

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9735 of 2023**

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Sita Ram Jha, S/o Late Gorakh Nath Jha @ Gorakh Jha, Resident of Village-Hasni, P.S.-Mohiuddin Nagar, District Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub-Divisional Magistrate, Patori, District-Samastipur.
4. The Circle Officer, Mohiuddin Nagar, District-Samastipur.
5. The Station House Officer, P.S.-Mohiuddin Nagar, District-Samastipur.
6. Rameshwar Paswan, Son of Late Amiri Paswan, resident of Village-Hasni, P.S.-Mohiuddin Nagar, District-Samastipur.
7. Saroj Paswan, son of late Amiri Paswan, resident of Village-Hasni, P.S.-Mohiuddin Nagar, District-Samastipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Suneil Kumar Thakur, Advocate  
For the Respondent/s : Mr.Sheo Shankar Prasad (SC8)

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL JUDGMENT**

**Date : 31-07-2023**

Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that the petitioner is a senior citizen aged about 84 years. He has filed the present petition for protection of his life and property appertaining to Thana No. 174, Khesra No. 136, Khata No. 04, admeasuring an area of 74 decimals situated under Mauza – Hansni, Circle & P.S. - Mohiuddin Nagar, District Samastipur.

3. Learned counsel for the State submits that the



grievance of the petitioner is absolutely private in nature for which the writ cannot be issued and the remedy is available to the petitioner before the different forum.

4. In the background of the submission, this Court acknowledges that the State of Bihar has enacted special law namely, the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 (hereinafter referred to as the 'Rules of 2012'. Rule 22 of the said Act categorically indicates the provisions relating to the protection of life and property of senior citizens, which 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 present facts and circumstances, the petitioner is directed to file an application before the District Superintendent of Police for protecting his life and property within four weeks from the date of this order whereupon the Superintendent of Police concerned is directed to do the needful in accordance with the provisions of the Rules of 2012 within a period of eight weeks thereafter.

6. With the aforesaid direction and observation, the writ petition stands disposed of.

**(Dr. Anshuman, J)**

Ashwini/-

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| AFR/NAFR          | NAFR       |
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