

HARYANA GOVERNMENT
SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT, HARYANA

Notification

The 26th May, 2015

No. 530SW-(4)-2015.— The Governor of Haryana is pleased to notify the following Action Plan for the protection of life and property of senior citizens as per provisions of Section 22(2) of the Haryana Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and Rule 24 of the Haryana Maintenance of Parents and Senior Citizen Rules, 2009.

ACTION PLAN FOR THE PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZENS

1. The Senior Superintendent of Police/ Superintendent of Police of District concerned, shall take all necessary steps, subject to such guidelines as the State 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) 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 Senior Superintendent of Police/Superintendent of Police of District concerned 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.
 - (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 that status as reflected in the register.
 - (viii) The Police Station shall send a monthly report of such crimes to the Senior Superintendent of Police/ Superintendent of Police of District concerned 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 Senior Superintendent of Police/ Superintendent of Police of District concerned shall submit to the Director General of Police through Inspector General of Police concerned and also submit to the District Magistrate Concerned, a monthly report by the 20th of every month, about the status of crime against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month.
 - (xiii) The District Magistrate shall cause the report to be placed before the District Committee of Senior Citizens for the district, constituted under rule-26.
 - (xiv) The Director General of Police shall cause the reports submitted under clause (xii) to be compiled, once every quarter and shall submit them to the State Government every quarter as well as every year for, inter alia, being placed before the State Council of Senior Citizens, constituted under rule-25.

(1) Procedure for eviction from the property /residential building belonging to/occupied by Senior Citizen/Parents.—

- i. Complaints received (as per provisions of the Maintenance of Parents and Senior Citizen Act, 2007) regarding life and property of Senior Citizens by different Department, NGOs/Social Workers, Helpline for Senior Citizens and District Magistrate himself, shall be forwarded to the District Magistrate of the concerned district for further action.
- ii. The District Magistrate, shall immediately forward such complaints/application to the concerned Sub Divisional Magistrates for verification of the title of the property and facts of the cases through Revenue Department/concerned Tehsildars/spot verification within 15 days from the date of receipt of such complaints/application.
- iii. The Sub Divisional Magistrates shall immediately submit his/her report to the concerned District Magistrate for final orders within 21 days from the date of receipt of the complaint/application.
- iv. If the District magistrate is of opinion that any son or daughter or legal heir of a senior citizen/parents are in unauthorized occupation of any property as defined in the Maintenance and Welfare of Parents and Senior Citizens Act 2007, and that they should be evicted, the District Magistrate shall issue in the manner hereinafter provided a notice in writing calling upon all persons concerned to show cause as to why an order of eviction should not be issued against them/him/her.
- v. The notice Shall-
 - a. specify the grounds on which the order of eviction is proposed to be made; and
 - b. require all persons concerned, that is to say, all persons who are, or may be, in occupation of, or claim interest in, the property/premises, to show cause, if any against the proposed order on or before such date as is specified in the notice, being a date not earlier than ten days from the date of issued thereof.
 - c. The District Magistrate shall cause the notice to be served by having it affixed on the outer door or at some other conspicuous part of the public premises and in such other manner as may be prescribed, whereupon the notice shall be deemed to have been duly given to all persons concerned.

(2) Eviction Order from property/residential building of Senior Citizen/parents.—

- i. If, after considering the cause, if any, shown by any person in pursuance to the notice and any evidence he/she may produce in support of the same and after giving him/her a reasonable opportunity of being heard, the District Magistrate is satisfied that the property/premises are in unauthorized occupation, the District magistrate or other officer duly authorized may make an order of eviction, for reasons to be recorded therein, directing that the property/residential building shall be vacated, on such date as may be specified in the order, by all persons who may be in occupation of any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part to the public premises;
- ii. The District Magistrate may also associate NGOs/Voluntary organizations/social workers working for the welfare of senior citizens for the enforcement of eviction order.

(3) Enforcement of Orders.—

- i. If any person refuses or fails to comply with the order of eviction within thirty days from the date of its issue, the District Magistrate or any other officer duly authorized by the District Magistrate in this behalf may evict that person from the premises in question and take possession;
- ii. The District magistrate, of the concerned district shall have powers to enforce the eviction orders through the Police Department.
- iii. The District magistrate, of the concerned district shall further arrange to handover the property/premises in question to the concerned Senior Citizens/parents.
- iv. The District Magistrate, of the concerned district shall forward a monthly report of such cases to the Director General, Social Justice & Empowerment Department Haryana, Chandigarh by 7th of the following month for review of such cases in the State Council for Senior Citizens constitute under the Maintenance and Welfare of Parents and Senior Citizens Act 2007, and Rules of 2009 framed under the said Act under the Chairmanship of the Hon'ble Minister of Social Welfare, Haryana.

Chandigarh
The 25th May, 2015

KUMAR SUNIL GULATI,
Additional Chief Secretary to Government Haryana,
Social Justice & Empowerment Department, Chandigarh.