

LAW RELATING TO MAINTENANCE OF PARENTS AND SENIOR CITIZENS

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Longevity has been one of the greatest achievements of the 20th Century. There has been a steady rise in the population of older persons in India, as is evident from the fact that in 1951, the number of older persons above 60 years was only 2 crores which increased to 5.7 crores in 1991 and 7.6 crores in 2001. The improvement in the intake of nutrition, medicines and treatment has brought about an appreciable increase in life expectancy. The life expectancy which was around 29 years in 1947 has increased manifold and now stands closer to 63 years. Understanding the need of the our, the Indian Parliament enacted The Maintenance and Welfare of Parents and Senior Citizens Act 2007 comprising of 32 sections.

The Maintenance and Welfare of Parents and Senior Citizens Act 2007 sought to achieve following objectives.

- (a) Appropriate mechanism to be set up to provide need-based maintenance to the parents and senior citizens;
- (b) Providing medical facilities to senior citizens;
- (c) For institutionalization of a suitable mechanism for protection of life and property of older persons;
- (d) Setting up of old age homes in every district.

The Act provides for entitlement for maintenance by a senior citizen including parent who is unable to maintain himself from his own earning or out of the property owned by him against one or more of his children not being a minor and in the case of a childless senior citizen against his relatives who would inherit his property.

The aggrieved person can approach the Assistant Commissioner of the respective subdivision who has been appointed as the Chairman of the Maintenance Tribunal presiding over for the purpose of adjudicating and deciding upon the orders for maintenance under Section 5 and Sub-section 2 of Section 7 of the said Act Vide Government of Karnataka Notification -2 No.WCD 479 PHP 2007, Bangalore dated 19th February 2009.