



- [About Us](#)
 - [Brief History](#)
 - [Subjects Allocated](#)
 - [Organisational Set-up](#)
 - [Organisation Chart](#)
- [Constitutional Provisions](#)
- [Sector Overview](#)
- [Meet The Ministers](#)
 - [Cabinet Minister](#)
 - [Minister of State](#)
- [Associated Organisations](#)
 - [Commissions](#)
 - [Other Statutory Bodies](#)
 - [National Institutes](#)
 - [Corporations](#)
 - [Foundations](#)
- [Annual Reports](#)

You are here: [Home](#) **Frequently Asked Questions**

[Print](#) [Large Print](#)

SCHEDULED CASTE
WELFARE

WELFARE OF
OTHER BACKWARD
CLASSES

EMPOWERMENT OF
PERSONS WITH
DISABILITIES

SOCIAL DEFENCE

Senior Citizens
Victims of
Substance
Abuse

- [About the Division](#)
- [Schemes / Programmes](#)
- [Organisations under Division](#)
- [Policies / Acts / Rules / Codes / Circulars](#)
- [Download Forms](#)
- [FAQs](#)
- [Contact Person](#)

Social Defence - Frequently Asked Questions

Frequently Asked Questions on Ageing Sector

Demography

- [What is the population of persons aged 60 plus?](#)
- [What are the main features of elderly population of India?](#)
- [What is the share of the older persons in the total population of the Country?](#)

The Maintenance and Welfare of Parents and Senior Citizens Act 2007

- [What are the important features of the Maintenance and Welfare of Parents and Senior Citizens Act 2007?](#)
- [What is the applicability of the Act?](#)
- [When will the Act come into force in the States?](#)
- [What is the definition of Child/children under the Act?](#)
- [What is the definition of Maintenance under the Act?](#)
- [What is the definition of a Senior Citizen under the Act?](#)
- [Who are eligible for claiming maintenance under the provisions of the Act?](#)
- [Whether a person other the claimant can file application on his/her behalf?](#)
- [Whether there is any provision for the Tribunal to order subsistence allowance to the claimant during the proceedings?](#)
- [What is the time limit for disposing an application for claiming maintenance?](#)
- [What is the monitoring mechanism for implementation of the Act by the States?](#)

PLANNING,
RESEARCH,
EVALUATION &
MONITORING

OFFICIAL
LANGUAGE

MEDIA

GRANTS IN AID TO
NGOS

NGO PARTNERSHIP
SYSTEM

IMPORTANT LINKS

**e-Book (DoSJ&E),
(Hindi Ver.) and
(DoEPwD)**

e-Gazette

Prime Minister's National
Relief Fund

National Voters' Service
Portal (NVSP)

- [Has any timeframe has been prescribed for setting up of Tribunals by the States?](#)
- [What is the effect of the order of maintenance?](#)
- [Who can appeal to the appellate Authority under the Act?](#)
- [What is the time limit for an appellate authority to dispose of the appeal?](#)
- [Is there any penal provision for enforcement of maintenance order of the Tribunal?](#)
- [What are the provisions about revocation of will?](#)
- [Is any penalty/imprisonment is for the children who abandon their parents?](#)
- [What are the similarities between Cr. PC 125 and the Maintenance and Welfare of Parents and Senior Citizens Act 2007?](#)
- [What are the provisions for medical care of senior citizens provided in the Act?](#)
- [What are the provisions for protection of life and property of senior citizen provided in the Act?](#)
- [What are the provisions for prevention of abandonment of senior citizen provided in the Act?](#)
- [What is the monitoring mechanism for implementation of the provisions of the Act by the States?](#)

National Policy on Older Persons

- [What are the salient features of National Policy on Older Persons?](#)
- [What is the implementation mechanism of National Policy for Older Persons?](#)
- [Why has the National Policy on Older Person adopted the age of 60+ for defining 'Old Age'?](#)

Grant-in-Aid Schemes

- [What are the schemes under which financial assistance is provided for welfare of the older persons?](#)
- [Whether the government is revising the schemes for welfare of the older persons?](#)
- [Which agencies are eligible for obtaining grant-in aid under the Integrated Programme for Older Persons for implementing different projects?](#)
- [What are the projects admissible for assistance under the Integrated Programme for Older Persons?](#)
- [What is the eligible criterion for a Non Governmental Organization to obtain grant-in aid under the Integrated Programme for Older Persons?](#)

Training of Manpower

- [What are the facilities provided by the Ministry for the training and orientation of workers and volunteers of organizations providing services to the senior citizens?](#)

Protection of Life and Property

- [What action has been taken by the Ministry to care and protect the lives and property of older persons in view of sudden spurt in crime against older persons?](#)

Demography

What is the population of persons aged 60 plus?

Ans. The Projected Population aged 60+ by sex as on 1st March 2001-2026, as per the Report of the Technical Group on Population Projections constituted by the National Commission on Population, May 2006 published by the Office of the Registrar General, India is as under:

(In million)

Year	Males	Females	Persons
2001	34.94	35.75	70.69
2006	40.75	42.83	83.58
2011	48.14	50.33	98.47
2016	58.11	59.99	118.10
2021	70.60	72.65	143.24
2026	84.62	88.56	173.18

[TOP](#)

What are the main features of elderly population of India?

Ans. The profile of the elderly population indicates that:

- a. a majority of them are in rural areas;
- b. feminization of the elderly population; and
- c. increase in the number of older-old (persons above 80 years) and
- d. a large percentage (30%) of the elderly are below the poverty line.

[TOP](#)

What is the share of the older persons in the total population of the Country?

Ans. The percentage share of the projected population aged 60+ in the total projected population by sex on 1st March 2001-2026, India, is as under:

Year	Males	Females	Persons
2001	6.60	7.10	6.90
2006	7.10	8.00	7.50
2011	7.70	8.70	8.30
2016	8.70	9.80	9.30
2021	10.20	11.30	10.70
2026	11.80	13.10	12.40

Source: Office of the Registrar General of India

[TOP](#)

The Maintenance and Welfare of Parents and Senior Citizens Act 2007

What are the important features of the Maintenance and Welfare of Parents and Senior Citizens Act 2007?

Ans. The Maintenance and Welfare of Parents and Senior Citizens Act 2007 envisages providing need-based maintenance to the parents/grand parents from their children. Tribunals will be set up for the purpose of settling the maintenance claims of the parents in a time bound manner. Lawyers are barred from participating in the proceedings of the Tribunals at any stage.

The Maintenance and Welfare of Parents and Senior Citizens Act 2007 also contains enabling provisions like protection of life and property of senior citizens, better medical facilities, setting up of old age homes in every district, etc.

[TOP](#)

What is the applicability of the Act?

Ans. The Act extends to the whole of India except the State of Jammu and Kashmir and it applies also to citizens of India outside India (Section 1(2)).

[TOP](#)

When will the Act come into force in the States?

Ans. The Act come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint (Section 1(3)).

[TOP](#)

What is the definition of Child/children under the Act?

Ans. The Act defines "children" as son, daughter, grandson and granddaughter who are not minor.

[TOP](#)

What is the definition of Maintenance under the Act?

Ans. The "Maintenance" includes provision for food, clothing, residence and medical attendance and treatment;

[TOP](#)

What is the definition of a Senior Citizen under the Act?

Ans. A "senior citizen" means any person being a citizen of India, who has attained the age of sixty years or above;

[TOP](#)

Who are eligible for claiming maintenance under the provisions of the Act?

Ans. The Act provides that 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 for claiming maintenance.

[TOP](#)

Whether a person other the claimant can file application on his/her behalf?

Ans. An application for maintenance 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 organization authorized by him; or
- c. the Tribunal may take cognizance suo motu.

[TOP](#)

Whether there is any provision for the Tribunal to order subsistence allowance to the claimant during the proceedings?

Ans. The Tribunal may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this section, order such children or relative to make a monthly allowance for the interim maintenance of such senior citizen including parent and to pay the same to such senior citizen including parent as the Tribunal may from time to time direct.

[TOP](#)

What is the time limit for disposing an application for claiming maintenance?

Ans. An application filed under sub-section (2) for the monthly allowance for

the maintenance and expenses for proceeding shall be disposed of within ninety days from the date of the service of notice of the application to such person. However, the Tribunal may extend the said period, once for a maximum period of thirty days in exceptional circumstances for reasons to be recorded in writing.

[TOP](#)

What is the monitoring mechanism for implementation of the Act by the States?

Ans. The Act has been enacted in pursuance of the provisions of Article 41 read with Entry 23 of the Concurrent List (Schedule VII) of the Constitution of India. State Governments are required to notify the Act and frame Rules for implementing the provisions of the Act.

However, Section 30 of the Act enables the Central Government to give directions to State Governments for carrying into execution of the provisions of the Act. Further, Section 31 of the Act provides for periodic review and monitoring of the progress of implementation of the Act by the State Governments. The Ministry will act in accordance with these provisions to ensure effective implementation of the provisions of the Act by the States.

[TOP](#)

Has any timeframe has been prescribed for setting up of Tribunals by the States?

Ans. The State Government are required to constitute for each Subdivision one or more Tribunals as per the need within a period of six months from the date of the commencement of this Act.

[TOP](#)

What is the effect of the order of maintenance?

Ans. 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 and shall be executed in the manner prescribed for the execution of such order by that Code.

[TOP](#)

Who can appeal to the appellate Authority under the Act?

Ans. Any senior citizen or a parent, as the case may be, aggrieved by an order of a Tribunal may, within sixty days from the date of the order, prefer an appeal to the Appellate Tribunal:

[TOP](#)

What is the time limit for an appellate authority to dispose of the appeal?

Ans. The Appellate Tribunal is required to make endeavours to pronounce its order in writing within one month of the receipt of an appeal.

[TOP](#)

Is there any penal provision for enforcement of maintenance order of the Tribunal?

Ans. Yes, the Maintenance Order given by the Tribunal will have the same effect as the maintenance order passed under Section 125 of Cr. PC. This will include imprisonment upto One month and also issue a warrant for levying the amount due in the manner provided for levying fines.

[TOP](#)

What are the provisions about revocation of will?

Ans. As per the provision of Act, a senior citizen can seek to revoke any property, which has been transferred in favour of children/relative on the condition that such children/relative would provide maintenance to him but are not providing the same. The tribunals are empowered to declare such transfers as void on the applications of such parent.

[TOP](#)

Is any penalty/imprisonment is for the children who abandon their parents?

Ans. Yes, the Maintenance and Welfare of Parents and Senior Citizens Act 2007 contains penal provisions to discourage abandonment of parents by their children by imprisonment for a term of 3 months and a fine upto Rs. 5000/- or both on the children.

[TOP](#)

What are the similarities between Cr. PC 125 and the Maintenance and Welfare of Parents and Senior Citizens Act 2007?

Ans. A parent can claim maintenance in the prescribed manner either from the Court under Cr. PC 125 or from the Tribunal set up under the Maintenance and Welfare of Parents and Senior Citizens Act 2007, if he or she is unable to maintain himself or herself. The penal provisions for enforcement of orders of maintenance under Cr.PC /Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 are similar.

[TOP](#)

What are the provisions for medical care of senior citizens provided in the Act?

Ans. The Act provides that State Government shall ensure that, -

- the Government hospitals or hospitals funded fully or partially by the Government shall
- provide beds for all senior citizens as far as possible;
- separate queues be arranged for senior citizens;
- facility for treatment of chronic, terminal and degenerative diseases is expanded for senior citizens;
- research activities for chronic elderly diseases and ageing is expanded;
- there are earmarked facilities for geriatric patients in every district hospital duly headed by a medical officer with experience in geriatric care.

[TOP](#)

What are the provisions for protection of life and property of senior citizen provided in the Act?

Ans. The Act requires 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. Further, the State Government shall prescribe a comprehensive action plan for providing protection of life and property of senior citizens.

[TOP](#)

What are the provisions for prevention of abandonment of senior citizen provided in the Act?

Ans. The Act provides that whoever, having the care or protection of senior citizen leaves, such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment of either description for a term which may extend to three months or fine which may extend to five thousand rupees or with both.

What is the monitoring mechanism for implementation of the provisions of the Act by the States?

Ans. The Central Government may make periodic review and monitor the progress of the implementation of the provisions of this Act by the State Governments.

National Policy on Older Persons**What are the salient features of National Policy on Older Persons?**

Ans. The Government has formulated the National Policy on Older Persons, which was announced in the year 1999 covering all aspects concerning older persons. The salient features of the National Policy are as under:

- To support financial security, health care and nutrition, shelter, information needs, appropriate concessions and discounts etc. to senior citizens.
- Special attention to protect and strengthen their legal rights such as to safeguard their life and property.
- Recognizes persons aged 60+ as senior citizens.

What is the implementation mechanism of National Policy for Older Persons?

Ans. As per provisions of Para 95 of the National Policy on Older Persons (NPOP), the Government has constituted the NCOP on 10th May 1999 under the Chairmanship of Hon'ble Minister for Social Justice and Empowerment. The NCOP is the highest body to advice and coordinate with the Government in the formulation and implementation of policy and programmes for the welfare of the aged. The NCOP has been reconstituted in 2005. The present strength of NCOP is 47.

Besides, the Ministry has also set up an Inter Ministerial Committee (IMC) headed by Secretary (SJ&E) with the aim of effective implementation of the National Policy on Older Persons and for taking actions on the recommendations of NCOP. The Ministry periodically reviews progress on the implementation of the National Policy on Older Persons through meetings of NCOP and IMC.

Why has the National Policy on Older Person adopted the age of 60+ for defining 'Old Age'?

Ans. The Ageing process is a biological reality, which has its own dynamics largely beyond human control. In most part of the developing world the age of 60, roughly equivalent to the retirement age is said to be the beginning of old age. At the moment there is no United Nations standard numerical criterion, but the UN agreed cutoff is 60+ years to refer to the older population. Consequently the National Policy on Older Person has also adopted the age of 60+ for older persons.

Grant-in-Aid Schemes**What are the schemes under which financial assistance is provided for welfare of the older persons?**

Ans. The Ministry of Social Justice & Empowerment supports programmes for the welfare of the elderly through financial assistance to Non Governmental Organizations under the two schemes detailed below:-

- Scheme of "Integrated Programme for Older Persons", through which financial assistance up to 90% of the project cost is provided to NGOs for establishing and maintaining old age homes, day care centres, mobile medicare units and to provide non-institutional services to older persons.
- Scheme of Assistance for construction of old age homes for older persons under which funds are provided for construction of old age homes. The Scheme is presently under formulation.

[TOP](#)

Whether the government is revising the schemes for welfare of the older persons?

Ans. Yes. The Ministry has recently revised the 'Integrated Programme for Older Persons' by enhancing the quantum of assistance in line with the increase in CPI. Further, several new components like Helplines, Physiotherapy centres, mental healthcare facilities, etc. The revised Scheme comes into effect from 1.4.2008. Details of the revised Scheme are available on the website.

In addition, the Ministry is also in the process of converting its non-plan scheme of assistance for construction of old age homes into a plan scheme.

[TOP](#)

Which agencies are eligible for obtaining grant-in aid under the Integrated Programme for Older Persons for implementing different projects?

Ans. Under the scheme, assistance is sanctioned to the following agencies subject to terms and conditions laid down by this Ministry:-

- Panchayati Raj Institutions/Local bodies.
- Non-Governmental Voluntary Organizations.
- Institutions or Organizations set up by Government as autonomous/subordinate bodies Government Recognized Educational institutions, Charitable Hospitals/Nursing Homes, and recognized youth organizations such as Nehru Yuvak Kendra Sanghathan.
- In exceptional case, financial assistance under the Scheme shall also be provided to State Governments/Union Territory administrations.

[TOP](#)

What are the projects admissible for assistance under the Integrated Programme for Older Persons?

Ans. Under the revised Scheme of Integrated Programme for Older Persons the following projects/programmes are admissible for assistance under the scheme:-

- Maintenance of Old Age homes.
- Maintenance of Respite Care Homes and Continuous Care Homes.
- Running of Multi Service Centres for Older Persons
- Maintenance of Mobile Medicare Units.
- Running of Day Care Centres for Alzheimer's Disease/Dementia Patients
- Physiotherapy clinics for older persons
- Disability and hearing aids for older persons
- Mental health care and Specialized care for the Older Persons
- Help-lines and Counselling Centres for older persons
- Sensitising programmes for children particularly in Schools and Colleges
- Regional Resource and Training Centres
- Training of Caregivers to the older persons
- Awareness Generation Programmes for Older Persons and Care Givers.

- Multi facility care centres for destitute older widow women
- Volunteers Bureaus for older persons
- Formation of Vridha Sanghas/Senior Citizen Associations.
- Any other activity, which is considered suitable to meet the objective of the scheme.

[TOP](#)

What is the eligible criterion for a Non Governmental Organization to obtain grant-in aid under the Integrated Programme for Older Persons?

Ans. The Non-governmental voluntary organization should be a registered body, under an appropriate Act so that it gets a corporate status and a legal personality and a group liability is established for its activities;

- It should be registered either under the Societies Registration Act, 1860 or relevant State Societies Registration Act and has already been working for atleast two years; or a Public Trust registered under any law for the time being in force or a charitable company licensed under Section 525 of Companies Act, 1958.
- It should have been registered for a minimum period of two years but in the case of the North Eastern region, J&K, Desert areas and under serviced/Under-represented areas, this condition of two years will not be applicable. In other deserving cases, the condition of two years may be relaxed with the approval of the Secretary (SJ&E) on case-to-case basis.
- The Organization shall have a properly constituted managing body with its powers, duties and responsibilities clearly defined and laid down in a written Constitution; It shall have an appropriate administrative structure and a duly constituted managing/ executive committee;
- The organization is initiated and governed by its own members on democratic principles.
- The aims and objects of the organization and programmes in fulfillment of those aims and objects are specifically laid down;
- The Organization shall not run for profit to any individual or a body of individuals; The Organization should possess proven credentials and capabilities to handle such projects.

[TOP](#)

Training of Manpower

What are the facilities provided by the Ministry for the training and orientation of workers and volunteers of organizations providing services to the senior citizens?

Ans. The facilities provided by the Ministry for the training and orientation of workers and volunteers of organizations providing services to the senior citizens are as under:

- National Institute of Social Defence, an autonomous body under this Ministry is giving training to the employees of the voluntary organizations being assisted by the Ministry.
- An Old Age Care Division set up in the National Institute of Social Defence is engaged in the formulation and development of projects and programmes in the field of old age care.
- NISD is also running 3-month training programme, 6 months certificate course and post graduate diploma courses on old age care issues under project NICE. The students are also trained in dealing with ethical issues in geriatric care and using practical tools for addressing the problems of older persons.


[TOP](#)

Protection of Life and Property

What action has been taken by the Ministry to care and protect the lives and property of older persons in view of sudden spurt in crime against older persons?

Ans. The issue comes under Law and Order, which is a State Subject. However, the Ministry had requested Director Generals of Police of all States/Union Territories to take suitable measures for ensuring security of life and property of older persons.

[TOP](#)

[Legislations](#) | [National Policies](#) | [Five year/Annual Plans \(-1 \)](#)  | [NGO's Schemes](#) | [Scholarship Schemes](#) | [Concessional Loans for Economic Activities](#) | [Parliamentary Committees](#) | [UN Conventions](#) | [International Cooperation](#) | [Right to Information](#) | [Publications](#) | [Photo Gallery](#)

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[Committees](#) [Citizen Charter](#) [Telephone Directory](#) [FAQs](#)

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