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Phone Number, Authored By: Ms. Anjali Ram (BBA LL.B), Dept. of Law,
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ABSTRACT:

“This article is based on, an idea of filing an FIR through a specific phone number. In this article the author wants to expound the idea, that author has perceived or the thoughts, that got generated in mind during, this pandemic. FIR through specific number, so that every citizen from their mobiles or smartphones can take absolute actions regarding any offence they come across. As we are already working on an idea where virtually, things are happening, where all things are converting into the virtual world. So, what about those people, who need the help of law and justice, but at the same time, are ignorant to this virtual world or people who can't access or find hard to accept this very method of virtualization around them. And what should be an alternative way for them to get their problems solved?”

Through this article, I want to depict some paramount merits, of filing an FIR through a proper phone no. if provided, or if any action that will be taken, based on this idea. The way, a phone no. is generated for children's help, the helpline number. In that same manner, a specific phone number must be generated, which will be very much helpful for people in various crucial ways. Taking this step will act as a convenience for the citizens. Without having proper knowledge of this virtual world. Through this writing, the author is trying to expound the concept of filing an FIR through specified phone number, as the author thinks that, this will bring a change in society, which is really going to help in the development of humankind, in future.”

Keywords: Registration, FIR, Specific Number, Ignorant, Virtual World.

I. INTRODUCTION:

As we are moving towards a digital world, with several digitizations around us, we still come across with various glitches, that some-how becomes or results, as an obstacle in the development of humankind. And that obstacle could be of any form, based on, violation of any sort of ethics and morals, any sort of violation or offence, any sort of problem, that took birth in this pandemic, or any sort of crime that takes place, and so on. And for overcoming such barriers, there is a need, the need of justice. Justice, that can provide an adequate relief to

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people, provided that, justice should prevail. In India, around *91% of the offences are recognised under cognizable offences*. And the basic step that we all take, after going through such cognizable offence is, by filing an FIR. After which the whole procedure occurs or takes place. Based on the first information report, the police commence its investigation.

Registering an FIR is very much needed, not only for our own purpose but also for others, who can be helped. This makes it extremely important to take up some initiatives that can be undertaken by anyone who comes across any such cases of a cognizable offence. Every time, if this little initiative is taken at the earliest stage, then a number of people can be rescued from such cases. Therefore, working on the idea of FIR, which can be registered through a phone call, could result in a very convenient method for the citizens of India.

II. HOW THIS METHOD IS GOING TO WORK:

The way an FIR is filed in a police station, or an E-FIR which is filed through online mode, in a normal way, the FIR through Phones, can also be filed in the same way but, in a little different and in a very convenient manner.

The FIR can be registered through a specified phone number, that should be generated, by the govt. for the people, as there are certain special cases or can say certain exceptions where in some situations as we see the cases like ¹*Sukhram v. State of Maharashtra*, the court held that it is not important for the person to be present personally before the police station for registration of an FIR, further the FIR can be recorded via telephone or even through emails, provide that, there should not be any kind of ambiguity or it should not be vague in nature with proper vital information mentioned.

Hence, people connected to the fields of cyberspace can work on it, as the intricacies related to any network can be verily solved by them. So, that the FIR can be registered from any place,

¹ <http://lawtimesjournal.in/first-information-report-fir-under-crpc/>.

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and after that, the FIR report is recorded further will be forwarded to the particular DCP office then to the particular police station with the concerned area.

III. THE QUESTION THAT HOW THE FIR SHOULD BE FILED, THROUGH SPECIFIC NUMBER:

Well aware of the fact that filing an FIR sets, any cognizable offence into motion, with that, lodging FIR is the fundamental right, which is an inalienable right of each and every citizen against any criminal offence. So, firstly as we are developing and getting, a good hold on the technology and are becoming more and more familiar with the virtualization, this is creating a good impact in achieving a better headway in the fields, related to cyberspace.

Therefore, the person filing the FIR can simply make a call on the specified phone number, which will be generated by the govt. and can share the details. Such importance details that are required for generating the FIR and the details that are being shared by the person shall further be recorded by the cyberspace department.

Where the recording of the phone call is very much vital, as the details, such as address, name, issue and the statements made, should be taken into account, which later can be used, as an evidence to the police, and if someone tries to do any sort of prank or do any sort of mischievous act to this generated phone number, should be punished. With that the phone number of that particular person filing the FIR shall be taken into record, as it can be used like an evidence and through the phone number, the accurate location can also be traced through the IMEI² (International Mobile Equipment Identity).

Hence, in the end, after the registration of the FIR, the police can take action, with that, police can visit that place and further can complete any documentary requirements, or can do any sort of enquiry. Or at least can send any helping hand to that place, for helping the sufferer.

² <https://www.electronicsforu.com/videos-slideshows/trace-mobile-phone-using-imei-number>.

IV. WHAT COULD BE THE PARAMOUNT MERITS OF FILING FIR THROUGH THIS PROCESS:

Now coming to some predominant factors. First of all, talking about the people. According to the data generated by TRAI³ shows that, 66% of the population of India lives in village areas, with that, the internet penetration rate in India is about 50%, therefore, it becomes arduous for people to accept the idea of filing the FIR through online mode. As because the area leaving, the developed cities and the metropolitan areas, the left, rest of the areas still lacks the development of such technology.

Through an online process of filing FIR, people may face some sort of difficulties, that how the FIR complaint should be filled the procedure basically, and this online medium will create more issues to people who are not educated or semi-literate, and are not comfortable with the utility of any virtual objects, which will result in creating obstacles for people and they will face problem while accessing the procedures for filing an E-FIR.

The state government of Odisha started an initiative, which was launched on January 28, 2014, by providing an ATM Kiosk-like E-FIR⁴ facility, which is specially designed for women complaints but, the system hardly set out, as the response from the people was very poor. As the main reason behind the objective was, people were still unaware, ignorant and were unsure about how to access to the facility provided to them. And hence, the effect was very less. But people living in village areas somehow managed, to use mobile phones on daily basis. Around 68% of the population uses mobile phone, and the use of mobile phones rapidly increased in rural areas from 2013. As, people are not more into the online mode but, they do use their mobiles on regular basis, and from mobile phones by a simple call, the FIR could be registered. They will not come across such network glitches, as phone connections are available but internet connections are somewhat not that much accessible by people yet. The second very

³ <https://traai.gov.in/telecom/net-neutrality>.

⁴ <https://timesofindia.indiatimes.com/city/bhubaneswar/E-FIR-system-launched-in-Odisha/articleshow/49205183.cms>.

important thing is, the refusal of FIR registration by the police. India, which is having an estimated population, as of now is approx. 1,380,004,385 people, which means, the second highest country sustaining the wide population, definitely in a single day come across with the stuffs which can't be ignored, which needs the help and support of law and justice but at the same time having, deficiency of proper development or lack of management with the system of filing FIR. As the division of labour is inappropriate, the work load is quite high on single police in charge of the police station, with that the reputation also gets effected with the increasing number⁵ of FIR registration of a particular area.

There arises the question of efficiency on the working modes, and hence the denial of registration occurs. Therefore, the need of an alternative is very much required to solve such major problems, thus intervention of new ideas is needed, such as the working method of cyberspace departments, which can do a tremendous amount of work, by receiving calls, generating FIR and submitting the whole document to that particular police station, which is a good alternative, solving major problems relating to registration as well as, the working modes also gets in order.

There are some other situations too, where we found the police or the authorities try to use their power in wrong manner. In the case of *Amit Kumar vs. Joginder Singh⁶ And Anr on 15 January, 2019* the high court of Punjab and Haryana at Chandigarh stated that, after the aforesaid complaint dated 02.08.2015 was given to the petitioner/accused, being SHO of the area but he has not registered the FIR and has misused his power and thus, has committed an offence punishable under Section 166A IPC.

Therefore, to prevent such invidious act, the need for this alternative is necessary so that, there is no hesitation inside people to go to police stations, with that no fear to come across any such harassing situations.

⁵ <https://youtu.be/jmLIX2UkVGQ>.

⁶ <https://indiankanoon.org/doc/129687598/>.

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Next comes the safety and concern routines for women's living around us, yet living in 21st century with fledged rules and regulation, with proper establishment of law in our society, still we every day come across cases related to curtailment of women rights as, in rural or in village areas still we see that certain customs or rituals make women feel helpless, or various circumstances occur which are not abideable, which are beyond tolerance of a human being, when they need a helping hand, but are under clutch of certain powers, they are not allowed to go before the police station and take actions or lodge the FIR, therefore providing an easy mean for filing FIR to those helpless women's will definitely act as progressive step taken towards women empowerment.

With that, there are certain incidents that take place, with the pregnant ladies too. Sometimes, they are being harassed or threatened for the child that they carry in their womb, they are asked for abortion, or certain circumstances occur which creates threat to the life and limb of the poor pregnant lady. Thus, in such scenarios it is very much difficult for them to go to police stations, or raise voice to the kind of mischievous act done to them, but, in both the situations mentioned, if we have a convenient utility of filing FIRs through a phone call, then all these sort problems will stay no longer in the society. Hence, help and justice can be achieved by the people.

Last but not the least, the clutch of problems that currently people are going through, in this pandemic, has affected the day-to-day life management of each and every individual. If considering globally⁷, 1 out of 3 women's around us experienced physical or sexual violence mostly done by their intimate partner.

And in this pandemic when, protection was taken outside the house, the inside conditions of living were not that much good. According to my research, the types of violence done against women's and children during this quarantine, got intensified. The case that happened in

⁷ <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19>.

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Darbhanga⁸, Bihar, a 32-year-old lady named Savitri, faced hardships, in this pandemic. She was beaten by her husband, and in fact her husband tried to feed her the rat poison. When she asked and contacted her family, the abuser gave threat to her and asked for mutual settlement.

As she didn't get help from the police in the first instance, she was helped by a social worker, after that police arrived and warned the abuser. Women's like Savitri, still lives in that same constant fear, that causes threat to the life and limb. As being locked in with abuser stood horror-stuck.

The physical cruelty includes, hitting, beating, pushing, shoving, punching, slapping, kicking, or biting, or threatening using, a weapon too, or the sexual abuse, which includes rape or other forced sexual activity. With that is it too hard for people to get out of their house and to travel, though somehow young people managed to work in this new normal era, but for the old aged, this normal didn't work that efficiently. With that the health risk on these aged humans, is high as of talking about immunity. So, what should they do if they come across any sort of violence?

Therefore, in both the scenario if a good help can be provided to them so that they can easily take actions towards the ill-treatment they come across by registering through the specified phone number without going outside or without health risk then, changes can be brought under control. The atrocities will then no longer stay in the environment, we live in.

V. CONCLUSION:

The main objective of writing this article is all about implementing a new idea into the legal framework for building a robust environment, where the heinous act suffered by anyone, easily from any corner of the whole India, can file an FIR through just a specific phone number. As, sometimes the victim himself/ herself is not alive for filing any FIR after going through such cases, where the life and limb are taken away. Not only for the life, but for the right, to live the

⁸ <http://www.indiatogether.org/domestic-violence-women>.

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life freely. As, sometimes the situations are so worst that it is too hard to go and do an FIR, but if any convenience could be granted to the citizens, then maybe the proper way can be found to stop illegal acts and can be brought to an end. We have come across various problems, that common people face while registering an FIR, but this idea somewhat can act as a convenience to them, for their betterment and for the betterment of humankind.

We believe in bringing up the good changes, by working upon several ideas and thought process, that can bring the colossal society closer to each other and the implementation of respect and believe among the people, so that the despicable doings can be reduced, and pragmatic thought process can be put forward. Which will efface the atrocities present, in the present society.

As, said by a famous personality, “The measure of intelligence is the ability to change”

-Albert Einstein.