

**Bill No. 118 of 2019**

**THE MANDATORY BASIC FACILITIES FOR NEGLECTED SENIOR  
CITIZENS, WIDOWS AND ORPHANS BILL, 2019**

By

SHRI SUDHAKAR TUKARAM SHRANGARE, M.P.

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**BILL**

*to provide for mandatory basic facilities like housing, food, water, medicine and  
security to neglected senior citizens, widows and orphans.*

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

**1.** (1) This Act may be called the Mandatory Basic Facilities for Neglected Senior Citizens, Widows and Orphans Act, 2019.

Short title,  
extent and  
commencement.

5 (2) It extends to the whole of India.

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

- Definitions. **2.** In this Act, unless the context otherwise requires,—
- (a) "appropriate Government" means in the case of a State, the Government of that State and in other cases, the Central Government;
- (b) "neglected senior citizen" means any person who has attained the age of sixty years and has no facility for shelter or has any relative to provide shelter; 5
- (c) "orphan" means a child who is below fourteen years of age and is without parents or willing and capable legal or natural guardian or other relatives to take his minimum basic care;
- (d) "prescribed" means prescribed by rules made under this Act; and
- (e) "widow" means any woman who has not remarried after the death of her husband and who does not have any facility for shelter. 10
- Framing a National Policy. **3.** The Central Government shall, as soon as may be, but within six months of the commencement of this Act, by notification in the Official Gazette, frame a national policy for protection and welfare of the neglected senior citizens, widows and orphans.
- Establishment of Residential Centres. **4. (1) The appropriate Government shall establish residential centres for the neglected senior citizens, widows and orphans.** 15
- (2) Every residential centre shall have the capacity of minimum eighty and maximum two hundred persons to live in at a time.
- (3) Every residential centre shall be arranged in such a way to accommodate two orphans, one senior citizen and one widow in one unit. 20
- Residential centres to have proper facilities for the beneficiaries. **5. The appropriate Government shall—**
- (a) provide housing, food, water, medicine, security and the minimum resources necessary to lead a balanced and healthy life in every residential centre;
- (b) set up a domestic production unit for employment generation in every residential centre; and 25
- (c) provide educational facilities for orphans.
- Constitution of Management Committee. **6. (1) The appropriate Government shall, by notification in the Official Gazette, constitute in each State a Managing Committee to monitor, supervise and coordinate the functioning of the residential centres established under sub-section (1) of section 4.**
- (2) The Management Committee shall consist of:— 30
- (i) a Chairperson;
- (ii) Secretary, Social Welfare Department of the State Government concerned, member;
- (iii) a senior-most senior citizen from the residential centre, member;
- (iv) an oldest widow from the residential centre, member; 35
- (v) an eminent social worker, member;
- to be nominated by the appropriate Government in such manner as may be prescribed.
- (3) The salary and allowances payable to and other term and conditions of service of Chairperson, and members of the Managing Committee and the procedure to be followed in the discharge of its functions shall be such as may be prescribed. 40
- (4) The residential centres shall have such members of staff with such terms and conditions of services as may be prescribed, from time to time.

**7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds for the implementation of the provisions of the Act.**

Central Government to provide fund.

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

Power to make rules.

5           (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  
10 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.

## STATEMENT OF OBJECTS AND REASONS

In the last one decade, the old age population in the country has risen by 39.3 per cent. This segment of population is expected to rise by 45-50 per cent in the coming decades. Because of the continual nuclearization of families in the society, they have to suffer from several problems on their own. There are more than a thousand old age homes in India but they have not been able to yield expected results. In a similar way, there are also a large number of widows in the country who are not only discriminated in their family but also in the entire society. In several cases, they are deprived of basic support and assistance. The necessity today is to create and promote a propitious environment whereby these widows can live their remaining lives in a socially productive and dignified manner. There is also a large section of the population of orphan kids who are without any support and who live a destitute life. Most of these kids are either subjected to child labour or are addicted to drugs or are involved in illegal organ trading.

The need is to bring these three disadvantaged sections of society under one roof of residential centre where they can use their mutually cooperating roles in a socially conducive manner. Widows should be encouraged to undertake the role of mother for orphan children and neglected old citizens should play the role of guardians for both of them. This would make facilitate a family environment for all of them. Through these centres, along with basic facilities such as food, shelter and clothing, an opportunity to live a more dignified life can be given to all these three sections in the society—old age, widows and destitute children. This arrangement would definitely make their lives happy by mutually interdependent and emotional bonding. In these centres the neglected, suffering and deprived classes of our society would be able to live a life free from deprivation and many other problems.

The most important reason to establish the residential centres is to create a unified shelter for various needy sections instead of separate orphanages, widow ashrams, old age homes, etc. Two distinctive benefits that should arise from such arrangement are that on one hand there would be a reduction in Government spending on infrastructure, human resources, etc. and, on the other hand, these disadvantaged groups would have an opportunity to take care of each other and live a better life with emotional, social and mental satisfaction.

Hence this Bill.

NEW DELHI;  
*June 6, 2019.*

SUDHAKAR TUKARAM SHRANGARE

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for establishment of the residential centres all over the country for use of the neglected senior citizens, widows and orphans. Clause 5 provides that appropriate Government shall ensure residential centres to have proper basic facilities to the beneficiaries. Clause 6 provides for constitution of Management Committee in each State to monitor, supervise and coordinate the functioning of the residential centres. Clause 7 provides that Central Government shall provide adequate funds for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one thousand crore may involve as recurring expenditure per annum from the Consolidated Fund of India.

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

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

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

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*(Shri Sudhakar Tukaram Shrangare, M.P.)*