



# Age Friendly Karnataka - Our goal

## Maintenance and Welfare of Parents and Senior Citizens Act, 2007 – a glance

A Joint Initiative By



Karnataka State Legal Services Authority.



Karnataka State Resource Centre for  
Senior Citizens, Government of Karnataka.



National Institute of Mental  
Health and Neuro Sciences.

This 2007 legislation makes it a legal obligations for children and heirs to provide maintenance to senior citizens and parents. It provides simple, speedy and inexpensive mechanism for the protection of life and property of the older persons. This Act also provides for setting up of old age homes for providing maintenance to the indigent older persons.

**WHO IS A PARENT-** Parent means father or mother whether biological, adoptive or step-father or step-mother, whether or not father or mother is a senior citizen.

**WHO IS A SENIOR CITIZEN-** Any citizen of India who is aged 60 years and above

**WHO ARE THE CHILDREN-** Children means and includes son, daughter, grandson, granddaughter but does not include a minor

**WHO ARE RELATIVES-** Relative is any legal heir of childless senior citizen who is not a minor and is in possession of or would inherit the property of the senior citizen after his death.

A tribunal is constituted as per the Act to provide enforce the remedy of maintenance and other reliefs from their children/ relatives or any other person liable to pay maintenance. Kolar Tribunal is housed in Assistant Commissioner's office.

Interim maintenance can also be awarded

### WHO CAN APPLY:

- 1.Any parent(s) or senior citizen
- 2.Authorised registered organisation on behalf of parent(s) or senior citizen.
- 3.The tribunal can also suomotu take cognizance.

Notice to be served to children/ relatives and application for maintenance to be resolved within 90 days of notice. If such children/ relative fail to comply the orders of the Tribunal, fine Lavy **WARRANT** can be issued for the due amount. If the respondents violets the order, can be imprisoned for one month or until payment is made, whichever is earlier.

The application can be filed before the Tribunal in the district, where the applicant resides or last resided or where children or relative resides. Normally proceedings shall be in the presence of children/ relative against whom relief is sought and if need be ex-parte decision can be made. Representation by lawyers is prohibited.

**Maintenance** includes provision for food, clothing, residence, medical attendance and treatment. The tribunal can also order children/relative to pay monthly allowances as maintenance; maximum amount being Rs. 10,000/- per month. If not satisfied, the senior citizen/parent can file appeal before Appellate tribunal (established in Deputy Commissioner Office).

### **Protection of life and property of Senior Citizen**

This act also protects the senior citizen who has transferred either moveable or immovable property, as gift or otherwise, with the condition that basic amenities and physical needs of senior citizens are taken care of. In case this condition is not met, such transfer of property shall be deemed to have been made by fraud, coercion or undue influence and the Tribunal can declare such transfer as void and the senior citizen can reclaim his property. The concerned police personnel will ensure priority in dealing with these types of cases.

Abandoning a senior citizen in any place by a person who is having the care or protection of such senior citizen is a criminal offence and such person shall be punishable with imprisonment for a term which may extend to three months or fine which may extended to five thousand rupees or both. Offence is made cognizance and police can directly investigate the matter on complaint

For More Information Contact:

1. Legal service clinic, NIMHANS  
Phone no. - 080 26995743
2. Karnataka State Senior Citizens Resource Centre, NIMHANS  
Phone no. - 080 26995593  
Email: [seniorcitizens.nimhans@gmail.com](mailto:seniorcitizens.nimhans@gmail.com)