

## Act for elderly yet to be implemented in spirit

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Any person who does not care for his or her parents, grandparents and leaves them in any place with the intention of wholly abandoning them, is punishable with imprisonment which may extend to three months or fine that may extend to Rs 5,000, or both. The UT administration has notified the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in August 2009. However, due to a lack of awareness, only a couple of cases have come up before SDMs so far. According to the notification, every offence under this Act will be tried summarily by a magistrate. No civil court will have the jurisdiction in respect of any matter pertaining to this matter. No suit, prosecution or other legal proceedings shall lie against any action taken in good faith under this Act.

Those deserting their parents may be directed to pay a maximum maintenance allowance of Rs 10,000 per month which can be awarded by the Tribunal. The complaint can be filed with the SDM for the maintenance and the Deputy Commission will be an appellant authority. Once the tribunal is satisfied that a senior citizen — parent or grandparent — is unable to take care of himself and there is neglect or refusal of maintenance on the part of the children or relative, it may direct one or all children or relatives to pay to the applicant a monthly maintenance allowance, the upper limit of which shall be Rs 10,000.

The SDM would have to pass orders within 90 days of the receipt of application. The Act has also been kept free from advocacy, as the aggrieved parents, grandparents or senior citizens can apply before the district social welfare officer, who has been recommended to act as applicant's attorney before the tribunal.