

MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZEN ACT-2007 AND GOA RULES 2009

Panaji: August 14, 2019

Sravana 23, 1941

The South Goa District committee for the implementation of Maintenance & Welfare of parents & Senior Citizens Act 2007 and Goa rules 2009 under the Chairmanship of District Collector (S) at its quarterly meeting has decided to make Awareness of the Act and Rights of Senior Citizens for information to General Public at large.

The said Act came into force in the year 2007 and in Goa the Rules were framed and published in the year 2009.

As per the Act "Senior Citizen" means any person who has attained the age of sixty years or above. Under section 5 of "The Maintenance and Welfare of Parents and Senior Citizen Act-2007" any senior citizen including a parent who is unable to maintain herself or himself from his/her own earning or out of the property owned by her/him is entitled to make an Maintenance application.

The application for maintenance has to be filed before the Maintenance Tribunal constituted by the State Government. The state Government has constituted a Maintenance Tribunal for each Sub-Division of the State of Goa presided over by the respective Deputy Collector (Sub-Divisional Officer) for the purpose of adjudicating and deciding upon the order for maintenance vide notification No. 83-9-2006-07-SDB/Part/2008/3846 dated 24/09/2009.

An application for maintenance may be made by a senior citizen/parent or, if he/she is incapable by any other person or Registered organization authorized by applicant or the tribunal may take cognizance suo motu.

As per sub section(17) of "the Maintenance and Welfare of Parents and Senior Citizens Act, 2007" No party to a proceeding before a tribunal or Appellate Tribunal will be represented by a legal practitioner. However a parent/ senior citizen can be represented by a Maintenance Officer appointed by the State Government if they so desire.

Assistant Director (Welfare of Differently Aabled) of Social Welfare Department is appointed as Maintenance Officer for South vide notification No. 83-9-2006-07-SDB/Part/2008/3844 dated 24/09/2019 and Asstt Director (SC &

OBC) of Social Welfare Department is appointed as Maintenance Officer for North vide notification No. 83-9-2006-07-SDB/Part/2008/3845 dated 24/09/2009.

The maintenance application has to be disposed off by the Tribunals within 90 days from the date of service of notice of the application to such person. However in certain exceptional cases the Tribunal may extend the said period once to a maximum period of 30 days for reasons to be recorded in writing.

The Maximum maintenance allowance which may be ordered by the Tribunal will not exceed upto Rupees Ten Thousand per month.

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. The State Government has constituted the Appellate Tribunal for each District of the State of Goa which will be presided over by the respective Collector for the purpose of hearing the appeal against the order of the Maintenance Tribunal under the said Act. vide notification No. 83-9-2006-07-SDB/Part/2008/3847 dated 24/09/2009.

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DIRECTORATE OF INFORMATION AND PUBLICITY.
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