

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

**UNSTARRED QUESTION NO.5511
TO BE ANSWERED ON 05.04.2022**

MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007

5511. SHRI RAJMOHAN UNNITHAN:

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

- (a) whether the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 has been passed by Union Government and Kerala State Government, if so, the current status of this Act;
- (b) the number of cases that have been settled under the said Act in the country and in the State of Kerala;
- (c) whether the Government has taken any steps to ensure that maintenance allowance is paid to those who are entitled to it within 90 days of filing the case under the act and if so, the details thereof;
- (d) whether the Section 17 of this Act has been diluted by the Orders of the Kerala High Court dated 31 March, 2021 and if so, the details thereof;
- (e) whether the Government has taken note that the recently passed Advocate Act allowed the lawyers to participate in Tribunal proceedings under the said Act and if so, whether the Union Government has taken any action thereon; and
- (f) whether the Government proposes to take steps to restore Section 17 of the Maintenance of Parents and Senior Citizen Act, 2007, if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SUSHRI PRATIMA BHOUMIK)**

- (a): The Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act, 2007 has been passed by the Parliament on 29-12-2007. As per Section 1(3) of the MWPSA Act, all States and Union Territories have notified the Act. The State Government of Kerala has notified the Act on 24-09-2008 and the Rules under the Act on 28-08-2009. The State has constituted Maintenance Tribunals, Appellate Tribunals and designated District Social Justice Officers as Maintenance Officer on 17-08-2009. Presently, 27 Maintenance Tribunals and 14 Appellate Tribunals are working in the State.

- (b): As per available records, more than 20,000 cases have been settled so far under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. State Government of Kerala has disposed of 4232 petitions in the year 2021.

(c): As per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, application for the maintenance allowance shall be disposed of within 90 days from the date of notice served to the applicant. For early disposal of such cases, the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, introduced in the Lok Sabha on 11-12-2019, has the provision to dispose of maintenance application within 90 days from date of filing, and not from the date of service of notice to the applicant.

(d) to (f): As per Section 17 of the Maintenance of Parents and Senior Citizen Act, 2007, no party to a proceeding before a Tribunal or Appellate Tribunal shall be represented by a legal practitioner so that easy, affordable and less time consuming justice may be made accessible to the senior citizens.
