

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.611 of 2023

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Md Noman Rahmani Son of Md. Masiuzzama, resident of Village Zamira,
Kochpokhar, P.S. - Barsoi, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Development, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Principal Secretary, Department of Homes, Government of Bihar, Patna.
4. The District Magistrate, Katihar.
5. The Superintendent of Police, Katihar.
6. The Circle Officer, Barsoi, District Katihar.
7. The S.H.O., Barsoi, Katihar.
8. Abdul Hai Son of Late Zahiruddin R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
9. Abdul Kayum Son of Late Zahiruddin R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
10. Md. Rizawan Alam Son of Late Mohamdul Hasan R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
11. Md. Rihan Alam Son of Late Mohamdul Hasan R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
12. Reza Alam son of Late Mohamdul Hasan R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
13. Rakib Alam Son of Late Mohamdul Hasan R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
14. Rezaul Bari Son of Late Mohamdul Hasan R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
15. Taufik Rahmani Son of Late Abdul Sukur R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
16. Md. Tauhid Rahmani Son of Late Abdul Sukur R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
17. Taufir Ahmad Rahmani Son of Late Abdul Sukur R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
18. Md. Mukhtar Alam Son of Late Md. Alauddin R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
19. Md. Maksud Alam son of Late Md. Alauddin R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
20. Md. Mahmud Alam son of Late Md. Alauddin R/o Village - Zamira, P.S. Barsoi, Distt. - Katihar.
21. Md. Sadik son of Md. Atik resident of Zamira, P.S. Barsoi, District - Katihar.

22. Md. Faiyaz Rafiki son of Md. Rafik resident of Zamira, P.S. Barsoi, District - Katihar.
23. Md. Fasiuzzama son of Late Sadiruddin resident of Zamira, P.S. Barsoi, District - Katihar.
24. Suresh Das S/o Late Jotin Chandra Das, r/o Village - Zemira, P.S.- Barsoi, Distt. Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Adv.
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc 19)
	:	Mr. Saurabh Kumar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and learned
Counsel for the State.

Counsel for petitioner submits that petitioner is an old aged person and comes within a purview of senior citizens. He has filed writ petition with a view to seeks protection of his life and properties at the hand of respondents. The petitioner has described the details of his property in the writ petition.

Counsel for State submits that from the pleadings of the writ petition, it transpires that the present dispute is between the two private set of parties and therefore, remedy for the petitioner does not lie in the writ petition and on this ground, the writ petition may be dismissed.

Upon going through the documents and hearing the parties, this Court finds that it is true that dispute is going on between the two private set of parties but one law which has

been specially enacted by the Government of Bihar being the Bihar Maintenance & Welfare of Parents and Senior Citizens Rules, 2012 where Chapter VI especially deals about the Protection of Life & Property of Senior Citizens and under Rule 22 (Action Plan for the Protection of Life and Property of Senior Citizens) has especially been described 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.

It is hereby directed that in the presence of the said law, the petitioner shall file representation before the appropriate authority as mentioned in the said rule who shall take all necessary steps for protection of life and property of the petitioner within 2 months.

As such petitioner shall file his representation within 4 weeks from today.

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

(Dr. Anshuman, J.)

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