

**CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT**

NOTIFICATION

No. SWI/Sr. Citizens Act/2008/8542

Dated: 22.10.2008

In pursuance of the provisions of Sub-section (3) of Section 1 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act No. 56 of 2007), and all other powers enabling him in this behalf, the Administrator, U.T. Chandigarh is pleased to appoint the 22nd day of October, 2008, the date on which the aforesaid Act shall come into force.

RAM NIWAS
SECRETARY SOCIAL WELFARE
CHANDIGARH ADMINISTRATION.

No. SWI/Sr. Citizens Act/2008/8543

Dated Chandigarh, the 22.10.2008

A copy is forwarded to the Director, Government of India Ministry of Social Justice & Empowerment, New Delhi for information with reference to letter No. 15-36(29)/2004-AG dated 2.7.2008.

Sd/-
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No. SWI/Sr. Citizens Act/2008/8544

Dated Chandigarh, the 22.10.2008

A copy is forwarded to the Controller, Printing & Stationery Department, U.T. Chandigarh with a request to publish the above notification in the next issue of the official gazette of Chandigarh Administration and to supply 10 copies thereof to this office for official use.

Sd/-
Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

True Copy

84
(12/11)
F. No. 12/11/08

**CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT**

NOTIFICATION

No. SWI/Sr. Citizens Act/Tribunals/2008/ 9752 Dated Chandigarh, the 22/12/2008

In view of the Social Welfare Department, Chandigarh Administration notification bearing No. SWI/Sr. Citizens Act/2008/8542-854 dated 22.10.2008 and in exercise of powers conferred under Section 7(1) and (2) and Section 15(1) and (2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act No. 40 of 2007), the Administrator, U.T. Chandigarh is pleased to declare the offices of Sub Divisional Magistrates as the **Maintenance Tribunals** for the purpose of adjudicating and deciding upon the order for maintenance in the area concerned under Section 5 of the said Act and the office of District Magistrate, **Appellate Tribunal** to hear the appeal against the order of the Tribunal respectively the jurisdiction of Union Territory of Chandigarh.

RAM NIWAS
SECRETARY SOCIAL WELFARE
CHANDIGARH ADMINISTRATION

No. SWI/Sr. Citizens Act/Tribunals/2008/ 9753 Dated Chandigarh, the 22/12/08
A copy is forwarded to the followings:-
i) District Magistrate, Chandigarh;
ii) All the Sub Divisional Magistrates, U.T. Chandigarh;
for information and necessary action.

Director Social Welfare,
For Secretary Social Welfare,
Chandigarh Administration.

No. SWI/Sr. Citizens Act/Tribunals/2008/ 9754 Dated Chandigarh, the 22/12/08
A copy is forwarded to the Controller, Printing & Stationery Department, U.T. Chandigarh with a request to publish the above notification in the next issue of Gazette of Chandigarh Administration and to supply 10 copies thereof to this office for official use.

Director Social Welfare,
For Secretary Social Welfare,
Chandigarr Administration

DECLARATION

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[Extract from the Chd. Admn. Gaz., dated the 1st September, 2009]

CHANDIGARH ADMINISTRATION

SOCIAL WELFARE DEPARTMENT

Notification

The 12th August, 2009

No. SWI/Senior Citizens Rules/2009/6547.—In exercise of the powers conferred by section 32 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (56 of 2007), the Administrator, U.T., Chandigarh is pleased to make the following rules, namely :—

CHAPTER I

Preliminary

1. Short title and commencement :

(1) These rules may be called the Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009.

(2) They shall come into force from the date of their notification in the Official Gazette.

2. Definition :

(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (56 of 2007) ;

(b) "Application" means an application made to a tribunal under section 5 ;

(c) "Blood Relations", in the context of a male and a female inmate, means father-daughter, mother-son, and brother-sister (not cousins) ;

(d) "Form" means a form appended to these rules ;

(e) "Inmate", in relation to an old age home, means a senior citizen duly admitted to reside in such a home ;

(f) "Opposite party" means the party against whom an application for maintenance has been filed under section 4 ;

(g) "Presiding Officer" means an officer appointed to preside over a Maintenance Tribunal referred to under sub-section (2) of section 7, or an Appellate Tribunal under sub-section (2) of section 15 ;

(h) "Schedule" means a Schedule appended to these rules ;

(i) "Section" means a section of the Act ;

(j) "State Government" means the Administrator of Union Territory of Chandigarh.

(2) The words and expressions defined in the Act but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

CHAPTER II

Procedure for Maintenance Tribunal and Conciliation Officers

3. Panel for appointment as Conciliation Officers :

(1) Every Tribunal shall prepare a panel of persons suitable for appointment as Conciliation Officer under sub-section (6) of section 6, which shall include the Maintenance Officers designated under section 18.

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(2) Persons referred to under sub-rule (1), other than Maintenance Officers designated under section 18, shall be chosen subject to fulfilling the following conditions, namely :—

- (a) he should be associated with an organization which is working for the welfare of senior citizens and/or weaker sections, or in the area of education, health, poverty alleviation, women's empowerment, social welfare, rural development or related fields, for at least two years with an unblemished record of service ;
- (b) he should be a senior office-bearer of the organization ; and
- (c) he should possess good knowledge of law :

Provided that a person who is not associated with an organisation of the kind mentioned above, may also be included in the panel mentioned in sub-rule (1) subject to fulfilling the following conditions, namely :—

- (i) he must have a good and unblemished record of public service in one or more of the areas mentioned in clause (a) ; and
- (ii) he should possess good knowledge of law.

(3) The Tribunal shall publish the panel mentioned in sub-rule (1) for general information at least twice every year, on 1st January and 1st July, respectively, and every time any change is effected therein.

4. Procedure for filling an application for maintenance, and its registration :

(1) An application for maintenance under section 4 shall be made in Form 'A', in the manner laid down in clauses (a) and (b) of sub-section (1) of section 5.

(2) On receipt of an application under sub-rule (1), the Presiding Officer shall cause—

- (a) its essential details to be entered in a Register of Maintenance Claim Cases, to be maintained in such form as the State Government may direct, and
- (b) its acknowledgment in Form 'B' to be given, notwithstanding anything contained in rule 5, to the applicant or his authorized representative in case of hand delivery, and its dispatch by post in other cases and the acknowledgment shall specify, *inter alia*, the registration number of the application.

(3) Where a Tribunal takes cognizance of maintenance claim, *suo motu*, the Presiding Officer shall, after ascertaining facts, get Form 'A' completed as accurately as possible, through the staff of the Tribunal, and shall, as far as possible, get it authenticated by the concerned senior citizen or parent, or any person or organisation authorized by him and shall cause the same to be registered in accordance with clause (a) of sub-rule (2) above.

5. Preliminary Scrutiny of the application :

(1) On receipt of an application under sub-section (1) of section 5, the Tribunal shall satisfy itself that—

- (a) the application is complete ; and
- (b) the opposite party has, *prima facie*, an obligation to maintain the applicant in terms of section 4.

(2) In case where the Tribunal finds any lacuna in the application, it may direct the applicant to rectify such lacuna within a reasonable time limit.

Notice to the Opposite Party :

(1) Once the Tribunal is satisfied on the points mentioned in sub-rule (1) of rule 5, it shall cause to be issued to each person against whom an application for maintenance has been filed, a notice in Form 'C' directing them to show cause why the application for maintenance should not be granted, along with a copy of the application and its enclosures, in the following manners :—

- (a) by hand delivery (*Dasti*) through the applicant if he, so desires, else through process server ; or
- (b) by registered post.

(2) The notice shall require the opposite party to appear in person, on the date to be specified in the notice and to show cause, in writing, as to why the application for maintenance should not be granted and shall also inform that, in case he fails to respond to it, the Tribunal shall proceed *ex parte*.

(3) Simultaneously with the issue of notice under sub-rules (1) and (2), the applicant(s) shall also be informed of the date mentioned in sub-rule (2), by a notice issued in Form 'D'.

(4) The provisions of Order V of the Code of Civil Procedure, 1908, shall apply, *mutatis mutandis*, for the purpose of service of notice under sub-rules (2) and (3).

7. Procedure in case of non-appearance by the Opposite Party :

In case, despite service of notice, the opposite party fails to show cause in response to a notice, the Tribunal shall proceed *ex parte*, by taking evidence of the applicant and making such other inquiry as it deems fit, and shall pass an order disposing of the application.

8. Procedure in case of admission of claim :

In case, on the date fixed in the notice issued under rule 6, the opposite party appears and accepts his liability to maintain the applicant, and the two parties arrive at a mutually agreed settlement, the Tribunal shall pass an Order accordingly.

9. Procedure for impleading children or relatives :

(1) An application by the opposite party, under the proviso to sub-section (5) of section 5, to implead any other child or relative of the applicant shall be filed on the first date of hearing as specified in the notice issued under sub-rule (2) of rule 6 :

Provided that no such application shall be entertained after such first hearing, unless the opposite party shows sufficient cause for filing it at a later stage.

(2) On receipt of an application under sub-rule (1), the Tribunal shall, if it is *prima facie* satisfied, after hearing the parties, about the reasonableness of such application, issue notice to such other child or relative to show cause why they should not be impleaded as a party, and shall after giving them an opportunity of being heard, pass an order regarding their impleadment or otherwise.

(3) In case the Tribunal passes an order of impleadment under sub-rule (2), it shall cause a notice to be issued to such impleaded party in Form "C" in accordance with rule 6.

10. Reference to Conciliation Officer :

(1) In case, on the date fixed in the notice issued under rule 6, the opposite party appears and show cause against the maintenance claim, the Tribunal shall seek the opinion of both the parties as to whether they would like the matter to be referred to a Conciliation Officer and if they express their willingness in this behalf, the Tribunal shall ask them whether they would like the matter to be referred to a person included in the panel prepared under rule 3 or to any other person acceptable to both parties.

(2) If both the parties agree on any person, whether included in the panel under rule 3 or otherwise, the Tribunal shall appoint such person as the Conciliation Officer in the case, and shall refer the matter to him, through a reference/letter in Form "E", requesting the Conciliation Officer to try and work out a settlement acceptable to both parties, within a period not exceeding one month from the date of receipt of the reference.

(3) The reference in Form "E" shall be accompanied with copies of the application and replies of the opposite party thereto.

11. Proceeding by Conciliation Officer :

(1) Upon receipt of reference under rule 10 the Conciliation Officer shall hold meetings with the two parties as necessary, and shall try to work out a settlement acceptable to both the parties, within a period of one month from the date of receipt of the reference.

(2) If the Conciliation Officer succeeds in working out a settlement acceptable to both the parties, he shall draw up a memorandum of settlement in Form 'F', get it signed by both parties, and forward it, with a report in Form 'G', along with all records of the case received from the Tribunal, back to the Tribunal within a month from the receipt of the reference.

(3) If the Conciliation Officer is unable to arrive at a settlement within one month of receipt of a reference under rule (10), he shall return the papers received from the Tribunal along with a report in Form 'H', showing efforts made to bring about a settlement and the points of difference between the two parties which could not be reconciled.

12. Action by the Tribunal in case of settlement before a Conciliation Officer :

(1) In case, the Tribunal receives a report from the Conciliation Officer under sub-rule (2) of Rule 11, along with a memorandum of settlement, it shall give notice to both parties to appear before it on a date to be specified in the notice, and confirm the settlement.

(2) In case on the date specified in the notice as above, the parties appear before the Tribunal and confirm the settlement arrived at before the Conciliation Officer, the Tribunal shall pass a final order as agreed in such settlement.

13. Action by the Tribunal in other cases :

(1) In case,—

- (i) the applicant(s) and the opposite parties do not agree for reference of their dispute to a Conciliation Officer as per rule 10 ; or
- (ii) the Conciliation Officer appointed under rule 10 sends a report under sub-rule (3) of rule 11, conveying inability to work out a settlement acceptable to both the parties ; or
- (iii) no report is received from a Conciliation Officer within the stipulated time-limit of one month, or
- (iv) in response to the notice issued under sub-rule (1) of rule 12, one or both the parties decline to conform the settlement worked out by the Conciliation Officer.

The Tribunal shall give to both the parties an opportunity of leading evidence in support of their respective claims, and shall, after a summary inquiry as provided in sub-section (1) of section 8, pass such order as it deems fit.

(2) An order passed under rule 7, rule 8 or under sub-rule (1) above shall be a speaking one, spelling out the facts of the case as ascertained by the Tribunal, and the reasons for the order.

(3) While passing an order under sub-rule (1), directing the opposite party to pay maintenance to an applicant, the Tribunal shall take the following into consideration :—

- (a) amount needed by the applicant to met his basic needs, especially food, clothing, accommodation, and healthcare,
- (b) income of the opposite party, and
- (c) value of and actual and potential income from the property, if any, of the applicant which the opposite party would inherit and/or is in possession of.

(4) a copy of every order passed, whether final or interim, on an application, shall be given to the applicant(s) and the opposite party or their representatives, in person, or shall be sent to them through a process server or by registered post.

14. Maximum maintenance allowance :

The maximum maintenance allowance which a Tribunal may order the opposite party to pay shall, subject to a maximum of rupees ten thousand per month, be fixed in such a manner that it does not exceed the monthly income from all sources of the opposite party, divided by the number or persons in his family, counting the applicant or applicants also among the opposite party's family members.

CHAPTER III

Procedure of Appellate Tribunal

15. Form of appeal :

An appeal under sub-section (1) of Section 16 shall be filed before the Appellate Tribunal in Form 'I', and shall be accompanied by a copy of the impugned order of the Maintenance Tribunal.

16. Registration and acknowledgement of appeal :

On receipt of an appeal, the Appellate Tribunal shall register it in a register to be maintained for the purpose in such form as the State Government may direct, and shall, after registering such appeal, give an acknowledgement to the appellant, specifying the appeal number and the next date of hearing, in Form 'J'.

17. Notice of hearing to the respondent :

(1) On receipt of an appeal, the Appellate Tribunal shall, after registering the case and assigning an appeal number, cause, notice to be served upon the respondent under its seal and signature in Form 'K'.

(2) The notice under sub-rule (1), shall be issued through registered post with acknowledgement due, or through a process server.

(3) The provisions of Order V of the Civil Procedure Code shall apply *mutatis mutandis* for the purposes of service of notice issued under sub-rule (1).

CHAPTER IV

Scheme for Management of old age homes established under section 19

18. Scheme for management of old age homes for indigent senior citizens :

(1) Old age homes established under section 19 shall be run in accordance with the following norms and standards :—

- (A) The home shall have physical facilities and shall be run in accordance with the operational norms as laid down in the Schedule ;

(B) Inmates of the home shall be selected in accordance with the following procedure—

(a) applications shall be invited at appropriate intervals, but at least once each year, from indigent senior citizens, as defined in section 19 of the Act, desirous of living in the home ;

(b) in case the number of eligible applicants on any occasion is more than the number of places available in a home for admission, selection of inmates will be made in the following manner:—

(i) the more indigent and needy will be given preference over the less indigent applicants ;

(ii) other things being equal older senior citizens will be given preference over the less old ; and

(iii) other things being equal, female applicants will be given preference over male applicants.

Illiterate and/or very infirm senior citizens may also be admitted without any formal application if the District Magistrate or other competent authority, designated by him for the purpose, is satisfied that the senior citizen is not in a position to make a formal application, but is badly in need of shelter.

(C) While considering, applications or cases for admission, no distinction shall be made on the basis of religion or caste ;

(D) The home shall provide separate lodging for men and women inmates, unless a male and a female inmate are either blood relations or a married couple ;

(E) Day-to-day affairs of the old age home shall be managed by a Management Committee which shall be constituted in accordance with orders and guidelines issued by the State Government from time to time, such that inmates are also suitably represented on the Committee.

(2) State Government may issue detailed guidelines/orders from time to time for admission into and management of old age homes in accordance with the norms and standards laid down in sub-rule (1) and the Schedule.

CHAPTER V

Duties and Powers of the District Magistrate

19. Duties and powers of the District Magistrate :

(1) The District Magistrate shall perform the duties and exercise the powers mentioned in sub-rules (2) and (3) so as to ensure that the provisions of the Act are properly carried out in his district.

(2) It shall be the duty of the District Magistrate to—

(i) ensure that life and property of senior citizens of the district are protected and they are able to live with security and dignity ;

(ii) oversee and monitor the work of Maintenance Tribunal and Maintenance Officers of the district with a view to ensuring timely and fair disposal of applications for maintenance, and execution of Tribunals' orders ;

- (iii) oversee and monitor the working of old age homes in the district so as to ensure that they conform to the standards laid down in these rules, and any other guidelines and orders of the State Government ;
- (iv) ensure regular and wide publicity of the provisions of the Act, and Central and State Government's programmes for the welfare of senior citizens ;
- (v) encourage and coordinate with panchayats, municipalities, Nehru Yuva Kendras, educational institutions and especially their National Service Scheme Units, organisations, specialists, experts, activists, etc, working in the district so that their resources and efforts are effectively pooled for the welfare of senior citizens of the district ;
- (vi) ensure provision of timely assistance and relief to senior citizens in the event of natural calamities and other emergencies ;
- (vii) ensure periodic sensitization of officers of various Departments and Local Bodies concerned with welfare of senior citizens, towards the needs of such citizens, and the duty of the officers towards the latter ;
- (viii) review the progress of investigation and trial of cases relating to senior citizens in the district, except in cities having a Police Commissioners ;
- (ix) ensure that adequate number of prescribed application forms for maintenance are available in offices of common contact for citizens like Panchayats, Post Offices, Block Development Officers, Tehsil Offices, Collectorate, Police Stations, etc ;
- (x) promote establishment of dedicated Helplines for senior citizens at district headquarters, to begin with and
- (xi) perform such other functions as the State Government may, by order, assign to the District Magistrate in this behalf, from time to time.

(3) With a view to performing the duties mentioned in sub-rule (2), the District Magistrate shall be competent to issue such direction, not inconsistent with the Act, these rules, and general guidelines of the State Government, as may be necessary, to any concerned government or statutory agency or body working in the district, and especially to the following :—

- (a) Officers of the State Government in the Police, Health and Publicity Departments, and the Department dealing with welfare of senior citizens ;
- (b) Maintenance Tribunals and Conciliation Officers ;
- (c) Panchayats and Municipalities ; and
- (d) Educational Institutions.

CHAPTER VI

Protection of Life and Property of Senior Citizens

20. Action plan for the protection of life and property of senior citizens :

(1) The Senior Superintendent of Police, 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) 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 Senior Superintendent of Police 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 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 officer inspecting a Police Station shall invariably review the status as reflected in the register.
- (viii) the Police Station shall send a monthly report of such crimes to the Senior 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 neighbourhood, Residents Welfare Associations, Youth Volunteers, Non-Government Organizations, etc.
- (xii) the Senior Superintendent of Police shall submit to the Inspector General of Police and to the District Magistrate, 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 State Level Coordination-cum-Monitoring Committee constituted under rule 22.
- (xiv) The Inspector General of Police shall cause the reports submitted under clause (xii) to be compiled, once a quarter, and shall submit them to the State Government every quarter as well as every year for, *inter alia*, being place before the State Council of Senior Citizens constituted under rule 21.

CHAPTER VII

State Council and District Committees of Senior Citizens

21. State Council of Senior Citizens :

(1) The State Government may, by order, establish a State Council of Senior Citizens to advise the State Government on effective implementation of the Act and to perform such other functions in relation to senior citizens as the State Government may specify.

(2) The State Council shall consists of the following members. namely :—

- | | |
|---|--|
| (i) Secretaries-in-charge of welfare of Senior Citizens ; | .. Chairman, <i>ex officio</i> |
| (ii) Secretaries of Departments of the State Government dealing with Disabilities Senior Citizens Welfare Health, Home Publicity, Pensions, and other subjects of concern to the senior citizens ; | .. Members <i>ex officio</i> |
| (iii) Such number of specialists and activists in the field of welfare of senior citizens, as the State Government may determine, to be nominated by the State Government ; | .. Members |
| (iv) Such number of eminent senior citizens, as the State Government may determine, but not less in number than the <i>ex officio</i> members in the Council, to be nominated by the State Government ; | .. Members |
| (v) Director incharge of Senior Citizens Welfare in the State | .. Member-Secretary, <i>ex-officio</i> |

(3) The State Council shall meet at least once in six months.

(4) Tenure of the members of the State Council, other than *ex officio* members, rules of procedure of the Council and other ancillary matters shall be such as the State Government may, by order, specify.

22. State/District Committee of Senior Citizens :

(1) The State Government may, by order, establish a State Committee of Senior Citizens to advise an effective and coordinated implementation of the Act and to perform such other functions in relation to senior citizens at the State Level as the State Government may specify.

(2) The State Committee shall meet once every quarter.

(3) Composition of the Committee, tenure of members (other than *ex officio* members), rules of procedure and other ancillary matters shall be such as the State Government may, by order, specify.

RAM NIWAS,

Secretary, Social Welfare,
Chandigarh Administration.

SCHEDULE

(See Rule 18)

Norms of Physical Facilities and Operational Standards for an Old Age Home for Indigent Senior Citizens Established under Section 19 of the Act

I. Physical Facilities

1. Land.—The land for the old age home should be adequate to comply with the Floor-Area Ratio (FAR) as prescribed by the relevant urban body/State Government. In the case of semi-urban/rural areas, the State Government shall provide adequate land for setting up of an old age home of requisite capacity such that there is adequate land for recreation, gardening, further expansion, etc.

2. Living Space.—The old age home shall, as far as possible, have minimum area per inmate as per the following norms :—

- (i) area of bedrooms/dormitory per inmate .. 7.5 sq. meters
- (ii) living area or carpet area per inmate i.e. including .. 12 sq. meters
 - (i) above *plus* ancillary areas like kitchen, dining hall, recreation room, medical room, etc., but excluding verandahs, corridors, etc.

3. Facilities.—(1) The old age home shall have the following facilities :—

- (i) residential area comprising Rooms/dormitories—separately for men and women ;
- (ii) adequate water for drinking and ancillary purposes ;
- (iii) electricity, fans and heating arrangement for inmates (as necessary) ;
- (iv) Kitchen-cum-store and office ;
- (v) dining hall ;
- (vi) adequate number of toilets and baths, including toilets suitable for disabled persons;
- (vii) recreation facilities, television, newspaper and an adequate collection of books ; and
- (viii) first aid, sick bay, and primary healthcare facilities.

(2) The old age home should be barrier-free with provision of ramps and handrails, and where necessary, lifts, etc.

II. Operational Standards

1. Supply of nutritious and wholesome diet as per scale to be fixed by the State Government.

2. Adequate clothing and linen for the inmates, including for the winter season.

3. Adequate arrangements for sanitation, hygiene, and watch and ward/security.

4. Arrangements with the nearest Government hospital for emergency medical care, and with the nearest Police Station for security requirements.

FORM A

[See Rule 4(1)]

Application for Maintenance

In the Maintenance Tribunal Constituted under Section 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007

1. Name of the applicant :

(Senior Citizen/Parent) :
Organization/RWA
Senior Citizen Organization

2. Name of Father/Husband :
Organization

3. Full Postal Address :

4. Name of Children/Relative/Sex :
Present Address :

5. Yearly income of the Children/relative from all sources :—

Complaint :

Verification

I do hereby verify that the statements made above by me are true to the best of my knowledge and belief and in verification thereof I put my signature hereunder.

Signature of the applicant.

Explanation.—For the purpose of Section 5(1) (b) "Organization" means any voluntary association registered under the Society Registration Act, 1860, or any other law for the time being in force.

FORM A

[Form for filling an Appeal before the Appellate Tribunal under Section 16(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007]

1. Name of the Appellant
2. Name of Father/Husband
3. Complete Postal Address

House No. _____ Sector _____
 Police Station _____
 Post Office _____ Pin Code _____
 District _____

4. Name of Children/Relative from whom maintenance claimed
5. Present address of Children/Relative

House No. _____ Sector _____
 Police Station _____
 Post Office _____ Pin Code _____
 District _____

6. Permanent address of Children/Relative

House No. _____ Sector _____
 Police Station _____
 Post Office _____ Pin Code _____
 District _____

7. Yearly income of the Children/Relative from all sources
8. Details of order against which the present appeal is being filed
9. Grounds of Appeal
10. Relief prayed for
11. Interim prayer, if any

Verification :

Appellant

I do hereby verify that the statements made above by me are true to the best of my knowledge and belief and in verification thereof I put my signature hereunder.

Signature of Applicant

FORM 'B'

Before the Maintenance Tribunal

[Exercising the powers of Maintenance Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007].

Received from Smt./Shri/Ms. _____ son of Smt./Shri/Ms. _____
four copies of the application preferred under sub-section (1) of Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 which has been registered and assigned the Application No. _____ of 2009

Signature with Seal

FORM

Before the Presiding Officer, Maintenance Tribunal

[Exercising the powers of Maintenance Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007].

Application No. _____ of 2009.

Shri/Smt. _____
Applicant

versus

Shri/Smt. _____ .. Respondent

Notice of Cause

Whereas an appeal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein you have been joined as respondent and of which a copy is enclosed, has been presented to this Tribunal.

You are hereby informed that the said application has been fixed for hearing at _____ A.M. on _____ and that if you wish to state anything in reply to the application you may appear in this Tribunal on that date, and file your written statement 3 (Three) days before that day either in person or through any Advocate duly instructed.

Take notice that in default of your appearance on the date aforementioned the case shall be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this _____ day of _____, 2009.

By Order of the Maintenance Tribunal, _____

Signature with Seal.

FORM 'D'

Before the Maintenance Tribunal

[Exercising the powers of Appellate Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007]

Application No. _____ of 2009.

To

Smt./Shri/Ms. _____

Smt./Shri/Ms. _____

.. Applicant

versus

Smt./Shri/Ms. _____

.. Respondent

Notice

Whereas an Application has been filed by you under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before this Tribunal.

Whereas now this Tribunal has fixed your application for hearing at _____
A.M. on _____.

Whereas now if you wish to urge anything in support of your plea taken in your application, you may appear in this Tribunal on that date either in person or through any Advocate duly instructed.

Take notice that in default of your appearance on the date aforementioned the case shall be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this _____ day of _____, 2009.

By Order of the Maintenance Tribunal, _____

Signature with Seal.

FORM 'E'

Before the Presiding Officer, Maintenance Tribunal

[Exercising the powers of Appellate Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007].

To

Subject : Application No. _____ (_____versus_____)

Whereas an Application has been filed by the Applicant under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before this Tribunal.

Whereas the subject cited Application was fixed for hearing on _____

Whereas in response to the notice given in Form-C to the opposite party, the opposite party appeared and showed cause against the maintenance claim.

Whereas the Tribunal has sought the opinion of both the parties as to whether they would like the matter to be referred to a Conciliation Officer.

Whereas now both the parties have expressed their willingness in this behalf and upon the asking of the Tribunal whether the parties would like the matter to be referred to a person included in the panel prepared under rule 5, or to any other person acceptable to both the parties, now both the parties have agreed for your being appointed as the Conciliation Officer in the subject cited case.

Now through this letter you are requested to try and work out a settlement acceptable to both the parties, within period not exceeding one month from the date of receipt of the reference. Copies of the application and replies of the opposite party thereto are enclosed herewith.

Presiding Officer,
Maintenance Tribunal.

FORM F

MEMORANDUM OF SETTLEMENT

This Memorandum of Settlement (MoS) is worked out on this _____ day of _____ 2009 between _____ (here-in-after referred to as the "First Party") and Sh./Smt. _____ (here-in-after referred to as the "Second Party").

Whereas the learned Maintenance Tribunal/Appellate Tribune has designated me as the Conciliation Officer and has directed to work out a settlement acceptable to both the parties and to draw up a Memorandum of Settlement. ~~vide~~ orders dated _____.

Whereas in pursuance to the orders of the Id. Tribunal, the Conciliation Officer, ~~vide~~ letter dated _____ summoned both the parties to appear before him on _____ at _____ a.m.

Whereas now with the best efforts of the Conciliation Officer, both the parties are now entering into this Memorandum of Settlement to formalize various terms and conditions of this MoS reached between them as under :—

Now, therefore, the parties hereto hereby agree and this Memorandum of Settlement witnessed as follows :—

1. That the Second Party has agreed to maintain the first party to provide such needs of the life like shelter, food, clothing, medical facilities etc. which shall made the second party to lead a normal life.
2. That the second party shall pay a sum of Rs. _____ to the first party on account of pocket money as well as to meet the day to day petty expenses. This will be paid through _____ (mode of payment) by _____ date of every month.
3. That if at any stage, the Second Party fails to provide the facilities as mentioned in the sug stage, the sub clause (1), then the second party shall pay a sum of Rs. _____ per month as a Maintenance Allowance to the First Party. This amount shall be paid by date of every month through _____ mode of payment.
4. That the second party undertakes that in case he/she fails to abide by the terms and conditions of this MoS then, the Second Party shall be liable to be proceeded against under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 as well as the rules framed there under. Any other terms and conditions of the settlement.

Signed by the parties to this Memorandum of Settlement on the date mentioned by them and it shall come into force after all the parties have signed.

In Witness whereof the parties hereto have set their hands, in token of acceptance.

First Party

Second Party

Conciliation Officer

Witness No. 1

Witness No. 2

FORM G

Before the Presiding Officer, Maintenance Tribunal

(Exercising the powers of Maintenance Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007).

In Application No. _____ of 2009

.. Applicant

Shri/Smt. _____

versus

Shri/Smt. _____

.. Respondent

Submission of Report

Respectfully sheweth :

1. That this id. Tribunal was pleased to designate the undersigned as the Conciliation Officer under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. The order,—vide _____, this learned Tribunal directed to work out a settlement which is acceptable to both the parties and to draw up a Memorandum of Settlement.
3. That in pursuance to the orders of this Tribunal dated _____, with the best efforts of the Conciliation Officer ; a Memorandum of Settlement dated _____ has been reached which is acceptable to both the parties. Copies to be attached.
4. That the following is the detailed report which has led to the working out of the enclosed Memorandum of Settlement :—

Report :—

Conciliation Officer.

Place :

Dated :

FORM H

Before the Presiding Officer, Maintenance Tribunal

(Exercising the powers of Maintenance Tribunal under Section 4(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007).

In Application No. _____ of 2009

Shri/Smt. _____ .. Applicant

Versus

Shri/Smt. _____ .. Respondent

Respectfully sheweth :

1. That this id. Tribunal was pleased to designate the undersigned as the Conciliation Officer under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
2. That,—vide order dated _____, this learned Tribunal directed to work out a settlement which is acceptable to both the parties and to draw up a Memorandum of Settlement.
3. That in pursuance to the orders of this Tribunal, the Conciliation Officer,—vide his letter dated _____ summoned both the parties to appear before him on _____ at _____ a.m.
4. That on the date fixed, both the parties appeared before the Conciliation Officer.
5. That on the date fixed an acceptable settlement could not be reached. However, the parties were again summoned for _____, _____. But even then no settlement could be reached.
6. That since no settlement could be worked out between the parties inspite of the best efforts of the Conciliation Officer, as per the details given below :—
 - (a) _____
 - (b) _____
7. That the points of difference due to which the matter could not be reconciled are as under :—
 - (a) _____
 - (b) _____
8. That in view of the facts stated above, the circumstances demand that this Id. Tribunal may proceed further in the matter as deems fit and proper in the circumstances of this case and the papers received from this Tribunal are returned herewith.

Conciliation Officer

Place :

Dated :

FORM I

(FORM FOR FILLING AN APPEAL BEFORE THE APPELLATE TRIBUNAL UNDER SECTION 16(1) OF THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007)

1. Name of the Appellant :

2. Name of Father/Husband :

3. Complete Postal Address :

House No. _____, Sector _____
Police Station _____
Post Office _____ Pin Code _____
District _____

4. Name of Children/Relative from whom Maintenance claimed :

5. Present Address of Children/Relative :

House No. _____ Sector _____
Police Station _____
Post Office _____ Pin Code _____
District _____

6. Permanent Address of Children/Relative :

House No. _____ Sector _____
Police Station _____
Post Office _____ Pin Code _____
District _____

7. Yearly income of the children/
relative from all sources :

8. Details of order against which
the present appeal is being filed :

9. Grounds of Appeal :

10. Relief, prayed for :

11. Interim prayer, if any :

Appellant

Verification :

I do hereby verify that the statements made above by me are true to the best of my knowledge and belief and in verification thereof I put my signature hersunder.

Signature of Applicant.

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FORM J

Before the Appellate Tribunal

(Exercising the powers of Appellate Tribunal under Section 16(2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007).

Received from Smt./Shri/Ms. _____
Son/Husband/Wife of Shri _____, four copies of the appeal
preferred under sub-section (1) of Section 16 of the Maintenance and Welfare of Parents and
Senior Citizens Act, 2007 against the order dated _____ passed by the Maintenance
Tribunal, _____ which has been registered and assigned the Appeal No.
_____ of 2009.

Signature with Seal.

FORM K

BEFORE THE APPELLATE TRIBUNAL

(Exercising the powers of Appellate Tribunal under Section 16(2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007).

Appeal No. _____ of 2009

Shri/Smt. _____ .. Applicant

versus

Shri/Smt. _____ .. Respondent

Notice of Cause

Whereas an appeal under Section 16(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein you have been joined as respondent and of which a copy is enclosed, has been presented to this Tribunal.

You are hereby informed that the said appeal has been fixed for hearing at _____ a.m. on _____ and that if you wish to urge anything in reply to the appeal, you may appear in this Tribunal on that date, and file your written statement 3 (Three) days before that day either in person or through any Advocate duly instructed.

Take notice that in default of your appearance on the date aforementioned, the case shall be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this _____ day of _____ 2009.

By Order of the Appellate Tribunal, _____ (Name of the City/State)

Signature with seal.

[Extract from the Chd. Admn. Gaz., dated the 1st September, 2009]

CHANDIGARH ADMINISTRATION

SOCIAL WELFARE DEPARTMENT

Notification

The 20th August, 2009

No. SWI/Citizens/2009/6798.—The Administrator, U.T., Chandigarh is pleased to constitute a panel of following persons as Conciliation Officers to assist the offices of Sub-Divisional Magistrates designated as Maintenance Tribunal in the Union Territory of Chandigarh under "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007" :—

1. Shri P. C. Sanghi,
Chairman, FOSWAC,
2145, Sector 21-C, Chandigarh
2. Gen. (Retd.) Inderjit Singh Dhillon,
1080, Sector 8-C, Chandigarh
3. Shri Prit Pal Singh,
1015, Sector 8-C, Chandigarh
4. Shri Gurnam Singh,
38, Sector 10-A, Chandigarh

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5. Shri S. D. Kalia
451, Sector 38-A, Chandigarh
6. Shri V. S. Sodhi
183, Sector 19-A, Chandigarh
7. Mrs. Jasbir Kaur
1246, 1st Floor, Sector 18-C,
Chandigarh
8. Shri M. S. Walia
506, Phase 2, Sector 54, Mohali
9. Shri K. R. Vaidhra
452, Sector 35, Chandigarh

RAM NIWAS
Secretary, Social Welfare,
Chandigarh Administration

12/10/2007 - Govt. Press U.T. Chand

[Extract from the Chd. Admn. Gaz., dated the 1st July, 2010]

CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT

Notification

The 2nd June, 2010

No. SW1/Sr. Citizens/2010/4212.—In continuation to the Notification No. SW1/Citizens/2009/6798, dated 20th August, 2009, the following persons are also included in the panel of Conciliation Officers to assist the officers of Sub-Divisional Magistrates designated as Maintenance Tribunal in the Union Territory of Chandigarh under "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 :—

1. Shri Jagtar Singh, President,
Defence Accounts Pensioners
Welfare Association (Regd.),
3042, Sector 15-D, Chandigarh
2. Shri D.C. Gupta, Sr. Vice President
Defence Accounts Pensioners
Welfare Association (Regd.),
3042, Sector 15-D, Chandigarh

RAM NIWAS,
Secretary Social Welfare,
Chandigarh Administration.

13207 CCUT—Govt. Press, U.T., Chd.

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[Extract from the Chd. Admn. Gaz., dated the 1st November, 2011]

CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT

Notification

The 24th October, 2011

No. SW1/Senior Citizens Rules/2011/10310.—In exercise of the powers conferred by section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (57 of 2007), the Administrator, U.T., Chandigarh is pleased to make the following rules, namely :—

CHAPTER—I

1. Short title and commencement :

(1) These rules may be called the Chandigarh Maintenance of Parents and Senior Citizens (Amendment) Rules, 2011.

(2) They shall come into force from the date of their notification in the Official Gazette.

2. In Para 2 of the **Form C** appended to the Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009, the words 'either' and 'or through any advocate duly instructed' stand omitted.

3. In Para 3 of the **Form D** appended to the Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009, the words 'please taken in your', 'either' and 'or through any advocate duly instructed' stands omitted.

4. In Para 2 of the **Form K** appended to the Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009, the words 'either' and 'or through any advocate duly instructed' stands omitted.

BRIJENDRA SINGH,

Secretary, Social Welfare,
Chandigarh Administration.

Chandigarh :
The 14th October, 2011.

771 CCUT—Govt. Press, U.T., Chd.

ORDER

The Administrator, Chandigarh Administration vide notification No.SW1/Senior Citizens Rules/2009/8547 dated 12.8.2009 has framed rules titled "The Chandigarh Maintenance of Parents and Senior Citizens, Rules 2009".

Chapter VI (Para 20) of the rules deals with protection of life and property of senior citizens. The rules of Chapter VI (Para 20) are as under:

20-Action plan for the protection of life and property of senior citizen:

- (1) The Senior Superintendent of Police, 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 households 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 Senior Superintendent of Police shall cause to be publicized widely in the media and through the police station, 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 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 officer inspecting a police station shall invariably review the status as reflected in the register.
- viii. The police station shall send a monthly report of such crimes to the Senior 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 living in the neighbourhood. residents welfare associations, youth volunteers, non government organization etc.

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- xii. The Senior Superintendent of Police shall submit to the Inspector General of Police and to the District Magistrate, 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 State Level Coordination-cum Monitoring Committee constituted under Rule 22.
 - xiv. The Inspector General of Police shall cause the reports submitted under clause (xii) to be compiled, once a 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 21.

Chandigarh police has already taken several initiatives for the protection of life and property of the senior citizens. Necessary instructions were issued vide Circular No.15/2003 and 18/2007 to all SDPOs and SHOs to interact with senior citizens and pay special attention to the security of their life and property residing in their area. Salahkar samities were constituted in each police station as mechanism of institutionalizing police-public interaction.

A Community Relation Unit was set up at police headquarters to monitor the neighbourhood watch scheme, effectiveness of police-public interactions, door-to-door visit by beat staff, special measures taken for the senior citizens, redressal of public grievances etc. etc.

Chandigarh police has also provided a toll free senior citizens helpline of four digit 1090 toll free number in order to provide a quick and responsive access of the senior citizens to the police at police headquarters sector 9, Chandigarh. The toll free no.1090 is being manned round the clock

by the telephone attendants. On receipt of telephone calls requiring assistance, the PCR operator would send the nearest PCR vehicle to the senior citizen. When immediate help is required, the operator would also inform the concerned police station for sending police officials. Whenever the matter relates to other departments, the concerned department would be informed for taking appropriate action.

Besides instructions are being issued from time to time regarding keeping regular interaction programmes with senior citizens in order to solve their grievances, paying door-to-door visits by beat staff to the senior citizens and to maintain a roster of senior citizens living alone. Instructions were also given to all the police officials for giving due regard and courtesy to senior citizens while attending to their problems.

In view of the framing of rules by the Chandigarh Administration, all SDPs and SHOs are directed to take the following steps:-

1. All SHOs will pay special attention to the security of life and property of senior citizens residing in their areas.
2. All SHOs will interact with senior citizens directly and through resident well associations on precaution to be taken regarding security of life and property. One volunteer committee be formed in each police station with the help of RWA to keep regular contact with senior citizens.
3. Beat staff will intensify the door-to-door visits, and at least once a week.
4. Beat staff will identify all the senior citizens residing alone in their beat and they will prepare a roster on the below mention proforma:-

Sr No	Name/ad dress of senior citizens	Tele. No.	Name/ address of their family members	Name/ address of their tenant/ servants	Whether information sheet of tenant servant issued or not

5. A list of senior citizens on the above mentioned proforma be sent to the undersigned through I/C CRU, who will maintain the consolidated record of senior citizens.
6. The list of senior citizen be updated every 3 months.
7. All police stations will maintain new register titled 'Senior Citizens Register' for monitoring the visit of beat staff to the senior citizens. These register would be maintained beat wise i.e. one register for every beat and while making the door-to-door visit the beat official would obtain the signature of the senior citizens as a token of acknowledgement of their visit. The senior citizen register would be maintained as per the following proforma:-

Sr. No.	Name/address of senior citizens	Date of visit & time	Remarks	Signature of senior citizen

8. Complaints/ grievances of senior citizens be attended to promptly and efforts be made to redress at the earliest. A register be maintained regarding complaints/ grievances of senior citizens as per following format:

Sr No	Name/address of sr citizens	No. of FIR/ Complaint	Under section	Gist of case/ complaint	Remarks (action taken)

9. A monthly report regarding the visits to senior citizens by the beat staff be sent to the undersigned through I/C CRU, who will compile the reports and put up to the undersigned for perusal as per below proforma:-

Sr. No.	PS	Total Number of senior citizens	How many times visited by beat staff

10. A monthly report regarding the complaints/ cases of senior citizens be also sent to the undersigned through I/C CRU, who will compile the reports and put up to the undersigned for perusal as per below proforma:

Sr No	Name/ address of sr citizen	No. of FIR/ Complaint	Under section	Gist of case/ complaint	Remarks (action taken)

11. I/C CRU will send a copy of monthly report of para 13 to the IGP and DM for information. A quarterly report be also prepared for sending to the Chandigarh Administration.
12. Senior citizens be motivated to get the antecedents verified of their tenants/ servants. Information sheets of servants/ tenants be issued to verify their antecedents.
13. Senior Citizens residing alone be motivated to install security gadgets in their houses and keep valuable in the lockers.
14. Pamphlet of Dos and Dents' be circulated in the area.
15. SHOs will check the senior citizens register on monthly basis.
16. SDPOs will check and review the senior citizens registers while visiting police station for surprise checking and informal inspections.
17. All SDPOs will also publicized widely in the media and public meetings with the general public about the steps taken for the protection of the life and property of the senior citizens.

All concerned to note for meticulous compliance.

Senior Superintendent of Police,
UT, Chandigarh

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No.20156-85/UT/E-6 dtd. 14/06/2010

Copy to:-

1. The Home Secretary, Chandigarh Administration for favour of information.
2. The IGP for favour of information.
3. The Deputy Commissioner, Chandigarh.
4. The Director Social Welfare, Chandigarh
5. All SDPOs
6. All SHOs.
7. IC/CRU
8. R/SSP

True copy

Advocate

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recognition Citizens 363

**CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT**

ORDER

The Programme Officer, ICDS Cell, UT, Chandigarh is hereby designated as Maintenance Officer under Section 18 of 'The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in Chandigarh.

**ANIL KUMAR
SECRETARY SOCIAL WELFARE
CHANDIGARH ADMINISTRATION**

Undst.No.SW1/Sr.Citizens/2012/ 2987-92

Dated Chandigarh, the 17/4/12

A copy is forwarded to the following for information and further necessary

action:

1. District Magistrate-cum-Deputy Commissioner and Appellate Authority
(Under the "The Maintenance and Welfare of Parents and Senior Citizens
Act, 2007) UT, Chandigarh
2. Sub Divisional Magistrate (Central) & Maintenance Tribunal (under the
"The Maintenance and Welfare of Parents and Senior Citizens Act, 2007)
UT, Chandigarh
3. Sub Divisional Magistrate (South) & Maintenance Tribunal (under the "The
Maintenance and Welfare of Parents and Senior Citizens Act, 2007) UT,
Chandigarh.
4. Sub Divisional Magistrate (East) & Maintenance Tribunal (under the "The
Maintenance and Welfare of Parents and Senior Citizens Act, 2007) UT,
Chandigarh

Director Social W
for Secretary Social
o/c Chandigarh Administration

Undst.No SW1/Sr.Citizens/2012- 2987

Dated Chandigarh, the 17/4/12

A copy is forwarded to the Programme Officer, ICDS Cell, UT, Chandigarh
for information and necessary action.

Director Social Welfare
for Secretary Social Welfare
o/c Chandigarh Administration.

**CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT**

ORDER

No. SWI/Sr. Citizens Act/2013/

Dated:

The Administrator, U.T. Chandigarh is pleased to designate the Women and Child Help line as Helpline for the Senior Citizens. This helpline would be functional 24 x 7. The Managing Director, Chandigarh Scheduled Castes, Backward Classes & Minorities Financial & Development Corporation will provide additional services of 2 counsellors and 2 team mates.

This Helpline will provide counseling services to the Senior Citizens specifically. The Counsellors may refer the cases of Senior Citizens to the Govt. Medical College and Hospital, Sector 32, Chandigarh and State Legal Services Authority for medical aid/legal services in case of emergency.

The Chandigarh Scheduled Castes, Backward Classes & Minorities Financial & Development Corporation will be the overall incharge for providing Counselling services to the Old age/ senior citizens.

ANIL KUMAR
SECRETARY SOCIAL WELFARE
CHANDIGARH ADMINISTRATION.

No. SWI/Sr. Citizens Act/2013/ 74.22 Dated Chandigarh, the 20/8/13

A copy is forwarded to the following for information and necessary action:-

- (i) Company Secretary, Chandigarh Child & Women Development Corporation, Chandigarh.
- (ii) Director Principal, Government Medical College & Hospital, Sector 32, Chandigarh.
- (iii) Member Secretary, State Legal Services Authority, Sector 9, Chandigarh.

Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

No. SWI/Sr. Citizens Act/2013/ 74.25 Dated Chandigarh, the 20/8/13

A copy is forwarded to the Managing Director, Chandigarh Scheduled Castes, Backward Classes & Minorities Financial & Development Corporation, Chandigarh for creation of two additional posts of Counsellors and two team mates for making the helpline functional in a time bound manner.

Director Social Welfare,
for Secretary Social Welfare,
Chandigarh Administration.

[Extract from the Chd. Admn. Gaz., dated the 1st April, 2014]

CHANDIGARH ADMINISTRATION
SOCIAL WELFARE DEPARTMENT

Notification

The 28th March, 2014

No. SW1/Sr. Citizens/2014/3195.—In exercise of the powers conferred under Section 32 of "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007", (56 of 2007), the Administrator, Union Territory of Chandigarh is pleased to make the following rules further to amend "The Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009 namely :—

1. These Rules may be called "The Chandigarh Maintenance of Parents and Senior Citizens (Amendment) Rules, 2014".
2. They shall come into force from the date of publication in the official gazette.
3. In The Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009 (hereinafter called as Rules), in Rule 20 after sub rule (2), the following shall be added :—

3(1) Procedure for eviction from property/residential building of Senior Citizen/Parent.—(i) Complaints received (as per provisions of the Maintenance of Parents and Senior Citizens Act, 2007) regarding life and property of Senior Citizens by different Departments i.e. Social Welfare, Sub Divisional Magistrates, Police Department, NGOs/Social Workers, Helpline for Senior Citizens and District Magistrate himself, shall be forwarded to the District Magistrate, Union Territory, Chandigarh for further action.

(ii) The District Magistrate, Union Territory, Chandigarh shall immediately forward such complaints/applications to the concerned Sub Divisional Magistrates for verification of the title of the property and facts of the case through Revenue Department/ concerned Tehsildars within 15 days from the date of receipt of such complaint/ application.

(iii) The Sub Divisional Magistrates shall immediately submit its report to the 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-cum-Estate Officer 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.

3(2) Eviction Order from property/residential building of Senior Citizen/ Parent.—(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 thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of 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 orders.

3(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, U.T., Chandigarh shall have powers to enforce the eviction orders through Police Department.

(iii) The District Magistrate, U.T., Chandigarh further handover the property/ premises in question to the concerned Senior Citizens/Parents.

(iv) The District Magistrate, U.T., Chandigarh shall forward monthly report of such cases to the Social Welfare Department by 7th of the following month for review of such cases in the State Council for Senior Citizens constituted 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 Secretary Social Welfare, Chandigarh Administration.

V. LALREMTHANGA,

Secretary, Social Welfare,
Chandigarh Administration.

[Extract from the Chd. Admn. Gaz., dated the 1st August, 2015]

CHANDIGARH ADMINISTRATION

SOCIAL WELFARE DEPARTMENT

Notification

The 13th July, 2015

No. SW3/Sr. Citizens/2015/6170.—In supersession of Chandigarh Administration, Social Welfare Department, Notification No. SW1/Citizens/2009/6786—6797, dated 20th August, 2009, and in terms of sub clause (2) of rule 21 under Chapter VII of "The Maintenance and Welfare of Parents and Senior Citizens Rule 2009" the Administrator, Union Territory, Chandigarh is pleased to reconstitute the State Council of Senior Citizens to advise the State Government on effective implementation of "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007" and to perform such other function in relation to Senior Citizen as the State Government may specify :—

- | | | | |
|----|---|----|--|
| 1. | Secretary, Social Welfare,
Chandigarh Administration | .. | Chairman, <i>Ex-officio</i> |
| 2. | Director, Health Services
Chandigarh Administration | .. | Member, <i>Ex-officio</i> |
| 3. | Director Public Relations,
Chandigarh Administration | .. | Member, <i>Ex-officio</i> |
| 4. | Director, Social Welfare,
Chandigarh Administration | .. | Member, Secretary
<i>Ex-officio</i> |

- | | | | |
|----|---|----|-----------------------|
| 5. | Maj. Gen. (Retd.) M.S. Kandal,
President, Senior Citizens Association,
238, Sector 35-1, Chandigarh | .. | Member (non-official) |
| 6. | Fr. Sabastian Jose,
DON BOSCO NAVJEEVAN,
Sector 24, Chandigarh | .. | Member (non official) |
| 7. | Sh. S.D. Kalia,
H. No. 451, Sector 38-A, Chandigarh | .. | Member (non official) |
| 8. | Sh. Ashok Bhandari,
1152, Sector 37-B, Chandigarh | .. | Member (non official) |

Terms and conditions :

1. The State Council shall meet at least once in six months.
2. The term of the members of the State Council, other than *ex-officio* members shall be for a period of three years.

VIJAY KUMAR DEV,
Adviser to the Administrator,
Chandigarh Administration.

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[Extract from the Chd. Admn. Gaz., dated the 1st December, 2017]

CHANDIGARH ADMINISTRATION

SOCIAL WELFARE WOMEN AND CHILD DEVELOPMENT DEPARTMENT

Notification

The 29th November, 2017

No. SWI/Sr. Citizens/2017/7899.—In exercise of the powers conferred under Section 32 of "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007" (56 of 2007), the Administrator, Union Territory of Chandigarh is pleased to make the following rules further to amend "The Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009, namely :—

1. These Rules may be called "The Chandigarh Maintenance of Parents and Senior Citizens (2nd Amendment) Rules, 2017".
2. They shall come into force from the date of publication in the official Gazette.
3. In The Chandigarh Maintenance of Parents and Senior Citizens Rules, 2009 (hereinafter called as Rules), Sub Rule 3(1), 3(2), and 3(3) under Rule 20) inserted,—vide Notification No. SW1/Sr.Citizens/2014/3195, dated 28th March, 2014, is hereby substituted as under :—

"3(1) Procedure for eviction from property/residential building of Senior Citizen/Parent.—(i) Complaints received (as per provisions of the Maintenance of Parents and Senior Citizens Act, 2007) regarding life and property of Senior Citizens by different Departments i.e. Social Welfare, Police Department, NGOs/Social Workers, Helpline for Senior Citizens, Additional District Magistrate/Additional Deputy Commissioner and District Magistrate-cum-Appellate Tribunal himself under Sections 21, 22 and 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, shall be forwarded to the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh concerned for further action.

(ii) The Additional District Magistrate/Additional Deputy Commissioner, U.T., Chandigarh shall immediately forward not later than 15 days from the date of receipt of such complaints/application to the Revenue Department/Tehsildar concerned for verification of the title of the property and facts of the case.

(iii) The Revenue Department/Tehsildar concerned shall immediately not later than 21 day from the date of receipt of the complaint/application submit its report to the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh concerned for final order.

(iv) If the Additional District Magistrate/Additional Deputy Commissioner, U.T., Chandigarh concerned is of opinion that any son or daughter or legal heir of a senior citizen/parents is/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 Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh concerned 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 issue thereof.

- (c) The Additional District Magistrate/Additional Deputy Commissioner, U.T., Chandigarh 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.

3(2) Eviction Order from property/residential building of Senior Citizen/ Parent.—(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 Additional District Magistrate/Additional Deputy Commissioner, is satisfied that the property/premises are in unauthorized occupation, the Additional District Magistrate/Additional Deputy Commissioner, U.T., Chandigarh 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 thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of the public premises ;

(ii) The Additional District Magistrate/Additional Deputy Commissioner, U.T., Chandigarh may also associate NGOs/Voluntary organizations/social workers working for the Welfare of Senior Citizens for the enforcement of orders.

3(3) Appeal and Enforcement of Orders.—(i) If any person is aggrieved by the order of the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh he/she may file an appeal before the District Magistrate-cum-Appellate Tribunal, within 30 days, against the order passed by the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh/Sub Divisional Magistrate-cum-Maintenance Tribunal.

(ii) The District Magistrate-cum-Appellate Tribunal shall adjudicate the appeal after issuance of notice to the opposing party and after hearing him may call for the record of the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh/Sub-Divisional Magistrate-cum-Maintenance Tribunal and examine the same for deciding the appeal. The District Magistrate-cum-Appellate Tribunal shall confirm, modify, set aside or pass any order in the facts and circumstances of each appeal. The District Magistrate, U.T., Chandigarh may pass order to dispose of the appeal as he may deem fit as per provisions of the Act *ibid*.

(iii) In case the District Magistrate-cum-Appellate Tribunal, U.T., Chandigarh is satisfied with the order of the Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh/Sub-Divisional Magistrate-cum-Maintenance Tribunal, he shall have all powers to enforce the eviction order through Police Department.

(iv) The District Magistrate-cum-Appellate Tribunal, U.T., Chandigarh shall further handover the property/premises in question to the concerned Senior Citizens/ Parent ; within 15 days from the date of disposal of the appeal.

(v) The District Magistrate-cum-Appellate Tribunal, U.T., Chandigarh ; Additional District Magistrate/Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh and all Sub-Divisional Magistrates-cum-Maintenance Tribunals shall forward monthly report of such cases to the Social Welfare Department by 7th of the following month for review of such cases in the State Council for Senior Citizens constituted under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and Rules of 2009 framed under the said Act.

Secretary, Social Welfare,
Women and Child Development,
Chandigarh Administration.

[Extract from the Chd. Admn. Gaz., dated the 1st December, 2017]

CHANDIGARH ADMINISTRATION

SOCIAL WELFARE WOMEN AND CHILD DEVELOPMENT DEPARTMENT

Notification

The 29th November, 2017

No. SWI/Sr. Citizens Act/2017/7890.—In partial modification of the Chandigarh Administration Notification No. SWI/Sr. Citizens Act/Tribunals/2008/9752, dated 22nd December, 2008, the following is hereby added at the end of said notification :—

The Administrator, U.T., Chandigarh is further pleased to declare the Additional District Magistrate/Additional Deputy Commissioner, Union Territory, Chandigarh as the Maintenance Tribunal who shall hear the cases under Sections 21, 22 and 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the District Magistrate as an Appellate Tribunal, who shall hear the appeals against the order passed under the aforesaid sections of the Act *ibid*.

The 28th November, 2017.

Secretary, Social Welfare,
Women and Child Development,
Chandigarh Administration.

7064 CCUT—Govt. Press, U.T., Chd.