

The Punjab Maintenance and Welfare of Parents and Senior Citizen Rules, 2012

PUNJAB

India

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Rule

THE-PUNJAB-MAINTENANCE-AND-WELFARE-OF-PARENTS-AND-SENIOR CITIZEN RULES, 2012

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The Punjab Maintenance and Welfare of Parents and Senior Citizen Rules, 2012 Published vide Notification No. G.S.R. 58/C.A. 56/2007/S.32/2012., dated 17.10.2012 Government of Punjab Department of Social Security (Dibalites Branch) No. G.S.R. 58/C.A. 56/2007/S.32/2012. - In exercise of the powers conferred by Sub-section (1) sub-section (2) of section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007), and all other powers enabling him in this behalf, to carry out the purposes of the said Act, the Governor of Punjab is pleased to make the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called "The Punjab Maintenance and Welfare of Parents and Senior Citizens Rules, 2012". (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires, - (a) "Act" means the Maintenance and Welfare of Parents and Senior Citizens Act, 2007; (b) "Application" means an application made to the tribunal under section 5 of the Act; (c) "Blood Relations", In the Context of a male and a female inmate, means father-daughter, mother-son, and brother-sister but not cousins; (d) "Conciliation Officer" means any person or representative of an organization referred to in explanation to sub-section (1) of section 5 or the Maintenance Officer designated by the State Government under

sub-section(1) of section 18 or any other person nominated by the tribunal for this purpose;(e)"Form" means a form appended to these rules;(f)"Indigent Senior Citizen" means a person whose monthly income is less than rupees one thousand and five hundred;(g)"Inmate" in relation to an old age home, means a senior citizens duly admitted to reside in such a home;(h)"Maintenance Officer" means the District Social Security Officer of the District or any other officer not below the rank of a District Social Security Officer so designated by the State Government;(i)"opposite party" means the party against whom an application for maintenance has been filed under section 4 of the Act;(j)"Organization" means an association registered under the Societies Registration Act, 1860 or any other law for time being in force;(k)"Presiding Officer" means an officer appointed to preside over a Tribunal envisaged in sub-section (2) of section 7 or sub-section (2) of section 15;(l)"Section" Means a section of the Act; and(m)"State Government" means the Government of the State of Punjab in Department of Social Security;(2)The Words and expressions used in these rules, but not defined, shall have the same meaning assigned to them in the Act.

3. Procedure for filing an application for maintenance and its registration.

(1)An application for maintenance shall be made in Form 'A' (to which a court fee stamp of rupees five shall be affixed).(2)On receipt of an application made under sub-rule (1), the Presiding officer shall cause,-(a)Its essential details to be entered in a Register of Maintenance claim cases, to be maintained in such a manner as the State Government may specify by an executive order; and(b)Notwithstanding any thing contained in rule 4, its acknowledgment in Form 'B' to be given to the applicant or his authorized representative in case of delivery by hand, but if sent by post, the acknowledgment shall also specify the registration number of the application.(3)Where a Tribunal suo moto takes cognizance of a maintenance claim, the Presiding officer shall, after ascertaining fact, get Form 'A' completed as accurately as possible, through the Staff of the Tribunal, and shall as far as possible, get it authenticated from the senior citizen, or the parent concerned, or any person or organization authorized by him as the case may be, and shall cause the same to be registered in accordance with clause(a) of sub-rule (2).

4. Preliminary scrutiny of application.

(1)On receipt of an application, the Tribunal shall satisfy itself than-(a)The application is complete in all respects, and(b)Opposite party has, prima facie, an obligation to maintain the applicant in terms of section 4.(2)In case the Tribunal finds any lacunae in the application, it may direct the application or rectify the same within a reasonable time.

5. Notice to the opposite party.

(1)Once the Tribunal is satisfied on the points mentioned in sub-rule(1) of rule 4, it shall cause to be issued to the opposite party a notice in Form 'C' alongwith a copy of the application and its enclosures, in the following manner, directing him to show cause as to why the application should not be granted,-(a)by hand delivery (Dasti) through the applicant, if he so desires, else through a process server; or(b)by registered post with acknowledgment due, or through E-mail, authorized

Courier, S.M.S. or telephone.(2)The notice shall require the opposite party to appear in person, on the date to be specified in the notice and show cause, in writing, as to why the application should not be accepted and shall also inform him that in case he fails to respond to it, he shall be heard ex-parte.(3)Simultaneously with the issue of notice under sub-rules (1) and (2), the applicant(s) shall also be informed of the date mentioned in sub-rule (2), by a notice issue in Form 'D'.(4)The provisions of Order V of the Code of Civil Procedure, 1908, shall apply, mutatis mutandis, for the purpose of service of notice under sub-rule(1)(a) and(1)(b).

6. Procedure in case of non-appearance of the opposite party.

- In case, despite due service of notice, the opposite party fails to appear, the Tribunal may make an order that the matter be heard Ex parte.The Tribunal then, by taking evidence of the applicant and making such other inquiry as it deem fit, shall pass an order disposing of the application.

7. Procedure where only opposite party appears.

- Where the opposite party appears and the applicant does not appear, the Tribunal shall adjourn the case and shall cause a notice upon the applicant served for appearing on the next date. If after being duly served, on the next date also, the applicant does not appear, the Tribunal shall dismiss the application unless the opposite party admits the claim made in the application, in which case, the Tribunal shall grant the application accordance with the admission.

8. Procedure where the applicant appears subsequently and assigns good cause for previous non-appearance.

- Where the applicant appear after dismissal of his application as per rule 7, and shows good cause for his non-appearance on the earlier two dates, the Tribunal shall restore the application.

9. Procedure where opposite party appears and assigns good cause for previous non-appearance.

- Where the Tribunal has disposed of the application under rule 6 or is in the process of disposing of the application in accordance with rule 6 and the opposite party appears and assigns good cause for his previous non-appearance, he may, upon such term as the Tribunal directs as to costs or other wise, be heard in answer to the application as if he had in the appeared on the day fixed for his appearance.

10. Procedure in case admission of claim.

- In case, on the date fixed in the notice issued under rule 5, the opposite party appears and accepts his liability to maintain the applicant, or the two parties arrive at a mutually agreed settlement, the Tribunal shall pass an order accordingly.

11. Procedure for impleading children or relatives.

(1)An application by the opposite party, under the proviso to sub-section(5) of section 5 to implead any other child or relative of the applicant shall be filled on the first date of hearing and notice there of shall issued to such a child or relative in accordance with rule 5. Provided that no such application shall be entertained after the first hearing unless the opposite party shows sufficient cause for filing the same at a later stage.(2)On receipt of an application made under sub-rule(1), the Tribunal shall, if it is prima facie satisfied after hearing the parties the parties about the reasonableness of such application, issue notice to such other the child or relative to show cause why he/they should not be impleaded as a party, and shall, after giving him/them an opportunity of being heard, pass an order regarding their impleadment or otherwise.(3)In case the Tribunal passes an order of impleadment under sub-rule(2), it shall cause a notice to be issued to such impleaded party in Form 'C' in accordance with rule 5.

12. Reference to Conciliation Officer.

(1)In case, on the date fixed in the notice, the opposite party appears and shows cause against the maintenance claim, the Tribunal shall seek the opinion of both the parties as to whether they would like the matter to be referred to a Conciliation Officer and if they express their willingness in this behalf, the Tribunal shall ask them whether they would like the matter to be referred to a person as provided in sub-section(6) of the ACT or to any other person acceptable to both the parties.(2)if both the parties agree on any person as provided in sub-rule(1), the Tribunal shall appoint such person as the Conciliation Officer in the case and shall refer there matter to him, through a letter in Form 'E', requesting the Conciliation Officer to try and work out a settlement acceptable to both the parties, within a period not exceeding one month from the date of receipt of the reference.(3)The reference in Form 'E' shall be accompanied with copies of the application and replies of the opposite party thereto.

13. Proceedings by the Conciliation Officer.

(1)Upon receipt of reference under rule 12, the Conciliation Officer shall hold meeting with both the parties as may be necessary, and shall try to work out a settlement acceptable to both the parties, with in a period of one month from the date of receipt of the reference.(2)It the Conciliation Officer succeeds in working out a settlement acceptable to both the parties, he shall draw up a memorandum of settlement in Form 'F' get it signed by both the parties, and forward it, with a report in Form 'G', along with the entire record of the case received from the Tribunal, back to the Tribunal within a period of one month from the receipt of the reference.(3)IF the Conciliation Officer is unable to arrive at a settlement within a period of one month of the receipt of the reference under rule 2, he shall return the paper received from the Tribunal along with a report in Form 'H', showing efforts made to being about a settlement and the point of difference between the parties which could no be reconciled.

14. Action by the Tribunal in case of settlement before a Conciliation Officer.

(1) In case, Tribunal receives a report from the Conciliation Officer under sub-rule(3) of rule 10, along with a memorandum of settlement, it shall give notice to both the parties to appear before it on a date to be specified in the notice calling upon them to confirm the settlement.(2) In case, on the date specified in the notice referred to above, the parties appear before the Tribunal and confirm the settlement arrived at before the Conciliation Officer, the Tribunal shall pass a final order as agreed in such settlement.

15. Action by the Tribunal in other cases.

(1) in case, -(i) the applicant(s) and the opposite parties do not agree for reference of their dispute to a Conciliation Officer as per rule 12; or(ii) the Conciliation Officer appointed under rule 9 sends a report under sub-rule (3) of rule 13 conveying inability to work out a settlement acceptable to both the parties; or(iii) no report is received from a Conciliation Officer within the stipulated time limit of one month; or(iv) in response to the reference made under sub-rule(2) of rule 13 and 14 and referred to the Tribunal by the Conciliation Officer, one or both the parties decline to confirm the settlement worked out by the Conciliation Officer, the Tribunal shall give to both the parties an opportunity of leading evidence in support of their respective claim. and shall. after a summary inquiry as provided in sub-section(1) of section 8, pass such order as it deems fit. The Tribunal may take evidence by way of affidavits.(2) In case a regular enquiry is required the Tribunal may grant equal opportunity to both the parties for leading evidence in support of their claims. Such evidence in such proceedings shall be taken in the presence of the children or relatives against whom an order for payment of maintenance is sought and the proceedings shall be recorded in the manner specified for summons cases. The Tribunal may take evidence by way of affidavits.(3) An order passed under sub-rule(1) or under rules 6, 7 or 14(2) as the case may be shall be a speaking order, spelling out the facts of the case as ascertained by the Tribunal along with the reasons for the order.(4) While passing an order under sub-rule(1), directing the opposite party to pay maintenance to an applicant, the Tribunal shall take the following in to consideration, -(a) Amount needed by the applicant to meet his basic needs, especially food, clothing accommodation and healthcare., (b) In come of the opposite party., (c) value of, and actual and potential income from the property, if any, of the applicant, which the opposite party, would inherit or already in his possession; and (d) The Tribunal may, at any stage, ask the Maintenance Officer or any official to inspect the property of the applicant, evaluate it and verify income derived there from.(5) A copy of every order passed, whether final or interim, on an application, shall be given to the applicant(s) and the opposite party or their representatives, in person, or shall be sent to them through a Process Server or by registered post, as the case may be.

16. Maximum Maintenance allowance.

- The Maximum Maintenance allowance, which a Tribunal may order fixed in such a manner that it does not exceed the monthly income from all sources of the opposite party, divided by the number of persons in his family, counting the applicant or applicant also among the opposite party's family members.

17. Form of appeal.

- An appeal under sub-section(1) of section 16, shall be filed before the Appellate Tribunal in Form 'I', and shall be accompanied by a copy of the impugned order of the Maintenance Tribunal.

18. Registration and acknowledgement of appeal.

- On receipt of an appeal, the Appellate Tribunal shall enter it in a register to be maintained for this purpose in such manner as the State Government may specify, and shall, after registering such appeal, give an acknowledgement in form 'J' to the appellant specifying the appeal number and next date of hearing.

19. Notice of hearing to the respondent.

(1)On receipt of an appeal, the Appellate Tribunal shall, after registering the case and assigning an appeal number, cause notice to be served upon the respondent under its seal and signature in Form 'K' in the Following Manner:-(a)by hand delivery (dasti) through the applicant, if he so desire, else through a process server; or(b)by registered post with acknowledgement due, or through E-mail., authorized Courier, S.M.S. or telephone.(2)The provisions of order V of the Code of Civil Procedure, 1908 shall apply mutatis mutandis for the purposes of service of notice issued under sub-rule(1).

20. Scheme of old-age home.

- All old-age home in the State being run by the State Government or Non Government Organisation with the help of any Government Grant, shall be liable to accommodate such senior citizens who are indigent or are referred for such accommodation.

21. Management of old-age home for Indigent senior citizens.

- Old-age homes established under section 19, shall be run in accordance with the following norms and standards:-(A)The old-age homes shall provide to the senior citizens all the basic amenities including food, clothing, accommodation and healthcare;(B)Inmates of old-age homes shall be selected in accordance with following procedure:-(a)application shall be invited at appropriate intervals, but at least once in each year, from indigent senior citizens, desirous of living in the old-age home;(b)in case the number of eligible applicants on any occasion is more than the number of vacancies available in a home for admission, selection of inmates shall be made in the following manner:-(i)the more needy shall be given preference over the less needy applicants;(ii)other things being equal, older senior citizens shall be given preference;(iii)other things being equal female applicants shall be given preference; and(iv)Illiterate or infirm senior citizens may be admitted without any formal application, if the District Magistrate or any other officer authorized by him this purpose, is satisfied that the senior citizens is not in a position to make a formal application, but is really in need of shelter.(C)while considering applications or case for admission to the old-age homes, no distinction shall be made on the basis of religion or caste;(D)The old-age homes shall

provide separate lodging for men and women inmates, unless a male and a female inmate are either blood relation or a married couple; and (E) Day to day affairs of the old-age homes shall be managed by a Management Committee, which shall be constituted by the District Magistrate in accordance with the orders and the guidelines issued by the State Government from time to time and the inmates of the old-age homes shall also be suitably represented in the said Committee.

22. Duties and Power of the District Magistrate.

(1) The District Magistrate and any other officer authorized by him in this behalf when the local limits of his jurisdiction shall perform the duties and exercise powers mentioned in sub rules (2) and (3) so as to ensure that the provision of the act are properly carried out in his district. (2) It shall be the duty of the District Magistrate to - (i) ensure that life and property of senior citizens of the district are protected and they are able to live with a sense of security and dignity; (ii) oversee and monitor the work of the maintenance Tribunal and the Maintenance officer of the district with a view to ensuring timely and fair disposal of application for maintenance and execution of Tribunal orders; (iii) Oversee and monitor the working of old age homes in the district so as to ensure that they conform to the standards laid down by the guidelines issued in this respect by the Government from time to time. (iv) ensure regular and wide publicity of the provisions of the act and the central and the State Government programmes for the welfare of senior Citizen; (v) Encourage and co-ordinate with panchayats municipalities Nehru Yuva Kendras, Educational Institutions and especially National Service Units, Organizations, Specialist experts, activities etc, Working in the district so that their resources and effort are effectively utilized for the welfare of senior citizen of the district. (vi) ensure provision of timely assistance and relief senior citizen in the event of natural calamities and other emergencies; (vii) ensure periodic sensitization of officers of various Department and Local Bodies associated with the welfare of senior citizen towards the needs of such citizens and the duties of the officers towards such senior citizen; (viii) review the progress of investigation and trial of cases relating to senior citizen in the district, except in cities having a Police Commissioner. (ix) ensure that adequate number of prescribed application forms for maintenance are available with Panchayats, Post Offices, Block Development Officer, Tehsil Offices, Collectorate and Police Station etc. (x) promote establishment of dedicated helplines for senior citizens at the district headquarter; and (xi) perform such other function as the State Government may by order assign to the District Magistrate in this behalf from time to time. (3) With a view to performing the duties mentioned in sub-rule (2) the District Magistrate shall be competent to issue such direction not inconsistent with these rules the Act and general guidelines of the State Government as may be necessary to any Government and statutory agency or body working in this district and especially to the following - (a) Officers of the State Government in the Police Department, Health and Family Welfare Department, Information and Public Relations Department and the department dealing with the welfare of senior citizen; (b) Maintenance Tribunal and the Conciliation Officer; (c) Panchayats and Municipalities; and (d) Education Institutions. (4) In order to implement the provision of the act the District Magistrate or an officers authorized by him in this behalf not below the rank of sub-divisional Magistrate shall have the power to refer the case of a senior citizen who may be considered "indigent" to the Tribunal. (5) In case of any danger to the life or the property of a senior citizens it shall be the duty of the District Magistrate or the officer authorized by him to protect the senior citizen from the said danger. (6) In case a senior citizen requires protection or is destitute it

shall be the duty of the District Magistrate or the Officer authorized by him provide shelter to him in an old age home being run by the State Government or a Non Government Organization.(7)In case of emergency the District Magistrate or the officer duly authorized by him shall also make suitable arrangements for medical care of abandoned and indigent senior citizen.

23. Action plan for the protection of life and property of senior citizen.

- An action plan for protection of life and property of senior citizen shall be notified by the State Government with in a period of six month from the date of publication of these rules in the Official Gazette and it may be revised from time to time.

24. State Council of senior citizen.

(1)The State Government may by order establish a State Council for the Senior Citizen to advise the State Government for effective implementation of the act and to perform such other function in relation to Senior Citizen as the State Government may specify.(2)The State Council shall consist of the following members namely:-

- | | |
|---|------------------------|
| a) the Minister, Social Security and Women and Child Development,Punjab | Chairman
Ex-officio |
| b) the Principal Secretary to the Government of Punjab,Department of Social Security and Women and Child Development,Punjab | Member
Ex-officio |
| c) the Principal Secretary to the Government of Punjab,Department of Health and Family Welfare; | Member
Ex-officio |
| d) the Principal Secretary to the Government of Punjab,Department of Home Affairs and Justice; | Member
Ex-officio |
| e) the Principal Secretary to the Government of Punjab,Department of Public Relation; | Member
Ex-officio |
| f) the Director General of Police Punjab; | Member
Ex-officio |
| g) the Legal Remembrancer and Secretary to Government PunjabDepartment of Legal and Legislative Affair; | Member
Ex-officio |
| h) The Director, Social Security | Member
Ex-officio |
| i) three specialist and activities in the field of welfare ofsenior citizen to be nominated by the State Government ; and | Member |
| j) three eminent Senior Citizen to be nominated by the StateGovernment | Member |

(3)The State Council shall meet at least once in every six month.(4)Tenure of the nominated member of the State Council other than ex-officio member shall be for a period of two years.

25. District Committee for senior citizen.

(1)The State Government may be order establish a District Commissioner for Senior Citizen for each district to advise for effective and coordinated implementation of the Act at the district level and to perform such other function in relation to senior citizen at the district level as the State Government may specify.(2)The District Committee shall meet once in every Quarter of the years.(3)The composition of the District Committee, tenure of the members shall be such as the State Government may by order specify in this behalf from time to time. Form - A[(see rule 3(1) and (3))]Application for maintenance under section 5(1)(a) and (b) of the Act. Sub-Division District

1. Name of the appellant :
2. Name of Father/Husband :
3. Complete Postal Address :

Village
Road.....
Ward No.
Police Station.....
Post Officer PinCode
.....
District.....

4. Name of children/relative from whom Maintenance claimed :
5. Present Address of Children/Relative :

Village
Road.....
Ward No.
Police Station.....
Post Officer PinCode
.....
District.....

6. Permanent Address of Children/Relative :

Village
Road.....
Ward No.
Police Station.....
Post Officer PinCode
.....

District.....

7. Yearly income of the children/relative from all sources :
8. Details of order against which the present appeal is being filed :
9. Grounds of Appeal :
10. Relief prayed for :
11. Interim prayer, if any :

Applicant Verification I, do hereby verify that the statement made above by me are true to the best of my knowledge and belief and in verification thereof. I put my signature hereunder :Signature of applicant Form - B[(See rule 3(2)(b))]Acknowledgment Received from Smt./Shri/Ms

..... son of Smt./Shri/Msfor copies of the application preferred under sub-section (1) of section 4 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 which has been registered and assigned the Application No. of

.....Signature with Seal Form - C(see rule 5(1) and 11(3))Before the Presiding Officer Maintenance Tribunal Application No. ofSh./Smt

..... Applicant Versus Sh./Smt

..... Respondent Notice of Cause Whereas an appeal under section 5(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein you have been joined as respondent and of which a copy is enclosed has been presented to this Tribunal. You are hereby informed that the said application has been fixed for hearing at

..... a.m. on and that if you wish to state anything in reply to the application you may appear in this Tribunal on that date and file your written statement 3 (Three) days before that day either in person or through any Advocate duly instructed. Take notice that in default of your appearance on the date aforementioned the case shall be heard and decided in your absence. Given under my hand and the seal of the Tribunal this day of

.....By Order of the Maintenance TribunalSignature with seal. Form - D[(see rule 5(3))]Before the Presiding Officer Maintenance Tribunal (Exercising the power of Appellate Tribunal under section 5(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.) Application No. of

.....To Smt./Shri/Ms

..... Applicant Versus Sh./Smt

..... Respondent Notice Where as an Application has been filed by you under section 4(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 before this Tribunal. And whereas now this Tribunal has fixed your application for hearing at a.m. on And whereas now if you wish to urge anything in support of your plea taken in your application you may appear in this Tribunal on that date either in person or through any Advocate duly instructed. Now take notice that in default of your appearance on the date aforementioned the case shall be heard and decided in your absence. Given under my hand and the seal of the Tribunal this day of

.....By order of the Maintenance TribunalSignature with seal Form - E[see rule 12(2) and (3)]Before the Presiding Officer Maintenance

Tribunal Application No. of
To.....Subject
 :- Application No. (..... versus)Whereas an
 Application has been filed by the Applicant under section 5(1) of (the Maintenance and Welfare of
 Parents and Senior Citizen Act, 2007) before this Tribunal.And whereas the subject cited
 Application was fixed for hearing onAnd whereas in response to the notice given
 in Form -C to the opposite party the opposite party appeared and showed cause against the
 maintenance claim.And whereas the tribunal has sought the opinion of both the parties as to whether
 they would like the matter to be referred to a Conciliation Officer.And whereas now both the parties
 have expressed their willingness in this behalf and upon the asking of the Tribunal whether the
 parties would like the matter to be referred to a person included in the panel prepared under rule 5
 or to any other person acceptable to both the parties now both the parties have agreed for your being
 appointed as the Conciliation Officer in the subject cited case.Now through this letter you are
 requested to try and work out a settlement acceptable to both parties within period not exceeding
 one month from the date of receipt of the reference. Copies of the application and replies of the
 opposite party thereto are enclosed herewith Presiding Officer Maintenance Tribunal Form - F[see
 rule 13(2)]Memorandum of SettlementThis Memorandum of Settlement (MoS) is worked out on
 this day of between (here-in-after referred to as the 'First
 Party') and Sh/Smt. (here-in-after referred to as the 'Second Party').Whereas
 the learned Maintenance Tribunal has designated me as the Conciliation Officer and has directed to
 work out a settlement acceptable to both the parties and to draw up a Memorandum of Settlement
 vide order datedAnd whereas in pursuance to the order of the said Tribunal the
 Conciliation Officer vide letter dated summoned both the parties to appear before
 him on at 10 a.m.And whereas now with best efforts of the Conciliation Officer both the
 parties are now entering into this Memorandum of Settlement to formalize various terms and
 condition of this MoS reached between them.Now therefore the parties hereby agree and this
 Memorandum of Settlement witness as follow:-

- 1. That the Second Party has agreed to maintain the first party to provide such need of the life like shelter food clothing medical facilities etc. which shall make the second party to lead a normal life.**
- 2. That the second party shall pay a sum of Rs. to the first party on account of pocket money as well as to meet the day to day petty expenses. This will be paid through mode of payment by date of every month.**
- 3. That if at any stage the second party fails to provide the facilities mentioned in the sub stage the sub clause (1) then the second party shall pay a sum of Rs. per month as a Maintenance Allowance to the first party. This amount shall be paid by date of every month through mode of payment.**

4. The second party undertake that in case he/she fails to (sic) by the terms and condition of this MoS then the second party shall be liable to be proceeded against under the provision of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 as well as the rules framed thereunder.

Note : Also include any other terms and condition of the settlement here. Signed by the parties to this Memorandum of Settlement on the date mentioned by them and it shall come into force after all the parties have signed. In witness where of the parties here to have set their hands in token of acceptance. First Party Second Party Conciliation Officer Witness No. 1 Witness No. 2 Form - G [see rule 13(2)] Before the Presiding Officer Maintenance Tribunal In Application No. of Sh./Smt. Applicant Versus Sh./Smt. Respondent Submission of Report Respectfully sheweth :-

1. That this learned Tribunal was pleased to designate the undersigned as the Conciliation Officer under the provision of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

2. The vide order dated this learned Tribunal directed to work out a settlement which is acceptable to both the parties and to draw up a Memorandum of Settlement.

3. That in pursuance to the orders to this Tribunal dated with the best effort of the Conciliation Officer a Memorandum of Settlement date has been reached which is acceptable to both the parties (Copies to be attached).

4. That the following the detailed report which has led to the working out of the enclosed Memorandum of Settlement.

Report Place : Conciliation Officer Dated : Form - H [see rule 13(3)] Before the Presiding Officer Maintenance Tribunal In Application No. of Sh./Smt. Applicant Versus Sh./Smt. Respondent Respectfully sheweth :-

1. That this learned Tribunal was pleased to designated the undersigned as the Conciliation Officer under the provision of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

2. The vide order dated this learned Tribunal directed to work out a settlement which is acceptable to both the parties and to draw up a Memorandum of Settlement.

3. That in pursuance to the order of this Tribunal the Conciliation Officer vide his letter dated..... summoned both the parties to appear before him on at a.m.

4. That on the date fixed both the parties appeared before the Conciliation Officer.

5. That on the date fixed an acceptable settlement could not be reached. However the parties were again summoned for and But even then no settlement could be reached.

6. That since no settlement could be worked out between the parties inspite of the best effort of the Conciliation Officer as her the details given below :-

a)b)

7. That the post of difference due to which the matter could not be reconciled are as under:-

1.

2.

3.

8. That in view of the fact stated above the circumstance demand that this Id. Tribunal may proceed further in the matter as deems fit and proper in the circumstance of this case and the paper received from this Tribunal are return wherewith.

Place :Conciliation OfficerDated :Form - I[see rule 17]Appeal for Maintenance under section 16 of the Act before Appellate Tribunal(From for filing an appeal before the Appellate Tribunal under section 16(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007)

1. Name of the appellant :

2. Name of Father/Husband :

3. Complete Postal Address :

Village

Road.....

Ward No.

Police Station.....

Post Officer PinCode

.....

District.....

4. Name of children/relative from
whom Maintenance claimed :

5. Present Address of
Children/Relative :

Village

Road.....

Ward No.

Police Station.....

Post Officer PinCode

.....

District.....

6. Permanent Address of
Children/Relative :

Village

Road.....

Ward No.

Police Station.....

Post Officer PinCode

.....

District.....

7. Yearly income of the
children/relative from all sources :

8. Details of order against which the
present appeal is being filed :

9. Grounds of Appeal :

10. Relief prayed for :

11. Interim prayer, if any :

Appellant Verification, I do hereby verify that the statements made above by me are true to the best of my knowledge and belief and in verification thereof I put my signature hereunder : Signature of applicant. Form - J [see rule 18] Before the Appellate Tribunal Received from Smt./Shri./Ms son/husband/wife of Shri four copies of the appeal preferred under sub-section (1) of

section 16 of the Maintenance and Welfare of Parents and Senior Citizen Act 2007 against the order dated passed by the Maintenance Tribunal which has been registered and assigned the Appeal No. of the date of hearing of appeal is fixed for at a.m/p.m. Signature with Seal Form - K[see rule 19(1)] Before the Appellate Tribunal In Application No. of Sh./Smt. Applicant Versus Sh./Smt. Respondent Notice of Cause Whereas an appeal under section 16(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 against the order dated passed by the Maintenance Tribunal has been filed wherein you have been joined as respondent and of which a copy is enclosed has been presented before this Appellate Tribunal. Now you are hereby informed at the said appeal has been fixed for hearing at a.m on are that if you wish to urge anything in reply to the appeal you may appear before this Appellate Tribunal on that date file your written statement 3 (Three) days before that day either in person or through any representative duly instructed in this behalf. Take notice that in default of your appearance on the date aforementioned the case shall be heard and decided in your absence. Given under my hand and the seal of the tribunal this day of By order of the Appellate Tribunal (Name of District) Signature with seal