

**SOCIAL JUSTICE AND SPECIAL ASSISTANCE
DEPARTMENT**

Mantralay 1, Mumbai 400 032, dated the 23rd June 2010.

NOTIFICATION

MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS RULE, 2010.

No. OAH-2009/C.R.46/Sudhar-1:- In exercise of the powers conferred by section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (56 of 2007), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title.—These rules may be called the Maharashtra Maintenance and Welfare of Parents and Senior Citizens Rules, 2010.

2. Definitions.—(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (No. 56 of 2007);

(b) "section means" a section of the Act;

(c) "application" means an application made to a Tribunal under section 5;

(d) "blood relations" in the relation to a male and a female inmate, means father-daughter, mother-son, and brother-sister (not cousins);

(e) "Conciliation Officer" means any person or representative of an organization registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force, and also includes Maintenance Officer designated under section 18;

(f) "Department" means the Social Justice and Special Assistance Department of Government;

(g) "District Magistrate" means the District Magistrate and includes Additional District Magistrate of the District;

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

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

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

(k) "Organisation" means, an Organization registered under the Societies Registration Act, 1860 or any other law for the time being in force;

(l) "Presiding Officer" means an officer appointed to preside over a Maintenance Tribunal referred to under sub-section (1) of section 7, or an Appellate Tribunal under sub-section (1) of section 15;

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

(n) "State Government" or "Government" means the Government of Maharashtra;

(o) "Sub-Divisional Magistrate" includes Additional Sub-Divisional Magistrate of the Sub-Division.

(2) Words and expressions defined in the Act but not defined in these rules shall have the meanings 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 as designated under section 18.

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

(a) he shall be associated with an organization which is working for the welfare of senior citizens or weaker sections, or in the area of education, health, poverty-alleviation, women's empowerment, social justice, rural development or related fields, for at least two years with an unblemished record of service;

(b) he shall be a senior office-bearer of the Organization; and

(c) he shall possess good knowledge of law:

Provided that, a person who is not associated with an organization 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 shall possess good knowledge of law.

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

4. *Procedure for filing an application for maintenance and its registration.*—(1) An application for maintenance under section 4 shall be filed in Form-A, by the persons mentioned in clauses (a) and (b) of the 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 Form-B;

(b) its acknowledgment to be given, notwithstanding anything contained in rule 5, to the applicant or his authorised 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 a 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 Organization authorised 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 or respondent has, *prima facie*, an obligation to maintain the applicant in terms of section 4.

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

6. *Notice to the Opposite Party.*—(1) The Tribunal after being satisfied about the maintainability of the application, it shall cause to be issued to each person against whom such application has been filed, a notice in Form-C, directing them to show cause why the application should not be granted. Along with a copy of the application and its enclosures, in the following manner,-

(a) by hand delivery (Dast) through the applicant if he so desires, else through a process sever, or

(b) by the registered post with acknowledgment due.

(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 should not be granted and shall also inform that, in case he fails to respond to it, the Tribunal may proceed *ex parte*.

(3) 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-rule (2).

7. *Procedure in case of non-appearance by 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 or making such other inquiry as it may deem 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, or if 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 may, 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 a reasonable 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 shows cause against the maintenance claim, the Tribunal shall seek the views 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 by reference in Form-D, the matter to him, requesting him 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-D, shall be accompanied with copies of the application and replies of the Opposite Party thereto.

11. Proceedings by Conciliation Officer.— (1) Upon receipt of a 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-E, get it signed by both parties, and forward it to the Tribunal, with a report in Form-F, along with all records of the case received from the Tribunal.

(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-F, showing efforts made by him to bring about a settlement and the points of difference between the two parties which could not be reconciled.

12. Action by 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 Form-G, 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 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 under rule 10, or

(ii) the Conciliation Officer appointed under rule 10 sends a report under sub-rule (3) of rule 11, conveying his inability to arrive at 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, either of the parties decline to confirm 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 holding a summary inquiry as provided in sub-section (1) of section 8, pass such order as it may deem fit.

(2) An order passed under rule 7, 8 or sub-rule (1) above, shall be a speaking order, 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, namely:-

(a) amount needed by the applicant to meet his basic needs, especially food, clothing, accommodation, and health care;

(b) income of the opposite party;

(c) value of, and actual and potential income from the property, if any, of the applicant which the opposite party would inherit 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, or 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 of 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 appeals*.—An appeal under sub-section (1) of section 16 shall be filed before the Appellate Tribunal in Form-H, and shall be accompanied by a copy of the impugned order of the Maintenance Tribunal.

16. *Registration and acknowledgment of appeal*.—On receipt of an appeal, the Appellate Tribunal shall register it in a register to be maintained in Form-I, and shall, after registering such appeal, give an acknowledgment to the appellant, specifying the appeal number and the next date of hearing in Form-J

17. *Notice of hearing to respondent*.—(1) On registration of the appeal under rule 16, the Appellate Tribunal shall, 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 acknowledgment due, or through a process server.

(3) The provisions of Order V of the Civil Procedure Code, 1908, 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 maintained in accordance with the following norms and standards, namely:—

(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 mentioned 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,

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

(iv) illiterate 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, and that inmates shall be suitably represented on the Committee.

(2) State Government may issue detailed guidelines or 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 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) draw a plan in consultation with the Superintendent of Police or Commissioner of Police of the concerned district under his jurisdiction and 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 Tribunals 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 Governments' programmes for the welfare of senior citizens;

(v) encourage and co-ordinate with panchayats, municipalities, Nehru Yuva Kendras, educational institutions and especially their National Service Scheme Units, organizations, 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 respective district, except in cities having a Police Commissioner;

(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 Offices, Tehasil Offices, Collectorate, Police Stations, etc.

(x) promote establishment of dedicated Help lines 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 directions, not inconsistent with the Act, these rules, and general guidelines of the State Government, as may be necessary, to any concerned Government statutory agency or body working in the district, and especially to following, namely:—

(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) All Local self Governing institutions and bodies ;

(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 District Superintendent of Police, and in the case of cities having a Police Commissioner, such Police Commissioner shall take all necessary steps, subject to such guidelines as the 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 atleast once a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them;

(iii) complaints or problems of senior citizens shall be promptly attended to, by the local Police;

(iv) one or more Volunteers' Committee(s) shall be formed for each Police station which shall ensure regular contact between the senior citizens, especially those living by themselves, on the one hand, and the police and the district administration on the other;

(v) the District Superintendent of Police or, as the case may be, the Police Commissioner shall cause to be publicised 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 District Superintendent of Police by the 10th of every month;

- (ix) list of Do's and Don'ts to be followed by senior citizens in the interest of their safety will be widely publicized;
- (x) antecedents of domestic servants and others working for senior citizens shall be promptly verified, on the request of such citizens;
- (xi) community policing for the security of senior citizens will be undertaken in conjunction with citizens living in the neighbourhood, Residents' Welfare Associations, Youth Volunteers, Non-Government Organizations, etc.;
- (xii) the District Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20th of every month, about the status of 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-level Co-ordination-cum-Monitoring Committee constituted under rule 22;
- (xiv) the Director General of Police shall cause the reports submitted under clause (xii) to be compiled, once a quarter, and shall submit them to the 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;
- (xv) every District Superintendent of Police and Commissioner of Police in his jurisdiction shall start a toll free help line for senior citizens.

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 consist of the following members, namely :—

- (i) Minister of the State Government in charge of welfare of senior citizens ; Chairman, *ex officio*
- (ii) Secretaries of Departments of the State Government dealing with Disabilities, Senior Citizen's Welfare, Health, Home, Publicity, Pensions, and other subjects of concern to the senior citizens ; Members, *ex officio*
- (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 *ex-officio* members in the Council, to be nominated by the State Government ; Members
- (v) Director in charge of Senior Citizen's welfare in the State ; Member-Secretary *ex officio*.

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

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

22. *District Co-ordination-cum-monitoring Committee of Senior Citizens.*—

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

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

(3) Composition of the District 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.

Schedule

(See Rule 18)

Norms of physical facilities and operational standards for and old age home for indigent senior citizens established u/s 19 of the Act

1. 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 and 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 bedroom/dormitory 7.5 sq. meters per inmate.

(ii) living area or carpet area per inmate i.e. including (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 purpose ;

(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 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.
5. Health insurance of the inmates should be made and the person nominated by the inmate but not the oldage home or any person working on its establishment should get the insurance amount.

FORM-A

The Maintenance And Welfare of Parents And Senior Citizens' Act

APPLICATION For MAINTENANCE

(To Be Filled In All Cases)

Section 5 sub-section(1) of the act

In The Tribunal For Parents And Senior Citizens At _____

APPLICATION No. _____ OF _____

Name of applicant :

Age : Sex : Nationality :

Full Address and Tel. No./Mobile No :

Occupation/Profession last held by applicant with salary earned :

Full Name and Address of Respondent :

Relationship with applicant :

Occupation of Respondent :

Projected/Estimated income of the Respondent :

Number of Dependents relying on the income of the respondent :

Details of All Children of applicant :

Details of Spouse: _____ Deceased/Separated/Residing with applicant

Medical aliments (if Any) : _____

Details of Property Owned :

Total Gross Income form the Property Owned : Rs. _____

Whether abandoned or not (with Details) :

Whether any Property was transferred : yes /no . If yes, Details of the same

DECLARATION : I do hereby, state on solemn affirmation that I am unable to support myself out of my own income, savings and assets and therefore require maintenance and support from the respondent, subject to the conditions mentioned herein :

I am not receiving any maintenance from any other sources.

I state that there are no proceedings before this tribunal in respect of this matter, nor any case pending before any Magistrate filed under sec. 125 of the Code of Criminal Procedure, 1973.

I state that the above information is true to the best of my knowledge and belief.

THIS APPLICATION IS FILED THIS ____ DAY OF _____
IN THE YEAR, ____ AT _____.

Signature of Applicant

Acknowledgement Receipt No.

Shri/Smt.

Full Address and Tel. No./Mobile No.

Your Application No. ____ of ____ is received by THE MAINTENANCE TRIBUNAL FOR PARENTS AND SENIOR CITIZENS

at _____ and its registration number for further reference is _____

Presiding Officer.

FORM - B

**Maintenance register of Senior Citizen's
Maintenance Tribunal**

**[under rule 4(2)(a)Maintenance and Welfare of Senior
Citizen's, Rule, 2010]**

Ref. No.	Name, address, of Applicant	Name, address, of Respondent/s	Date of show cause notice	Date of hearing	Date of order issued on

By R.P.A.D.

FORM - C

Show Cause Notice

Maintenance and Welfare of Parents & Senior Citizen's Act, 2007
[Section 5 (3) of the act]

Ref. No.

Date :

Shri / Smt. (Respondent)

Address

Sub.— Notice for hearing Maintenance application
No. _____/year _____

The Senior Citizens Maintenance Tribunal at _____ hereby gives show cause notice as to the why the Applicant _____ should not be granted a maintenance of Rs. _____ per month/ and why you should not be impleaded as party in it. Copy of the application for maintenance is attached herewith. You are directed to appear in person on date _____ at _____ a.m./p.m. before the tribunal with a reply in writing to this show cause. In case you do not appear on the specified date for the hearing the tribunal shall proceed to take ex parte decision.

Presiding Officer,
Senior Citizen's Maintenance Tribunal.

copy to—

Shri / Smt. (applicant), Address :

You are requested to remain present for the above mentioned hearing on the specified date before the tribunal. In case of failure to remain present on the specified date for hearing ex parte decision will be taken by the tribunal.

U.P.C.

FORM - D

Reference to conciliation officer

Maintenance and Welfare of Parents and Senior Citizen's Rule, 2010

[see rule 10(2)]

Ref. No.

Date :

To

The Conciliation Officer,
(address)

Sub.— Maintenance Application

No. _____ of _____

The applicant and respondent of the above referred Maintenance application desire to workout a settlement through Conciliation Officer. You are requested to workout a settlement acceptable to both the parties and send it to the tribunal within one month from the receipt of this letter. The application alongwith reply/ies to the Show Cause Notice dt. _____ is attached herewith for your kind reference.

Presiding Officer,
Senior Citizen's Maintenance Tribunal

FORM-E

Memorandum of settlement

Maintenance And Welfare Of Senior Citizen's

Rule 2010 *vide* Rule 11(2)

Maintenance Application No. _____ of _____

Applicant :—

Respondent/opposite party :—

We the undersigning here by agree to pay the applicant
Shri/Smt. _____ Rs. _____ per month as maintenance allowance.

Respondent/s Signature _____

Applicant/s Signature _____

(Conciliation Officer).

FORM-F

Report to the Tribunal

Maintenance And Welfare Of Senior Citizen's Rule 2010

see Rule 11(3)

Maintenance Application No. _____ of _____

To,

The Maintenance Tribunal

at _____

Ref No:—

Memorandum of settlement/Non settlement with reference to Application No. _____ of _____ is forwarded alongwith documents received *vide* Form-D No. _____ dated _____

Remarks/points of differences if any between the parties.

1._____

(Conciliation Officer).

FORM-G

R.P.A.D.

Settlement Confirmation Notice

Maintenance And Welfare Of Senior Citizen's Rule 2010

see Rule 12(1)

Maintenance Application No. _____ of _____

Applicant:- Shri./Smt.

Opposite party:-Shri./Smt.

Subject:- Confirmation of Settlement Notice

Agreement dated _____

With reference to the Maintenance Application No. _____ Memorandum of settlement in form -E was signed by both the parties before Conciliation Officer on date _____ thus agreeing to

pay the applicant Rs. _____/- as maintenance allowance per month. You are requested to remain present in person before the _____ Maintenance Tribunal on _____ at _____ am./pm. to confirm the said Settlement agreement.

(Presiding Officer),

Senior Citizen's Maintenance Tribunal.

FORM-H

Form of Appeal

The Maintenance And Welfare Of Parents And Senior Citizen's Act, 2007

[under Section 16 sub-section(1) of the act]

In The Appellate Tribunal For Parents And Senior Citizen's
AT _____

APPEAL No. _____ OF _____

Name of the appellant :

Age: Sex: Nationality:

Full Address and Tel. No./Mobile No :

Occupation/Profession last held by appellant with salary earned:

Full Name and Address of Respondent:

Appeal against _____ Tribunal order dated _____

Relationship with appellant:

Occupation of Respondent:

Projected/Estimated income of the Respondent:

Number of Dependents relying on the income of the appellant:

Details of All Children of applicant:Details of Spouse:

Deceased/Separated/Residing with applicant

Medical aliments (if Any): _____

Details of Property Owned:

Total Gross Income form the Property Owned : Rs._____

Whether abandoned or not (with Details):

Whether any Property was transferred: Yes /No . If yes, Details of the same

DECLARATION: I do hereby, state on solemn affirmation that I am unable to support myself out of my own income, savings and assets and therefore had applied for maintenance and support to the above

mentioned Tribunal *vide* application No. _____ dated _____ who passed an order dated _____. Aggrieved by the said order of the Tribunal for the reasons stated below. I hereby file an appeal against the said order subject to the conditions mentioned here under:

I am not receiving any maintenance from any other source/sources.

I state that there are no proceedings before this Tribunal in respect of this appeal, nor any case is pending before any magistrate under Sec. 125 of the Code of Criminal Procedure, 1973.

I state that the above information is true to the best of my knowledge and belief.

THIS APPEAL IS FILED THIS ____ DAY OF _____ IN THE YEAR, ____ AT _____

SIGNATURE OF APPELLANT.

FORM -I

Register for the Appellate Tribunal

MAINTENANCE & WELFARE OF PARENT'S &
SENIOR CITIZEN'S RULE, 2010

(See Rule 16)

Ref. No.	Name, age address, phone/ Mobile No. of appellant	Name, address, Phone/ Mobile No.	Details of the challenged Mobile No. of respondent	Date of show challenged Order	Date of hearing	Date of order issued on

FORM-J

R.P.A.D.

Acknowledgement Receipt

MAINTENANCE AND WELFARE OF PARENT'S AND
SENIOR CITIZEN'S RULES, 2010

(See Rule16)

No.

Dated :

Shri./Smt.

Full Address and Tel. No./Mobile No :

Your Appeal Application No. _____ OF _____ is received by
The Appellate Tribunal For Parent's And Senior Citizen's At _____
_____ and has been admitted/not admitted. It is registered under
No. _____ and you are requested to remain present on _____
_____ the date at _____ am./pm. fixed for hearing to submit your say
in writing/person.

(Presiding Officer)

Parent's and Senior Citizen's Appellate Tribunal.

By R.P.A.D.

FORM - K

Show Cause Notice

MAINTENANCE AND WELFARE OF PARENT'S AND
SENIOR CITIZEN'S RULE, 2010

see rule 17(1) & Section 16 (2) of the Act

Ref. No. :

Date :

Shri / Smt. (Respondent)

Address, Phone No./Mobile No.

Sub.— Notice for hearing Appeal

Application No. ____/year ____

The Appellate Tribunal at _____ hereby gives show cause notice as to the why the Applicant _____ should not be granted maintenance as per order of the Tribunal _____ dated _____. Copy of the appeal application for maintenance is attached herewith. You are directed to appear in person on date _____ at _____ a.m./p.m. before the Tribunal with a reply in writing to this show Cause. In case you do not appear on the specified date for the hearing the Tribunal shall proceed to take ex parte decision.

(Presiding Officer),

Parent's and Senior Citizen's Appellate Tribunal.

Copy to:-

Shri / Smt. (Appellant), Address ;

You are requested to remain present for the abovementioned hearing on the specified date before the Appellate Tribunal. In case of failure to remain present on the specified date for hearing ex parte decision will be taken by the Tribunal.

Schedule

1. Application for Maintenance	Form-A
2. Maintenance register of Senior Citizen Maintenance Tribunal.	Form-B
3. Show cause notice of the Senior citizen Maintenance Tribunal.	Form-C
4. Reference to the Conciliation Officer	Form-D
5. Memorandum of Settlement	Form-E
6. Report to the Tribunal	Form-F
7. Settlement Confirmation Notice	Form-G
8. Format of Appeal	Form-H
9. Appellate Tribunal register	Form-I
10. Acknowledgement receipt	Form-J
11. Show Cause notice of Appellate Tribunal	Form-K

By order and in the name of the Governor of Maharashtra,

J. N. RATHOD,
Deputy Secretary to Government.

