

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17702 of 2022

Indira Devi W/o Shri Brahmeshwar Ojha, Resident of Yarpur, Rajputana,
Shivajee Path, Patna, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police (S.S.P.), Patna.
4. The Sub- Divisional Magistrate, Patna Sadar, Patna.
5. The Circle Officer, Sadar, Patna.
6. The Officer Incharge/ S.H.O., Jakkanpur, Police Station, Patna.
7. Shravan Kumar, Son of Raj Narayan Lal, Resident of Mohalla- Gauriya Toli,
Near Veena Cinema, Patna, P.S. Kotwali, District Patna, at present resided at
Shakuntala Utsav Marriage Hall, Karbigahia, Patna, east of electricity office,
near Jakkanpur Police Station, Patna, P.S. Jakkanpur, District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dwivedy Surendra, Adv.
For the Respondent/s : Mr. Manish Kumar (Gp 4)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present writ petition has been filed directing the
respondents to save life and property of the petitioner which is
situated in Khata No. 54, Khesra No. 22, Tauzi No. 13 at
Mauza- Adru situated within the jurisdiction of Jakkanpur
Police Station near Sakuntala Utsav Marriage Hall Karbigahia,
Patna.

Counsel for petitioner submits that the petitioner had

filed a Measurement Case No. 31 of 2017-18. On the basis of said measurement, Amin was appointed and identification was marked by sticking pillar at the place. After completion of the demarcation process, the private respondent No.7 is creating trouble and want to grab the property of the petitioner. In this regard, petitioner has filed representation to all concerned but no help has come from any corner. Thereafter, the petitioner has come before this Court to save her life and property in this matter.

Counsel for State submits that there is special law framed, namely, the Bihar Maintenance and Welfare of Parents and Senior Citizens Rules, 2012 which has been published in the Bihar Gazette Extraordinary 471 dated 12.09.2012. The provisions laid down under Rule 22 of the Rules of 2012 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.

In this background that Government of Bihar has framed a special law in which the Superintendent of Police has been empowered to save the life and property of the senior citizens and complete action plan has been described in the said rule.

Counsel for the petitioner is directed to represent himself before the Senior Superintendent of Police, Patna (respondent No.3) in the said law and the Senior Superintendent of Police, Patna is directed to do all the needful within 60 days

from the date of filing of the representation and save the life and property of the petitioner.

With this direction, this civil writ application is hereby disposed of.

(Dr. Anshuman, J.)

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