

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.303 of 2022

Jobeda Bibi

....

Petitioner

*Mr. P.K.Das,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

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

**CORAM:
JUSTICE BISWAJIT MOHANTY**

ORDER

16.03.2022

Order No.

- 04.
1. This matter is taken up through Video Conferencing Mode.
 2. Heard Mr. Das, learned counsel for the petitioner and Mr. Zafrulla, learned Additional Standing Counsel.
 3. According to Mr. Das, the petitioner who happens to be senior citizen has been cruelly treated and driven out from her own house by her son and daughter-in-law as a result of which she is suffering a lot. Though she has approached the authorities but till date she is not getting any protection from such activities of her son and her daughter-in-law.
 4. In this context he relies on 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 and more particularly on 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 at least 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."

5. In such background, Mr. Das submits that liberty may be granted to the petitioner to move the Superintendent of Police, Kendrapara (opposite party No.3) in the matter by filing a grievance petition and the said opposite party be directed to take a decision on such motion at an early date.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file a grievance petition before opposite party No.3 through registered post within a period of two weeks from today. In the event, such a petition is filed along with a copy of this order, the opposite party No.3 would do well to take a decision on the same in accordance with law within a period of two weeks from the date of receipt of such grievance petition and communicate the result of such exercise to the petitioner.

7. Accordingly, this CRLMP is disposed of.

8. Urgent certified copy of the order be granted on proper application.

(Biswajit Mohanty)
Judge

