



**UNDERSTANDING THE
MAINTENANCE & WELFARE OF
PARENTS & SENIOR CITIZENS ACT**



Centre for the Study of Social Change
Regional Resource & Training Centre
Bandra, Mumbai-51

We received sanctioned order dated 21st January, 2022 for ten programs

“MWPSA ACT, 2007, Govt. Policies & Programmes “

Reports of 10 NISD One Day Awareness program on ‘Elderly issues’(Offline)

INDEX

Sr. No.	Date	Program Collaboration	Page No.
1	11/02/2022	Navi Mumbai Police Commissioner Office, Maharashtra	1-9
2	15/02/2022	DLSA Mumbai City, Maharashtra	10-19
3	25/02/2022	Raigad District Superintendent of Police Office, Maharashtra	20-29
4	28/02/2022	District Legal Services Authority, Mumbai Suburban, Maharashtra	30-39
5	02/03/2022	Thane City Commissioner of Police Office, Maharashtra	40-47
6	05/03/2022	Nashik City Police Commissioner Office, Maharashtra	48-56
7	12/03/2022	Pune Police Commissioner Office, Maharashtra	57-67
8	22/03/2022	Divija Old Age home & District Legal Services Authority, Sindhudurg, Maharashtra	68-76
9	23/03/2022	Sindhudurg Superintendent of Police Office, Maharashtra	77-87
10	29/03/2022	District Legal Services Authority, Raigad, Maharashtra	88-98

Report of Navi Mumbai District-CP Program



Ministry of Social Justice & Empowerment
National Institute of Social Defense
Regional Resource & Training Centre (RRTC)
under
Centre For The Study of Social Change (CSSC)
Organised

Awareness/Sensitization Programme
on
MWPSC ACT, 2007, Govt. Policies & Programme.

In joint collaboration with
Navi Mumbai, Police Department

Mr. Abhijeet Shivthare
DCP, Navi Mumbai Police Dept
(Chief Guest)

Friday, 11th February, 2022
Time: 9:30am To 2:00pm

Adv. Nirmala Samant Prabhavalkar
Ex- Mayor, Mumbai
Chief Functionary, RRTC Mumbai



Mr. Smitesh Shah
Project Manager, Elderline 14567,
Mah State, Janaseva Foundation, Pune

Mrs. Neha Khare
Founder, Yes I Can Foundation

Mr. Ramesh Tripathi
Adv. High Court, Mumbai

Venue:
Police commissioner office, C.B.D Belapur, Navi Mumbai, Pin 400614.

Schedule of the Program

Date: Friday, 11th February, 2022

Time: 11.00 am to 2.00 pm

Registration - 10.30

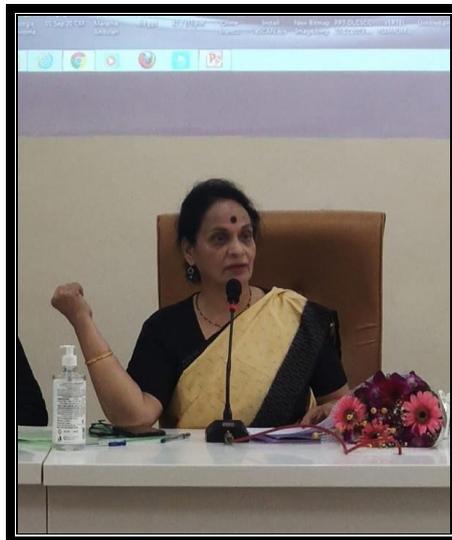
For 25 participants

Sr.No.	Time	Session / Topic	Speakers
1	11.00 to 11.20 am	Inauguration, Felicitation by Welcome address by	Mr. Abhishek Shivtare DCP, Navi Mumbai, Joint Collaborator Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, RRTC
2	11.20 to 11.40 am	Awareness of Elder Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment (GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Elder line 14567, Mah. State Janaseva Foundation, Pune,
	11.40 to 11.50 am	Tea & Snacks	
3	11.50 to 1.05 pm	Session I Sub: Salient features of MWPSA Act and protection of the rights of Sr. Citizens (Interactive session)	Mr. Ramesh Tripathi Advocate of High Court
4	1.05 to 2.20 pm	Session II Issues of Senior Citizens (Interactive session)	Mrs. Neha Khare Founder, Yes I Can Foundation
5	2.20 to 2.25 pm	Vote of thanks	Mr. Chandrakant Landge Police Department



Mr. Abhishek Shivtare
DCP, Navi Mumbai

Mr. Shivtare sincerely thanked the Ministry (MSJE-NISD & CSSC) for organising this program. He said that all his police officers were keen to understand their role in the said Act. It was stated by him that in Navi Mumbai, his department has been working closely with senior citizen groups and holding regular meetings with them.



Adv. Nirmala Samant Prabhavalkar
Chief Functionary, RRTC

Adv. Nirmala Samant Prabhavalkar explained the demography of senior citizens, with the rise in the age of senior citizens and the diminishing of the joint family system. Senior citizens are facing various challenges, such as:

1. Loneliness
2. Mental Health (Depression, Alzheimer's disease, and Other Conditions)
3. Financial issues
4. Social Concern
5. Healthcare Service Neglect

She explained the role of the police in the MWPSCT Act, 2007. She made it clear that the police have no direct role in the said ACT, but without their support, it cannot function effectively. The safety of senior citizens' property and lives is critical, and the police must understand their responsibility to protect them.

Session I:



Mr. Smitesh Shah
Project Manager of Elder Line 14567 of
Maharashtra Division

The participants; police, and senior citizen groups were made aware of the NISD National Elder Line at 14567, which can be used in the case of a domestic or abandoned elderly person. A foundation from Pune has been selected to operate the above senior line for the State of Maharashtra. To create awareness of the elderly line, CSSC-RRTC organised district sessions, and the Project Manager of the Janaseva Foundation presented an informative PowerPoint on elder line. He also presented success stories of the reunion of the older adults he found on the street. Participants were encouraged to use the above elder line to get in touch with lonely senior citizens and help them in any way possible.

NEED OF ELDERLINE:

- Over the past couple of decades, India has witnessed **exponential growth in the elderly population.**
- At present, about 13 crore people above 60 constitute over 9% of the country's total population.
- According to various research documents, this figure is expected to exceed 32 crores by 2050, accounting for nearly 20% of the country's population.

Statistics indicate that the demographic shift will be a considerable challenge, and new models of services will need to be developed to address the needs of the elderly in rural and urban settings. A "Connect-Centre-based helpline for senior citizens" is thus designed per the study conducted to understand and assess the needs of the elderly.

The key requirement of this helpline is to be a single platform that would enable services in urban and rural areas with a robust backend of information aggregation from all the service providers and empathetic people to talk to the senior citizens.

Session II:



Mr. Ramesh Tripathi
Adv. Of High Court

Adv Mr. Ramesh Tripathi explained essential sections of the MWPSA Act wherein

the police could help and assess senior citizens in cases of domestic violence caused to them, such as in the cases of snatching of properties. Usually, police do not file an FIR at the police station, if family members neglected or abused the senior citizens staying in family . He gave several examples of case laws, and court orders, which were helpful to senior citizens and police officials. Mr. Tripathi was delighted to accept the invitation to speak and remarked that such programs should be frequently attended and that he would be delighted to give training.

Session III:



Mrs. Neha Khare
Founder of Yes I Can Foundation

The Yes I Can Foundation was founded by Mrs. Neha Khare. She has over 18 years of expertise in the social sector and geriatrics as a counselling psychologist and rehabilitation social worker.

She spoke about senior citizens' mental health persecution. She stated that it is critical to hear their experiences and solve their difficulties because they hope that others will listen to them. She explained to the participants the importance of understanding about their thoughts on the ageing process. She discussed about dementia; it as a brain disorder that causes memory and intellectual functioning to deteriorate from earlier, higher-level functioning, interfering with their daily lives. To avoid this, engaging them in games such as brain gyms, colour games, and many more is necessary. Mrs. Khare

explained elder abuse by categorising it into six categories: physical, sexual, emotional, neglect, abandonment, and financial. Explaining the needs of senior citizens in an effective manner to the participants

PPT on the subject:

Aging-Elder abuse

aafs
Arab American Family Services
الخدمات العائلية العربية الأمريكية

Six Types of Elder Abuse

Physical Hitting, kicking, pushing, slapping, burning, or force causing injury	Sexual Engaging in sexual acts without consent	Emotional Harming self-worth or emotional well-being, name calling, and scaring
Neglect Failing to meet basic needs like food, housing, clothing, and medical care	Abandonment Leaving elders alone or no longer providing care	Financial Illegally misusing an elder's money, property, or assets

Learn about our Elderly services at www.aafsil.org

Aging Concept

- **Aging** is a pattern of life changes that occurs as one grows older.
- **Gerontology** is the study of individual and collective aging processes
 - Biological age
 - Psychological age
 - Social age
 - Legal age
 - Functional age



How you can contribute

-
- वंश खेळ
- स्वतःशी संवाद साधण्यासारखे प्रश्न
- Support Group
- Safety with technology lessons
- Whatsapp groups
- Focus on what they can do and encourage
- Counselling skills
- Medicine tracking visit



Summary:

The sessions enlightened the participants, and it was essential for the police to know that the MWPSA Act, 2007 has three penal sections under which the police can file FIR, arrest (imprison) the abuser for elder abuse, cheating, fraud, and their abandonment. They were made aware of visiting old age homes to find out the elder abuse caused by relatives and also to help voluntary organisations for their hospitalization, covid vaccination, claiming of dead bodies and funerals, etc.

The Police, Sr. Citizen groups, and the participants understood how to use the NISD National Elder line 14567 in case of a domestic or abandoned elder person. Janaseva Foundation from Pune has been selected to operate the above elder line for the State of Maharashtra. To create awareness of the elder line, CSSC-RRTC organized district sessions, and the Project Manager of the Janaseva Foundation gave power point presentation and information on the elder line. He gave success stories of the reunion of the elderly person found on the street. The Participants were motivated to take advantage of the above elder line to reconnect with the lonely senior Citizens and help in any manner they could.

Program photos:





Report of Mumbai City DLSA program



Ministry of Social Justice & Empowerment (GOI) National Institute of Social Defense (NISD)

**Regional Resource & Training Centre (RRTC)
under
Centre For The Study of Social Change (CSSC)
Organised**

Awareness/Sensitization Programme

on

“MWPSA ACT, 2007, Govt. Policies & Programmes”

**In joint collaboration with
Mumbai City, District Legal Services Authority
Swayam Foundation & Mumbai Marathi Patrakar Sangh
(Organizers)**

Tuesday, 15th February, 2022

Time: 9:30am To 2:00pm

Smt.Urmila Sachin Joshi-Phalke
Chairperson, DLSA, Mumbai City
(Chief Guest)

Mr. Hitendra Wani
Secretary, DLSA, Mumbai City
(Guest of Honour)

Mr. Narendra Wabale
Chairman, Mumbai Marathi Patrakar Sangh
(Guest of Honour)

SPEAKERS

Dr. Nilesh Vijayanti Bhagavan Pavaskar
Advocate High Court, Mumbai
B.SC., LL.M., Ph.D.(Law)

Mr. Prakash Borgaonkar
Help Age India
Head-Maharashtra & Goa

Adv. Nirmala Samant Prabhavalkar
Ex-Mayor Mumbai, Chief Functionary, CSSC-RRTC, Mumbai
(Organizer)

Venue: Patrakar Bhavan, Mahapalika Marg, Azad Maidan, Fort, Mumbai-400 001.

Schedule of Program

Date: Tuesday, 15th February, 2022

Time: 10.30 am to 2.00pm

Registration & Snacks/Tea: 10.00 am

Time	Session/Topic	Speakers
10.30 to 11 am	Inauguration & Felicitation	Smt. Urmila Joshi Phalake Chairperson, Mumbai District Legal Services Authority Mr. Hitendra Wani Member Secretary, DLSA, Mumbai City Mr. Narendra Wabale Chairman, Mumbai Marathi Pratrakar Sangh
11 to 11.10 am	Welcome Address	Adv. Nirmala Samant Prabhavalkar, Ex- Mayor, Mumbai Chief Functionary, RRTC
11.10 to 12.25 pm	Session I Need & Importance of MWPSA Act, 2007	Mr. Prakash Borgaonkar Head, Maharashtra & Goa Help Age India
12.25 to 1.40 pm	Session II Sub: How To safeguard the Property Rights of Sr. Citizens and Importance of Legal documents	Mr. Nilesh Pawaskar Advocate, High Court President, Swayam Foundation
1.40 to 2.00 pm	Sub: Entire MWPSA Act, 2007 Welfare provision & Procedure	Mr. Hitendra Wani Member Secretary, DLSA, Mumbai City
2.00 to 2.05 pm	Vote of thanks	RRTC

Inauguration of program



The program was inauurated by **Smt. Urmila Joshi Phalake** Chairperson, Mumbai District Legal Services Authority and other dignitaries are Adv. **Nirmala Samant Prabhavalkar**, Chief Functionary of RRTC, **Mr. Hitendra Wani** Member Secretary, DLSA, Mumbai City **Mr. Narendra Wabale** Chairman, Mumbai Marathi Pratrakar Sangh & **Mr. Nilesh Pawaskar** Advocate, High Court President, Swayam Foundation.



Adv. Nirmala Samant Prabhavalkar
Chief Functionary ,RRTC

She welcomed the hourable guests, MLSA, DLSA, Mumbai Marathi Patrakar Sangh and NGO Swayam Foundation, press reporters and participants. In her inaugural speech she thank NISD and MSJE for the opportunity to organise training program on MWPSA ACT, 2007. She said that during covid times there was no option to take online programs but it was very nice that the govt. has allowed to take offline programs with restricted 25 participants.



Mr. Hitendra Wani
Member Secretary, DLSA, Mumbai City

He played the NLSA theme song. On the occasion of this training program he said that the respect to elderly is extremely important. The Govt. has brought legislations to protect

their legal rights such as their right to property, lively hood and welfare. DLSA is given mandate by NLSA to create awareness of the same in the society at all level through such workshop and conferences. He elaborated on the power point presentation upon MWPSA Act.



Smt. Ujjwala Phalake
Chairperson, Mumbai District Legal Services Authority

She said that this legislation has given right to senior citizens to get his property back from the person to whom he has given provided it falls under the provision of the section. She explained the audience about the type of properties such as movable which includes money, bank balance, jewellery and other valuables. Imovable property means land, house any structure. The senior citizen has to through the valid documents the ownership of the same before the court. She said that the govt. of Maharashtra and the high court have taken hearings of he matters on prorities during covid times and gave good orders to the sR. Citizens whenever they had approach to the court.



Mr. Narendra Wabale

Mr. Wabale took initiative in organising the program as a joint collaborator on behalf of Mumbai Marathi Patrakar Sangh. Because of him the auditorium was made free of cost. He gave the details of various welfare activities to the Sr. citizen Journalist who were poor and suffering due to covid pandemic. He said that the financial assistant given to retired and economically weaker press reporters from his insitutions is the good initiative and has been appreciated by all.

Session I: Need & Importance of MWPSA Act, 2007.



Mr. Prakash Borgaonkar
Head, Maharashtra & Goa (Help Age India)

Prakash N. Borgaonkar, western region head of Help Age India, told that the fact most victims of robberies tend to be senior citizens.

“Senior citizens in today’s society are the victims of loneliness. They have nobody to talk to and are often isolated by family, which is why they let anybody into their homes just for the sake of conversation, and become a soft target. They do not understand that they are inviting danger into their homes,” he said.

Our mission is to not only offer seniors a healthy environment but also help bridge the gap between generations,” He said.

A key advantage of recreational clubs for seniors is the social interaction, with members making friends, finding support in times of happiness and trouble, and even celebrating important events together, He said.

He talks about the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

‘An Act to provide for maintenance and welfare of parents and senior citizens for ensuring

their basic needs; safety and security; establishment, management and regulation of institutions and services; and for the rights guaranteed and recognized under the Constitution and format.

Session II: How To safeguard the Property Rights of Sr. Citizens and Importance of Legal documents



Mr. Nilesh Pawaskar

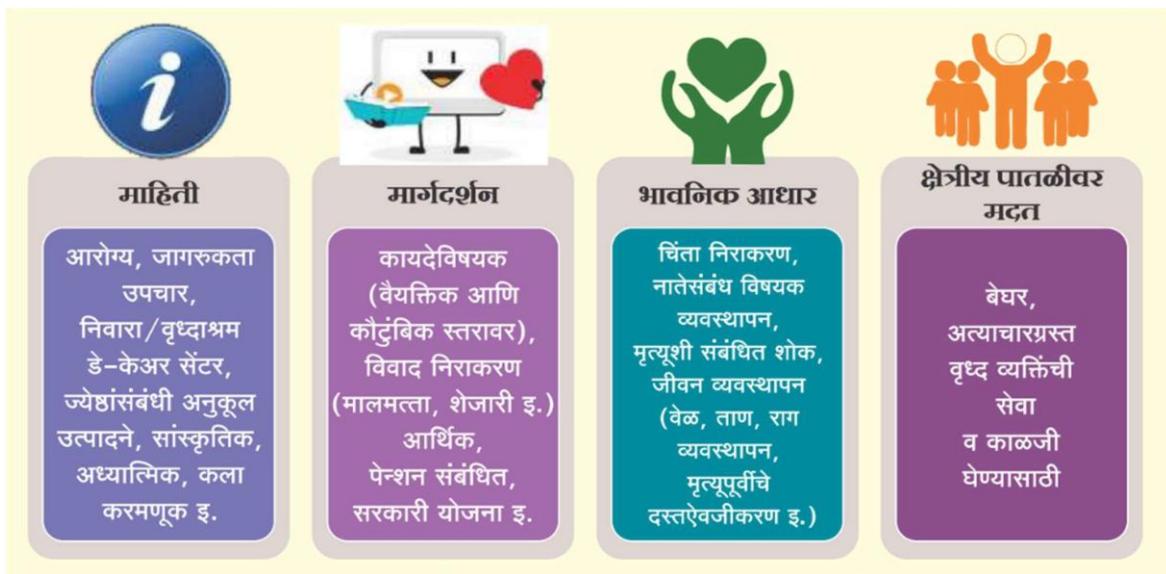
He spoke on how to safeguard the Property Rights of Sr. Citizens and Importance of Legal documents. He said that the Sr. citizens are not much aware of the legal aspects of the property and how to approach the court to get the necessary orders in case of injustice caused to them. On behalf of legal Aid Authority services in Mumbai they have been doing social activities such as free legal aid, distribution of groceries, counselling and reconciliation etc. He also gave his presentation on the salient features of the said law and gave various examples of court judgements. He was a joint collaborator of this program through his Swayam Foundation and was very helpful in getting the audience and other handholding support.

He told about the Rule 21 of the Rules framed under Senior Citizen Act provides the duty and powers of the District Magistrate and it is mandatory for the District Magistrate to ensure that the life and property of the senior citizen are protected and they are able to live with security and dignity, the Court pointed out.

He added although the Senior Citizens Act itself does not provide for eviction/removal from property, Indian courts, including the Supreme Court, have permitted eviction/removal of the children or relatives from the property of senior citizens in case of harassment or non-maintenance.

For creating the awareness of the elder line, CSSC-RRTC organized district sessions and the Field response officer of Janaseva Foundation gave information of Elder line. They distribute the pamphlet of elder line. The Participants were motivated to take advantages of the above elder line to reconnect the lonely Sr. Citizens and also to help in any such manner which they can.

SERVICES OFFERED BY ELDERLINE



Elder line has two key components, a connect centre that has officers who empathise with the senior citizen and understand the problem faced by the elder supported by a strong field support that takes care of “on the field” interventions that are required out of the service requested by the senior citizen. Services offered to senior citizens are broadly categorised into four services:

1. Information- Doctors, Hospitals, Old Age Homes, and Activity centres etc.
2. Guidance- Legal, Maintenance act related, Pension related queries
3. Support- Life, anxiety, relationship management and emotional support
4. Intervention- Direct (addressing abuse of elders and conducting rescue of homeless and abandoned elders) and Indirect (building ecosystem)

To operationalise Elder Line, following readiness conditions have been established: -

1. State identifies agency to operationalise helpline through a pre-defined process
2. Physical and software infrastructure is procured and installed
3. Resources are identified and capacity built
4. Information is collected and tabulated as Knowledge Bank for all areas which might be of use to senior citizens
5. Government and non-government agreements are made with like-minded organizations to walk along with the agency to assist elders
6. A dry run is conducted to identify and re work on any possible bottle necks
7. Elder line in numbers: -

Toll-free number: - 14567

Work hours: - 8 AM to 8 PM

Work days: - All 7 days

Program ended with vote of thanks was delivered by Mrs. Nilima Yetkar, Project Coordinator of RRTC. who promised all co-operation to initiatives taken towards the welfare of senior citizens.

Summary:

The speakers enlightened the participants (Advocates, PLV's, Sr. Citizens, NGO's) that the justice is available to the needy Sr. Citizens who are deprived from their own properties and are homeless. This Act gives justice to the Sr. Citizens to get maintenance amount from the beneficiaries. There were many other provisions of the Act and various judgements given by the court were communicated to the participants. CSSC-RRTC assured them the advice help, guidance in future.



Report of Raigad District-SP Program

**One Day Awareness/Sensitization NISD Programme on
MWPSA ACT, 2007, Govt. Policies & Programmes with CSSC-RRTC
In joint collaboration with**

Raigad, Police Department

Schedule of the program

Date: Friday, 25th February, 2022

Time: 11.00 am to 2.30 pm

Registration & Tea/coffee- 10.30

For 25 participants)

Sr.No.	Time	Session / Topic	Speakers
1 -	11.00 to 11.15 am	Inauguration, Felicitation by Welcome Address	Mr. Ashok Dudhe SP, District-Raigad Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, RRTC
2	11.15 to 11.25 am	Inaugural Speech by	Mr. Ashok Dudhe SP, District-Raigad
3	11.25 to 12.15 pm	Session I Sub: Salient features of MWPSA Act and protection of the rights of Sr. Citizens	Adv. Neelam Hazare Vice Principal, Janata Shikshan Mandal, Law College, Alibag- Raigad
	12.15 to 12.30 pm	Break – Tea & Snacks	
4	12.30 to 12.50 pm	Awareness of Elder Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment (GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Elderline 14567, Mah. State Janaseva Foundation, Pune.
5	12.50 to 1.30 pm	Sub: Role of Police under this Act	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, RRTC
6	1.30 to 2.15 pm	Session II Problems of Sr. Citizens	Mr. Pandya Madhusudan Govardhan Senior Citizens Representative
7	2.15 to 2.25 pm	Questions & Answers	
8	2.25 to 2.30 pm	Vote of Thanks	Police Department

The program was inaugurated by Mr. Ashok Dudhe SP, District-Raigad Adv. Nirmala Samant Prabhavalkar Chief Functionary, CSSC,RRTC. Other dignitaries are Adv. Neelam Hazare Vice Principal, Janata Shikshan Mandal, Law College, Alibag- Raigad Mr. Smitesh Shah Project Manager, Elder line 14567, Janaseva Foundation, Pune. Mr. Pandya Madhusudan Govardhan, Senior Citizens Representative & representative of RRTC Mrs. Nilima Yetkar & Miss Pooja Shere.



Mr. Ashok Dudhe

Mr. Ashok Dube, SP, District Raigad, delivered the inaugural address. He covered essential themes. He stated that the sentiments behind the act should be considered. Second, he noted that while mobile phones have brought us closer, we are still physically separated. We are immersed in the virtual world and are unaware of each other's existence. This distance must be reduced. The family is responsible for caring for senior citizens, yet they lack the essential abilities. As a result, the government enacted legislation to protect the rights of senior citizens. When a senior citizen approaches you at the police station, you first listen to them. We should listen to them regardless of whether we can resolve their complaint under the laws of the police station.



Adv. Nirjala Samant Prabhavalkar

Adv. Nirjala Samant began by asking, "What is gerontology?" Many people don't know about it. They don't know about geriatric wards or that people over 60 are called "senior citizens." Does the Greek word "geron," which means "old people," have anything to do with gerontology? This doesn't mean that more people are being born, since there are ways to control that, but it does mean that people are living longer. Because of good medicine, awareness, exercise, a daily walk, and a good diet, our life expectancy has increased, and so have the challenges we face. This law tells us how to meet these challenges. The police help the elderly by taking them to a home for the elderly or the police station. Keeping them in the police station for a few days, the police do many things for them, like take care of them, feed them, and try to find their families. She stated that the police uniform and this law are great ways of serving the community. So, when elderly come to police stations, it's an appeal to listen to them patiently.

Session I: Salient features of MWPSA and protection of the rights of Sr. Citizens

Speaker : Adv. Neelam Hazare

She said that "I am my father's fifth daughter and we take good care of our father and I am proud of that,". This act is for parents and senior citizens. Some senior citizens do not have children, while others do not come into the category of parents, yet this law also applies to them. This law protects them as well. She stated that several definitions of this statute exist. What does this law require of its subjects? "Children" refers to a parent or

senior citizen's biological, adoptive, or stepchildren, as well as his son-in-law, daughter-in-law, grandchild, granddaughter, and legal guardian of minor children, if any.



Adv. Neelam Hazare

There is a provision for maintenance in the 125CRPC act, but it does not apply to girl children. However, under the Mwpsct act, married and unmarried women are also accountable for their parents' She stated that this deed was a means of uniting society. If a senior citizen has applied under section 125 of the CRPC, he can also apply under this act. Under the maintenance provisions of the MWPSCT Act, older citizens are provided with food, clothing, housing, and medical aid. She said that the definition of parents under this act covers father or mother, whether biological, adoptive, or step-parent, as well as father-in-law, mother-in-law, and grandparents, whether or not they are senior citizens; no other act contains a similar provision.

Those who are unable to maintain their own property have shelter, food, clothing, and medical care, but their children do not look after them; this is an emotional issue for which this law cannot do anything, but because senior citizens' basic needs are not met, this law will help to fulfil their responsibilities.

She noted that the responsibilities of children to support a parent extend to the parent's need to lead a dignified life. "Provided, however, that if more than one relative has or inherits the property of a senior person without children, the duty of such relatives shall be proportional to their possession of or inheritance of the property." Additionally,

maintenance can be sought from the heirs and the property they inherit. The responsibility of those who will inherit the senior citizens' property is to support the senior citizens and their parents.

She stated that they are fed, but no one converses with them at home. They reside in the corner of the house, and everyone has ailments such as diabetes and hypertension. The effects of excessive sugar levels on Alzheimer's disease are disregarded. This law states that merely providing a meal is not the end of the story. She offered the example of an older woman she encountered on one of Adv. Hazare's visits to a nursing home who stated that her son had transferred all of her property into his name and brought it to the senior age facility and that she did not understand why she had come here. We believe this action must be taken when we hear of such an occurrence.

She noted that, according to the statute, a parent is a father, a mother, a biologically adaptive stepfather or stepmother, or a senior citizen father or mother, if the child is under age. There are no provisions in the other statutes. The concept of "parent" is expansive here.

She added that a senior citizen or his parents may submit a section 5 application. If incapacitated, any other person or organisation represented by him or acting on his behalf may do so. For the purposes of this section, "organization" means any non-profit group that is registered under the Societies Registration Act of 1860 or any other law that applies.

During the pendency of the proceeding regarding the monthly allowance for maintenance pursuant to this section, the Tribunal may order such children or relatives to make a monthly allowance for the interim maintenance of such senior citizens, including their parents, as the Tribunal may from time to time direct.

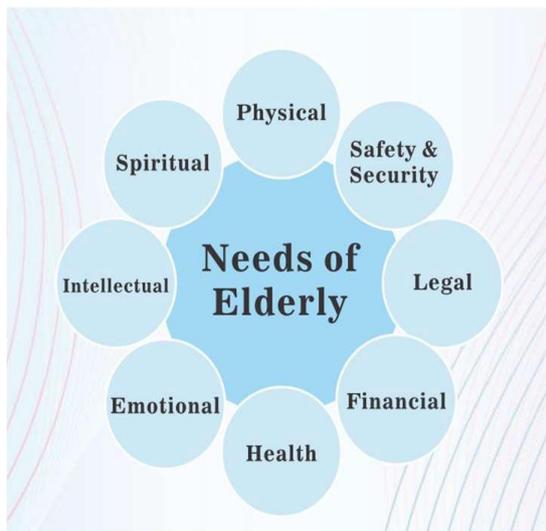
Awareness of Elder Helpline: Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment (GOI) & Assistance from the local Police station for Sr. Citizens

He described the operations of the Janseva Foundation, Pune, an organisation that focuses on the senior citizens of the Maharashtra division. In an effort to assist senior citizens, the central government on Tuesday, September 28 launched the country's first pan-India toll-free helpline—14567, called the "Elder Line," which will provide free information, guidance on pension, medical and legal assistance, as well as emotional support, intervene in cases of elder abuse, and rescue homeless senior citizens.



Mr. Smitesh Shah

He said that about 32 crore people will become senior citizens by 2050. They need a model of trust where they address their basic needs and the problems. He explained the working of elder line through a presentation. Images below explain the problems faced by elderly in all domains.



	आम्हाला प्रश्न विचार	सूध्दाश्रम काळजीवाहक सेवा विरंगुळा केंद्र आणि बरेंच काही
	आम्ही आपल्यासाठी पुढे येऊ	बेघर आणि अत्याचारग्रस्त ज्येष्ठांच्या मदतीसाठी
	आम्ही मार्गदर्शन पुरवतो	कायदेशीर आणि पेशान संबंधित समस्या
	आम्ही ऐकत आहोत	भावनात्मक आधारसाठी आपण आमच्याशी बोलू शकता

Vision & Mission of Elder line :

Aim:

Sympathetic service to the senior citizens of India enhances a happy and healthy life

Policy:

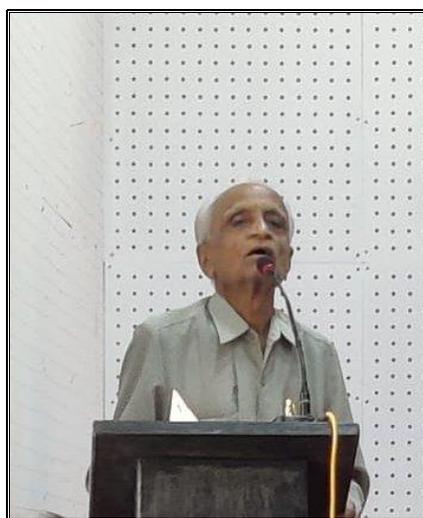
The aim is to make a positive difference in the lives of senior citizens by creating a credible national helpline to address the grievances of senior citizens in India with the necessary information and cooperation from various government departments, social organizations, volunteers and many other committed partners.

Objectives:

- * Reaching out to every senior citizen of the state and the country to provide guidance and support.
- * Dissemination of information about government schemes and programs for the welfare of senior citizens.
- * To provide a platform for resolving issues related to implementation.
- * To provide grievance redressal mechanism to senior citizens.
- * Creating hope and trust in senior citizens and making their old age enjoyable.
- * To understand the various needs of senior citizens and to formulate necessary policies and implementation mechanisms.

Session II-Problems of Sr. Citizens

Mr. Pandya Madhusudan Govardhan, Senior Citizens Representative



Mr. Madhusudan Pandya

According to Mr. Madhusudan Pandya, retiring for senior citizens means aiming for a happy and healthy life. He reiterated his request to all police officers whenever our agents visit your workplace or phone you for assistance. Please help us by cooperating.

He claims that senior citizens, as well as police officers, are unaware of the legislation. When the elderly come to the police station with complaints about the property, they are directed to the advocate. Many police stations are unaware of the MWPSA Act 2007. It's heart breaking, but it's true. He is grateful to RRTC for carrying out the Act's awareness campaign. He also urged that we conduct such a workshop with the senior citizen group so that every resident in Raigad is aware of the legislation and may use it to solve their property problems.

He mentioned the challenges mostly face by the Senior citizens:

- Lack of coordination; there is no coordination between police department and tribunal.
- In spite of deadline is there of 90 days, then also senior citizen not get their right to have their property and that is not happening in real.
- In some cases, tribunal is considered about maintenance but not about welfare of senior citizen.
- The main difficulties or obstacles faced by senior citizens are regarding physical and mental health, inadequate diet, the low availability of health care facilities and medicines for their treatment, dignity and respect in their families, increased physical dependency and loneliness.

When he travelled to Delhi for one program and met with the President of India, he shared a story of how he treated him with great respect and how the President immediately sided with him. He said that, Mr. President asked to seat with him. He was so impressed with the treatment Ministry given to him, they instructed their staff to escort him around the garden, offer him refreshments, and transport him to Jetha Nagarik Bhavan in their vehicles.

Senior citizens are treated with such respect then, why do so many elderly people have so many problems? Pandya, the gentleman asked. In today's family system, rapid technological advancement is a nuisance. Because of how quickly families are falling apart today, senior citizens face a wide range of problems.

He concluded his remarks by stating, "Elderly people make up about 40% of the homeless population." 60% is something I'm not familiar with. He said, "Love is no longer an indestructible tie between us." This is what we're aiming towards. A lack of enforcement of the law is the main problem. As a result, we implore you to carry out our request. Vote of thanks delivered by PI, Jagtap.

Summary: The topics of the sessions enlightened the participants and it was extremely important for the police to know that the MWPC Act, 2007 has three penal sections under which the police can file FIR, arrest (imprison) the abuser for elder abuse, cheating, fraud and their abandonment. They were made aware to visit old age homes to find out the elder abuse caused by relatives and also to help voluntary organisations for their hospitalization, covid vaccination, claiming of dead bodies and funerals etc.

The Police, Sr. Citizen groups and the participants understood how to use the NISD National Elder line 14567 in case of domestic or abandoned elder person. Janaseva Foundation from Pune has been selected to operate the above elder line for State of Maharashtra. For creating the awareness of the elder line, CSSC-RRTC organized district sessions and the Project Manager of Janaseva Foundation gave power point presentation and information of Elder line. He gave success stories of reunion of the elderly person who were found on the street. The Participants were motivated to take advantages of the above elder line to reconnect the lonely Sr. Citizens and also to help in any such manner which they can.

Program photos:



Report of Mumbai Suburban DLSA Program



**Ministry of Social Justice & Empowerment (GOI)
National Institute of Social Defense (NISD)**

Regional Resource & Training Centre (RRTC)

under

Centre For The Study of Social Change (CSSC)

Organised

Awareness/Sensitization Programme

on

“MWPSA ACT, 2007, Govt. Policies & Programmes”

In joint collaboration with

District Legal Services Authority, Mumbai Suburban & Family Court, Mumbai

Monday, 28th February, 2022

Time: 2:00pm To 4:00pm

Hon'ble Shri Prasad L. Palsingankar

Principal Judge, Family Court (Mumbai)

Chairman DLSA, Mumbai Suburban

(Chief Guest)

SPEAKERS

Mr. Padmakar Rokade

Sub Divisional Officer and Presiding Officer
Sr.Citizens Maintenance Tribunal
(Eastern Suburb)MSD

Mr.Vasant Bhanage

Advocate High Court, Mumbai

Program Organisers

Mr. Satish B. Hiwale

Secretary, DLSA, Mumbai Suburban

Adv. Nirmala Samant Prabhavalkar

Ex-Mayor Mumbai,
Chief Functionary, CSSC-RRTC, Mumbai

Venue: 3rd Floor, Children's Complex Hall, Family Court, Bandra (E) Mumbai-400 051.

Awareness/Sensitization Programme
on “MWPC ACT, 2007, Govt. Policies & Programmes” with CSSC-RRTC
In joint collaboration with

District Legal Services Authority, Mumbai Suburban & Family Court, Mumbai

Date: Monday 28th February, 2022

(Participants-25)

Time: 2.00pm to 5.00pm

Time	Session/Topic	Speakers
2.00 to 2.10pm	Inauguration & Felicitation	<p style="text-align: center;">Hon’ble Shri Prasad L. Palsingankar Principal Judge, Family Court ,Mumbai Chairman DLSA, Mumbai Suburban</p> <p style="text-align: center;">Mr. Satish B. Hiwale Secretary, DLSA, Mumbai Suburban</p> <p style="text-align: center;">Adv. Nirmala Samant Prabhavalkar. Ex- Mayor Mumbai Chief Functionary, CSSC- RRTC, Mumbai</p>
2.10 to 2.15pm	Inaugural Speech by	Hon’ble Shri Prasad L.Palsingankar Principal Judge, Family Court, Mumbai Chairman, DLSA, Mumbai Suburban
2.15 to 2.25pm	Address by	Mr. Satish B. Hiwale Secretary, DLSA, Mumbai Suburban
2.25 to 3.40pm	Session I Sub: An overview of the Maintenance and Welfare of Parents and Senior Citizens Act 2007.	Mr. Vasant Bhanage Adv. High Court, Mumbai
3.40 to 4.45pm	Session II Sub: How to safeguard the Property Rights of Sr. Citizens and Importance of Legal documents	Adv. Nirmala Samant Prabhavalkar. Ex- Mayor Mumbai Chief Functionary RRTC
4.45 to 5.00pm	Sub: Work of the Tribunal under MWPC Act, 2007	Mr. Padmakar Rokade Sub Divisional Officer & Presiding Officer Sr. Citizens Maintenance Tribunal (Eastern Suburb) MSD
5.00 to 5.05pm	Vote of thanks	By DLSA
5.05pm onwards	Refreshment	

The program was inaugurated by Hon'ble Shri Prasad L Palsingankar, Principal Judge, Family Court, Mumbai, DLSA, Adv. Nirmala Sammant Prabhavalkar and other dignitaries are Mr. Satish B. Hiwale, Mr. Padmakar Rokde, SDO, Mumbai, Mr. Vasant Bhanage and Mrs. Nilima Yetkar, Pooja Shere and Mansi Desai representative of RRTC.

Hon'ble Shri Prasad L. Palsingankar, Principal Judge, Family Court, Mumbai Chairman, DLSA, Mumbai Suburban gave the inaugural speech.



Shri Prasad L. Palsingankar

Session I-Sub: An overview of the Maintenance and Welfare of Parents and Senior Citizens Act 2007.



Mr. Vasant Bhanage

He said that quarrels in the family is a routine happening which is commonly observed. The Sr. Citizens faces quarrelling type of behaviour from daughter in law, son & others members. He said that the Indian families after certain age the help from members such as daughter, son becomes necessary for nursing & caring. Thus staying with them

becomes easy & helpful. Moreover, all senior citizens cannot afford salaried care givers. He said that in England and America Sr. Citizens gets the services of caregiving from the Govt, side but same services cannot be given by our govt. free of cost or otherwise to the Sr. citizens was staying in their own house.

Therefore, he said, he said that the Sr. citizens also should adjust with his family members because they only can give the service of taking care such as nursing, feeding, bathing & hospital caring etc. So, the senior citizen need not rush to tribunals under MWPSC Act.

He said that as long as possible the Sr. citizens should do the work on their own. They should not expect not expect the help from grandchildren, son or daughter in law. As per the said Act the Govt. has taken the role of guardians of Sr. Citizens in the event the duty is not done by the beneficiaries of the sr. citizens. About the protection of property of the Sr. citizens this Act is sufficient to take care of the same but it is necessary for the Sr. citizen to understand the definition of the property. He said that there are two type of property. One is moveable such as shares, fix dep., bank FD's jewellery and other valuable assets which are tangible. Second is there ae immovable property includes. Land, house, flat etc.

He said that the gift deed or the WILL or gift deed can be done by the Sr. citizens only if he is a owner of the property.

The property which does not being to him such as taken on rent or belong to Govt., leave & license cannot be treated as ownership property hence the Sr. citizens cannot gift or a make a WILL of such properties.

Sub: **Work of the Tribunal under MWPSC Act, 2007.**

Mr. Padmakar Rokade, Sub Divisional Officer & Presiding Officer Sr. Citizens Maintenance Tribunal (Eastern Suburb) MSD.

Mr. Rokade said that many Sr. citizens filed applications or petitions under MWPSC Act. He gave several examples of various cases handled by him. As an officer he tries to reconcile the dispute between the sr. citizens & his other family members. Many times the family counselling, medication, consultation with each other helps to resolve the differences.



Mr. Padmakar Rokade

He said it become very difficult scenario when there are disputes over the property & particularly house related quarrels. Sometimes the house in the name of Sr. citizens & the father files the complaint to remove or evict the son, daughter in-law & grant children from his house. Such circumstances it becomes very difficult situation.

In many cases the daughter in-law life's case of domestic violence against husband & father-in-law by showing father-in-laws house as a shared household. He said merely giving directions on paper is not sufficient & it become challenging to satisfy the Sr. citizens to get back his property back without using force of law by taking police help for throwing out his family members such as son, daughter in-law & grandchildren etc.

Therefore, he said skilful negotiation, mediation is very important & the law has made provision for counselling by social workers & the officers of tribunals Sr. citizen; group, NGO's volunteers.

Session II-Sub: How to safeguard the Property Rights of Sr. Citizens and Importance of Legal documents.

She gave her sincere thanks to the advocates of family court Bar Association and the members of judiciary namely all the judges of family court took out time for inauguration of this workshop.



Adv. Nirmala Samant Prabhvalkar

She said that judiciary is the guardian for the senior citizens who are deprived by their family members from exercising their right in the property. The lawyers are not allowed to represent senior citizen before the Tribunal, but they can represent the victim before the affiliate authority that is the high court. She said that the said Act is becoming day by day popular as the high court judgements gets published in newspapers and social media, the judiciary has become proactive in safeguarding the interest of senior citizens in case of gross violence of the said Act.

She said that in a significant ruling, the Bombay High Court recently passed the order that, “**senior citizens need to be treated with dignity by their family** and it is an obligation of the children to cater to the needs of their parents to live normal life. The senior citizens have to be treated with dignity and respect which they deserve. The obligation of the children or relative to maintain a senior citizen/parent extends to the needs of such a citizen so that the senior citizen leads a normal life. The parents should not suffer at the fag end of their life, is the expectation. That this expectation is belied because the maintenance, which is inclusively defined to mean provision for food, clothing, residence and medical attendance and treatment, is denied.” She said that the Bombay High Court has ordered a Mumbai resident and his wife to vacate the flat of his elderly parents within a month after it came to light that the man had been harassing them and refusing to leave the property.

A single bench presided over by Justice G S Kulkarni passed an order earlier this week, directing the man, Ashish Dalal, and his family to vacate the flat owned by his 90-year-old father and 89-year-old mother after noting that the elderly couple had been "suffering" at the hands of their only son and his wife.

While directing Dalal to vacate the flat, the high court also ruled that parents have to approach courts to secure their rights and protect themselves from harassment meted out by their own sons.

"Before parting and having noticed that this is a case where the old parents are suffering at the hands of the only son and daughter-in-law, it appears that there is certainly some element of truth in the popular saying that 'daughters are daughters forever and sons are sons till they are married' albeit there would surely be exemplary exceptions," the HC said.

The bench further said that the Senior Citizens Act mandated that off springs and relatives of elderly citizens ensure that the latter led a normal life, free if any kind of harassment.

It also said that the present case was a sad one, where the man was intentionally preventing his parents from leading a normal life in their old age.

"The obligation of the children or relatives, as the case may be (under the Act), extends to ensure that a senior citizen may lead a normal life," the high court said.

"This would certainly include within its ambit, protection from any harassment and torture meted out by a son or relative by keeping himself on the premises owned by the senior citizens," it said.

The court was hearing a plea filed by Dalal challenging an order of the Senior Citizens Tribunal, which asked him and his wife to vacate the said flat.

The tribunal, too, had noted in its order that the couple was being harassed by their son. During the arguments in the high court, the bench saw that while Dalal owned

three residential premises himself in Navi Mumbai and Dahisar area, he had been insisting on staying in his parents' flat in the city.

The bench rejected Dalal's petition and directed him to vacate the flat within 30 days.

It said that the purpose of the Senior Citizens Act was to "aid senior citizens to lead a normal life" and that the provisions of the Act recognized and protected a senior citizen's right to property.

She said that in view of the above observations it is made clear to the participants the importance of the legal documents is extremely important to prove the case in the court to protect the rights of senior citizens.



Mr. Suraj Bhosale, Field Response Officer, Elder Line

Mr. Suraj Bhosale, Field Response Officer of Mumbai, Maharashtra division for the National Elder line – 14567 for Senior Citizens gave the brief information of Elder line.

He presented the success stories of the reunion of the elderly who were found on the street. He appeals all participants such as PLV's, Advocates & mainly Sr. citizens to take help of elder line wherever they need. He said that, If senior citizens feel like if you don't have anyone to talk with you or share your problems so here is the help line no. 14567 you can call and we will willingly listen to you.

The participants were motivated to take advantage of the elderly line and utilise it for reconnecting with the lonely senior citizens and also to help them in any way possible.

The vote of thanks delivered by Adv. Sujata Kordey.

Summary:

The speakers enlightened the participants (Advocates, PLV's, Sr. Citizens, NGO's) that the justice is available to the needy Sr. Citizens who are deprived from their own properties and are homeless. This Act gives justice to the Sr. Citizens to get maintenance amount from the beneficiaries. There were many other provisions of the Act and various judgements given by the court were communicated to the participants. CSSC-RRTC assured them the advice help, guidance in future.

Program photos:





Report of Thane District CP-program

**One Day Awareness/Sensitization NISD Programme on
“MWPSA ACT, 2007, Govt. Policies & Programmes” With CSSC-RRTC**
In joint collaboration with

Thane City, Police Head Quarter 2

Schedule of the program

Date: Wednesday, 2nd March, 2022 (For 25 participants)

Time: 10 am to 2pm

Registration – 10.00 to 10.10 am

Sr. No	Time	Session / Topic	Speakers
1	10.10 to 10.20 am	Inauguration	Mr. Ganesh Gawde DCP, Police Head Quarter 2, Thane City
2	10.20 to 10.25 am	Welcome address by	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
3	10.25 to 10.40 am	Speech by Chief Guest	Mr. Ganesh Gawde DCP, Police Head Quarter 2, Thane City (Chief Guest)
4	10.40 to 11.00 pm	Awareness of Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Elderline14567, Mah. State, Janaseva Foundation, Pune.
	11.00 to 11.15 pm	Break	Tea /Snacks
5	11.15 to 1.05pm	<u>Session I & II</u> Sub: Salient features of MWPSA Act 2007 and Protection of the rights of Sr. Citizens (Interactive session)	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
7	1.05 to 1.20pm	Suggestions by Senior Citizens Representative	Senior Citizen Representative
8	1.20 to 1.35pm	Questions & Answers	
9	1.35 to 1.40pm	Vote of Thanks	Police Dept.

Inauguration with lighting lamp



The programme was inaugurated by **Mr. Ganesh Gawde** DCP, Police Head Quarter 2, Thane City. The other dignitaries were, Adv. Nirmala Samant Prabhavalkar, Chief Functionary of RRTC, Mumbai, Mr. Smitesh Shah, Project Manager of Elderline 14567, Maharashtra State, Janaseva Foundation, Pune. Representative of CSSC-RRTC Mrs. Nilima Yetkar, Miss. Pooja Shere & Participants (Police Officers & Sr. Citizens).



Mr. Ganesh Gawde
DCP, Police Head Quarter 2

Mr. Ganesh Gawade, DCP, said that the program has been organized for the staff and other participants to enhance our aid for the senior citizens as police officers. Earlier, there used to be a single helpline number of 100, however now with the changing needs we have 112, a special helpline number for senior citizens. After a series of trials, the single emergency helpline number 112, which will connect the people in distress with the police, has been made operational in five cities of Maharashtra. Senior Citizens in distress can get immediate assistance from police in the state on dialing the helpline number '112' in Mumbai, Navi Mumbai, Thane, Nagpur and Pune. Mr. Gawade asked the participants to treat senior citizens with respect and help them as they would their own parents.

Awareness about Elder line 14567:



Mr. Smitesh Shah
Project Manager, Elder line14567

Mr. Smitesh Shah is working as a Project Manager at the Maharashtra State Center for the Helpline Project of Elderline – 14567 (National Helpline for Senior Citizens). As the State Head, he manages operations, coordinates training, and runs the day-to-day business of all departments working on the Janaseva Foundation project in Pune.

We organized an awareness session on Elderline of Maharashtra division, in which the project manager of Janaseva Foundation gave an informative presentation on Elder Line. He presented the success stories of the reunion of the elderly who were found on the street. The participants were motivated to take advantage of the elderly line and utilise it for reconnecting with the lonely senior citizens and also to help them in any way possible.

Vision & Mission of Elderline:

- Promoting a happy and healthy life by empathetically serving the senior citizens of India.
- To make a positive difference in the lives of senior citizens by creating a dedicated national helpline for the redressal of grievances of senior citizens in India with the necessary information and cooperation from different government departments, social organizations, volunteers, and many committed partners.
- Reaching out to every senior citizen in the state and country for guidance and dissemination of information about government schemes and programmes for the welfare of senior citizens
- To provide a platform for resolving issues related to implementation.
- To provide a grievance redressal mechanism for senior citizens.
- Creating hope and trust in senior citizens and making their old age enjoyable.
- To understand the various needs of senior citizens and the necessary policies and
- Creating a mechanism for implementation.

Mr. Smitesh Shah appealed to all police officers to help the senior line field response officers when they ask for assistance in any of the police stations.

Session I & II:



**Adv. Nirmala Samant Prabhavalkar
Chief Functionary, RRTC**

Adv. Nirmala Samant Prabhavalkar, the Chief functionary of RRTC, welcomed all participants. She addressed the gathering by introducing the organization. The Centre for Study of Social Change (CSSC) has been an NGO working in the field of Human Development since 1972. CSSC runs the project with the Ministry of Social Justice & Empowerment GOI under 'The Regional Resource Training Centre' (RRTC).

She said that the demography of senior citizens in our country shows that senior citizens' population is increasing daily due to several factors. The increase in the life span of senior citizens has created many challenges for them and society. The withering of joint family and rapid urbanization has resulted in a nucleus family system. The elders in the house lead a life of loneliness, neglect, and lack of emotional support, primarily single, bedridden, or physically disabled elders.

She said police service is a golden opportunity for social work. They can use their stick for bad and even for good sake also. Sometimes senior citizens feel that they are living life up to 92 to 94 and asking for death. She added in the nursing home, senior citizens die & no family member shows up to complete the cremation rituals. Only for the sake of claiming the senior citizens' property, relatives come to nursing homes and blame the management for not informing them earlier about the demise, despite of continuous efforts by the nursing homes to reach out to families of the senior citizen.

Adv. Nirmala Samant Prabhavalkar, requested that the police officers visit the old age home to understand their grievances and maintain emotional and legal relationships, which will help them process the cases better. Building personal relationships with the community is important because most people are afraid of the police, which is why they refrain from talking to them.

The objective of the Act, as explained by her, is as follows:

- A suitable mechanism should be established to provide need-based maintenance to parents and senior citizens.
- Providing better medical facilities to senior citizens
- The institutionalization of a suitable mechanism for the protection of the life and property of senior citizens;
- Setting up old age homes in every district.

In short, the act aims to provide physical, economic, and emotional support to all senior citizens in distress.

She discussed sections 5 to 10 & 19,20,23,24,25 of this Act. with special emphasis on Section 11 of the MWPSA Act (2007).

Section 11 of the 2007 Act on the Maintenance and Welfare of Parents and Senior Citizens.

The enforcement of a maintenance order.

- The order of maintenance, including the order about expenses of proceedings, will be given for free to the senior citizen or parent. The order can be enforced by any court in any place where the person against whom it is made lives, as long as the court is sure of who the parties are and that the allowance or expenses are not being paid for the respective individuals.
- A maintenance order made under this Act shall have the same force and effect as an order passed under Chapter IX of the Code of Criminal Procedure, 1973 (2 of 1974), and shall be executed in the manner prescribed for the execution of such order by that Code.

Adv. Nirmala mentioned **Section 21**, which is a crucial element in this Act. It provides that the State Government shall take measures to give wide publicity through public media, including television, radio, and print, at regular intervals, to the provisions of the Act

Second, officers of the Central Government and State Governments, including the police officers and the members of the judicial service, are given periodic sensitization and awareness training on the issues concerned with the Act.

Third, there is effective coordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health, and welfare to address issues relating to senior citizens' interests, and a periodic review of the same is conducted.

At the end the senior citizens were invited to discuss their problems with the Senior Citizens Club/Jeshta Nagarik Sangh. It was proposed to have an online conference for discussing the issues faced by senior citizens, which individuals could join from their respective locations, increasing the scope of various perspectives.

Summary: The topics of the sessions enlightened the participants, and it was essential for the police to know that the MWPSA Act, 2007 has three penal sections under which the police can file FIR, arrest (imprison) the abuser for elder abuse, cheating, fraud, and abandonment. They were instructed to visit old age homes to investigate elder abuse perpetrated by relatives, as well as to assist voluntary organizations with their hospitalization, COVID vaccination, claiming of dead bodies and funerals, and so on.

The police, senior citizen groups, and participants were made aware about how to utilize the NISD National Elder Line 14567 in case of a domestic or abandoned elderly person. A foundation from Pune has been selected to operate the above senior line for the State of Maharashtra. To create awareness of the elderly line, CSSC-RRTC organized district sessions, and more awareness sessions being conducted by the Jan Seva Foundation.

Participants appeared to be well-informed by the end of the programme and eager to stand up for the rights of senior citizens.

Participants of the programme



Report of Nashik District-CP Program

**One Day Awareness/Sensitization Programme on
“MWPSA ACT, 2007, Govt. Policies & Programmes” With CSSC-RRTC
In joint collaboration with**

Nashik City Police Commissionerate

Schedule of the program

Date: Saturday, 5th March, 2022 (For 25 participants) Time: 10.30 am to 2.00 pm
Registration – 10.15 am

Sr.No	Time	Session / Topic	Speakers
1	10.30 to 11.00 am	Inauguration & Speech by Dcp	Smt. Poornima Chaugule DCP, Nashik City
2		Welcome address by	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
3	11.00 to 11.20 am	Awareness of elder Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Elderline 14567, Mah. State, Janaseva Foundation, Pune.
4	11.20 to 12.35 pm	Session I & II Sub: MWPSA Act, 2007 Welfare provision Question & Answers	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
5	12.35 to 12.45 pm	Break Tea & Snacks	
6	12.45 to 1.45 pm	Role of Police under this Act Question & answers	
7	1.45 to 1.55 pm	Suggestions by Senior Citizens Representative	Senior Citizen Representative
8	1.55 to 2.00 pm	Vote of Thanks	Police Department

Inauguration:



The program was Inaugurated by DCP, Nashik City Mrs. Poornima Chaugule. The other dignitaries were Adv. Nirmala Samant Prabhavalkar, Chief Functionary of CSSC, RRTC, Mumbai, Mr. Smitesh Shah, Manager of National Elder Line (14567) of Maharashtra Division & Other Police officer.

The aim to conduct this programme was to spread awareness on “**Maintenance and Welfare of Parents and Senior Citizens Act 2007**” (MWPSA Act, 2007) with the police department.



Dy DCP, Poornima Chaugule

The inauguration speech was delivered by DCP Chaugule. She stated that the police officer, the senior citizen, and all the officers in charge of the police station had gathered to gain knowledge on critical matters concerning the lives of senior citizens and how to

ensure their safety. She stated that there would be a few crores, of senior citizens in our country, but it is not in our culture for senior citizens to come forward and seek their rights.

She stated that seniors are an assets to us, and it is extremely unfortunate that their children are ungrateful for their efforts all their lives. They are concerned only about grabbing property rights. She stated that we needed to learn more about the act and be given the opportunity to learn more about it.



Mr. Smitesh Shah
Project Manager of Elder Line

Mr. Smitesh Shah explained the workings of the elder line: It is the dedicated toll-free helpline number for senior citizens that works from 8:00 AM to 8:00 pm on all days of the week. **ELDERLINE-14567** is the National Helpline for Senior Citizens (NHSC) that provides **information, guidance, emotional support, and field intervention** to senior citizens. It is driven by values of consistency, care, empathy, and encouragement. The broad needs of the elderly are classified into the following areas:

Information: Health - awareness, contact information about shelter / old age homes, care givers, day care centre, diagnostic & treatment, activity centres, senior citizen groups etc.

Guidance: Legal disputes, cases related to maintenance & welfare of parents & senior citizens act – 2007, pension related, government schemes related.

Emotional Support: Life management (time, stress, anger management),

Documentation prior to death, anxiety resolution, relationship management, loneliness, physical / mental wellbeing.

Field Intervention: Rescue of homeless elderly, care and support for abused and abandoned elderly, ecosystem building, creating volunteers, engagement opportunities for senior citizens (volunteer / paid).

He suggested that all participants, whether elderly people or anybody else, call us on our helpline by dialling 14567 directly from a mobile or landline, between 8 a.m. and 8 p.m., any day of the week, so that we may discuss and grasp the subject in detail. He appeals to all police personnel, saying, "If you need to talk to us about any matter involving a senior citizen, you can call us on our helpline."

Session I - Sub: MWPSA Act, 2007 & Welfare provision



Adv. Nirmala Samant Prabhavalkar
Chief Functionary, RRTC

Advocate Nirmala Samant Prabhavalkar extended a warm welcome to all the programme participants. She stated that DCP Chougule handled all of the essential matters on her own and gave feedback of the types of police complaints received at the police station. DCP Chougule has also worked in the realm of service. She spoke about the RRTC's work with senior citizens. She stated that there might be fewer cases because Nashik is a culturally rich city. She said, "We are grateful to the Nashik Police Department for coming for the session, and we assure them that they will get necessary information from this awareness programme."

Objective of ACT:

- This act provides in-expensive and speedy procedure to claim monthly maintenance for parents and senior citizens.
- This act casts obligations on children to take care of their parents/grandparents and also extends to the relatives of the senior citizens to maintain respect and humility.
- The main attraction of this act is that there are provisions to protect the life and property of the elderly.
- This act also provides setting up of old age homes for providing care to the indigent senior citizens and parents. The act is applicable across the nation.

It was stated by Advocate Nirmala Samant Prabhavalkar that there are legal provisions under Parents and Maintenance Act, 2007. All citizens have fundamental rights guaranteed to them by the Indian Constitution. Senior citizens are no exception. They are also entitled to fundamental rights to life and personal liberty, freedom of speech and equality before law but these rights are often difficult for them to achieve for a variety of reasons.

She also said that 'Section 125' of cr p c clearly provides for support from major children if parents are unable to maintain themselves. Still, parents rarely file cases due to love and affection, fear of stigma, and the time and money required for the legal proceedings. " For many years, HelpAge India has advocated on behalf of the elderly for better access to care and support, as well as other initiatives.

Further the important provisions under the act were discussed. The "Senior citizen" is any citizen of 60 years and above whether living in India or not. "Parent" is the father or mother even if not of 60 years yet. "Children" are adult son, daughter, grandson and granddaughter "Relatives" are those who are either in possession of the property of the senior citizen or would inherit it.

Secondly, who can demand maintenance under the Act?

Parents and grandparents who are unable to maintain themselves from their own income can demand maintenance from their children as mentioned above; and "Childless Senior Citizens" who are unable to maintain themselves from their own income can demand maintenance from their relatives as defined above. It is an obligation of the children and specified relatives with sufficient means to provide support for their parents and childless senior citizens respectively.

If the children or relatives fail to pay the ordered maintenance without sufficient reason for 3 months after its due date, the senior citizen can write the letter to tribunal. The Tribunal again who may impose a fine or order imprisonment of the child or relative up to a month or until payment is made.

Session II Sub: Role of Police under this Act

Advocate Nirmala Samant Prabhavalkar said that we need to know "what your responsibility as police officials is under this act since you often or typically tell elderly citizens that it is your family matter and you address it at home, but now you may help them solve their family problem as well." This Act provided you with the authority to interfere in the situation. She stated that your outfit is efficient and effective and that people are terrified when the police come to their house, so your uniform is helpful in such situations. Senior citizens will take all essential precautions to protect life and property, subject to the rules issued by the government from time to time.

Generally, without interfering with sub-rule (1).

- Each police station will keep an updated list of senior citizens living in the jurisdiction of police station, especially those living separately (there will be no senior citizen in the family).
- A representative of the police station shall, as far as possible, visit such senior citizens, including social workers or volunteers, at regular intervals or at least once a month.
- Local police will promptly address the complaints or problems of senior citizens.
- Committees of one or more volunteers will be set up within the boundaries of each police station.
- The District Superintendent of Police or the Commissioner of Police in the status quo shall publish the details of the measures taken to protect the life and property of the senior citizens through the media and the police station on regular intervals.
- All significant facts regarding crimes perpetrated against senior citizens in police stations will be entered in a separate register in the form provided by state government decree.

- The register specified in clause (6) shall be made available to the public for inspection and every officer inspecting the police station
- Police station will send monthly reports of such crimes to the District Superintendent of Police or Commissioner of Police by the 10th of every month.
- The register will be reviewed. There will be widespread publicity on what to do or not to do for the safety of senior citizens.
- Upon the request of older folks, the background checks of individuals performing housework and other errands in their homes will be hastened.
- For the safety of senior citizens, public security will be maintained in collaboration with their neighbours Kalyan Sangh, Youth Volunteers, NGOs etc.

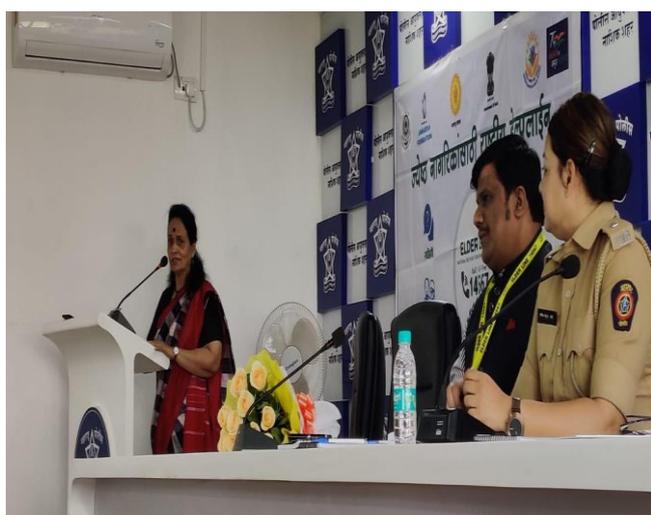
Senior citizen group members who were there said they had many questions about this law, but Adv. Nirmala Samant had already answered them.

The comparing was done by Dr. Anchal Mudgal from the Centre Crime Branch in Nashik. At the end of the programme, Dr. Siddheshwar Dhumal, Assistant Commissioner of Police, offered a vote of thanks.

Summary: The workshops enlightened the participants, and it was necessary for the police to understand that the MWPC Act, 2007, has three penal provisions under which the police can file an FIR, arrest (imprison) the abuser, and abandon them for elder abuse, cheating, fraud, and abandonment. They were instructed to visit old age institutions to investigate elder abuse perpetrated by relatives, as well as to assist voluntary organisations with their hospitalisation, covid vaccination, claiming of dead bodies and funerals, and so on.

The police, senior citizen groups, and participants were all aware of how to call the NISD National Elder Line 14567 in the event of a domestic or abandoned elder. The Janaseva Foundation of Pune has been chosen to run the above elder line for the state of Maharashtra. CSSC-RRTC arranged district sessions to raise awareness of the elder line, and the Project Manager of the Janaseva Foundation provided a PowerPoint presentation and information about the elder line. He shared success stories about the reunion of elderly people found on the street. The participants were encouraged to use the aforementioned elder line to reconnect lonely senior citizens and to assist in any way they could.

Photo's of the program





Report of Pune District-CP Program

**One Day Awareness/Sensitization NISD Programme on
“MWPSCT ACT, 2007, Govt. Policies & Programmes”**

With CSSC-RRTC

In joint collaboration with

Pune Commissioner of Police Office

Program Schedule

**Date: Saturday, 12th March, 2022 (For 25 participants) Time: 10.30 am to 2.00 pm
Registration – 10.15 am**

Sr.No	Time	Session / Topic	Speakers
1	10.30 to 11.00 am	Inauguration & Speech by CP /DCP	Mr. Amitabh Gupta CP, Pune City
2		Welcome address	Mr. Srinivas Ghadage DCP, Pune City Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
4	11.00 to 11.20 am	Awareness of Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment (GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Elderline 14567, Mah. State , Janaseva Foundation, Pune.
5	11.20 to 11.35 am	Break -Tea & Snacks	
6	11.35 to 12.50 pm	Session I Need & Importance of MWPSCT Act, 2007	Mr. Prakash Borgaonkar Head, Maharashtra & Goa Help Age India
7	12.50 to 1.50 pm	Session II Sub: Entire MWPSCT Act, 2007 Welfare provision, Role of Police under this Act	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
8	1.50 to 2.00 pm	Suggestions by Senior Citizens Representative	Senior Citizen Representative
9	2.00 to 2.05 pm	Vote of Thanks	Police Department

The programme was inaugurated by ACP Galande and ACP Donape, of Pune City. The other dignitaries were: Adv. Nirmala Samant Prabhavalkar, Chief Functionary CSSC, RRTC, Mumbai; Mr. Prakash Borgaonkar from Help Age India, Head, Maharashtra & Goa; Mr. Smitesh Shah, Manager of National Elder Line of Maharashtra division (Janaseva Foundation); Mr. Rode and Mr. Mahamuni from FESCOM. Mr. Amitabh Gupta, CP, and Mr. Srinivas Ghadage, DCP of Pune City, could not attend the programme.

Adv. Nirmala Samant, Chief Functionary of RRTC, gave overview of the awareness campaign and NISD's objective to spread knowledge about the Act in colleges, communities, government, NGOs, courts, police, media, senior citizen organisations, elected representatives, and so on. She also stated that RRTC collaborates with the police department on district-level awareness campaigns.

The government established the National Help Line 14567 for the elderly. Our efforts have begun to promote awareness of the elderly. Mr. Smitesh Shah, the project manager for the Elder Line division in Maharashtra, described the elder line work.



Mr. Smitesh Shah
Project Manager, Elder Line (Maharashtra)

Mr. Smitesh Shah explained the workings of the elder line: It is the dedicated toll-free helpline number for senior citizens that works from 8:00 AM to 8:00 pm on all days of

the week. **ELDERLINE-14567** is the National Helpline for Senior Citizens (NHSC) that provides **information, guidance, emotional support, and field intervention** to senior citizens. It is driven by values of consistency, care, empathy, and encouragement. The broad needs of the elderly are classified into the following areas:

Information: Health - awareness, contact information about shelter / old age homes, care givers, day care centre, diagnostic & treatment, activity centres, senior citizen groups etc.

Guidance: Legal disputes, cases related to maintenance & welfare of parents & senior citizens act – 2007, pension related, government schemes related.

Emotional Support: Life management (time, stress, anger management), Documentation prior to death, anxiety resolution, relationship management, loneliness, physical / mental wellbeing.

Field Intervention: Rescue of homeless elderly, care and support for abused and abandoned elderly, ecosystem building, creating volunteers, engagement opportunities for senior citizens (volunteer / paid).

He suggested that all participants, whether elderly people or anybody else, call us on our helpline by dialling 14567 directly from a mobile or landline, between 8 a.m. and 8 p.m., any day of the week, so that we may discuss and grasp the subject in detail. He appeals to all police personnel, saying, "If you need to talk to us about any matter involving a senior citizen, you can call us on our helpline."

Session I: Need & Importance of MWPSCT Act, 2007



Mr. Prakash Borgaonkar

Mr. Borgaonkar, Head, Help Age India, Maharashtra & Goa explained that there had been a tremendous transformation in the human body to the point where there were no longer any human emotions. Everything has changed. There is no grandparental love or affection. We must implement intergenerational bonding activities in schools and universities, with RRTC frequently performing these programmes. He stated that we are the only country in the world with a family culture for which we are famous. Our culture requires us to respect senior citizens. We feel terrible that the Indian government enacted the MWPC Act, 2007, to care for parents.

Mr. Borgaonkar stated that on December 14, 1990, the United Nations General Assembly declared October 1 as the 'International Day of Older Persons', and that the movement for senior citizens began that year. Help Age India, FESCOM (senior citizens organization), and a number of other organisations lobbied the government to develop a national policy for senior citizens. From 1990 to 2022, this strategy has not been fully implemented in the last 22 years. The first day of October is 'World Older Person Day', whereas the 15th of June is 'World Elder Abuse Awareness Day'.

Mr. Borgaonkar expressed that despite the fact that senior citizens are suffering from inflation, there is a lack of social security programmes. Although there is a law mandating the establishment of government old-age homes in every district, there are now just 24 government old-age institutions in the state, preventing the admittance of thousands of senior citizens. The elderly is not required to shoulder this burden. He mentioned a senior citizen woman whose husband had passed away; the children did not give timely and comprehensive help to her notwithstanding the authority's decision to pay them with Rs. 5,000 in aid. Stating the law is not efficiently enforced.

He stated that it is a legal need for the son, daughter, daughter-in-law, and son-in-law to offer financial support for the father's maintenance. However, in our country that is not the case. Frequently, police officers lack knowledge of superior laws. Consequently, incidents involving senior citizens are not handled with sensitivity.

According to him, the greatest obstacle is dealing with India's financial aid, of which 30 percent goes to senior citizens. The number of senior citizens continues to rise daily. Increasing life expectancy is also a factor in this phenomenon. He stated that 90% of senior citizens are male. Previously, there has been no treatment for HIV and cancer. But now that cancer is curable and HIV is no longer a cause of death, people are living longer. So, people are living longer, and the number of seniors is steadily going up as a result.

It was noted that 90% of senior citizens do not receive pensions, which implies they do not have a regular income, and that 40% of the 12 million senior citizens live alone. They have children and family members, but they do not reside with them. The majority of these seniors have no source of income. There are about 11.5 crore elderly citizens in the country. There are 1.25 crores in the state. 53 percent of senior citizens are women, the majority of whom are housewives, while 13 percent of senior citizens live alone. They encounter financial difficulties in old age. He added that he expected these elderly people to receive a monthly pension of at least 5,000 rupees.

He added that seniors are now health-conscious and taking care of their health by eating a healthy diet, practising yoga, undergoing physiotherapy, and taking morning and evening walks, and have thereby added 10 years to their life expectancy. Mr. Borgaonkar's presentation was extremely educational, and he also discussed a few cases related to the MWPC Act of 2007. He asserted that as long as we keep up the educating efforts, more people would be aware of the legislation.

Session II: Entire MWPC Act, 2007 Welfare provision, Role of Police under this Act

She had already provided an overview of the programme, so she began the technical session by mentioning that she had reviewed the Bharosa cell file of Pune, in which 762 cases of senior citizens are listed. She added that, in accordance with the examples provided by Mr. Smitesh Shah and Mr. Borgaonkar, she will speak in relation to the topic at hand.



**Adv. Nirmala Samant Prabhavalkar
Chief Functionary, RRTC**

Objectives of MWPC Act,2007:

- This act provides in-expensive and speedy procedure to claim monthly maintenance for parents and senior citizens.
- This act casts obligations on children to take care of their parents/grandparents and also extends to the relatives of the senior citizens to maintain respect and humility.
- The main attraction of this act is that there are provisions to protect the life and property of the elderly.
- This act also provides setting up of old age homes for providing care to the indigent senior citizens and parents. The act is applicable across the nation.

She explained the Act through PPT few points:

Maintenance of Parents:

- Duty of major son and daughter (whether married or not) to maintain the parents.
- Liability of a son to pay maintenance is distinct from and independent of the liability of the other sons and daughters.
- Parent can seek maintenance from any one of children whom they find having sufficient means to maintain them.

Section 20 of Hindu Adoption and Maintenance Act –

Statutory duty upon a Hindu son and daughter to maintain his or her aged or infirm

parents who are not able to maintain themselves out of their own earnings and property.

Explanation to this section provides that “parent” includes “child less step mother”

Persons who can claim maintenance under the Act (S.4 r/w S.2 of the Act)

- Parents, whether biological, adoptive or step father or step mother.
- Grand parents
- Senior citizens who have attained the age of sixty years.

Persons who are bound to maintain under this Act (S.4 r/w S.2 of the Act)

- Son, daughter, grandson and grand-daughter but does not include a minor.
- Relative i.e., any legal heir of the childless senior citizen who is not a minor and is in possession of or would inherit his property after his death.

Section 5–Who Can Apply

- Any Senior Citizen or Parent or if he is incapable, any person or organization duly authorized by him or the Tribunal may take cognizance suo motu.
- The term organization includes any voluntary association registered under the Societies Registration Act, 1860.

Section 6 -Application can be filed against any children or relative in any district

- where he (Parent/Sr. Citizen) resides or last resided;
- or where children or relative resides.

Procedure Section 6:

- Notice of the application is given to the children or relative. Opportunity of being heard is given to the parties.
- Tribunal shall have the power of a Judicial Magistrate of first class for securing the attendance of children or relatives.
- The tribunal records the evidence in the manner prescribed for summons cases.
- The Tribunal may refer the case to a Conciliation Officer for amicable settlement.

Section 7 – To Whom

Maintenance Tribunal established as per S.7 of the Act which shall be presided over by an officer not below the rank of Sub- Divisional Officer of a State.

In Mumbai we have two Maintenance Tribunals one is for Mumbai city and another is for Suburban Area.

Procedure Section 8 to 10

- The Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects.
- Tribunal may follow such summary procedure as it deems fit.
- If the Tribunal is satisfied that children or relatives have refused or neglected to Parents or a senior citizen who is maintaining himself, he may pass the order of grant of maintenance up to Rs. 10,000/- per month.
- Said order can be varied or modified on proof of change in circumstances.

Enforcement of Order: Section 11

A maintenance order made under this act shall have the same force and effect as an order passed under chapter IX the Code of Criminal Procedure, 1973 (2 of 1974) and shall be executed in the manner prescribed for the execution of such order by that Code.

S.125(3) of Cr.P.C.

- Attachment and sale of Movable Property
- If amount of maintenance is not recovered - issue of Recovery cum Arrest Warrant.
- Sentence to suffer imprisonment

Adv. Nirmala Samant mentioned specially section 21:

Measures for publicity, awareness, etc., for the welfare of senior citizens. The State Government shall, take all measures to ensure that

- The provisions of this Act are given wide publicity through mass media including the television, radio and the print, at regular intervals;
- The Central Government and State Government Officers, including the police officers and the members of the judicial service, are given periodic sensitization and awareness training on the issues relating to this Act;

- Effective co-ordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health and welfare, to address the issues
- relating to the welfare of the senior citizens and periodical review of the same is conducted.

Session was very interactive; this awareness program will help them in future to handle cases of senior citizens and provide them with justice.

Vote of thanks was delivered by API Yogita Mam.

Summary: The contents of the workshops enlightened the participants, and it was critical for the police to understand that the MWPSA Act, 2007, has three penal provisions under which the police can file an FIR, arrest (imprison) the abuser, and abandon them for elder abuse, cheating, fraud, and abandonment. They were instructed to visit old age institutions to investigate elder abuse perpetrated by relatives, as well as to assist voluntary organisations with their hospitalisation, covid vaccination, claiming of dead bodies and funerals, and so on.

The police, senior citizen groups, and participants were all aware of how to call the NISD National Elder Line 14567 in the event of a domestic or abandoned elder. The Janaseva Foundation of Pune has been chosen to run the above elder line for the state of Maharashtra. CSSC-RRTC arranged district sessions to raise awareness of the elder line, and the Project Manager of the Janaseva Foundation provided a PowerPoint presentation and information about the elder line. He shared success stories about the reunion of elderly people found on the street. The participants were encouraged to use the aforementioned elder line to reconnect lonely senior citizens and to assist in any way they could.

Photos of the program





Report of Sindhudurg District- DLSA program

**Awareness/Sensitization Programme on
MWPSA ACT, 2007, Govt. Policies & Programmes with CSSC-RRTC
In joint collaboration with
District Legal Services Authority, Sindhudurg &
Swastik foundation Sanchalit Divija Vruddhashram, Kankavali**

Schedule of the program

Date: Tuesday, 22nd March, 2022

Registration -10.15 am

Time: 10.30 am to 2.00pm

Time	Session/Topic	Speakers
10.30 to 11.00am	Inauguration & Speech	Adv. Nirmala Samant Prabhavalkar. Ex- Mayor, Mumbai Chief Functionary, RRTC
	Welcome speech	Smt. Deepika Rambade President Swastik Foundation Divija Old Age Home
	Address by the Hon'ble Guest Address by the Chief Guest	Mr. Rajendra Dabhade SP, Sindhudurg Dist. Shri. D.B. Mhalatkar Secretary, DLSA, Sindhudurg
11.00 to 11.20am	Awareness of Elder Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Mah. State, Janaseva Foundation, Pune. National Elder line- 14567 (NISD),
11.20 to 12.35pm	Session I Sub: MWPSA Act, 2007 Welfare provision, under this Act (Interactive session)	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
12.35 to 12.45pm	Break	
12.45 to 1.05pm	Sub: Work of the Tribunal under MWPSA Act, 2007	Smt. Vaishali Rajmane Sub Divisional Officer, Revenue ,Kankavli
1.05 to 2.15pm	Session II Sub: MWPSA Act, 2007 Welfare provision, under this Act Question & answer session	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
2.15 to 2.20pm	Vote of Thanks	Smt. Deepika Rambade

The program was inaugurated by Mr. Rajendra Dabhade SP, Sindhudurg Dist, other dignitaries were Shri. D.B. Mhalatkar Secretary, District Legal Services Authority, Sindhudurg, Adv. Nirmala Samant Prabhavalkar. Ex- Mayor, Mumbai Chief Functionary, RRTC, Mr. Smitesh Shah Project Manager, Mah. State, Janaseva Foundation, Pune & Smt. Vaishali Rajmane Sub Divisional Officer (Revenue) Kankavli, Smt. Dipika Rambade, President of Divija Old Age home & representative of RRTC Mrs. Nilima Yetkar & Pooja Shere.

The programme was introduced by Adv. Nirmala Samant, Chief Functionary of RRTC. She expressed gratitude to all the dignitaries who attended this session. She briefed us about the RRTC work and provided information regarding CSSC. She said the police should care about the safety and security of older people, especially those who live alone. Life expectancy has risen significantly as a result of advances in medicine and social welfare, and the population of those over 60 has grown significantly.

Mr. Dada Kurdakar , President Jeshta Nagrik Sangh, Sindhudurg district also attended the session.

Awareness of National Elder Line



Mr. Smitesh Shah, Project Manager (Elder line)

He described the elderly line's working process. An elderly citizen's life should be healthy and enjoyable. If senior citizens or anybody else needs information about senior citizen government schemes and nursing homes, please contact the Day Kendra Center for help on any topic, legal counsel on property matters, or drafting a WILL. All of this information

is provided by Elder Line. He stated that when older citizens are lonely, we call them on the Elder Line to help them feel at ease so they may freely tell us about their concerns. Our representative would sometimes handle their calls for two and a half hours. They simply state that we should listen to them. Their isolation should be eased.

He added, Sometimes the call ends in a sentence that I want to commit suicide. So we keep talking on that call and check their location on another call. In addition to this work, our other focus area is field intervention. Our Field Response Officers work with various social organizations as district representatives. In due course, he appeals to all people at DLSA, police department, senior citizen's Groups, and old age homes to support us in dealing with cases and help the elderly.



Shri D.B Mhalatkar, Secretary, DLSA, Sindhudurg

Shri Mhalatkar of the DLSA provided information on all SDO officers at the district level. He gave a briefing on the MWPSA Act. He stated that this law is known to the offspring of senior citizens as well as to society. It is not required for elderly citizens to write letters to the SDO, but anyone can write to assist senior citizens. He gave an example of an uncle naming a property to their niece, and once the property was transferred to the niece, they did not look after their uncle. Because of the behavior of children, the government enacted this law to defend the rights of senior citizens.



Smt. Vaishali Rajmane, Tribunal Officer-Sindhudurg

She expressed gratitude to Advocate Nirmala for providing an opportunity to speak on this subject. She mentioned the role of tribunal officer under MWPSC Act, 2007.

She said that Maintenance Tribunals may be constituted by states to decide on the monthly maintenance amount payable to senior citizens by children and relatives. This amount may not exceed Rs 10,000 per month. The Bill removes the upper limit on the maintenance fee. The Tribunals must consider standard of living and earnings of the parent or senior citizen, and the earnings of the children, while deciding the maintenance amount.

She also added that Children and relatives must pay maintenance amount within 30 days of the order of the Tribunal. Reduces number of days to 15. Parent or senior citizen may be represented by a maintenance officer during Tribunal proceedings. Maintenance officer will ensure compliance with orders on maintenance payments, and act as a liaison for parents or senior citizens. Senior citizens or parents can appeal the decision of the Tribunal. Children and relatives may also appeal decisions of the Tribunal.

She also clarified the procedure, stating that the dates are set at the responders' convenience. If the respondents do not appear, the hearing is adjourned. The SDO advises the Respondent to take care of the parents in order to avoid additional actions. Respondents

and senior citizens accept it, believing that their problem has been solved. However, when the Senior Citizens return home, they are treated worse. Second, the argument in the SDO chamber takes a long time because the Senior Citizens do not get to the point and most of the time there is unwarranted, irrelevant chatter, which irritates the SDO. This is because the ADVOCATES ARE BARRED FROM APPEARING BEFORE THE SDO AS PER THE PROVISION OF THIS ACT. (The undersigned, however, has been appearing before the SDO for assisting the Senior Citizens).



Mr. Rajendra Dabhade, SP-Sindhudurg district

He informed senior residents about their plan for the Sindhudurg district. He claimed that in each police station, a committee is established to maintain regular contact with senior citizens, especially those living alone, the police, and the district administration. We connected with them on call from 5 a.m. to 5 p.m. He disclosed that at least 1,200 senior citizens reside in this district. Questions asked by police officers include, "Do you have any health issues right now?" The second question is whether or not you have been vaccinated, and the third is whether or not somebody has been bothering you.

He stated that after we finish working on this, many senior citizens will receive assistance with it. He promises that the revenue department, the district legal services authority (DLSA), and the police department will work together to help senior citizens in the Sindhudurg district.

Session I & II : MWPSC Act, 2007 Welfare provision, under this Act



Adv. Nirmala Samant Prabhavalkar

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was enacted to provide financial security, welfare and protection for senior citizens.

She explained the Act through PPT. **She briefs the object of the Act:**

- a) appropriate mechanism to be set up to provide need-based maintenance to the parents and senior citizens;
- b) providing better 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. In short, the act aims to provide physical, economical as well as emotional support to all the senior citizens who are in distress.

She summaries Section 125: The Duty of a prominent son and daughter (whether married or not) to support the parents. For a son, paying maintenance is distinct from and independent of the liability of the other sons and daughters. Parents can seek maintenance care from any one of their children whom they find has sufficient means to maintain them. She said that people who can claim maintenance under the Act are parents, whether biological, adoptive, or step-father or stepmother. grandparents' senior citizens who have attained the age of sixty years. She added that the son,

daughter, grandson, and granddaughter did not include a minor. "Relative means any legal heir of a childless senior citizen who is not a minor and has or would inherit his property after his death."

Furthermore, she explained **who could apply for this**. It is under section 5. Any senior citizen or parent, or if he is incapable, any person or organisation duly authorised by him or the Tribunal may take cognizance suo motu (any person can apply in the name of a senior citizen).

The term "organization" includes any voluntary association registered under the Societies Registration Act, 1860.

She mentioned to whom we can apply the Maintenance Tribunal established as per S.7 of the Act, which shall be presided over by an officer not below the rank of Sub Divisional Officer (SDO) of a State. Mumbai has two maintenance tribunals: one for the city and another for the suburbs.

She explained that it provides that the State Government shall take measures to give wide publicity through the public media, including television, radio, and print, at regular intervals, according to the provisions of the Act. It also provides that the State Government shall ensure that the officers of the Central Government and the State Government, including the police officers and the members of the judicial service, are given periodic sensitization and awareness training on the issues relating to this Act and effective coordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health, and welfare.

She also mentioned that senior citizens could be hurt by family members or other people they know in ways like physical, sexual, mental, and financial abuse or neglect. She appeals to the beneficiaries of the old age homes: if they need any help to get their property, if the children forcibly took it, inform Shri Mhalatkar Sir or us, and we will help them.



Smt. Dipika Rambade, from the left in the photo, the president of the old age home, welcomes the dignitaries and participants of the program. The programme was conducted at Divija Old Age Home, Kankavli. At the old age home, all beneficiaries attended the program. She gave a brief tour of the old age home. She said that this place was previously a Kaju factory. Our old age home came into existence as one of our families. Today, there are about 35 grandparents. There are some limitations due to a lack of space. Last year, Manjulaxmi, the collector of Sindhudurg, solved the issue of the Aadhar card by setting up a camp here and completing the work of the Aadhar card 100%. Beneficiaries pay some amount to stay old age home, but many of them stay free. Our home gets donations in kind and money. Rambade Madam played a recording of their programmes at Divija that were held for Diwali, Holi, Ganapati, and many other festivals. The vote of thanks was delivered by Smt. Deepika Rambade.

Summary:

The speakers enlightened the participants (Advocates, PLV's, Sr. Citizens, NGO's) that the justice is available to the needy Sr. Citizens who are deprived from their own properties and are homeless. This Act gives justice to senior citizens to get maintenance amount from the beneficiaries. There were many other provisions of the Act and various judgements given by the court were discussed. CSSC-RRTC assured them the advice help, guidance in future.

Program photos:



Report of Sindhudurg District- SP Program

One Day Awareness/Sensitization NISD Programme on
“MWPSA ACT, 2007, Govt. Policies & Programmes” with CSSC-RRTC

In joint collaboration with
Sindhudurg SP Dept.

Schedule of the program

Date: Wednesday 23rd March, 2022 (For 25 participants)
Registration – 10.15 am

Time: 10.30 am to 2.00 pm

Sr. No	Time	Session / Topic	Speakers
1	10.30 to 11.00 am	Inauguration & Speech by CP	Shri. Rajendra Dabhade Cp, Sindhudurg Dist
2		Welcome address by	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
3	11.00 to 11.20 am	Awareness of Elder Helpline Sub: National Helpline 14567 for Sr. Citizens by Ministry of Social Justice & Empowerment (GOI) & Assistance from the local Police station for Sr. Citizens	Mr. Smitesh Shah Project Manager, Mah. State, Janaseva Foundation, Pune. National Elder line- 14567 (NISD)
4	11.20 to 12.35 pm	Session I Sub: Entire MWPSA Act, 2007 Welfare provision	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
	12.35 to 12.50 pm	Break-Tea & Snacks	
5	12.50 to 2.00 pm	Session II Sub: Role of Police under this Act	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
6	2.00 to 2.10 pm	Question & Answers	
7	2.10 to 2.15 pm	Vote of Thanks	Police Department

The program was inaugurated by Shri. Rajendra Dabhade, SP, Sindhudurg District, Adv. Nirmala Samant Prabhavalkar, Ex- Mayor, Mumbai, Chief Functionary, CSSC-RRTC. Other dignitaries were Mr. Smitesh Shah, Project Manager, Mah. State, Janaseva Foundation, Pune, Shri. D.B. Mhalatkar Secretary, DLSA, Sindhudurg, representatives of RRTC Mrs. Nilima Yetkar & Pooja Shere.

The program was conducted at Superintendent of Police office at Sindhudurg. Program was attended by senior police officers & Sr. citizens members of Sr. citizens group. The API Shinde madam warm welcomed participants of the program.



Mr. Rajendra Dabhade

Shri. Rajendra Dabhade, SP of Sindhudurg addressed to all police officers and members of Sr. Citizens group. He said that I am very thankful to Samant Madam who selected our district for this program. He further said that training of our Police Officers, NGO's, Old age homes and there is a great need of awareness programs for Senior citizens also of this Act, it is good initiative of NISD & dept. of Ministry of Social Justice & Empowerment those are working for Senior citizen welfare.

He said that, we know the relevant sections of criminal laws which we frequently use. You might be thinking when criminal laws such as IPC, CRPC, Indian Evidence Act are already existing, what is need of a special Act for Sr. citizens? The MWPC Act 2007, has been enacted for strengthening the existing criminal laws. The Maintenance Act, POCSO Act etc when such special laws are enacted, it empowers the police department special powers. If we

do not study this law, there will be errors in implementing it.

He appealed to all police officers to take advantage of this program and spread this knowledge to other police officers and senior citizens.



**Shri. D.B. Mhalatkar, Secretary,
DLSA, Sindhudurg**

He said that today we are here to get the knowledge about the MWPSC Act 2007. Those who work at the ground level might have noticed that older women go out and work and their adult children ask them for Rs. 50 a day. Also, her husband beats her for money. The children do not look after the mother but depend on her. Mhalatkar sir requested that if you come across such cases, look at them with empathy. If such women come to police station and lodge complaint police officers should help her.

Adv. Nirmala Samant gave information about the RRTC, we are working for five states, we are nodal agency of Ministry of social justice and empowerment. While delivering the welcome address she said that this training program for the police Officers and senior citizens was necessary, the aim is to bridge the gap between police and senior citizens. The said program will throw the light upon the duties to be performed by the police to protect the life and property of senior citizens under the said Act. In this Act the Govt. of Maharashtra has framed rules for the police duties and responsibilities towards senior citizens but there is no awareness of this Act. So, it is duty of RRTC to conduct the program to do awareness of this ACT.

Mr. Smitesh Shah-Awareness of Elder Helpline: He said that there is a National Helpline 14567 for Sr. Citizens launched by Ministry of Social Justice & Empowerment (GOI).



Mr. Smitesh Shah

Mr. Smitesh Shah mentioned Over 75,000 calls we have been received in the last 8 months. In more than 70,000 cases, our field officers had gone and helped the Senior Citizens. Mr. Prathamesh Samant is a field officer working in Sindhudurg. He explained the situation of Sr. citizen with an example , when a person who works for 8 hours in a day suddenly gets retired from his job, the question arises before him what to do next. They meet relatives, visit temples after end of their all wishes they have still time, they get boared.

He mentioned that senior citizen populaion of our country is 13 crores and by the year 2050 it will reach to 32 crores. The elder line has been set up by the Minsitry of Social Justice and Empowerment all over India to address the problems of the senior citizens.

He explained elder line 14567 is the dedicated toll-free helpline number for Senior Citizens that works from 08.00 AM to 08.00 PM & is working on all days of week. ELDERLINE – 14567 is the National Helpline for Senior Citizens (NHSC) that provides Information, Guidance, Emotional Support and Field Intervention to senior citizens. It is driven by values of Consistency, Care, Empathy and Encouragement.

The broad needs of the elderly are classified into the following areas:

Information: Health - Awareness, Contact information about Shelter / Old Age Homes, Care Givers, Day Care Centre, diagnostic & treatment, Activity Centres, Senior Citizen Groups etc.

Guidance: Legal disputes, Cases related to Maintenance & Welfare of Parents & Senior Citizens ACT – 2007, Pension related, Government schemes related.

Emotional Support: Life management (time, stress, anger management), Documentation prior to death, Anxiety resolution, Relationship management, Loneliness, Physical / Mental Wellbeing.

Field Intervention: Rescue of Homeless elderly, Care and support for Abused and abandoned elderly, Ecosystem building, Creating Volunteers, Engagement opportunities for Senior Citizens (volunteer / paid)

He requests to police officers please help us when we need you at the time rescue of Sr. citizens.

Stakeholder visits by Field Team-Elder Line



Session I : Entire MWPSC Act, 2007 Welfare provision :



Adv. Nirmala Samant Prabhavalkar

Adv. Nirmala Samant said that The Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act, 2007 has been passed by the Parliament on 29-12-2007. As per Section 1(3) of the MWPSA Act, all States and Union Territories have notified the Act.

She explained the MWPSA Act through PPT:

(1) A senior citizen including parent who is unable to maintain himself from his own earning or out of the property owned by him, shall be entitled to make an application under section 5 in case of:

- (i) parent or grand-parent, against one or more of his children not being a minor;
- (ii) a childless senior citizen, against such of his relative referred to in clause (g) of section

(2) The obligation of the children or relative, as the case may be, to maintain a senior citizen extends to the needs of such citizen so that senior citizen may lead a normal life.

(3) The obligation of the children to maintain his or her parent extends to the needs of such parent either father or mother or both, as the case may be, so that such parent may lead a normal life.

(4) Any person being a relative of a senior citizen and having sufficient means shall maintain such senior citizen provided he is in possession of the property of such citizen or he would inherit the property of such senior citizen: Provided that where more than one relative is entitled to inherit the property of a senior citizen, the maintenance shall be

payable by such relative in the proportion in which they would inherit his property.

Persons who are bound to maintain under this Act (S.4 r/w S.2 of the Act)

(1) An application for maintenance under **section 4**, may be made:

- (a) by a senior citizen or a parent, as the case may be; or
- (b) if he is incapable, by any other person or **organisation** authorized by him; or
- (c) the Tribunal may take cognizance **suo motu**.

She elaborates that for the purposes of this section “organisation” means any voluntary association registered under the Societies Registration Act, 1860 (21 of 1860) or any other law for the time being in force.

Section 6 -Application can be filed against any children or relative in any district

- (a) where he (Parent/Sr. Citizen) resides or last resided;
- (b) or where children or relative resides.

She explained the Tribunal Role:

On receipt of the application under section 5, the Tribunal shall issue a process for procuring the presence of children or relative against whom the application is filed. For securing the attendance of children or relative the Tribunal shall have the power of a Judicial Magistrate of first class as provided under the Code of Criminal Procedure.

All evidence to such proceedings shall be taken in the presence of the children or relative against whom an order for payment of maintenance is proposed to be made, and shall be recorded in the manner prescribed for summons cases: Provided that if the Tribunal is satisfied that the children or relative against whom an order for payment of maintenance is proposed to be made is willfully avoiding service, or willfully neglecting to attend the Tribunal, the Tribunal may proceed to hear and determine the case ex parte (when it is taken or granted at the instance and for the benefit of one party only and without notice to or contestation by, any person adversely interested.).

She said in section seven the Act which shall be presided over by an officer not below the rank of Sub- Divisional Officer of a State. Then she explained the section 8 to 10, enforcement order of section 11, section 125 & Section 121.

Session II Sub: Role of Police under this Act

She explained the role of police officer according to Maharashtra Maintenance and Welfare of Parents and Senior Citizens Rules, 2010.

(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 stations 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.

Summary: The topics of the sessions enlightened the participants and it was extremely important for the police to know that the MWPC Act, 2007 has three penal sections under which the police can file FIR, arrest (imprison) the abuser for elder abuse, cheating, fraud and their abandonment. They were made aware to visit old age homes to find out the elder abuse caused by relatives and also to help voluntary organisations for their hospitalization, covid vaccination, claiming of dead bodies and funerals etc.

The Police, Sr. Citizen groups and the participants understood how to use the NISD National Elder line 14567 in case of domestic or abandoned elder person. Janaseva Foundation from Pune has been selected to operate the above elder line for State of Maharashtra. For creating the awareness of the elder line, CSSC-RRTC organized district sessions and the Project Manager of Janaseva Foundation gave power point presentation and information of Elder line. He gave success stories of reunion of the elderly person who were found on the street. The Participants were motivated to take advantages of the above elder line to reconnect the lonely Sr. Citizens and also to help in any such manner which they can.

Vote of thanks delivered by API Shinde.

Program photos:





Report of Raigad District- DLSA program

Awareness/Sensitization Programme on
MWPSA ACT, 2007, Govt. Policies & Programmes with CSSC-RRTC
In joint collaboration with
District Legal Services Authority
Raigad, Alibag

Schedule of the program

Date: Tuesday, 29th March, 2022

Time: 10.30 am to 1.00pm

Registration -10.15 am

Time	Session/Topic	Speakers
10.30 am to 11.00 am	Inaugural Address	Shri. Sandeep Swami Secretary DLSA, Raigad, Alibag
	Welcome Address	Adv. Nirmala Samant Prabhavalkar. Ex- Mayor, Mumbai Chief Functionary, RRTC
	Address by the Honourable Guest	Shri. Ashok Dudhe SP, Raigad, Alibag
11.00am to 11.15am	Highlights of MWPSA Act, 2007	Shri. Sandeep Swami Secretary DLSA, Raigad, Alibag
11.15 am to 11.30 am	Break	
11.30 am to 12 noon	Session I Sub: MWPSA Act, 2007	Adv. Nirmala Samant Prabhavalkar Ex- Mayor, Mumbai Chief Functionary, CSSC-RRTC, Mumbai
12 noon to 12.15 pm	Session II Sub: Sharing of experiences of Sr. Citizens in Old age home	Adv. Jayendra Gunjal District Court Advocate Raigad, Alibag
12.15 pm to 12.30 pm	Sharing of Experiences while handling the issues of Sr. citizens before various Govt. Authorities	Office Bearer of Sr. Citizens Association, Alibag
12.30 pm to 12.50 pm	Questions & Answers	Participants
12.50 pm to 1.00 pm	Vote of Thanks	By District Legal Services Authority

The program was inaugurated by Mr. Atul Zende, Additional SP, Raigad, and other dignitaries present were Shri. Sandeep Swami Secretary DLSA, Raigad, Alibag, Adv. Nirmala Samant Prabhavalkar, Chief Functionary, CSSC, RRTC Adv. Jayendra Gunjal District Court Advocate, Raigad, Alibag, representatives of RRTC Mrs Nilima Yetkar and Miss Pooja Shere. Respected Shri. Ashok Dudhe SP, Raigad, Alibag couldn't attend due to other commitments, in his place SP, Raigad was present.

Program was conducted in the new building of District Legal Services Authority, Alibag, Raigad.



Mr. **Atul Zende, Additional SP, Raigad**, delivered the inaugural speech. He stated that we will be senior citizens in a few years and that if no one responds to us at that time, how will we feel? He mentioned that we had this workshop in the SP office as well. It was very beneficial to the officers. He thanked Advocate Nirmala Samant for her assistance. Participants of the programme include lawyers, PLVs, and senior citizen group representatives who will benefit from it. The information shared in this programme will be essential in cases involving senior citizens and lawyers. However, this act should not have been required, but in desperate situations occur, it protects the rights of senior citizens.

Highlights of MWPC Act, 2007: Shri. Sandeep Swami Secretary DLSA, Raigad, Alibag



Shri. Sandeep Swami

If we want to see what the purpose of this law was when it was passed in Parliament in 2007, we have to look at it from the point of view of the law (objective of the act). Now we want to make it even more impressive. In the first provision it is stated that, senior citizens and parents, will get the provision however in now it is only for senior citizens. Additionally, parents are beneficiaries of this Act. Not only the wife but also the parents may request alimony. But why was this law necessary despite the fact that it already existed? In other words, a new law is enacted because the previous law has failed somewhere. In short, avoid the law, adopt the POCSO law, and create a new law because your law falls somewhere. The government had to pass a new law because it believed there was an error in the amount of alimony demanded, such as 125 taxes. There is only maintenance out of 125, which includes welfare and maintenance.

He further explained about who can ask for maintenance, and who are defined as the children: Son, daughter, grandson and granddaughter, these are the four categories to from whom they can ask for maintenance. The 2019 amendment proposes step son and step daughter but the bill has not been passed yet. Individuals who are parents, biological parents, direct birth or adopted, stepfathers or stepmothers are also included. Relatives are

also responsible for paying the maintenance. However, the question comes of how to ask relatives when they have a child and if they are childless parents such parents may seek maintenance from their relatives. But in any case, they can claim it, if they are entitled to the general income and real estate of these parents. If some of their income does not go to those relatives, it cannot be claimed.

Section 4: Under following conditions sr citizen can ask for maintenance

1. A senior citizen including a parent who unable to maintain from own earnings or property owned then such person, shall be entitled to make an application under section 5 in case of - parent or grand-parent, against one or more of his children not being a minor ii. a childless senior citizen, against such of his relative.
2. The obligation of the children or relatives, as the case, maybe, to maintain a senior citizen extends to the needs of such a citizen so that the senior citizen may lead a normal life.
3. The obligation of the children to maintain his or their parent extends to the needs of such parent either father or mother or both, as the case may be, so that such parent may lead a normal life.
4. Any person being a relative of a senior citizen and having sufficient means shall maintain such senior citizen provided he has the property of such senior citizen or he would inherit the property of such senior citizen.

Section 5: An application for maintenance under section 4 may be made by a senior citizen or a parent, as appropriate; or b. if he is incapable, by any other person or organisation authorised by him; or the Tribunal (SDO) may take cognizance suo moto.

If the head of the tribunal himself observes that interim maintenance is granted in court, the provision for interim maintenance may also be found in this Act. If they believe a court

hearing is taking too long, the tribunal may order the parents to pay interim maintenance. Adv. Sandeep Swami explained the law and procedure in brief very well.

Session I: MWPC Act, 2007



Adv. Nirmala Samant Prbhavalkar

According to Adv. Nirmala, Mr. Swami provided excellent guidance. He explained why this law was enacted, for whom, for what purpose, and what its definitions were. She discussed the **legal jurisdiction and procedure**:

1. The proceedings under section 5 may be taken against any child or relative in any district: a. where he resides or last resided, or b. where the child or relative resides.
2. On receipt of the application under section 5, the Tribunal shall issue a process for procuring the presence of children or relatives against whom the application is filed.
3. The Tribunal shall have the authority of a judicial magistrate of the first class to secure the attendance of children or relatives, as provided by the Code of Criminal Procedure, 1973.
4. All evidence in such proceedings shall be taken in the presence of the child or relative against whom an order for payment of maintenance is proposed to be

made, and shall be recorded in the manner prescribed for summons cases: Provided that if the Tribunal is satisfied that the child or relative against whom an order for payment of maintenance is proposed to be made is wilfully avoiding service, or wilfully neglecting to attend the Tribunal, the Tribunal may proceed to hear and determine the case ex parte.

5. Where the child or relative is residing outside India, the summons shall be served by the Tribunal through such authority as the Central Government may by notification in the Official Gazette specify on this behalf.
6. The Tribunal, before hearing an application under section 5, shall refer the same to a conciliation officer, and such a conciliation officer shall submit his findings within one month, and if an amicable settlement has been arrived at, the Tribunal shall pass an order to that effect.

Maintenance order by Tribunal:

She further explained about the order of maintenance, if children or relatives, as the case may be, neglect or refuse to maintain a senior citizen being unable to maintain himself, the Tribunal may, on being satisfied with such neglect or refusal, order such children or relatives to make a monthly allowance at such monthly rate for the maintenance of such senior citizen, as the Tribunal may deem fit and to pay the same to such senior citizen as the Tribunal may, from time to time, direct.

The maximum maintenance allowance which may be ordered by such Tribunal shall be such as may be prescribed by the State Government which shall not exceed ten thousand rupees per month. When an order is made under this Chapter, the children or relative who is required to pay any amount in terms of such order shall within thirty days of the date of announcing the order by the Tribunal, deposit the entire amount ordered in such manner as the Tribunal may direct.

Protection of Life and Property of Senior Citizens:

They further added that the provisions of this Act are given wide publicity through the public media, including television, radio, and print regularly. Adv. Nirmala stated that the awareness programme by RRTC is conducted for the reason that every senior citizen and the police officer must know these provisions. The Central Government and State Government officers, and the members of the judicial service are given periodic sensitization and awareness training on the issues relating to this Act. Effective coordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health, and welfare, to address the issues relating to the welfare of senior citizens, and a periodical review of the same, must be conducted.

One senior citizen asked a question: what is the punishment for abandoning senior citizens? Adv. Nirmala Samant replied, if you leave a senior citizen at some place with the intention of abandoning them and not taking care of them, you can be punished with jail time of up to three months and/or a fine of up to Rs. 5000/-. The police can arrest without the permission of a court. However, this is a billable crime. If you can pay the bail bond, you will be released. The Para Legal Volunteer asked a question: if children do not follow the maintenance orders of the court, then what will be the procedure? Within three months of them failing to pay, the senior can file an application with any maintenance tribunal. The court can impose a fine on the children for the maintenance amount and the expenses of the proceedings. The children can also be punished with jail time of up to one month. If they pay up before the end of the jail time, they will be released.

Session II: Sub: Sharing of experiences of Sr. Citizens in Old age home

Adv. Jayendra Gunjal , District Court Advocate ,Raigad, Alibag

This session was based on understanding the loop holes in the law. "We pay close attention to what senior citizens do," he said. These things are being done by knowledgeable people." It just happened to catch our eye at the time.



Adv. Jayendra Gunjal

As a result of receiving legal aid, I was able to form this organisation. As a lawyer, I was beginning to make sense of it all by the time I arrived. As a result, we gained a better understanding of the issues troubling our ashram. It has been 22 years since he started running it, he said. Vaccinations for our elderly would not have been possible if Swami Sarani had not provided medical care to my ashram. I'm proud of my work. I've worked with over 4,500 people and have performed 250 funerals. He asserted that he would inform the third party as required by law.

On February 28th, I visited Shakuntala Vinayak Devale in Juhu. She has a large property asset in Maher Alibag. His straightforward application was submitted to the provincial office on February 28th, 2019. A lawyer wasn't something she needed. When she applied, I mentioned that I work at an old-age home and would be happy to as a result of her inability to physically move from her space, the woman is on the verge of death. He was immediately prosecuted. The first hearing was on March 21, and the woman died on March 19. In the days following the woman's death, the case was remanded for further proceedings. A phone call from a relative on the 19th informed him of the death of his aunt and uncle. The people who showed up so late were doing so on purpose. I couldn't keep her corpse for very long. At 2 a.m., the funeral service was over. At 2 a.m., the two parties

began arguing. The next step was determining to whom the certificate should be presented. The only evidence we have is the death certificate.

On the 21st, a hearing was held in Raigad. People with voices travelled from Mumbai to participate. Since Maher and his father-in-law haven't seen the property in two years, it's worth at least Rs 1 crore. You hold us to a standard by which we must live. It is true that the men of the father-in-law have taken care of the needs. In my opinion, these men should receive two years of maintenance, and I'm not arguing for it. It provides the upcoming date as soon as it is provided by provincial officers. Another issue arises. Patil Saheb advises bringing back the mother, who has been expelled from the family home. However, that mother is content in her own home. He expected that the dismissal order would arrive soon. I'm crossing my fingers that a lot of good things happen.

Even though we don't ever want to go against our children, we're forced to do so. If we are truly committed to upholding this law, we must take a stand against it. Indeed, we shouldn't allow this to happen. However, there are numerous instances of this in everyday life. We must have an in-depth understanding of this law before we can help others with it. In his opinion, old age home management necessitates considerable expertise.

The government wants to build a 150-person old-age home. People like this are frequently abandoned on the streets. He planned to tell the children to keep their father for a few days or months, but if there were any disputes in his house, he would bring him back. You may be asked by others if you took care of it until the end of your life or not. As a result, we advise the elderly to come to our ashram rather than just Devdarshan. Don't just celebrate a birthday. Four days ago, a senior citizen was beaten to death; he had spent all day yesterday arresting the boy. Among the many issues that seniors face, according to him, are declining physical and mental health; a lack of adequate nutrition; access to health care facilities and medications; a lack of dignity and respect from their families; and an increased level of physical dependence and loneliness.



One of the senior citizen participants of the programme asked Adv. Javendra for his views on the current state of senior citizens in our country. Senior citizens and the culture of respect had vanished, claimed Advocate Javendra. Previously, there was a joint family system, which has now been replaced by the nuclear family system. Society has evolved into a more materialistic society. Previously, the entire family worked for the family head. However, as society evolves, the concept of a joint family has dwindled. As a result, the support system for senior citizens in society has ended, and senior citizen abuse has increased. Their hard-earned property is taken away from them by force and fraud, which is why this programme is being put together to raise awareness of this law._

Program photos:



