

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.173 of 2022

Sukadeb Behera & another ***Petitioners***

*Mr. P.K.Rout,
Advocate*

-versus-

State of Odisha & others ***Opp. Parties***

*Mr. Sk. Zafrulla,
Addl. Standing Counsel*

**CORAM:
JUSTICE BISWAJIT MOHANTY**

**ORDER
24.02.2022**

Order No.

- 03.
1. This matter is taken up through Video Conferencing Mode.
 2. Heard Mr. Rout, learned counsel for the petitioners and Mr. Zafrulla, learned Additional Standing Counsel.
 3. According to Mr. Rout, the petitioners who happens to be senior citizens are aggrieved by constant physical and mental torture meted out to them by their son and daughter-in-law. They are neither being given proper food nor extended proper treatment. Though they have approached the I.I.C., Nischintakoili Police Station (opposite party No.3) and Superintendent of Police (Rural), Cuttack (opposite party No.2) vide representations under Annexure-1 and 2 respectively till date nothing has been done for redressal of their grievances.
 4. Mr.Zafrulla, learned Addl. Standing Counsel refuting the submissions of Mr.Rout submits that in the meantime Nischintakoili P.S. Case No. 25 dated 11.2.2022 has been

registered for commission of offences under Sections 341, 323, 506/34 I.P.C.

5. In reply Mr.Rout submits that in their representations to the above noted police officials though they have also prayed for protection as they happen to be senior citizens, but till date nothing has been done in the matter. In this connection attention of this Court is drawn to various provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the Odisha Maintenance of Parents and Senior Citizens Rules, 2009 more particularly to Rule-20 which reads as follows:

"20. Action plan for the protection of life and property of senior citizens.- (1) The Superintendent of Police, and in the case of cities having a Police Commissioner, such Police Commissioner shall take all necessary steps, subject to such guidelines as the State Government may issue from time to time, for the protection of life and property of senior citizens. (emphasis supplied)

(2) Without prejudice to the generality of sub-rule (1), -

(i) each police station shall maintain an up-to-date list of senior citizens living within its jurisdiction, especially those who are living by themselves (i.e. without there being any member in their household who is not a senior citizen);

(ii) a representative of the police station together, as far as possible, with a social worker or volunteer, shall visit such senior citizens at regular intervals of atleast twice a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them, and only;

(iii) complain/problems of senior citizens shall be promptly attended to, by the local Police; (emphasis supplied)

(iv) One or more Volunteers' Committee(s) shall be formed for each Police Station which shall ensure regular contact between the senior citizens, especially those living by themselves, on the one hand, and the police and the district administration on the other;

(v) the Superintendent of Police or, as the case may be, the Police Commissioner shall cause to be publicised widely in the media and through the Police Stations, at regular intervals the steps taken for the protection of life and property of senior citizens;

(vi) each Police Station shall maintain a separate register containing all important particulars relating to offences committed

against senior citizens, in such form as the State Government may, by order, specify;

(vii) the register referred to in clause (vi) shall be kept available for public inspection, and every officer inspecting a Police Station shall invariably review the status as reflected in the register;

(viii) the Police Station shall send a monthly report of such crimes to the Superintendent of Police by 10th day of every month;

(ix) list of Do's and Don'ts to be followed by senior citizens in the interest of their safety will be widely publicized;

(x) antecedents of domestic servants and others working for senior citizens shall be promptly verified, on the request of such citizens;

(xi) Community policing for the security of senior citizens will be undertaken in conjunction with citizens living in the neighbourhood. Residents' Welfare Associations, Youth Volunteers Non-Government Organisations; (emphasis supplied)

(xii) the Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20th of every month, about the status of crime against senior citizens during the previous month, including progress of investigation and prosecution of registered offences,, and preventive steps taken during the month;

(xiii) the District Magistrate shall cause the report to be placed before the District-level Co-ordination-cum-Monitoring Committee constituted under rule 22.

(xiv) The Director General of Police shall cause the reports submitted under clause (xii) to be compiled, once a quarter, and shall submit them to the State Government every quarter as well as every year for, *inter alia*, being placed before the State Council of Senior Citizens constituted under rule 21."

6. In such background, Mr. Rout prays that a direction be issued to Superintendent of Police (Rural), Cuttack (opposite party No.2) to take a decision on their grievance petition under Annexure-2 which was sent to him through registered post on 13.12.2021 within a specific time period.

7. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Superintendent of Police (Rural), Cuttack (opposite party No.2) to take a decision on the grievance petition under Annexure-2 in accordance with law within a

period of two weeks from the date of receipt of a copy of the order and communicate the result of such exercise to the petitioner No.1 who in turn is directed to share such information with petitioner No.2.

8. The CRLMP is accordingly disposed of.

9. Issue urgent certified copy of this order on proper application.

(Biswajit Mohanty)
Judge

