

CIRCULAR

It has been observed that public complainants marked for enquiry to the DSP/SHO/Incharge PPs the enquiry is not conducted properly and aggrieved person is not given justice. The following steps be taken for conducting enquiry into complaints:-

1. When starting to write report of enquiry, the receipt no. and date of complaint and brief of allegations leveled in the complaint be mentioned.
2. The report should be sent within the prescribed time. If enquiry could not be completed within the prescribed time, an interim report should be sent for getting extra time. The prescribed time for enquiry of general complaints is 15 days. In date bound complaints received through hon'ble high court, NHRC, SC/ST Commission, Administrator etc. enquiry report be submitted within one week to enable the office to send the report to the asking authorities in time.
3. The enquiry into the complaint should be made by visiting the spot as far as possible as correct position can be ascertained at the spot and justice can be done. Moreover by visiting spot the public is also not harassed.
4. If the complainant or the alleged person did not join the enquiry, efforts be made to join them in the enquiry thrice as per law, by sending proper notice u/s 160 CrPC and reasonable time. If the complainant fails to join the enquiry the report be submitted.
5. During enquiry statements of complainant and other material witnesses be recorded and documentary evidence collected. The version of alleged persons be also recorded and evidence collected at the spot. A certificate be also obtained from both the parties that they can not produce any other witness or proof.

6. Whenever statement of illiterate person is recorded his/her thumb impression be get on the statement with remark “ read over and admitted to be correct” and signature of one of his/her accomplice who can read and write be also obtained on the statement as witness.
7. Enquiry officer after completion of enquiry should prepare factual report on the basis of evidence brought on record.
8. The brief of statement of complainant, alleged persons and witnesses be mentioned in the report.
9. In case the allegations made in the complaint are found incorrect, the enquiry officer after applying his/her mind should clearly submit report after reaching conclusion.
10. It has been observed that in complaints relating to property dispute, money transaction, matrimonial dispute etc. beside the allegation of property dispute, money transaction, matrimonial dispute some other points are also mentioned specifically of fraud, cheating, forgery, violence etc. but the enquiry officer without going through into such specific allegation, terming these as writing stereotype words like civil matter/matrimonial dispute/money transaction and recommend to file the complaint. Specific allegation mentioned in the complaint should be looked into minutely during enquiry and the tendency of recommending to file the complaints on the basis of civil matter, property dispute, money transaction, matrimonial dispute be not done without application of mind.
11. Some time enquiry reports are sent in illegible handwriting. It is directed that enquiry reports should be sent duly typed or be written in neat and clean handwriting.
12. The complaints against police officials i.e. HCs and constables be enquired into by the SHO himself and against the NGO be enquired by the G. O. supervisory officer and such complaints may not be down marked. First step in complaint against police be to get an affidavit from complainant of the allegations.

13. It is the prime duty of police to provide justice to the complainant. If injustice is meted out to the complainant due to poor enquiry strict departmental action would be taken against the delinquent officials.
14. If the enquiry officer reaches the conclusion that the complainant is making false complaints time and again to harass the other person(s), action u/s 182 IPC be recommended in such cases.

All concerned to ensure meticulous compliance.

Sd/-
Senior Superintendent of Police
UT, Chandigarh.

No:- 28471-91/UT/E-6, dated 26-09-07

Copy to:-

1. IGP for favour of information.
2. All SDPOs.
3. DSP/Crime, PCR, CID and Lines.
4. All SHOs, I/C crime branch, CRU.