj Police Chowki covers 45 villages. The Police Station has a lock-up room in its premises.

The TI of Obeidullaganj gave the Research Team an overview of the area being covered by the Police station. The major occupation of 70% of the population is agriculture. Almost one third of the population reside in the vicinity of the forests. As the police station is located on the State Highway, the majority of cases are related to accidents and road robbery. According to the Police criminal tendencies are found in the tribal population Kanjad, Pardi, Fakir, Bhil, Basod.

Two settlements in the town comprising of 20% population are specifically crime prone. The causes are mainly problems related to water and the alcohol consumption. As the land rates are rising in the rural areas, the cases are primarily during the land deals being settled.

2.2 Bhopal

TT Nagar Police Station

Area covered by the Police Station includes Link Road No. 1, Anjali Complex Road, Mata mandir Road, 74 Bungalows New market commercial area, Panchsheel Nagar Slum, Shiv Nagar, Madrasi Mohalla, Bangalee Mohalla, Banganga, Malviya Nagar.

The main crimes in the area were reported to be Looting, Chain snatching, violence (maar-peet), accident, vehicle robbery and robbery in residential houses.

74 Bungalows has houses where ministers and the senior bureaucrats stay. This area was reported to have least offences being committed. Next was the area Anjali Complex Road and Mata mandir Road.

Panchsheel Nagar Slum, Shiv Nagar, Madrasi Mohalla, Bangalee Mohalla, Banganga, Malviya Nagar reported cases of physical violence.

Chain snatching was reported from Link Road Number 1 leading to TT Nagar.

Robbery in residential areas was reported more from the residential colonies in South TT nagar

No cases could be related to the specific community residing in the area and its periphery. Alcohol consumption was the main cause of violence as per the police. Rag picker children were responsible for robberies at home. As per the police, these children come from old city colonies.

Kohefiza Police Station

The Kohefiza Police station has one Chowki at Lalghati. It has two Sahayta Centres at Kohefiza and Shahjanabad.

The area under the Kohefiza Police station is Hamidia Hospital, Kohefiza BDA Colony A to E, Kohefiza Housing Colony A to C, Khanugaon, Slums behind the corporation office, C line, near Shreen Complex, Bithal nagar, Jain nagar, Ramanand Nagar, Nayapura, Barela, Durga Nagar, Vijay Nagar, Panchvati colony, Data colony, Om nagar, Halapura, Rama Colony.

The Kohefiza BDA Colony and Kohefiza Housing Colony report more cases of theft and loot. The slums near Shreen complex have disputes due to alcohol consumption. The area from Bithal nagar to Rama colony specified above have land related disputes.

3. Field Findings

3.1 Experiences of Persons Filing their FIR

URBAN

Twenty respondents who had filed their FIR at the two police stations in Bhopal were contacted. The people in the urban areas were forthcoming in sharing the incident and their experiences. However to maintain anonymity of the respondents we have used alphabets for their identification. The Socio-Economic profile of the respondents and the nature of the offence committed are given in Table 1.

Table 1 Social and Economic Profile of the Respondents In Urban Areas Who Have Filed their FIR and the Nature of the Offence						
TT Nagar Police Station						
S. No	Respondent	Sex	Education	Caste	Work	Case
1	A	M	MA	OBC	Studying	Maar peet
2	B	M	Graduate	General	Politics	Theft
3	C	M	Graduate	OBC	Studying	Maar Peet
4	D	M	Literate	General	Guard	Robbery
5	E	M	Graduate	General	Working in Bank	Vehicle Robbery
6	F	M	Journalism	General	Press	Robbery
7	G	F	Graduate	General	Private sector	Accident
8	H	F	Graduate	General	Studying	Theft
9	I	M	Graduate	SC	Unemployed	Violence
10	J	M	Graduate	General	Studying	Theft
Kohe e Fiza Police Station						
11	K	M	MA	General	Shop	Theft
12	L	F	Graduate	General	Housewife	Chain Snatching
13	M	M	Graduate	General	Car Show Room	Theft
14	N	M	12th	OBC	Kirana Shop	Theft
15	O	F	10th	General	Housewife	Eve teasing
16	P	M	Illiterate	OBC	Casual Labour	Violence
17	Q	F	10 th	General	Housewife	Violence
18	R	M	Graduate	General	Supplier	Accident
19	S	M	Graduate	General	Self employed	Dowry
20	T	M	Literate	General	Farmer	More than one case

None of the respondents had to give money either to the staff at the Police Station or to any 'broker' of the police. There were two respondents who stated that their complaint was not filed in the first visit to the police station. The respondents revealed that they were given copy of the FIR when asked for without making any payments.

Observation of the Research Team

The addresses noted at the Police station in urban areas are not precise and are incomplete. It was not possible to trace some addresses specifically in slums. For example, Anita/ Hiranman had filed an FIR and given the address of the house of Jaideep Advocate house, near Narmada Bhavan. The house could not be traced and no one in the slum could give reference of Anita/ Hiranman.

Case: Not Filing FIR in the First Visit

One respondent had lost his vehicle from the parking. When he went to file an FIR, Police asked him to come the next day to file the FIR. They felt

that there were possibilities that his vehicle would be traced by evening. This was because someone might have taken the vehicle by error as it was near the wine shop.

Next morning also he was dissuaded to file an FIR and asked to check at the parking near the Bus Stand. He insisted on filing FIR. It was only on his insistence that the FIR was filed. After three months he read in the newspapers that three vehicles were recovered. He went on his own and found that one of the recovered vehicles was his own. There was no intimation from the Police. He had to do the court formalities before he could get the custody of the vehicle.

Case: Not Filing FIR in the First Visit

Mr. J is a business man dealing in vehicles. Battery from his vehicle was stolen in daylight. He went to file an FIR. The TI was not there at the police station and the other staff said that the FIR cannot be filed in the absence of the TI. Mr. J called the TI and he responded that is returning in 10 minutes. He, however, did not come. The staff told him to write an application. Mr. J insisted on recording his complaint in the register. His complaint was written in the register, but no one came to do the panchnama.

The main concern of the people who had filed the FIR was related to the action of the police after the FIR was filed. There is an expectation that the police should update the complainant on the action initiated by the Police and the status of their investigation. Almost all the people who were interviewed were wary of the fact that they have to personally visit the police station to follow up their cases. It was time consuming and cost inflicting. Also as time went by the response at the police station becomes lukewarm.

Case: No hope

One of the senior citizens felt disrespected when he finds the Police Station staff behaving indifferently with him. His house witnessed three robberies and at least twice positive leads were given to the police. However the police failed to nab the culprits. He is unaware of the action being taken by the police. He visited senior officials and returns every time with an assurance that police is working on the case. The TI also speaks to him after every such visit to the senior officers and elected representatives. But as time is passing he is losing hope.

RURAL

People in rural areas people were cautious in divulging details. Many respondents spoke only the condition of anonymity. The Research team had to assure them that the original names would not appear in the report, only after that they were forthcoming.

Table 2 Social and Economic Profile of the Respondents In Rural Areas Who Have Filed their FIR and the Nature of the Offence						
S.No	Respondent	Sex	Education	Caste	Work	Case
Ahmedpur, District Sehore						
1	A	M	5th	General	Agriculture	Physical violence
2	B	M	12th	OBC	Agriculture	Counter case
3	C	M	Illiterate	OBC	Agriculture	Counter case
4	D	M	Illiterate	General	Agriculture	Physical violence
5	E	M	10 th	General	Agriculture	Theft
6	F	M	8th	General	Agriculture	Physical Violence
7	G	M	Literate	General	Agriculture	Physical Violence
8	H	M	illiterate	Meena	Agriculture	Theft
9	I	M	5th	Gurjar	Agriculture	Loot
10	J	M	8th	General	Agriculture	Vehicle Theft
Shyampur , District Sehore						
11	K	M	9 th	Gen	Hotel	Theft
12	L	M	12 th	Gen	Agriculture	Motor Cycle theft
13	M	M	8 th	Gen	Agriculture	Vehicle theft
14	N	M		Gen	Agriculture	Theft
15	O	M	8 th	Gen	Agriculture	Theft
16	P	M	Illiterate	SC	Agriculture	Land encroachment
17	Q	M	12th	SC	Agriculture	Property Dispute
18	R	M	12th	Gen	Agriculture	Vehicle theft
19	S	M	10th	OBC	Agriculture	Accident
20	T	M	3 rd	Gen	Agriculture	Family dispute
Obeidullahganj and Goharganj, District Raisen						
21	U	M	BCom.	OBC	Private	Murder
22	V	F	10th	Gen	House wife	Kidnapping
23	W	F	PG(MA)	Gen	House wife	Harassment by in laws
24	X	M	BA	Thakur	Business	Theft
25	Y	M	12th	Khatik	Kirana	Snatching of cash
26	Z	M	Graduate	Gen	Repair	Theft
27	AA	M	BA II	Gen	Electrician	Violence
28	BB	M	12th	Gen	Watchman	Violence
29	CC	M	Illiterate	Gen	Driver	Wife was abused
30	DD	F	Illiterate	Gen	Housewife	Murder
31	EE	F	Illiterate	Sahu	House wife	Theft
32	FF	M	M Com	OBC	Journalist	Vehicle robbery
33	GG	M	Illiterate	Kevat	Tea Stall	Vehicle robbery
34	HH	M	B A	Jain	Pujari	Theft
35	II	M	BA	Gen	Air tel Tower	Land dispute
36	JJ	M	4th	Sahu	Agriculture	Abuse and violence
37	KK	F	Illiterate	Gen	Housewife	Daughter was killed
38	LL	M	12th	Gen	Service	Family dispute
39	MM	M	Illiterate	Gen	Agriculture	Theft
40	NN	M	Illiterate	OBC	Hand cart	Accident

Among the 40 respondent the following difficulties related to filing of FIRs was reported to the research team:

- FIRs are taken in the form of “aavedan” i.e. application (12.5 %, 5 respondents),

- Money or *nasta paani* being asked for filing FIR (10%, 4 respondents),
- Statement not being read out to the illiterate respondents (12.5%, 5 respondents),
- FIR filed late (5%, 2 respondents)

Three respondents who had filed the FIR on plain paper said that after the accused were caught, the FIR was written in the register. It could be true as the above respondents were referred to the research team from the police station.

Some Cases

Mr A went to file an FIR. The FIR was filed on a paper and a copy was given to him. Police took action against him and applied case on him for being in the district despite being declared a “zila badar”, even though there was no such case against him. The police entered his house and damaged his belongings. Money was asked to file the complaint.

B had one group filed a complaint against him. He filed a counter complaint against them. He won the court case, but the accused have not been arrested. He has also filed a complaint against the police in the MPHRC. Police is now harassing him. He is called at the police station for any incident taking place in the village.

C's FIR was filed and a copy was given to him. The statement was not read out. He had filed a counter case against the persons who had accused him of theft. He produced the required documents to prove his innocence. He was proved innocent. C was unhappy about how the police treated him. He was treated like a criminal and the behaviour during the entire proceedings was full of bias.

R's vehicle was stolen. He went to file FIR in the morning, but the police asked him to check with the relatives, friends. The FIR was then filed at 2pm. Application was written on plain paper. Money was given for tea and snacks. The vehicle was retrieved from Shujalpur where the thieves had left his vehicle in the village. The complainant did not share the cash transaction for getting the vehicle.

GG's vehicle was stolen. First he went to Barkheda Chowki under Obeidullahganj police station. He was sent to Obeidullahganj police station. From there he was sent to Budhni to see the vehicle. He returned at 7.30 pm to the police station. He was made to sit till 11pm at night. The Report was finally written next day at 11am. The police were reluctant to write the report. They said that the vehicle would be retrieved.

People had to be facilitated to apprise them of the offences being committed in the city or village. Many of the offences are dismissed as “petty” and the effort to lodge formal complaints for this appears more “difficult”.

3.2 Experiences of Persons Not Lodging an FIR

It was very difficult to find persons who have were not successful in filing an FIR. The Research Team contacted 299 persons before it could identify 30 persons who have not filed an FIR.

District	Police Station	No. of people approached	Not filed FIR
Sehore	Shyampur Duraha	54	12
	Ahmedpur		
Raisen	Obeidullahganj	64	3
	Goharganj		
Bhopal	Kohefiza	50	4
	TT Nagar	131	11
Total		299	30

While speaking to people it was realized that there were three aspects to the issue related to non-filing of FIRs.

- (a) Persons who have not approached the Police stations to file an FIR
- (b) Persons who have approached the police station and have not been able to file an FIR
- (c) Persons who have filed an FIR, but their “application” was taken on a piece of paper and then a “compromise” was facilitated.

(a) **Persons who have not approached the Police stations to file an FIR**

The main reason for not approaching the Police for lodging of complaint has

- No Promised Action by the Police
- Amount of time that will be spent in lodging complaint to the Police
- Money required for filing FIR
- Proper case not being registered

Case: Effort in Follow Up

Cycle of the child was stolen from a house premises. It was an independent house and the cycle was parked within the premises and the gate was closed. Yet the lady of the house did not lodge a complaint. Her husband was not in town on the day of the theft. The reasons she gave was that the effort required to follow up with the police would not be comparable with the cost of cycle. The lady did not relate it that though it was a small item the first time, next time it could be serious. So it was important for her to report to the police, specifically when the police chowki was located just at the end of the lane.

Case: No Action

A FGD was conducted of the women’s group in a village in Raisen district. The FGD started with discussions on the problems faced by the women. The women shared that there is paucity of work in the village and the men folk indulge in excessive drinking. The men often beat women for when the woman denies money for the. It is almost a daily affair in the village. On asking their response to this, they said that when

the beating becomes brutal, they go away to their parent house. Their husbands would come to take them back with a promise that such a thing will not be repeated. The promises are never kept. On asking them whether they had ever approached the police? Their reply was a vehement NO. The husbands would beat them more if they did so. On informing them that a law was now in place to deal with Domestic violence, they said that law comes after the beating takes place. Also what would happen if no action is taken against the men?

Case: Money and Improper Charges

Tamot village has 25% farmers with land holding less than 2 acres. They supplement their income by labour work. During discussions with the farmers they revealed that they do not go to the police station as Rs.50-100 has to be paid for filing an FIR. "Kacchhi" report is written and a compromise is facilitated, "case rafaaf dafaaf ho jaata hai". In cases of violence, police applies such clauses so that the bail can be given at the police station and the person committing the offense does not have to go to the Court.

In urban areas the community responded that their first attempt is to sort issues amongst themselves than going to police (Shiv Nagar, Bhopal)

In urban areas thefts by house maids or young boys working in commercial areas have often not been reported. If the maid is suspected or caught stealing petty cash, food stuff or some items it is not reported with the police. The maid is replaced. One shoe shop keeper said "aajkal kisi ka bharosa nahin, ab kya bole? Police ke chakkar lagane main bhi to samay lagta hai" (These days nobody can be trusted. What do I say? Time is required once you engage with police.)

(b) Persons who have approached the police station and have not been able to file an FIR

The main reason that the people have not been able to file the FIR is because of the Police had advised them to file an application and then in connivance with the accused their application has been removed from the files.

Case: Complainant asked to file an Application

Under Kohefiza police station a person with disability has his land encroached upon. He was asked to give application to the police station which he complied with. Nothing has happened to the application since then.

Case: Taking Money from the Accused

One person in Ahmedpur village said that some people were throwing stones at their house. The Police was called over phone and it came after 2 hours. The police accosted the accused and threatened them. Next day when the victim went to lodge the FIR, the Police refused as the Police had taken Rs.200 from the accused.

(c) Persons who have filed an FIR, but their "application" was taken on a piece of paper and then a "compromise" was facilitated.

The main issue here is that the Police writes the complaint on a plain paper and does not register it as an FIR. The Police would then call the accused to the Police station and get the victim and the accused to compromise. In this they end up taking money from both the parties.

Case: Forcing Compromise

At Barkheda Hasan village under Ahmedpur police station the people spoke about a TI who was earlier posted at the police station. His methodology was to threaten people, abuse them, beat them up and force compromise. Once he put a gun on a tea stall vendor and threatened to kill him. This behaviour of the TI has dissuaded the people from the village to approach the Police Station and lodge any complaint with them.

Case: Police Not Writing What is Reported

Police writes reports as it feels is right. The report is written on plain paper and the carbon copy is given to the complainant with a seal and signature. LN of Niwariya had the armature of his motor stolen. The FIR was filed on plain paper. The police wrote the value of the armature as Rs.14000 instead of Rs.18000 as was stated by the victim.

Case: Writing Application

In Sehore 8 persons had filed their "application" on plain paper. Out of these four people gave Rs.100 for filing of FIR.

Case: Not Lodging FIR

RK from Rawan Kheda village said that he had a dispute over access to road. He went to file the FIR. The FIR was not filed. The complainant was made to sit for the entire day which made the villagers angry. It led to dispute between two communities. The scheduled castes from the village also lodged a complaint and 61 Muslims including children were booked under SC and ST Atrocities Act. A small dispute of access to road was converted into political issue leading to violence between two communities. Bail had to be paid for all 61 persons.

III. ISSUES

The main issues identified from the present study with respect to the issues in filing of the FIR are as follows:

1. Delays

Though this issue is not apparent in urban areas but the fact is that the Police does not write the FIR in the first visit of the complainant. The complainant is made to sit for long hours in the Police Station or asked to come again before his complaint is lodged. This is a systemic issue and there needs to be stated system that stipulates the time that will be required in filing of the FIR once the complainant reaches the Police station. This should also be displayed prominently on the front wall of the Police Station.

2. Money

The issue of Police charging money for lodging an FIR has been frequently stated in rural areas. In fact the common perception among the rural folk is that there is money required for filing the FIR. The fact that no money is required for lodging a complaint needs to be displayed prominently in Police Stations and should be publicized widely through different forms of media. In fact the senior Police Officers should make it a point to disseminate this message in as many public forums to give credibility to the message and that lodging an FIR is the right of every citizen.

3. “Correct” FIR

One of the issues is regarding the correctness of the FIR according to the complainant. In this the issue is regarding the statements of the complainant and the applications of different sections of the IPC. The Police in this is accused of not recording what is stated by the complainant (e.g. price of equipment stolen) and registering the complaint under such sections of the IPC for which the bail is provided at the Police Station. The latter gives opportunity to use power over the accused and (in many cases opportunity to extract money) by the Police.

4. Follow Up

No promise of action, no information on the state of investigation seems to be the major cause that dissuades people from accessing police stations for lodging the complaint. This issue has been reported both by the persons who have lodged an FIR and those who have not lodged FIR to the Police. This seeming inaction by the Police is perceived as a waste of time and effort and hence lodging complaint is not the preferred choice of the citizens.

In fact the complainants are not aware about the post-FIR processes and neither are they informed by the police of the process and the procedures of investigation and progress of complaints. As a result their expectations of the public from the police are different than the procedures pursued by the police.

5. Application vs FIR

A major cause of dis-satisfaction among the citizens is that the police take their complaint in the form of an application. The main reason for this is the lack of awareness on part of the complainant about the role of Police and when a complaint is to be registered as an FIR. In fact, most complaints taken as 'applications' are not in the nature of cognizable offenses that would require filing of FIR. These are complaints that are to be addressed by different departments. For example, encroachment is not a cognizable offense and the proper place to complaint is the Revenue Department. But the first reaction of the complainant is to approach the Police. The police in turn take the complaint in the form of an application and call the accused to the Police station. In this the Police play the role of a mediator and seek to strike a compromise between the two parties to conflict. Once the compromise is reached they demand money from both the parties. The case is not registered in any of the official documents of the Police as it was not within their mandate in the first place.

There is, thus, need to create awareness among the community regarding different windows that are available to them for different forms of grievances. This will enable the complainant to approach the appropriate departments for addressing their complaint that will save them cost, effort and energy.

The study can best be summed by the expressions of a lawyer in Raisen district who spoke to the research team on condition of anonymity. According to him ***the persons who know the law do not guide people correctly. If complete and right information is given to people justice would be got to most of the people.***