

The Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012

BIHAR

India

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Rule

THE-BIHAR-MAINTENANCE-WELFARE-OF-PARENTS-SENIOR-CITIZENS-RULES-2012

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The Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012Published vide Notification No. 1/Sa.su.-vividh-22/09.S.W-1935, dated 7.9.2012Department of Social welfare(Directorate of Social Security and Disability)No. 1/Sa.su.-vividh-22/09.S.W-1935 - In exercise of the powers conferred by Section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007), the Government of Bihar hereby makes the following Rules:-Preliminary

1. Short title extent and commencement.

(1)These rules may be called the Bihar Maintenance and Welfare of Parents and Senior Citizens Rules 2012.(2)It shall extend to the whole of the state of Bihar.(3)It shall come into force at once.

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 (Central Act 56 of 2007);(b)"application" means an application made to a Tribunal under section 5 of the Act;(c)"blood relations", in the context of a male and a female inmate, mean father daughter, mother-son and brother-sister (not cousins);(d)"Form" means a form appended to these rules;(e)"Government" means the Government of Bihar.(f)"inmate", in relation to an old age home, means a senior citizen duly admitted to reside in such a home;(g)"Maintenance officer" means the officer designated under sub-section (1) of section 18, field filed under section 4, of the Act.(h)"opposite party" means the party against whom

an application for maintenance has been filed under section 4;(i)"Presiding Officer" means an officer appointed to preside over a Maintenance Tribunal referred to under sub-section (2) of section 7, or an Appellate Tribunal under sub-section (2) of section 15 of the Act;(j)"Schedule" means a schedule appended to these rules;(k)"Section" means a section of the Act;(l)"Tribunal" means maintenance tribunal constituted under section 7 of the Act.(m)"Senior Citizen Poor" means define by the state government and instruction issued from government time to time.(2)Words and expressions used and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

Chapter II

Procedure for Maintenance Tribunal and Conciliation Officers

3. Constitution of Maintenance Tribunal.

- The government shall, by notification in the official gazette, constitute maintenance tribunal in each sub division under section 7(1) of the Act.

4. Panel for Appointment as Conciliation Officer.

(1)Every Tribunal shall prepare a panel of persons suitable for appointment as Conciliation Officer under sub-section (6) of section 6, which shall include the Maintenance Officers designated under section 18.(2)Persons referred to under sub-rule (1), other than Maintenance Officers designated under section 18, shall be chosen subject to fulfilling the following conditions, namely:(a)he should be associated with an organization which is working for the welfare of senior citizens and/or weaker sections, or in the area of education, health, poverty-alleviation, women's empowerment, social welfare, rural development or related fields, for at least two years with an unblemished record of service;(b)he should be a senior office-bearer of the organization; and(c)he should possess good knowledge of law.Provided that a person who is not associated with an organization of the kind mentioned above, may also be included in the panel mentioned in sub-rule (1) if he fulfills the following conditions namely:(i)he has a good and unblemished record of public service in one or more of the areas mentioned in clause (a); and(ii)he possess good knowledge of law.(3)The Tribunal shall publish the panel mentioned in sub-rule (1) for general information at least twice every year, on 1st January and 1st July, respectively, and every, time any change is effected therein.(4)Conciliation Officer can be appointed by the state government.(5)The tenure of Conciliation Officer will be three years from date of appointment.

5. Procedure for filing an application for maintenance, and Its registration.

(1)An application for maintenance under section 4 shall be made in Form 'A', in the manner laid down in clauses (a) and (b) of sub-section (1) of section 5.(2)On receipt of an application 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 as in Annexure - I, and(b)Its acknowledgement in Form 'B' to be given notwithstanding anything contained in rule 5, to the applicant or his authorized

representative. In case of hand delivery, and its dispatch by post in other cases and the acknowledgement shall specify, inter-alia, the registration number of the application.(3)Where a Tribunal takes cognizance of a maintenance claim, suo motu, the Presiding Officer shall, after ascertaining facts, get Form 'A' completed as accurately as possible, through the staff of the Tribunal, and shall, as far as possible, get it authenticated by the concerned senior citizen or parent, or any person or organization authorized by him and shall cause the same to be registered in accordance with clause (a) of sub-rule (2) above.

6. Preliminary Scrutiny of the application.

(1)On receipt of an application under subsection (1) of section 5, the Tribunal shall satisfy itself that:(a)The application is complete; and(b)The opposite party has, prima facie, an obligation to maintain the applicant in terms of section 4.(2)In case where the Tribunal finds any lacunae in the application, it may direct the applicant to rectify such lacunae within a reasonable time limit.(3)Every application shall be heard and decided, within a reasonable time limit.

7. Notice to the Opposite Party.

(1)Once the Tribunal is satisfied on the points mentioned in sub-rule (1) of rule 5, it shall cause to be issued to each person against whom an application for maintenance has been filed, a notice in Form 'C' directing them to show cause why the application should not be granted, along with a copy of the application and its enclosures, in the following manner:(a)by hand delivery (Dasti) through the applicant if he so desires, else through a process server; or(b)by registered post with acknowledgement due.(2)The notice shall require the opposite party to appear in person, on the date to be specified in the notice and to show cause, in writing, as to why the application should not be granted and shall also inform that, in case he fails to respond to it, the Tribunal shall proceed ex parte.(3)Simultaneously with the issue of notice under sub-rules (1) and (2), the applicants (s) shall also be informed of the date mentioned in sub-rule (2), by a notice issued 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-rules (2) and (3).(5)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 of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Tribunal shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

8. Procedure in case of the non-appearance by the Opposite Party.

- In case, despite service of notice, the opposite party fails to show cause in response to a notice, the Tribunal shall proceed ex parte, by taking evidence of the applicant and making such other inquiry as it deems fit, and shall pass an order disposing of the application.

9. Procedure in case of admission of claim.

- In case, on the date fixed in the notice issued under rule 6, the opposite party appears and accepts his liability to maintain the applicant, and the two parties arrive at a mutually agreed settlement, the Tribunal shall pass an Order accordingly.

10. 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 filed on the first date of hearing as specified in the notice issued under sub-rule (2) of rule 6:Provided that no such application shall be entertained after such first hearing, unless the opposite party shows sufficient cause for filling it at later stage.(2)On receipt of an application under sub-rule (1), the Tribunal shall, if it is prima facie satisfied, after hearing the parties, about the reasonableness of such application, issue notice to such other child or relative to show cause why they should not be impleaded as a party, and shall after giving 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 impleadment party in Form "C" in accordance with rule 6.

11. Reference to Conciliation Officer.

(1)In case, on the date fixed in the notice issued under rule 6, 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 Tribunal shall seek the opinion of both the parties as to whether they 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 included in the panel prepared under rule 3, or to any other person acceptable to both parties.(2)If both the parties agree on any person, whether included in the panel under rule 3 or otherwise, the Tribunal shall appoint such person as the Conciliation Officer in the case, and shall refer the matter to him, through a letter in Form 'E', requesting the Conciliation Officer to try and work out a settlement acceptable to both 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.

12. Duties of Conciliation Officer.

(1)Upon receipt of a reference under rule 10, the Conciliation Officer shall hold meetings with the two parties as necessary, and shall try to work out a settlement acceptable to both the parties, within a period of one month from the date of receipt of the reference.(2)If 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 parties, and forward it, with a report in Form 'G', along with all records of the case received from the Tribunal, back to the Tribunal within a month from the receipt of the reference.(3)If the Conciliation Officer is unable to arrive at a

settlement within one month of receipt of a reference under rule (12), he shall return the papers received from the Tribunal along with a report in Form 'H', showing efforts made to bring about a settlement and the points of difference between the two parties which could not be reconciled.(4)Maintenance of Register - The Conciliation Officer shall maintain a detailed list of voluntary organizations as per Schedule II which will contain arrangements for security and services for older persons. The Conciliation Officer shall be responsible for inspection / monitoring and data collection from old age homes operated by persons / group of persons / voluntary organizations / institutions / donor agencies / others.

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

(1)In case, the Tribunal receives a report from the Conciliation Officer under sub-rule (2) of Rule 11, along with a memorandum of settlement, it shall give notice to both parties to appear before it on a date to be specified in the notice, and confirm the settlement.(2)In case on the date specified in the notice as 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.

14. 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 10, or(ii)the Conciliation Officer appointed under rule 10 sends a report under sub-rule (3) of rule 11, 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 notice issued under sub-rule (1) of rule 12, 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 claims, and shall, after a summary inquiry as provided in sub section (1) of section 8, pass such order as it deems fit.(2)An order passed under rule 7, rule 8 or under sub-rule (1) above shall be a speaking one, spelling out the facts of the case as ascertained by the Tribunal, and the reasons for the order.(3)While passing an order under sub-rule (1), directing the opposite party to pay maintenance to an applicant, Tribunal shall take the following into consideration:(a)amount needed by the applicant to meet his basic needs, especially food, clothing, accommodation, and healthcare,(b)income of the opposite party, and(c)Value of and actual and potential income from the property, if any, of the applicant which the opposite party would inherit and/or is in possession of.(4)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.

15. Maximum maintenance allowance.

- The maximum maintenance allowance which a Tribunal may order the opposite party to pay shall, subject to a maximum of rupees ten thousand per month, be 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 applicants and also among the Opposite party's family

members.

Chapter III

Constitution of Appellate Tribunal and Related Procedures

16. Establishment and Procedure of Appellate Tribunal.

- The Government shall, by notification in the official Gazette, constitute for each District one Appellate Tribunal as may be specified in the notification to hear the appeal against the order of Tribunal under section 15 (1) of the Act.

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 register it in a register to be maintained for the purpose in such form as the State Government may direct, and shall, after registering such appeal, give an acknowledgement to the appellant, specifying the appeal number and the next date of hearing, in Form 'J'.

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'. (2) The notice under sub-rule (1) shall be issued through registered post with acknowledgement due, or through a process server. (3) The provisions of Order V of the Civil Procedure Code shall apply mutatis mutandis for the purposes of service of notice issued under sub-rule (1).

Chapter IV

Scheme for Management of Old Age Homes Established under Section 19

20. Scheme for management of old age homes for indigent senior citizens.

(1) Old age homes established under section 19 shall be run in accordance with the following norms and standards: (A) The home shall have physical facilities and shall be run in accordance with the operational norms as laid down in the Schedule III. (B) Inmates of the home shall be selected in accordance with the following procedure: [a] applications shall be invited at appropriate intervals,

but at least once each year, from indigent senior citizens, as defined in section 19 of the Act, desirous of living in the home;[b] in case the number of eligible applicants on any occasion is more than the number of places available in a home for admission, selection of inmates will be made in the following manner:(i)the more indigent and needy will be given preference over the less indigent applicants,(ii)other things being equal, older senior citizens will be given preference over the less old, and(iii)other things being equal, female applicants will be given preference over male applicants.Illiterate and/or very infirm senior citizens may also be admitted without any formal application if the competent authority, is satisfied that the senior citizen is not in a position to make a formal application, but is badly in need of shelter;(C)While considering applications or cases for admission, no distinction shall be made on the basis of religion or caste;(D)The home shall provide separate lodging for men and women inmates, unless a male and a female inmate are either blood relations or a married couple;(E)Day-to-day affairs of the old age home shall be managed by a Management Committee, such that inmates are also suitably represented on the Committee.(2)State Government may issue detailed guidelines/orders from time to time for admission into and management of old age homes in accordance with the norms and standards laid down in sub-rule (1) and the Schedule.(3)State Government may form implementation committee at district level for management of day to day affaires of Old Age Home(4)Visitors will be allowed in the old age homes up on prior permission of the home management within prescribed hours, keeping in mind the security and welfare of the inmates.(5)Under section 19(2) and other relevant sections the State Government/department will start and published integrated schemes and appropriate guide line for senior citizens.

Chapter V

Duties and Powers of the District Magistrate

21. Duties and powers of the District Magistrate.

(1)The District Magistrate shall perform the duties and exercise the powers mentioned in sub-rule (2) and (3) so as to ensure that the provisions 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 security and dignity;(ii)oversee and monitor the work of Maintenance Tribunals and Maintenance Officers of the district with a view to ensuring timely and fair disposal of applications for maintenance, and execution of Tribunals' 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 in these rules, and any other guidelines and orders of the Government;(iv)ensure regular and wide publicity of the provisions of the Act, and Central and State Governments' programmes for the welfare of senior citizens;(v)encourage and coordinate with panchayats, municipalities, Nehru Yuva Kendras, educational institutions and especially their National Service Scheme Units, organizations, specialists, experts, activists, etc. working in the district so that their resources and efforts are effectively pooled for the welfare of senior citizens of the district;(vi)ensure provision of timely assistance and relief to senior citizens in the event of natural calamities and other emergencies;(vii)ensure periodic sensitization of officers of various Departments and Local Bodies concerned with welfare of senior citizens, towards the needs of such

citizens, and the duty of the officers towards the latter;(viii)review the progress of investigation and trial of cases relating to senior citizens in the district, except in cities having a Police Commissioner;(ix)ensure that adequate number of prescribed application forms for maintenance are available in offices of common contact for citizens like Panchayats, Block Development Offices, Tahsildar offices, District Social Welfare Offices, Collectorate, Police Stations etc;(x)promote establishment of dedicated Help lines for senior citizens at district headquarters, to begin with; and(xi)perform such other function as the 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 directions, not inconsistent with the Act, these rules, and general guidelines of the Government, as may be necessary, to any concerned Government or statutory agency or body working in the district, and especially to the following:(a)Officers of the Government in the Police, Health and Publicity Departments, and the Department dealing with welfare of senior citizens;(b)Maintenance Tribunals and Conciliation Officers;(c)Panchayats and Municipalities; and(d)Educational institutions.

Chapter VI

Protection of Life and Property of Senior Citizens

22. Action plan for the protection of life and property of Senior Citizens.

(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 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 station together as far as possible, with a social worker or volunteer, shall visit such senior citizens at regular intervals of at least once a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them;(iii)complaints/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, the Police Commissioner as the case may be, shall cause to be publicized 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 as in Annexure IV;(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 entered 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 neighborhood, 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 crimes against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month, as in Annexure V;(xiii)the District Magistrate shall cause the report to be placed before the District level Committee constituted under rule 24;(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 Government every quarter as well as every year for, inter-alia, being placed before the State Council of Senior Citizens constituted under rule 23.

Chapter VII

State Council and District Committees of Senior Citizens

23. State Council of Senior Citizens.

(1)The State Government may, by order, establish a State Council of Senior Citizens to advise the Government on effective implementation of the Act and to perform such other functions in relation to Senior Citizens.(2)The State Council shall consist of the following members, namely:

1.	Minister, Department of Social Welfare, Government of Bihar	Chairperson
2.	Principal Secretary / Secretary, Department of Social Welfare	Member
3.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department of HomeAffairs	Member
4.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department ofHealth	Member
5.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department ofFinance	Member
6.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department ofRural Development	Member
7.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department ofUrban Development	Member
8.	Nominated Representative (Not Below the post of Deputysecretary) By Principal Secretary / Secretary, Department ofTransport	Member
9.	Director, Department of Information and Public Relations	Member
10.	Nominated Representative By Director General of Police	Member
11.	Three Social Workers (working for the welfare & rights ofolder persons)	Member
12.	Two Representatives of Pensioners Associations	Member
13.	Two Representatives of NGOs working with Older Persons	Member

14. Director, Directorate of Social Security

Member
Secretary

(3)The State Council shall meet at least once in every six months.(4)Tenure of the members of the State Council, other than ex officio members, rules of procedure of the Council and other ancillary matters shall be such as the State Government may by order, specify.(5)The State Government shall carry out external research and social investigation on the implementation of the Act and the programmes / schemes relating to the older persons.

24. District Committee of Senior Citizens.

(1)The State Government may by order, establish a District Committee of Senior Citizens for each District to advise on effective and coordinated implementation of the Act, at the district level, and to perform such other functions on relation to senior citizens at the district level.(2)The District Committee for Senior Citizens shall consist of the following members, namely:

1. District Magistrate	Chairperson
2. Police Superintendent	Member
3. Civil Surgeon cum Chief Medical Officer	Member
4. Two Social Workers (one from the Old Age Home)	Member
5. Representative of Pensioners Association	Member
6. Two representatives of Voluntary Organizations nominated by District Magistrate	Member
7. Assistant Director Social Security	Member Secretary

(3)The District Committee shall meet at least once in every three months.(4)Tenure of the members of the District Committee, other than ex officio members, rules of procedure of the Committee and other ancillary matters shall be such as the State Government may by order, specify.(5)The District Committee will review the following activities relating to the implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, including:(a)Review of administration and management of old age homes;(b)Quarterly supervision of institutions set up under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and send its report to the Director, Directorate of Social Security / Secretary, Department of Social Welfare;(c)Propose appropriate programme for promotion and development of old age homes;(d)Support programmes relating to rehabilitation of senior citizens;(e)Ensure linkages between different agencies working in the area of senior citizens welfare;(f)Review the functions of tribunals set up in the district under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007;(g)Provide necessary suggestions for improving quality of institutional and non institutional services.(6)After completing its supervision, the Committee will prepare a report on its findings and send the same to the Director, Directorate of Social Security/Secretary, Department of Social Welfare for necessary action.

Schedule

[See Rule (18)] Norms of Physical Facilities and Operational Standards for an old Age Home for Indigent Senior Citizens Established under Section 19 of the Act. (I) Physical Facilities (1) Land : The land for the old age home should be adequate to comply with the Floor- Area Ratio (FAR) as prescribed by the relevant urban body / State Government. In the case of semi-urban / rural areas the State Government shall provide adequate land for setting up of an Old Age Home of requisite capacity that is adequate for living, medical facilities, dining, toilet facilities, recreation, gardening, further expansion, etc. (2) Living Space : The Old age home shall, as far as possible, have minimum area per inmate as per the following norms: (i) area of bedroom/ dormitory per inmate .. 7.5 Sq. metres (ii) Living area or carpet area per inmate i.e. including (i) above .. 12 Sq. metres plus ancillary areas like kitchen, dining hall, recreation room, medical room, etc., but excluding verandah, corridor, etc.,

3. Facilities:

(1) The old age home shall have the following facilities: (i) residential area comprising rooms / dormitories - separately for men and women; (ii) adequate water for drinking and ancillary purposes; (iii) electricity, fans and heating arrangement for inmates (as necessary); (iv) kitchen-cum-store and office; (v) dining hall; (vi) adequate number of toilets and baths, including toilets suitable for disabled persons; (vii) recreation facilities, television, newspaper and an adequate collection of books; and (viii) first aid, sick bay, and primary healthcare facilities. (2) The old age home should be barrier-free with provision of ramps and handrails, and wherever necessary, lifts, etc. II Operational standards

1. Supply of nutritious and wholesome diet as per scale to be fixed by the Government.

2. Adequate clothing and linen for the inmates, including for the winter season.

3. Adequate arrangements for sanitation, hygiene, and watch and ward / security.

4. Arrangements with the nearest Government hospital for emergency medical care, and with the nearest Police Station for security requirements.

Form 'A' Application for Maintenance under the Bihar Maintenance & Welfare of Parents & Senior Citizens Act 2007 For use of the Office of the Tribunal Date of

Filing..... Or Date of

Receipt by

Post..... Registration

Number.....SignaturePresiding
OfficerIn the Tribunal for Maintenance & Welfare of Parents:Branch:
.....State:
.....(a)(b).....
Applicantandc) (d) Through the RespondentDetails of the
Application:

1. Particulars of the Applicant:

(i)Name of the Applicant(ii)Father /
Husband's
Name.....(iii)Address.....
for all Information & Correspondence

2. Particulars of the Respondent:

(i)Name of the Respondent.....(ii)Address of
the Respondent
.....(iii)Address
for all Information & Correspondence
.....

3. Jurisdiction of the Tribunal: The applicant declares that the subject matter of the case against which intervention is sought is within the jurisdiction of the Tribunal.

4. Facts of the Matter: The facts of the matter are given below.

5. Requested Relief (s): The applicant prays for relief as mentioned below, based on the facts mentioned in para 4 above.

6. Transfer Orders, if request for the same has been made: During pendency of the application, the applicant prays of the issuance of the below mentioned interim order:

(Give the reasons and the outline for the request for interim order)

7. Particulars of Alternatives: The applicant declares that she/he has utilised all available alternatives.

8. The matter is not pending before any other court: The applicant declares that the matter in which this application has been made is not pending before any court or any other Tribunal / authority or has not been dismissed by any court or any other officer.

9. Details of Index: Details of those documents on which the prayer for relief is based, second copy of the entry index is enclosed.

Verification I, (Name of the applicant), son / daughter / wife / husband of Age, Resident of Hereby certify that issues mentioned in para 1 to 9 are true to my personnel knowledge and Belief, and that no fact has been hidden. Place _____ Date _____ Signature of Applicant Copy to: Presiding Officer.....

of application filed in the Parents and Senior Citizens Tribunal by Sri / Smt.

_____ Address _____

_____ is hereby accepted. For Presiding Officer Form 'B' Placed Before.....

Tribunal..... Indexation of the filed Application Application has been received for maintenance (Particulars) from

The application has been registered as case no..... dated..... The case hearing has been fixed for Place: Date: Signature Form 'C' Form for Notice / Summon to Respondent [See Section 6 (1)] Placed Before.....

Tribunal..... Address: Case No..... 2010 Applicant V/s Respondent /

Respondents To, is informed that the applicant under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 has filed a claim for payment of Rupees per month as maintenance from you. Hearing has been fixed on..... at Am / Pm at the above mentioned office of the Tribunal. You are required to be present in person on the said date and time with all supporting documents and your objections and statements. If you fail to be present, the Tribunal will pass ex-parte order. Issued with my signature and seal dated

2010. Registrar (Seal of the Tribunal) Form 'D' [See Section 6 (3)] Placed Before..... Tribunal..... Endorsement of the

Application Application has been received for maintenance

(particulars) from The application has been registered as case no..... dated..... The case hearing has been fixed for

..... Place: Date: Signature From 'E' Form for Directions to Conciliation Officer [Section 6 (2) See Proviso] Placed Before.....

Tribunal..... District..... Case

No..... 2009 Applicant: Respondent: vkosnd } kjk izfroknh ds fo:) Hkj.k&iks" k.k gsrq mijksDr ,rfLeu i" pkr~ fofufnZ" V lqyg vf/kdkjh dks lqyg ds fy, fufnZ" V fd;k tkrk gSA Conciliation Officer will on or before apprise the decision / settlement terms to the

Tribunal. Issued with the signature and seal of the Tribunal on day.....
 Date.....Signature (Seal of the Tribunal) To, The Conciliation
 Officer.....From
 'F' [See Rule 11 (2)] District.....Case
 No.....
 2010 Applicant.....Statement
 of Applicant.....Statement of
 Respondent.....Details of
 Settlement.....Both parties are
 present and have agreed for the above mentioned mutual settlement on this
 day.....2010. Signature of the Applicant Signature of the Respondent Signature Conciliation
 Officer From 'G' [See Rule 11 (2) Settlement Report] District.....Case
 No.....
 2010 Applicant.....Respondent.
 Order No.....Date of Settlement Terms of Settlement Agreement of
 Applicant and Respondent Date: Place: Signature Conciliation Tribunal From 'H' [See Rule 11
 (3)] Applicant.....Respondent.
 Order No.....Proposal for
 Settlement.....Arguments of
 the Applicant.....Arguments of the
 Respondent.....Efforts made by
 Conciliation Officer. -

1.

.....

2.

.....Points of Disagreement of the Applicant Points
 of Disagreement of the Respondent Decision: Date: Signature Conciliation Tribunal From 'I' [See Rule
 15] Appeal in the Appellate Tribunal Placed Before.....
 Tribunal.....District.....Appeal
 Number.....Applicant: Name &
 Address.....
 &
 Address.....
 Numberand Date of Order..... against which the appeal
 has been made. Copies of attached
 documents.....Adhar Appella
 above mentioned appellant do solemnly declare that the above
 statement and particulars are correct as per my information, knowledge and
 belief. Place: Date: Appellant Form 'J' Form for Issuance of Notice of Appeal under Section 16 (Section
 16) Tribunal.....placed

before.....Appeal NumberApplicant:Name and Address.....
 is informed that the above mentioned appeal by the appellant has been submitted is vide Case No..... against order dated Appeal.....has been scheduled forAM / PM for final hearing. Your presence personally or through an authorised representative (advocate) is required on the said date and time. Failure to attend will lead to the appeal being heard and settled ex-parte.Issued through my signature and seal of the court onday 2010.SignatureCompetent OfficerForm 'K'[Rule 17 (1)](Section 16)Placed before the Tribunal.....Appeal Number.....Applicant:.....
 is informed that the above mentioned appeal by the appellant has been submitted is vide Case No..... against order dated Appeal.....has been scheduled forAM / PM for final hearing. Your presence personally or through an authorised representative (advocate) is required on the said date and time. Failure to attend will lead to the appeal being heard and settled ex-parte.Issued through my signature and seal of the court onday 2010.SignatureCompetent OfficerBy the name and Order of the Governor of BiharAnnexure - 1(See Rule - 4)Register for Disposal of Claims by TribunalAnnexure - 2

Sl. No.	Name, Address & Telephone of the Applicant	Age	Sex	Date of Application	Type of Claim	Date of Issue of Notice	Date of Hearing	Details of Directions Issued by Tribunal	Order
						To the Applicant	To the Opposite Party		
1	2	3	4	5	6	7	8	9	10 11

Annexure - 2(See Rule - 11)List of Voluntary Organizations Providing Service to Senior Citizens

Sl. No.	Name of the Organization	Address & Telephone Number	Contact Person & Telephone	Number Nature of Services Provided to SeniorCitizens	Any other Work	Number of Beneficiaries	Detail of Building	Name of the Act Under Which Registered	Order
						Males	Females	Owned	Rent
1	2	3	4	5	6	7	8	9	10

Annexure - 4(See Rule - 20)List of Offences Committed Against Senior Citizens

S. No.	Name & Address of the Senior Citizen	Age	Sex	Nature of Offence Against Senior	Date of Offence	Condition as Discussed	Prosecution under Registered Offences	Action Taken by the Police	Order
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Citizen

1	2	3	4	5	6	7	8	9	10
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