

**Bill No. 241 of 2022**

THE MAINTENANCE AND WELFARE OF PARENTS AND  
SENIOR CITIZENS (AMENDMENT) BILL, 2022

By

DR. HEENA VIJAYKUMAR GAVIT, M.P.

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*further to amend the Maintenance and Welfare of Parents and  
Senior Citizens Act, 2007.*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India  
as follows:—

1. (1) This Act may be called the Maintenance and Welfare of Parents and  
Senior Citizens (Amendment) Act, 2022.

Short title  
and  
commencement.

5 (2) It shall come into force on such date as the Central Government may, by  
notification in the Official Gazette, appoint.

Amendment of  
section 21.

2. In section 21 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the principal Act), after clause (iii), the following clause shall be inserted, namely:—

**“(iv) every senior citizen with an annual income of less than rupees twelve lakhs shall be entitled to a fixed pension amount not exceeding rupees thirty-five thousand per month from the Senior Citizen Welfare Fund, established under the Finance Act, 2015, in such manner as may be prescribed.”.**

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Amendment of  
section 22.

3. In section 22 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely,—

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**“(3) The State Government shall prescribe a comprehensive action plan with regard to digital and financial protection and wellbeing of senior citizen with respect to cyber frauds, identity theft, online banking frauds and take fast track action in that behalf.”.**

Amendment of  
section 32.

4. In section 32 of the principal Act, in sub-section (2), after clause (f), the following clause shall be inserted, namely:—

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**“(fa) a comprehensive action plan for providing protection against offenses like identity theft, financial fraud and cybercrime with regards to senior citizens under sub-section (3) of section 22.”.**

## STATEMENT OF OBJECTS AND REASONS

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was enacted on 29th December, 2007 to ensure need-based maintenance for parents and senior citizens and their welfare. It's been more than a decade now that the Act is in place, serving the needy parents and senior citizens, with the active co-operation of the State Governments and Union Territory Administrations.

With the gradual breakdown of joint family system in the society, number of cases of neglect, crime, exploitation and abandonment of parents and senior citizens are in the rise. Various High Courts have also issued orders directing the Government to review provisions of the Act.

Pensions are an assurance of continuation of consumption levels required for dignified living in the face of reduction in income due to physiological atrophy and comparatively restricted income-generating opportunities. Amendment to section 21 seeks to provide universal pension for the elderly with an income of less than twelve lakhs. Currently the Union Government contributes Rs. 200 per month, which is less than (or less than US\$3). Over the next 33 years, by 2050, 324 million Indians, or 20 percent of the population, will be above 60 years of age. If pension continues to cover only 35 percent of senior citizens as it does today, 200 million, or 61.7 percent of India's elderly population, will be without any income security by 2050. Given this fact, it is imperative that the Government active measures to ensure universal pension for the elderly. Therefore, the amendment.

To ensure online safety of senior citizens amendment to section 22 of the act places responsibility on the State Governments to spread awareness and improve standards of digital literacy among the elderly in order to protect them from high cases of cybercrime, identity theft, financial fraud and money laundering. Through amendment to section 32, the State Government has been empowered to create rules for a comprehensive action plan for providing protection against offences like, cybercrime, identity theft, financial fraud and money laundering.

Hence this Bill.

NEW DELHI;  
23 November, 2022.

HEENA VIJAYKUMAR GAVIT

*ANNEXURE*

EXTRACTS FROM THE MAINTENANCE AND WELFARE OF PARENTS  
AND SENIOR CITIZENS ACT, 2007

(ACT No. 56 OF 2007)

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Measures for  
publicity,  
awareness, etc.,  
for welfare of  
senior citizens.

**21.** The State Government shall, take all measures to ensure that—

(i) the provisions of this Act are given wide publicity through public media including the television, radio and the print, at regular intervals;

(ii) 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;

(iii) effective co-ordination between the services provided by the concerned Ministries or Departments dealing with law, home affairs, health and welfare, to address the issues relating to the welfare of the senior citizens and periodical review of the same is conducted.

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Authorities who  
may be  
specified for  
implementing  
the provisions  
of this Act.

**22. (1)** The State Government may, confer such powers and impose such duties on a District Magistrate as may be necessary, to ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within which such powers or duties shall be carried out by the officer as may be prescribed.

(2) The State Government shall prescribe a comprehensive action plan for providing protection of life and property of senior citizens.

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Power of State  
Government to  
make rules.

**32. (1)** The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the manner of holding inquiry under section 5 subject to such rules as may be prescribed under sub-section (1) of section 8;

(b) the power and procedure of the Tribunal for other purposes under sub-section (2) of section 8;

(c) the maximum maintenance allowance which may be ordered by the Tribunal under sub-section (2) of section 9;

(d) the scheme for management of old age homes, including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to the inhabitants of such homes under sub-section (2) of section 19;

(e) the powers and duties of the authorities for implementing the provisions of this Act, under sub-section (1) of section 22;

(f) a comprehensive action plan for providing protection of life and property of senior citizens under sub-section (2) of section 22;

(g) any other matter which is to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of State Legislature, where it consists of two Houses or where such legislature consists of one House, before that House.

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## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for payment of fix pension amount not exceeding rupees thirty-five thousand to every senior citizen with an annual income of less than rupees twelve lakhs from the Senior Citizen Welfare Fund. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees five hundred crore per annum.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

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*(Dr. Heena Vijaykumar Gavit, M.P.)*