

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP NO.2464 OF 2022

Labanya Sahu *Petitioner*
Mr.S.B.Mohanty Adv.

-versus-

State of Odisha & Ors. *Opp.Party*
Mr.G.R.Mohapatra,ASC

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
20.12.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The grievance of the petitioner is that opposite party No.5 by forcibly trespassing into her residential house at Sidha Mahaverpatna under Talabania P.S. created unnecessary uncongenial atmosphere and drove her from her premises. Though she approached the Talabania P.S., the concerned Officer-in-Charge of P.S. did not pay any heed to her request. As a result of which the safety and security of a Senior Citizen like the present petitioner has become endangered and her property is at stake.

4. In the above premises, learned counsel for the petitioner draws attention of this Court to the Police Circular Order No.374 of 2018 dated 25.01.2018 circulated to all District Police to ensure safety and security of Senior Citizens. It is further highlighted in such circular that action plan shall be prepared for protection of life and property of the Senior Citizens. The said circular is extracted hereunder”

ODISHA POLICE CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT

Police Circular Order No. 374/2018
No. 3284/CID- Law, Dated 25.01.2018

To

All District SsP including SsRP Rourkela/
Cuttack

Ref: State Police Hdqrs. Letter No. 3923/Con
dated 18.1.2016

Sub: Safety and Security of Senior Citizens.

To provide safe and secure atmosphere to senior citizens of the society, it is decided to open “Senior Citizen Security Cells” in the urban areas of all the districts of the state. Senior Citizen Security Cell will be a part of DIB and a Sub-Inspector shall remain in charge of the cell assisted by 2/3 constables.

The objectives of Senior Citizens Security Cell would be as follow:-

- To ensure safety and security of Senior Citizens.
- To inculcate a sense of security and confidence in the minds of the senior citizens.

- To sensitize local police with respect to the safety concerns of the senior citizens residing in their jurisdictions.
- To help the senior citizens in their personal problems, as far as practicable.
- To guide senior citizens on appropriate safety and security measures.
- To undertake police verification of all domestic helps by local police stations.

Further, as per Notification dated 24.09.2009 issued by the Women and Child Development Department wherein all District S.Ps. including Commissioner of Police, Twin city of Cuttack & Bhubaneswar have been instructed to ensure the safety and security of the Senior Citizens and the said Police has to create Senior Citizen Cells in all the districts of the State. The extract of the said circular is given hereunder

II. A representative of the police station together, as far as possible, with a social worker or volunteer, shall in addition, visit them as quickly as possible on receipt of a request of assistance from them.

III. Complain/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 Superintendent of Police shall ensure wide publications 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 office inspecting a police station shall invariably review the status as reflected in the register;

The IIC/OIC of each Police Station shall convene a meeting in each quarter for direct interface with Senior Citizens.

VIII. The Police Station shall send a monthly report of such crime 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 etc.

XII. The Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20 of every month, about the status of crime against senior citizens during the previous

month, including progress of investigation and of registered offences, and preventive steps Taken during the moth.

XIII. The District Magistrate shall cause the report to be placed before the District-level Co-ordination -cum- Monitoring Committee constituted under rule 22.

5. However, the said Senior Citizen Cells is only on paper. The implementation of the said circular is hardly found in reality.

6. In such view of the above, the Superintendent of Police, Puri is directed to immediately attend to the grievance of the petitioner and take immediate steps to ensure the safety and security of the petitioner.

7. It is the duty of the Police to inculcate a sense of security and confidence in the mind of the Senior Citizens of the State. In this context, the Director General of Police, Odisha is to sensitize all the local police officers regarding the safety and security of all Senior Citizens residing at their own jurisdiction and also to help the Senior Citizens in their personal problems as far as practicable.

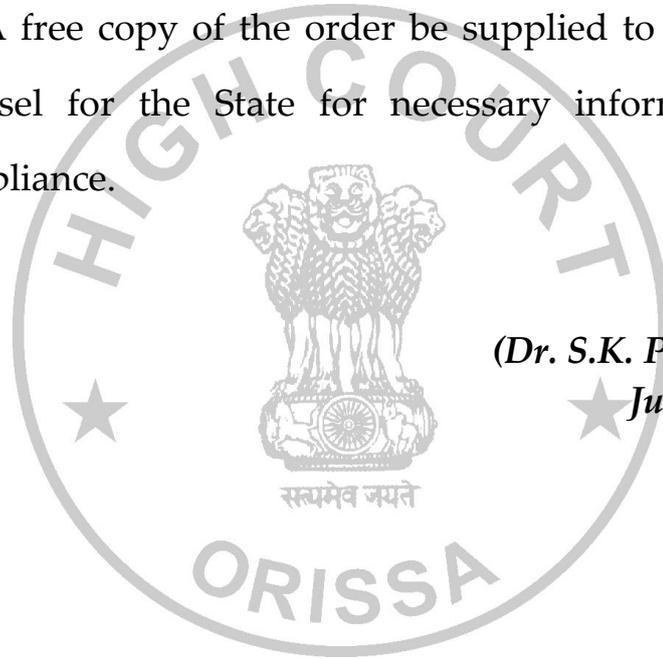
8. In the above context, the Director General of Police, Odisha is directed to file an affidavit regarding implementation of the aforesaid circular regarding setting up of help desk in each Police Station, especially, for Senior Citizens of the State in letters and spirit. The

said affidavit shall be filed within a period of three weeks from today.

9. List this matter on 24th of January, 2023.

10. In the meantime, in the instant case, the Superintendent of Police, Puri shall take appropriate steps to ensure a peaceful entry of the petitioner into her house and none of the trespassers shall be allowed to disturb the peace of the petitioner.

11. A free copy of the order be supplied to the learned counsel for the State for necessary information and compliance.



(Dr. S.K. Panigrahi)
★ Judge

LB