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CHAPTER: 1	Licensing and Registration		
MONTH CREATED	December 2024	NEXT REVIEW	December 2026
CHAPTER CODE	LAR	VERSION	1
PREPARED BY	Pankaj Mehrotra	UNDER REVIEW	Yes

GUIDING PRINCIPLE: Purpose of the **Standard: Licensing and Registration** is to define the various procedures and adherences which are required in setting up a Senior Citizen Care Home in India so that the residents are safeguarded from any malpractices and are assured of quality care.

MEASURABLE OUTCOMES: No Care Home will operate without registration and must be mandatorily registered with the relevant State / Central Government department(s).

RECOMMENDED GUIDELINES:

1) Application for Registration and License

1.1) The applicant should apply for license / registration of the Senior Citizen Care Home after reading and understanding the Government Standards, Rules and Guidelines. The applicant or authorised signatory should attest that they have understood the rules for operating the facility and are quipped to manage the different levels of care for the welfare of Older Persons.

1.2) **Annexures:**

A) Annexure: 1 - Application for License

1.3) **Further Reading:**

A) Residential Care Homes (Elderly Persons) Ordinance, (Hong Kong), Application for a Licence.

2) Governing Board / Body

Each Senior Citizen Care Home must have a Promoter / Proprietor, Managing Trustee or Governing Body that has legal authority/ responsibility for:

2.1) The overall functioning of the Home.

2.2) Responsible for quality and continuity of care.

- 2.3) Responsible for financial management and transparency in utilization of funds.
- 2.4) Implementation of the standards, rules, policies and guidelines as directed by the Central or State Government concerning smooth and effecting management of the Senior Citizen Care Home.
- 2.5) The Care Home must have a registered legal entity with a Trust Deed, Memorandum of Association or any other legal documentation.

3) Registration and License

- 3.1) The application for registration should provide information about the promoter(s), directors, management company, operator, or other management agent that the applicant or applicants will use to manage and operate the Home.
- 3.2) The application for registration should provide information about the owner(s) of the building or other structures that will be used in the operation of the Home.
- 3.3) The application for registration should provide information about other projects owned, operated, or managed by the applicant(s).
- 3.4) The Senior Citizen Care Home shall not admit, elderly residents whose needs are greater than the Home is registered for. Services that are not provided directly by the Home. The Home must have a well drafted and documented contractual agreement or contract with a third-party agency, specifying the roles and responsibilities of the vendor and the principal employer.
- 3.5) Registration of the Home shall be issued only for the applied premises and concerned persons specified in the application and shall not be transferable.
- 3.6) Registration Certificate / Certification / Accreditation / Approvals and Licenses shall be posted in a common and accessible area of the project premises.
- 3.7) A distinctive name for the Home, which shall be included on the application for registration. The name of the Home shall not be changed without prior written notification to the concerned department including on the website or any other social media platforms.
- 3.8) Addition, demolish, modification to the physical infrastructure including residential units of the Senior Citizen Home needs to be informed to the relevant authorities and department.

- 3.9) The application for registration should provide affirmative evidence of ability to comply with standards, rules, guidelines as may be lawfully prescribed.
- 3.10) The application for registration should provide a copy of the floor plan of the Senior Citizen Care Home along with all statutory approvals and licenses like Fire Safety, Lift, Structural Safety, Water provision etc.
- 3.11) If the Home is intended to be operated out of a rental / leased premises then the minimum lease agreement with the building owners should be for a minimum of 5 years.
- 3.12) Senior Citizen Care Homes should be registered and given certification based on adherence and compliance with the State regulations and rules.
- 3.13) Certification of a Senior Citizen Care Home shall be for three years unless certification is revoked for good cause by the registration department.
- 3.14) **Annexures**
 - A) Annexure: 2 – Sample Registration Certificate
 - B) Annexure: 3 – List of suggested Licenses, Approvals, NOC's etc
- 3.15) **Further Reading:**
 - A) Residential Care Homes (Elderly Persons) Ordinance, (Hong Kong), Licence of Residential Care Home for the Elderly.

4) Denial, Rejection or Renewal of Application / Registration

The Registering Authority may deny registration / certification if:

- 4.1) The promoters, directors, management company, operator, or other management person that the applicant will use to manage the facility has ever been convicted of a felony.
- 4.2) A facility or facilities owned or operated by the applicant(s) have been found, after final administrative decision, to have committed a legal violation as per the Constitution of India.
- 4.3) If the applicant(s) have had a registration / license revoked or suspended earlier or have been blacklisted by any Government department.

- 4.4) The promoters(s), directors, management company, operator, or other management agent that the applicant or applicants will use to manage the facility have had a license revoked.
- 4.5) The applicant or applicants have not demonstrated to the satisfaction of the registration department that the planned / proposed services, facilities or infrastructure is of sub-standard and can be a deterrent in the service delivery of care services for older residents.
- 4.6) The registration / licensing department may deny, suspend, or revoke a certification in any case where the agency finds that there has been a substantial or repeated failure on the part of the Senior Citizen Care Home in complying with the State / Central Government rules and/or minimum standards.
- 4.7) **Further Reading:**
 - A) Residential Care Homes (Elderly Persons) Ordinance, (Hong Kong), Application for Renewal of a Licence.

5) Change in Ownership

- 5.1) If a Senior Citizen Care Home changes the ownership / management holding, then the same should be duly informed to the regulatory authority along with new sets of legal compliances and permissions.
- 5.2) **Further Reading:**
 - A) Residential Care Homes (Elderly Persons) Ordinance, (Hong Kong), Notice of Change of Director(s)' Information.

6) Project Site Relocation

- 6.1) If a Senior Citizen Care Home intends relocation of the project, then the same should be duly informed to the regulatory authority along with new sets of legal compliances and permissions. Based on the site visit of the auditors a new approval shall be granted by the registration authority.

7) Closure of the Home

- 7.1) In-case the Care Home is getting closed due to whatever reason then it is the responsibility of the Home Management to inform the residents well in advance and facilitate their relocation to another suitable Home of the same standards. The Home Management will have to inform the concerned authorities and develop the transition or discharge plan for the residents.

8) NGO Registration

- 8.1) The Care Home needs to have a legal entity, it can be in the form of an NGO, PVT Limited, LLP, Co-operative or Self-Help Group (SHG). The Care Home Management needs to ensure that all legal documents like the Trust Deed, name of Directors, list of all self-help group members are documented. No member should have a criminal case against him/her which can affect the legal functioning of the Home and/or harm the reputation of the Home.
- 8.2) **Further Reading:**
- A) The Indian Trusts Act
 - B) Societies Registration Act
 - C) Section 8 of Companies Act 2013

9) Self Help Groups (SHG)

- 9.1) Not all homes will be setup by the Central/State Governments, there will be private operators, NGOs and Individuals. There will be another group of like-minded citizens who will form a co-operative or Self-Help Groups (SHG) to setup various senior care initiatives including Senior Citizen Care Home.
- 9.2) The members who are part of the Self-Help Group (SHG) needs to be of legal age above the age of 18 and have the mental capacity to understand the implications of being a part of the group.

10) Roles & Responsibilities

- Care Home Management / Promoters, Governing Board, Home Manager

11) Concerned Ministries, Departments

- Ministry of Social Justice and Empowerment (MSJE), State Social Welfare Department




ANNEXURES

ANNEXURE: 1	Application for License					
CHAPTER: 1	Licensing and Registration					
MONTH CREATED	December 2024	NEXT REVIEW	December 2026			
CHAPTER CODE	LAR	VERSION	1			
PREPARED BY	Pankaj Mehrotra	UNDER REVIEW	Yes			
S.NO						
1	Senior Citizens Care Home (SCCH) Name					
2	Senior Citizens Care Home (SCCH) Address					
3	Senior Citizens Care Home (SCCH) Telephone Nos.					
4	Senior Citizens Care Home (SCCH) Email ID					
5	Senior Citizens Care Hom (SCCH) Management Telephone No.					
6	Senior Citizens Care Home (SCCH) Management Email ID					
7	License application for setting up a new Senior Citizens Care Home (SCCH)					
	Tentative Date of Opening					
	DD:	YY:	MM:	(dd/mm/yyyy)		
	License Application for an existing SCCH					
	Date of Opening					
	DD:	MM:	YY:	(dd/mm/yyyy)		
8	Type of Entity					
		Trust	Society	Pvt Ltd	Co-op	SHG
9	Registration No.					
10	Reasons for Application					
	Change of Name of existing SCCH					
	Present Name					
	New Name					
10-A	Change of Address					

	Existing Address				
	New Address				
10-B	Change of Management				
	Existing Management Members				
	New Management Members				
10-C	Change of type of SCCH	Independent Living			
		Dementia Care Centre			
		Rehabilitation Care			
		Nursing Care Centre			
10-D	Change in Bed Capacity				
	Existing Bed Capacity				
	New Bed Capacity				
11	Property Details				
	Owned	Yes		No	
	Rented / Leased	Yes		No	
	Lease Duration	From		To	

ANNEXURE: 2	Sample Registration Certificate		
CHAPTER: 1	Licensing and Registration		
MONTH CREATED	December 2024	NEXT REVIEW	December 2026
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Registration Certificate & Documentation for Senior Citizens Care Home

<p align="center">GOVERNMENT OF ANDHRA PRADESH DEPT. FOR WELFARE OF DIFFERENTLY ABLED & SENIOR CITIZENS VIZIANAGARAM DISTRICT</p>  <p align="center">CERTIFICATE OF REGISTRATION (of 2022)</p> <p>I hereby certify that 'A [REDACTED] HOME ' PINAVEMALI VILLAGE, VIZIANAGARAM, run by ASSOCIATION FOR BRIGHT COMMUNITY DEVELOPMENT SOCIETY is a Non-Governmental Voluntary Organization registered under Societies Registration Act XXI of 1860 with registration No. 362/2012 of District Registrar, RAJAHMUNDRY District, is registered as per rule 19 of 'the Andhra Pradesh Maintenance and Welfare of Parents and Senior Citizens Rules 2011' (G.O. Ms. No. 49, Department for Women, Children, Disabled and Senior Citizens [DW], Dated.28.12.2011), with a validity of three years from the date of registration.</p> <p>The Certificate is issued on the ONE NINE DAY of OCTOBER TWO THOUSAND TWENTY TWO.</p>  <p align="center">Assistant Director, Welfare of Differently Abled Transgender & Sr. Citizens, Vizianagaram District.</p>  <p align="right">17/10/22</p>	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>Documents required</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>NGO registration document</td> </tr> <tr> <td>2</td> <td>NGO Memorandum of Association (MOA)</td> </tr> <tr> <td>3</td> <td>Valid Registration certificate for the project (License from the District Authorities)</td> </tr> <tr> <td>4</td> <td>Annual Report for the year for which GIA is sought</td> </tr> <tr> <td>5</td> <td>Audited Statement of Accounts (Income-Expenditure Statement, Receipt-payment statement, Balance sheet, audit report of CA) If current year GIA is proposed, audited accounts of previous year are required. In case GIA of previous year(s) is proposed audited accounts of that year is required.</td> </tr> <tr> <td>6</td> <td>Valid Managing Committee details of the Project</td> </tr> <tr> <td>7</td> <td>Staff list along with their requisite qualification in the prescribed format</td> </tr> <tr> <td>8</td> <td>Notarized rent/lease agreement if rented building</td> </tr> <tr> <td>9</td> <td>Budget Estimates for the proposed year is uploaded</td> </tr> <tr> <td>10</td> <td>Satisfactory certificate from all Beneficiaries</td> </tr> <tr> <td>11</td> <td>Bond execution, Rule 231(2) & 3 . Execution of Bond will not apply to Quasi- Government Institutions, Central Autonomous Organisations and Institutions whose budget is approved by the Government</td> </tr> </tbody> </table>	Sr.No.	Documents required	1	NGO registration document	2	NGO Memorandum of Association (MOA)	3	Valid Registration certificate for the project (License from the District Authorities)	4	Annual Report for the year for which GIA is sought	5	Audited Statement of Accounts (Income-Expenditure Statement, Receipt-payment statement, Balance sheet, audit report of CA) If current year GIA is proposed, audited accounts of previous year are required. In case GIA of previous year(s) is proposed audited accounts of that year is required.	6	Valid Managing Committee details of the Project	7	Staff list along with their requisite qualification in the prescribed format	8	Notarized rent/lease agreement if rented building	9	Budget Estimates for the proposed year is uploaded	10	Satisfactory certificate from all Beneficiaries	11	Bond execution, Rule 231(2) & 3 . Execution of Bond will not apply to Quasi- Government Institutions, Central Autonomous Organisations and Institutions whose budget is approved by the Government
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Compiled By: Pankaj Mehrotra, Senior Living Consultant & Elderly Care Advisor

Chapter 1: Licensing and Registration

ANNEXURE: 3	Suggested Licenses, Approvals, NOC's		
CHAPTER: 1	Licensing and Registration		
MONTH CREATED	December 2024	NEXT REVIEW	December 2026
CHAPTER CODE	LAR	VERSION	1
PREPARED BY	Pankaj Mehrotra	UNDER REVIEW	Yes

Elderly Care Homes In India - Registration, Laws & Approvals (Personal Recommendations)				
Reference Checklist of Various Acts, Regulations, Certifications Required For Setting-up / Running Senior Citizen Homes				
Prepared by: Pankaj Mehrotra, Senior Living Consultant & Elderly Care Advisor (May 2023)				
S.No	License / Approval / NOC	Authority / Agency	Legislative Act / Registration / Certification	Remarks
1	Registration	Ministry of Corporate Affairs, Govt of India / State Authority	Companies Act, 2013, Society Registration Act, The Indian Trust Act, Section 8 Company	
2	MSME Registration	Ministry of Micro, Small & Medium Enterprises, Govt of India	Micro, Small & Medium Enterprises Development Act 2006	Udyog Aadhar registration is required for health setups coming under the MSME scope
3	Income Tax PAN and Professional Tax Registration	Income Tax Department, Govt of India	Income Tax Act	
4	Registration of Business / Establishment	State Departments	Shops & Establishment Act, Clinical Establishment Act, Nursing Home Registration Act, Maintenance and Welfare of Parents and Senior Citizens Act, 2007	Senior Citizen Homes, Memory Care Homes, Specialized Care Homes
5	Rental Lease Agreement Registration	Sub-registrar Office, Registration Department, State Govt	Transfer of Property Act, 1882	
6	Registration for EPF	Ministry of Labour, State Govt	Provident Fund Act and ESI Act, Minimum Wages Act, 1948	Employee Provident Fund Requirements, Contractual Employees
7	Land Use	Local Municipal Corporation	Commercial, Institutional	
8	Building Plan Approval & Occupancy Certificate	Local Municipal Corporation, State Govt	City Bye-Laws, , National Building Code 2016 (NBC), Model Building Bye-Laws 2020	NBC standards issued by Bureau of Indian Standards, RERA Registration if Sale is involved & >500 sq mts.

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S.No	License / Approval / NOC	Authority / Agency	Legislative Act / Registration / Certification	Remarks
9	Accessible Building Approval	Ministry of Housing and Urban Affairs (MoHUA), Govt of India	Harmonised Guidelines and Standards for Universal Accessibility in India, 2021	In parallel with NBC & Building Bye-Laws
10	Fire Department – No Objection Certificate	State Disaster Response & Fire Services Dept.	Fire Service Act, Ministry of Housing and Urban Affairs, Model Building Bye-Laws	Fire Fighting Equipment's, Exit Staircases, Evacuation Plan, Refuge Areas, Power Backup
11	Pollution Control Certificate	State Pollution Control Board, State Ministry of Environment	Pollution Control Act	
12	License for Lift	Lift Safety Inspector, Labour Dept.	Lifts and Escalator Act	Power Backup, Emergency Call System & Evacuation
13	FSSAI License for Kitchen	Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, Govt of India	Food Safety and Standards Act	Required for all establishments having a communal kitchen
14	Water Connection	Water Board, Local Municipal Authority	The Water (Prevention and Control of Pollution) Act	Ensuring safe drinking water and Rainwater Harvesting
15	Electrical Installation Certificate	Chief Electrical Office of the District	Indian Electrical Rules, 1956 and Electricity Act, 2014	Safe use of electrical fittings & appliances
16	Waste Disposal & Management	Local Municipal Authority	Environment Protection Act, 1986	Solid, liquid & biodegradable waste segregation

Chapter 1: Licensing and Registration

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17	Bio-Medical Waste Authorization	State Pollution Control Board, State Ministry of Environment	Bio-Medical Management and Handling Rules, 1998	Third party vendors can be used
18	License to Store Compressed Gas	Local Health Authority & Controller of Explosives	Petroleum Act, 1934, Gas Cylinders Rules, 2016	Oxygen Cylinders, Gas Bank
19	Health, Safety, Infection Prevention and Control	National Centre for Disease Control, Directorate General of Health Services, Ministry of Health and Family Welfare, Govt Of India	National Guidelines for Infection Prevention and Control in Healthcare Facilities, Immunization Handbook for Medical Officers, 2017	Guidelines for Healthcare facilities can be referred.
20	Food Nutrition	Ministry of Women & Child Development, Govt of India	National Food Security Act, 2013, The Food Safety & Standards Act, 2006	To ensure no one is deprived of basic nutrition
21	License for Possession and use of Rectified / Denatured Spirit	State Prohibition & Excise Dept.	State Prohibition & Excise Act	To store spirit beyond a certain quantity.
22	Permit for Storing Diesel	Controller of Explosives	Petroleum Act, 1934	Diesel Generators
23	Certificate for using Boilers	District Boiler Inspector	Indian Boilers Act, 1923	Only if boiler are being used
24	License for storing and usage of Narcotic Drugs and Psychotropic Substances (NDPS)	Office of the Drug Controller, State Food and Drug Administration	Narcotics and Psychotropic Substances Act, 1985	If medicines stored and dispensed for mental illness treatment, palliative & hospice care medicines

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S.No	License / Approval / NOC	Authority / Agency	Legislative Act / Registration / Certification	Remarks
25	Ambulance Vehicle Registration	Road Transport Dept., State Govt	Motor Vehicle Act, 1988	Only applicable if in-house ambulance
26	Registration of Senior Citizen Homes	State / District Social Welfare Department, Ministry of Social Justice & Empowerment (MSJE), Govt of India	Maintenance and Welfare of Parents and Senior Citizens Act, 2007, Minimum Standards for Senior Citizen Homes (MSJE)	Homes offering basic care and not advance care like Dementia, Alzheimer's etc
27	Registration of Memory Care Homes	State / District Social Welfare Department, Ministry Of Social Justice & Empowerment, Govt of India	Maintenance and Welfare of Parents and Senior Citizens Act, 2007, The Mental Healthcare Act 2017	Dementia Care, Alzheimer's Care, Parkinson's Care,
28	Registration of Rehabilitation and/or Nursing Care, Palliative, Hospice Care	State / District Social Welfare Department	Nursing Home Registration Act	Rules Under Specifications And Standards For Home Care
29	Qualification Certificates of Doctors	National Medical Council	Indian Medical Degree Act	
30	Registration of Doctors	National Medical Council		Doctors practicing must be registered with medical council of India, in Indian Medical Register

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S.No	License / Approval / NOC	Authority / Agency	Legislative Act / Registration / Certification	Remarks
31	Qualification Certificates of Nurses	State Nursing Council	Indian Nursing Council Act	Rules Under Specifications And Standards For Home Care
32	Qualification & Licenses of Clinical Psychologist	Rehabilitation Council of India (RCI)		Rules Under Specifications And Standards For Home Care (MSJE)
33	Qualification Certificates of Therapists	All India Council for Technical Education (AICTE) / Other body	The All India Council For Technical Education Act, 1987	Councils regulates the professional practices of therapists such as Physiotherapists, Occupational Therapists
34	License for provision of Psychiatric Services	District Health Authority	The Mental Healthcare Act, 2017	Rules Under Specifications and Standards For Home Care (MSJE)
35	Advance Directives	To be made in front of a Notary or a Gazetted Officer	The Mental Healthcare Act, 2017	Advance Medical Directive (Living Will) And Health Care Power-Of-Attorney Authorisation
36	Accidents & Negligence	Local Authorities	Fatal Accident Act, 1855	