

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5974 of 2023

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Loha Singh Yadav Son of Viran Ray @ Viran Prasad Yadav, resident of village - Tarvan Majhauiliya, Chochahi Chapra, P.S. Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate-cum-Collector, Muzaffarpur, District - Muzaffarpur.
5. The Senior Superintendent of Police, Muzaffarpur, District - Muzaffarpur.
6. The Sub-Divisional Officer, Muzaffarpur West, District - Muzaffarpur.
7. The Circle Officer, Paroo, District - Muzaffarpur.
8. The Station Head Officer, Paroo Police-Station, District - Muzaffarpur.
9. Vijay Kumar Yadav @ Vijay Kumar Son of Late Saryug Rai, X
10. Kameshwar Rai, son of Late Ramchandra Rai, X
11. Vinod Rai, Son of Kameshwar Rai, X
12. Bablu Kumar, Son of Vijay Kumar, X
13. Amit Kumar, Son of Vijay Kumar, Resident of village - Tarvan Majhauiliya, Chochahi Chapra, P.S. Paroo, District - Muzaffarpur.
14. Saurabh Kumar, Son of Vinod Rai, Resident of village - Tarvan Majhauiliya, Chochahi Chapra, P.S. Paroo, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.
For the Respondent/s : Mr. Raj Kishore Roy (GP-18)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed directing the respondents to complete the measurement of petitioner's land appertaining to Khata No. 761, Khesra No. 6504, measuring an area 0.07 Decimal and Khesra No. 6503 measuring an area 0.07 Decimal situated in Mauza- Chochahi Chapra, Tole- Tarvan Manjhauiliya.

3. Counsel for the petitioner submits that he has filed an application and deposited requisite fee before the authority for measurement of his land, but either one pretext or the other, the petitioner's land could not be measured.

4. Counsel further submits that the petitioner is aged about 63 years who comes within the purview of senior citizens and the Government of Bihar has framed a special law i.e. the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 Published in Bihar Gazette 471 dated 12th September, 2012 and under Rule 22 of the said law, there is a provision for protection of life and property of senior citizens.

Rule 22 states as follows:-

22. Action plan for the protection of life and property of Senior Citizens. - (1) The District 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 Government may issue from time to time for the protection of life and property of senior citizens.

(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 once a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them;

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

(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 District Superintendent of Police or, the Police Commissioner as the case may be, shall cause to be publicized widely in the media and through the Police Stations, at regular intervals, the steps being 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 as in Annexure IV;

(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 entered in the Register;

(viii) the Police Station shall send a monthly report of such crimes to the District Superintendent of Police by the 10th 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 neighborhood, Residents' Welfare Associations, Youth Volunteers, Non-Government Organizations, etc;

(xii) the District 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 crimes against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month, as in Annexure V;

(xiii) the District Magistrate shall cause the report to be placed before the District level Committee constituted under rule 24;

(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 Government every quarter as well as every

year for, inter-alia, being placed before the State Council of Senior Citizens constituted under rule 23.

5. In the light of the above said Rule, the petitioner is at liberty to file representation under Rule 22 of the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 Published in Bihar Gazette 471 dated 12th September, 2012, before the Senior Superintendent of Police, Muzaffarpur raising all his grievances within 4 weeks alongwith the copy of order passed by this Court.

6. The Senior Superintendent of Police, Muzaffarpur is directed to do all the needful so that measurement of petitioner's land shall be completed within 8 weeks from the date of filing representation before the Circle Officer, Paroo District-Muzaffarpur in accordance with the above mentioned rule.

7. With this observation and direction, the present writ petition stands disposed of.

(Dr. Anshuman, J.)

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