

**GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

**UNSTARRED QUESTION NO. 1754
TO BE ANSWERED ON 02.07.2019**

PROTECTION OF OLDER PERSONS

**1754. SHRI GAJANAN KIRTIKAR:
SHRI BIDYUT BARAN MAHATO:
SHRI SUDHEER GUPTA:**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether ageing has become a major social challenge and more care and protection is needed to be given to parents/ older persons and if so, the details thereof;
- (b) whether the Government has formulated a simple, inexpensive and speedy mechanism for parents/senior citizens to claim maintenance from their children/relatives and if so, the details thereof;
- (c) whether the Delhi High Court has given a ruling in which authorities can force the eviction of children who do not maintain their parents/senior citizens from their self acquired property; and
- (d) if so, the details thereof and the response of the Government in this regard?

ANSWER

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI RATTAN LAL KATARIA)**

(a) & (b): As per Census 2011, senior citizens comprise 8.57% of the total population. Projected population of Senior Citizens by the year 2026 is 12.4%.

To ensure care and protection of this growing population of senior citizens, the Government of India has enacted The Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act in 2007 to ensure need based maintenance for parents and senior citizens and their welfare. The Act *inter-alia* provides for maintenance of parents/ senior citizens by children/ relatives made obligatory and justiciable through Tribunals, Revocation of transfer of property by senior citizens in case of neglect by relatives, Penal provision for abandonment of senior citizens, Establishment of Old Age Homes for Indigent Senior Citizens, Adequate medical facilities and security for Senior Citizens. The MWPSA Act, 2007 has been notified by all State Governments and UT Administrations, except Jammu and Kashmir, where the Act is not applicable, and Himachal Pradesh has its own Act.

(c) & (d): For protection of senior citizens and parents, it has been informed by Government of NCT of Delhi, that under Section 22 of the Delhi Maintenance and Welfare of Parents and Senior Citizens (Amendment) Rules, 2016, the Government has included the provision for eviction of children or legal heirs from the self acquired property of parents/senior citizens, if parents/senior citizens are ill-treated and not maintained by such children/legal heirs. Deputy Commissioner/District Magistrate shall issue such eviction order and has the powers to enforce the eviction order through Police.
