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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (WELFARE)

[G.O. Ms. No. 32/2011-Wel.(SW-V), dated 27th October 2011]

NOTIFICATION

In exercise of the powers conferred by section 32 read with sub-section (i) of section 2 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act No. 56 of 2007), the Lieutenant-Governor, Puducherry, hereby makes the following rules, namely:—

CHAPTER-I
PRELIMINARY

1. *Short title and commencement.*— (1) These rules may be called “The Puducherry Maintenance and Welfare of Parents and Senior Citizens Rules, 2011”.

(2) They shall come into force on and from the date of their notification in the official gazette.

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 (Central Act 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 mean father, mother, brothers, sisters, sons, daughters and the legal heirs of the childless inmate (not cousins);

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

(e) “Government” means the Administrator of the Union territory of Puducherry appointed under Article 239 of the Constitution.

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

(g) “opposite party” means the party against whom an application for maintenance has been filed under section 4;

(h) “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 ;

(i) “Schedule” means a Schedule appended to these rules; and

(j) “Section” means a section of the Act.

(2) Words and expressions defined in the Act but not defined in these rules, shall have the same meanings respectively as assigned to them in the Act.

CHAPTER-II

3. *Procedure for filing 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 clause (a) or (b) of sub-section (1) of section 5.

(2) The application under sub-rule (1) shall be presented in two complete sets along with an envelope bearing full address of the respondent. Where the number of respondents is more than one, as many extra copies of the applications as the number of respondents, together with the required number of empty envelopes bearing the full address of each respondent shall be furnished by the applicant.

(3) 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 as in the format in Annexure-I.

(b) its acknowledgment in Form-B to be given notwithstanding anything contained in rule 5, to the applicant or his authorised representative in case of hand delivery, and its despatch by post in other cases and the acknowledgment shall specify, *inter alia*, the registration number of the application.

(4) Where a Tribunal takes cognisance of a maintenance claim *suo motu* in accordance with sub-section (c) of section 5, 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 authorised by him and shall cause the same to be registered in accordance with clause (a) of sub-rule (3) above.

4. *Preliminary scrutiny of the application.*— (1) On receipt of an application under sub-section (1) of section 5, the Tribunal shall satisfy itself that the application is complete; and 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 *lacunae* in the application, it may direct the applicant to rectify such *lacunae* within 15 days.

5. *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 such children or relative against whom an application for maintenance has been filed, a notice in Form-C along with a copy of the application and its enclosures, after making entries in Maintenance Claim Cases Register as in the format in Annexure - I, directing him/her to show cause as to why the application should not be granted, in the following manner :

(i) by hand delivery (Dasti) through the applicant if he so desires, else through a process server; or

(ii) by registered post with acknowledgment due ; and

(iii) in case of such delivery not being possible, the same shall be posted at conspicuous place on the premises.

(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 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).

6. *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.

7. *Procedure in case of admission of claim.*— In case, on the date fixed in the notice issued under rule 5, 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.

8. *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 liable to maintain the applicant, shall be filed on the first date of hearing as specified in the notice issued under sub-rule (2) of rule 5 :

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

(2) Upon impleading any other child or relative of the applicant in the application under sub-rule (1), the Tribunal shall, if it is *prima facie* satisfied, after hearing the parties, about the reasonableness of such impleadment, issue notice to such other child or relative to show cause as to 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 5.

9. *Reference to Conciliation Officer.*— (1) In case, on the date fixed in the notice issued under rule 5, 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.

(2) If both the parties express their willingness for referring the matter to the Conciliation Officer, the Tribunal shall refer the matter to the Conciliation Officer through a 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.

10. *Proceedings by Conciliation Officer.*— (1) Upon receipt of a reference under rule 9, the Conciliation Officer shall hold hearings 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 (9), 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.

11. *Maintenance of Register.*— (1) The Conciliation Officer shall maintain proper records by way of maintaining registers duly indexed, containing the details of the voluntary organisation providing age care services as in Annexure-II.

(2) The Conciliation Officer has powers to inspect old age home maintained by the individuals/a group of individuals/voluntary organisations/institutions/charitable trusts/statutory bodies, etc., and collect data from the organisations.

(3) Any voluntary organisation/institution/individuals/a group of individuals/charitable trust/statutory body, etc., running old age home shall register with District Social Officer of each district.

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 10, along with a memorandum of settlement, it shall give notice to both the 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 9; or

(ii) the Conciliation Officer appointed under rule 9 (2) sends a report under sub-rule (3) of rule 10, 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 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 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 6, rule 7 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 meet his basic needs, especially food, clothing, accommodation and health care;

(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 and a copy shall be communicated to the maintenance officer.

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 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 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 acknowledgment 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 prescribed in Annexure-III, 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 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 acknowledgment due, or through a process server.

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 appended to these rules.

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

Applications shall be invited at appropriate intervals, but at least once in every year, from indigent senior citizens, as defined in section 19 of the Act, desirous of living in the home. 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 applicant.

(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 Government from time to time, such that inmates are also suitably represented on the committee.

(2) 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 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 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 coordinate with Panchayats, Municipalities, Nehru Yuwa 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 sensitisation 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 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, Tahsil 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 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 and these rules, and general guidelines of the 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 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 (Law and Order) shall take all necessary steps, subject to such guidelines as the 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 with their bio-data 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 for 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 (Law and Order) 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, as in Annexure - IV.

(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 publicised;

(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-Governmental Organisations, etc.;

(xii) the Senior Superintendent of Police (Law and Order) 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 District level Co-ordination-*cum*-Monitoring Committee constituted under rule 22; and

(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 Government every quarter as well as every year for, *inter alia*, being placed 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 Government may, by order, establish a State Council of Senior Citizens to advise the Government on effective implementation of the Act and to perform such other functions in relation to senior citizens as the Government may specify.

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

- (i) Chief Secretary to Government; . . . Chairman
ex officio.

- (ii) Secretaries of Departments dealing . . . Members
with Disabilities, Senior citizens, . . . *ex officio*.
Welfare, Health, Home, Publicity,
Pensions;
- (iii) Three number of specialists and . . . Members
activists in the field of welfare of
senior citizens as the Government
may determine to be nominated by
the Government;
- (iv) Three member of eminent senior . . . Members
citizens, as the Government may
determine, but not less in number
than the *ex officio* members in the
Council, to be nominated by the
Government; and
- (v) Director of Social Welfare . . . 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 *ex-officio* members, rules of procedure of the Council and other ancillary matters shall be such as the Government may, by order, specify.

22. *District Committee of Senior Citizens.*— (1) The 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 the district level, and to perform such other functions in relation to senior citizens at the district level, as the Government may specify.

(2) The District Committee shall consist of the following members, namely:—

- (1) Secretary to Government (Welfare) . . . Chairman
- (2) Senior Superintendent of Police . . . Member
- (3) Deputy Director (Health) . . . Member

- (4) Director of Social Welfare . . . Member-Secretary.
- (5) Reputed Non- Governmental Organisation (Ageing field) (2) (Two) . . . Members
- (6) Prominent Senior Citizens (2) (Two) . . . Members

(3) Non-official members shall be nominated by the Secretary (Welfare) concerned.

(4) The tenure of the non-official members of the District Committee shall be three years.

(5) The District Committee shall meet once in three months.

(6) The number of non-official members shall be 4 (four) and they are eligible for re-nomination.

SCHEDULE

[See rule 18 (1) (a)]

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 Government. In the case of semi-urban/rural areas, the 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 bedroom/dormitory per inmate . . . 7.5 sq. metres
- (ii) Living area or carpet area per inmate *i.e.* . . . 12 sq. metres 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 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; recreation facilities, television, newspaper and an adequate collection of books; and
- (viii) first-aid, sick bay, and primary health care facilities;

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

II. Operational standards

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

ANNEXURE - I

[See rule 3 (3)(a)]

MAINTENANCE CLAIM CASES REGISTER

Sl. No.	Name of the applicant with address and phone No.	Age	Sex	Date of receipt of application	Nature of claim	Date of notice served		Date of hearing	Details of order if any passed by the Tribunal	Remarks
						To the petitioner	To the respondent			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

ANNEXURE - II

[See rule 11 (1)]

LIST OF VOLUNTARY ORGANISATION PROVIDING AGE CARE SERVICES

Sl. No.	Name of Institution	Address with phone No.	Contact person and phone No.	Services provided for aged persons	Other activities	No. of beneficiaries		Building facilities		Registered under which Act	Remarks
						Male	Female	Own	Rented		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

ANNEXURE - III

(See rule 16)

MAINTENANCE CLAIM CASES APPEAL REGISTER

Sl. No.	Name of the appellant with address and phone No.	Age	Sex	Date of receipt of appeal	Nature of claim and settlement amount	Date of notice served		Date of hearing	Details of order passed by the Tribunal	Remarks
						To the appellant	To the respondent			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

ANNEXURE - IV

[See rules 20(2)(vi)]

DETAILS OF OFFENCES COMMITTED AGAINST SENIOR CITIZENS

Sl. No.	Name and address of senior citizen	Age	Sex	Nature of offences committed against senior citizen	Date of incidence	Stage of investigation	Prosecution of registered offences	Steps taken by the police station	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

FORM - A

(See rule 3)

**APPLICATION FORM UNDER RULE 3 OF THE PUDUCHERRY
MAINTENANCE AND WELFARE OF PARENTS AND
SENIOR CITIZENS RULES, 2011**

1. Name of the applicant :
2. Name of father/husband :
3. Age as on the date of application :
4. Sex :
5. Address (temporary) :
6. Permanent address :
7. Phone No., if any :
8. Name of the person or organisation authorised by the applicant if he/she is incapable of filing application. :
9. Address of the person or organisation with telephone No. :
10. Details of respondents :

Sl. No.	Name	Relationship with the applicant	Address	Telephone No., if any
(1)	(2)	(3)	(4)	(5)

11. Assistance needed

Sl. No.	Assistance	Yes/No	Nature of assistance
(1)	(2)	(3)	(4)
1	Counselling		
2	Food		
3	Medical facilities		
4	Shelter		
5	Legal aid		
6	Police assistance		
7	Maintenance		

12. Facts of the case : The facts of the case are given below.

13. Details of children, if any—

(a) No. of children :

(b) Details of children :

Sl. No.	Name	Age	Sex	Details of earning
(1)	(2)	(3)	(4)	(5)

14. List of enclosures : 1.....
2.....
3.....

DECLARATION

I, (Name of the applicant), S/o./ W/o./D/o. age....., residing at do hereby declare that the (contents for paragraphs 1 to 7) information furnished above are true to the best of my personal knowledge and belief and that nothing material has been concealed therefrom and also declare that the subject matter of the order against which I seek redressal is within the jurisdiction of the Tribunal. I further declare hereby that the matter regarding which, this application has been made is not pending before any court of law or any other authority or has not been rejected by any court of law or other authority.

Place : *Signature of the applicant.*

Date :

To
The Presiding Officer(s),
.....
.....
.....

FORM - B

[See rule 3(3)(b)]

ACKNOWLEDGMENT

Received an application from S/o./W/o./D/o.residing at today the..... at a.m./p.m. under Maintenance and Welfare of Parents and Senior Citizens, Act, 2007 and the rules framed thereunder and registered vide Sl. No., dated of the respective register.

Place: *Authorised signatory.*

Date :

By Registered Post with AD

FORM - C

[See rule 5(1)]

**TRIBUNAL FOR MAINTENANCE AND WELFARE OF
PARENTS AND SENIOR CITIZENS, PUDUCHERRY**

NOTICE TO THE OPPOSITE PARTY

Between Applicant
and Respondent

The petitioner/applicant herein has filed an application under sub-section (1) of section 5 of the Maintenance and Welfare of Parents and Senior Citizens, Act, 2007 and the rules framed thereunder for maintenance due to old age. You are hereby directed to appear in person before the Tribunal on at a.m./p.m. with supporting documents/evidence, etc. and show cause as to why the application should not be granted in favour of the applicant. In case you fail to appear in person, the Tribunal shall proceed *ex parte*. A copy of the application is enclosed herewith for reference.

Place:

Date :

Presiding Officer.

FORM - D

[See rule 5(3)]

**TRIBUNAL FOR MAINTENANCE AND WELFARE OF
PARENTS AND SENIOR CITIZENS, PUDUCHERRY**

NOTICE TO THE PETITIONER/APPLICANT

Thiru/Tmt./Selvi S/o./D/o./W/o.
..... residing
at is directed
to appear before the Tribunal on at a.m./ p.m.
in the chamber of the undersigned without fail, in connection with the
application filed by him/her under the Maintenance and Welfare of
Parents and Senior Citizens Act, 2007 and the rules framed thereunder
with registration number....., dated before the
Tribunal.

Presiding Officer.

FORM - E

[See rule 9(2)]

**TRIBUNAL FOR MAINTENANCE AND WELFARE OF PARENTS
AND SENIOR CITIZENS, PUDUCHERRY**

Puducherry, dated

To

Thiru

Conciliation Officer.

Sir,

I am to forward herewith the copies of the application of the petitioner filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the rules framed thereunder and the replies submitted by the opposite party and request to try and work out a settlement acceptable to both parties within a period of not exceeding one month from the date of receipt of the reference.

An early action is solicited.

Yours faithfully,

Presiding Officer.

Encl.: As stated above.

FORM - F

[See rule 10(2)]

To

The Presiding Officer,
Tribunal for Maintenance and Welfare
of Parents and Senior Citizens, Puducherry.

Sir,

I am forwarding herewith the settlement acceptable to both parties* and a memorandum of settlement signed by both parties for further action.

Amount of maintenance agreed by the parties ₹

Signed/(1) PetitionerSigned (2) Respondent.....

Yours faithfully,

Place :

*Conciliation Officer
nominated for settlement.*

Date :

Encl.: As stated above.

FORM - G

[See rule 10(2)]

To

The Presiding Officer,
Tribunal for Maintenance and Welfare
of Parents and Senior Citizens, Puducherry.

Sir,

I am to forward herewith the application filed by the applicant Thiru/Tmt./Selvi..... S/o./D/o./W/o. and reply statement filed by Respondent Thiru/Tmt./Selvi..... S/o./D/o./W/o. along with memorandum of settlement in Form-F and all connected records as specified by the Tribunal under rule 10 (2) of the Puducherry Maintenance and Welfare of Parents and Senior Citizens Rules, 2011.

Yours faithfully,

Place :

Conciliation Officer.

Date :

Encl.: As stated above.

FORM - H

[See rule 10(3)]

To

The Presiding Officer,
Tribunal for Maintenance and Welfare
of Parents and Senior Citizens, Puducherry.

Sir,

I am to return all the papers, received from the Tribunal on the application of Thiru/Tmt./Selvi.....
S/o./D/o./W/o.under the Maintenance and Welfare of Parents and Senior Citizens Act and the rules framed thereunder..... with Registration No. dated..... since I am unable to arrive at a settlement within the period of one month as stipulated under rule 11(3) of the Puducherry Maintenance and Welfare of Parents and Senior Citizens Rules, 2011.

I am also to enclose herewith the daily order sheets relating to the conduct of the settlement proceeding, setting out the point of difference between the parties which could not be reconciled.

Place :

Yours faithfully,

Date :

*Conciliation Officer.**Encl.:* As stated above.

FORM - I
(See rule 15)

APPELLATE PETITION

Between Thiru/Tmt/Selvi
S/o./D/o./W/o.Petitioner.

and

Thiru/Tmt./Selvi
S/o./D/o./W/o.Respondent.

For the reasons stated in the memorandum of settlement, the appeal petitioner herein prays before the Appellate Tribunal for maximum maintenance. The Tribunal may order the opposite party to pay ₹..... subject to a maximum amount of monthly income from all sources of the opposite party.

A copy of the impugned order of the Maintenance Tribunal is enclosed.

Place :

Yours faithfully,

Date :

Presiding Officer.

Encl.: As stated above.

FORM - J
(See rule 16)

Before the Appellate Tribunal the appeal petition filed by the Presiding Officer, Tribunal for Maintenance and Welfare of Parents and Senior Citizens is hereby acknowledged and registered *vide* Sl. No. dated..... in the respective register.

Authorised signatory

Place :

(Appointed by the Tribunal
for Maintenance and Welfare
of Parents and Senior Citizens).

Date :

FORM - K

[See rule 18(1)]

Before the Tribunal for Maintenance and Welfare of Parents and Senior Citizens between Thiru/Tmt./Selvi.
S/o./D/o./W/o. aged religion
.....address..... petitioner

and

Thiru/Tmt./Selvi
S/o./D/o./W/o.aged... religion
.....address..... respondent.

Application/Petition filed on behalf of the petitioner under rule 18(1)

1. The applicant is your blood relationship and living without earnings and searching for livelihood.

2. The respondent has neglected and refused to maintain the applicant which he/she is legally liable to maintain

3. The applicant is the justified in living away from his children/relative.

4. The applicant thus has no alternative to livelihood.

5. The applicant is purely dependent and has no source of income for his / her livelihood.

6. The respondent working as and earning salary of ₹..... per month in addition to his salary has houses, lands which are leased out fetching an income of ₹..... per annum. Thus the respondent is affluent.

7. The applicant therefore prays that the Hon'ble Tribunal may be pleased to award rupees per month towards maintenance of the applicant and pass such orders.

Place:

Presiding Officer.

Date :

(By order of the Lieutenant-Governor)

G. THEVA NEETHI DHAS,
Special Secretary to Government (Welfare).

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