

**Bill No. LX of 2015**

THE COMPULSORY BASIC FACILITIES FOR NEGLECTED SENIOR  
CITIZENS, WIDOWS AND ORPHANS BILL, 2015

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

Be it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Compulsory Basic Facilities for Neglected Senior Citizens, Widows and Orphans Bill 2015. Short title, and commencement.

(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 other cases, the Central Government;

10 (b) "neglected senior citizen" means such an old man or woman who is more than sixty years of age and has no facilities for shelter or any relatives to provide him or her shelter.

(c) "orphan" means a child who is below fourteen years of age and is without parents or other relatives to take his or her minimum basic care.

15 (d) "prescribed" means prescribed by rules made under this Act.

(e) "widow" means any woman who has not remarried after the death of her husband and who does not have any facilities for shelter.

Framing a National policy.	<p><b>3.</b> The Central Government shall as soon as may be, but within six months of the commencement of this Act, by notification frame a national policy for protection and welfare of the neglected senior citizens, widows and orphans.</p>	
Establishment of Residential Centres.	<p><b>4. (1)</b> The appropriate Government shall establish residential centres all over the country for use by the neglected senior citizens, widows and orphan free of cost.</p> <p>(2) The residential centre shall have the capacity of minimum eighty and maximum two hundred persons to live there at a time.</p> <p>(3) Stay arrangement in the residential centre shall be such that for every two orphans there is one senior citizen and one widow.</p>	5
Residential centres to have proper facilities for the beneficiaries.	<p><b>5.</b> The appropriate Government shall ensure that—</p> <p>(a) housing, food, water, medicine, security and the minimum resources necessary to lead a balanced and healthy life in the Centre is provided.</p> <p>(b) employment opportunities in the form of domestic production units is set up in the centre for interested men or women.</p>	10
Management and Operation of the Residential centres.	<p><b>6. (1)</b> At each Residential Centre there shall be a Managing Committee to Oversee the functioning of the residential centre consisting of:</p> <p>(i) the Chairman of the local bodies, Chairman</p> <p>(ii) Secretary, Social welfare department, Member</p> <p>(iii) a senior-most senior citizen from the Residential Centre, -do-</p> <p>(iv) an oldest widow from the Residential Centre, -do-</p> <p>(v) a local eminent social worker nominated by the appropriate Government. -do-</p> <p>(2) The term of the office of the Chairman, Secretary and members of the Managing Committee and the procedure to be followed in the discharge of the functions of the Committee shall be such as may be prescribed.</p> <p>(3) The Residential Centres shall have such members of staff with such terms and conditions of services as may be prescribed from time to time.</p>	15 20 25
State Monitoring Board.	<p><b>7. (1)</b> The appropriate Government shall set up in each State, the State Monitoring Board to monitor, supervise and coordinate the Residential Centres operating in each district. The board shall comprise—</p> <p>(i) Chairman of the State Women Commission, Chairman</p> <p>(ii) Secretary, Social Welfare department, Member</p> <p>(iii) an eminent social activist nominated by the appropriate Government, Member.</p> <p>(2) The term of the office of the Chairman, Secretary and members of the Board and the procedure to be followed in the discharge of the functioning of the board shall be such as may be prescribed.</p> <p>(3) The Board shall have a secretariat with such officers and staff and with such terms and conditions of services as may be prescribed from time to time.</p>	30 35
Central Government to provide Fund.	<p><b>8. (1)</b> The appropriate Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite fund for carrying out the purposes of this Act.</p> <p>(2) The share of the Centre and the State for financing the operation of the Residential Centres shall be such as may be prescribed by rules made under this Act.</p>	40
Power to make rules.	<p><b>9.</b> The Central Government may, by notification in the Official Gazette make rules for carrying out the purposes of this Act.</p>	45

## STATEMENT OF OBJECTS AND REASONS

In the last one decade, the old age population in the country has risen by 39.3%. This segment of population is expected to rise by 45-50% 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 a conducive climate whereby these widows can live their remaining lives in a productive and happy 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 they are addicted to drugs or are involved in illegal organ trading.

The Bill provides integrated provisions to bring these three disadvantaged sections of the society under one roof where they can use their mutual cooperating role. The need of the hour is to bring together these three sections of the society in a socially conducive manner. Widow women should undertake the role of mother for orphan children and neglected old citizens should play the role of guardian for both of them. This should make 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. It is also important that this arrangement should make their lives happy by mutually interdependent and emotional bonding. In these Centres the neglected, suffering and deprived classes of our society should be able to live a life where they should be free from deprivation and many other problems.

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

Hence this Bill.

VIVEK GUPTA

#### 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, widow and orphans. Clause 5 provides that appropriate Government shall ensure residential centres to have proper basic facilities to be beneficiaries. Clause 6 provides for management and operations of the residential centres by the management committee. Clause 7 provides for establishment of monitoring board across the country. Clause 8 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 not possible to quantify the expenditure at this juncture. However, it is estimated that a sum of rupees one thousand crore may involve as recurring expenditure per annum.

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

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 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 details only, the delegation of legislative powers is of a normal character.

RAJYA SABHA

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*(Shri Vivek Gupta, M.P.)*