

Bill No. 45 of 2019

THE OLD AGE PENSION AND REHABILITATION BILL, 2019

By

SHRI ADHIR RANJAN CHOWDHURY, M.P.

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BILL

to provide for payment of pension and provision of rehabilitation facilities to old persons.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Old Age Pension and Rehabilitation Act, 2019.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of India.

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

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government; and

10 (b) "old age person" means any person who has attained the age of sixty years or more and who has no independent and adequate means of livelihood; and

(c) "prescribed" means prescribed by rule made under this Act.

Pension to old age persons.

3. (1) Every old age person shall, on an application made in the prescribed form, be paid rupees five hundred per mensem as pension, by the appropriate Government.

(2) The Pension payable shall be subject to alteration on the basis of the prevailing cost of living index as may be determined by the Central Government.

(3) The pension referred to in sub-section (1) shall be disbursed to old age persons, by the appropriate Government through Government Treasury or any branch of nationalized bank as may be prescribed by the Central Government. 5

Facilities for infirm old age persons.

4. The infirm from amongst the old age persons shall be accommodated in "Old Persons Home" to be set up in every district by the appropriate Government.

Facilities to old age persons.

5. It shall be the responsibility of appropriate Government in their respective jurisdictions to provide old age persons,— 10

(a) free medical aid in Government hospitals and other nearest dispensaries recognized by the Government; and

(b) residential accommodation free of cost.

Setting up of Old Persons Welfare Fund.

6. (1) The Central Government shall, by notification in the official Gazette, set up a Fund to be known as the "Old Persons Welfare Fund" to carry out the purposes of this Act. 15

(2) The Fund shall consist of the sums paid into it by the Central Government after due appropriation made by Parliament by law in this behalf and all such moneys received by way of grants or donations from any individual, organisation or agency including international agency. 20

Expenses to be met out of the Fund.

7. The expenses incurred on providing the old age persons with pension and other rehabilitation facilities provided under this Act shall be met out of the Fund constituted under section 6.

Power to make rules.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. 25

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 30

STATEMENT OF OBJECTS AND REASONS

It is customary in our country for every Indian to look-after his aged parents but now the economic conditions are such that it is not possible for the low income persons to support them. Today we find millions of old persons who are unable to take care of themselves or who do not have sufficient means or any support to lead a happy life. These people, who are without any source of income, live in hunger and are left uncared for. The majority of the aged are still left to fend for themselves. Our country, being a welfare State, should provide social security to such old and infirm persons.

The Bill seeks to give impetus to the new social order and seeks to provide pension, medical and residential facilities to old age persons.

NEW DELHI;
June 3, 2019.

ADHIR RANJAN CHOWDHURY

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the payment of pension at the rate of rupees five hundred per month to such old age persons who have attained the age of sixty years or more and who have no independent and adequate means of livelihood. Clause 4 provides that infirm persons from amongst the old age persons shall be accommodated in old persons homes to be set up in every district. Clause 5 provides for medical aid and residential facilities free of cost to old age persons. Clause 6 provides for the constitution of Old Persons Welfare Fund by the Central Government. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India.

It cannot be estimated at this stage as to how many old age persons will need assistance from the Central Government. However, an annual recurring expenditure of about rupees one thousand crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure to the tune of about rupees ten crore will also be involved at the initial stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri Adhir Ranjan Chowdhury, M.P.)