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## MAINTAIN SENIOR CITIZENS LIST U/S 21 OF KARNATAKA MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS RULES, 2009 IN EACH POLICE STATION



By : M.S.Yatnatti Editor and Video Journalist Bengaluru : Our nation is facing a crisis in ageing as we attempt to understand and prepare to meet the needs of millions of older adults, current and future. Public and private sectors are engaged in a dialogue to address the needs of a diverse ageing population; to promote their dignity and independence, and expand opportunities for current and future generations of older persons. In 2006, the United Nations General Assembly declared June 15th as "World Elder Abuse Awareness Day". There is no better time than now to discuss ways to combat this social malaise that has crept into our families and communities unchallenged.

Reportedly Officials at several police stations in Bengaluru have not been effective in implementing action plans for the protection of senior citizens specified by the state government .Section 21 of Karnataka Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 specifies an action plan for the protection of life and property of senior citizens, which includes maintaining an up-to-date list of senior citizens living within their jurisdiction, especially seniors who live alone. Reportedly Ageing is a natural process, which inevitably occurs in human life cycle. It brings with a host of challenges in the life of the elderly, which are mostly engineered by the changes in their body, mind, thought process and the living patterns. Ageing refers to a decline in the functional capacity of the organs of the human body, which occurs mostly due to physiological transformation, it never imply that everything has been finished. The senior citizens constitute a precious reservoir of such human resource as is gifted with knowledge of various sorts, varied experiences and deep insights. May be they have formally retired, yet an overwhelming majority of them are physically fit and mentally alert. Hence, given an appropriate opportunity, they are in a position to make significant contribution to the socio-economic development of their nation. Reportedly The Karnataka High Court recently directed the State government to ensure that each police station maintains an up-to-date list of senior citizens in its jurisdiction, if no such list is maintained as per provisions of the Karnataka Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.Observing that it is high time the State government prescribes a comprehensive action plan for protecting the life and property as per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the Rules, the high court said that the government is required to provide a helpline to senior citizens in taluk and district headquarters as well.Justice Ashok B. Hinchigeri passed the order while disposing a petition filed by 70-year-old Pachamma. She was living in a house, allotted by the Karnataka Slum Development Board, at New Byappanahalli in Bengaluru since 1970. She had borrowed Rs. 30,000 from S. Karunakaran, a money lender, in 1996, as her child was suffering from heart related ailments. She had repaid the loan within six months. She alleged that Karunakaran had secured her signature on a blank sheet of paper at the time of giving money to her and continued to demand more money. With the help of his henchmen, he removed her from her house in 2008 and illegally took possession of the property.On her complaint, Byappanahalli police had registered a case under provisions of the Karnataka Prohibition of Charging Exorbitant Interest Act and the Prize Chit and Money Circulation Schemes (Banning) Act. However, the court noted that the police had not filed a charge sheet, for reasons best known to them, against Karunakaran for taking possession of her house unlawfully. The court directed the police commissioner to restore the house to her after verifying the facts while asking the State to ensure that an action plan is in place for the protection of life and property of senior citizens as per Section 21 of the Rules framed in 2009.

An Act is passed by central government in 2007 for the welfare and extra protection of the senior citizen including palliative care. This Act is called Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Byatarayanapura Police Station Mysore Road have to treat this case gently and carefully and cannot harass the complainant as he is older and elder . He is owning as per the registered documents dated 09-03-1989 and whether opponent take it vertically or horizontally he owns half the property and he need his half property in possession as he is old age and senior citizen need police help before he dies .The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was assented by The President on December 29, 2007. This Act makes it legal obligation for children to provide maintenance to parents and senior citizens. The Act is in consonance with Article 21 of The Indian Constitution. Indian society lays high importance to provide care and protection to senior citizens. However, withering of human values has led to culmination of selfishness, leading to challenges faced by senior citizens. The aim of the Act is to provide maintenance to senior citizens casting an obligation on children and relatives of senior citizens to look after them. The act provides for protection of life and property of such citizens and also for setting up of old age homes.

According to reports the entire Act is divided into six main chapters dealing with definitions, maintenance of parents and senior citizens, establishment of old age homes, medical care, protection of life and property and offences. Senior citizen is defined as any person above the age of sixty years. Children include son, daughter, grandson and granddaughter. Relatives shall include all persons in possession of or the ones inheriting property of a senior citizen. Parents shall include both mother and father even if not 60 years of age.Sections 4 to 18 deal with maintenance of parents and senior citizens. People entitled for maintenance under the Act are parent, grandparents and senior citizens who are unable to maintain themselves. All the parents and grandparents unable to maintain themselves are entitled for maintenance by their children. In case of childless senior citizens the relatives shall do all the necessary to maintain such senior citizens. Maintenance here would mean food, clothing, residence, medical attendance and treatment. Maximum amount which may be ordered for maintenance of a senior citizen by Tribunal shall be as prescribed by the State Government.

No civil court shall have jurisdiction to conduct proceedings under the provisions of the Act. Application for maintenance shall be made by senior citizen to the tribunal. Tribunal shall be 'maintenance tribunal' established under section 7 of the Act. The application shall contain name, address and all other necessary details of persons from whom maintenance is being demanded. Incase there is more than one child or relative then maintenance shall be claimed from all such persons depending on their means of income. Maintenance proceedings shall be initiated in the district where the parents or senior citizens reside or where the children or relatives reside. In matters where parents and senior citizens are not in a position to make an application, any other person, voluntary organisations registered under Societies Registration Act 1860 shall make an application, or tribunal suo motu shall take cognizance of the matter. Once an application for maintenance is received by a tribunal, it shall issue notices to children's or relatives, conduct hearing, record evidence and finally decide the maintenance. Maintenance officer not below the rank of District Welfare Officer shall be appointed who incase required shall represent parent or senior citizen. Tribunal under the Act has power to initiate reconciliation proceeding or pass interim orders for maintenance before initiating proceedings. Incase the person who by an order of tribunal is directed to pay maintenance fails to do so, tribunal may impose fine or impose imprisonment on such person. The provisions of the Act are equally applicable on children and relatives, not residing in India. Incase a senior citizen is not satisfied with order of the Tribunal he shall appeal before Appellate Tribunal constituted under section 15 of the Act. Act provides for legal representation to senior citizens.Act under chapter V provides for establishment of old age homes atleast one in every district. These homes shall be equipped with entertainment sources and medical facilities. Section 20 provides for availability of medical facilities to these citizens. Senior citizens shall have reservation of beds in hospitals, separate queues, and facilities for treatment of chronic diseases. In certain circumstance where children or relatives have promised to take care of senior citizen in lieu of property transfer, such children or relative shall provide for basic amenities to such senior citizen. Failure to provide basic amenities shall deem the transfer as fraudulent and is liable to be cancelled. Where children or relative has completely abandoned a senior citizen he shall be guilty under the Act and shall be sentence for an imprisonment of 3 months or with fine of rupees five thousand or both.

I have asked Bangalore police to provide me information and action taken report and copy of FIR in respect of Police Compliant filed Before The Police Inspector & SHO,Byatarayanapura Police Station, Byatarayanapura by C.V.Vasudeva(about 75 years age ) against Smt Sreedevi w/o Late B.N.Balaji residing at No 15 Brindavana Opposite Mysore Railway Track Bapujinagar Mysore Road Road Bangalore-560026 Mobile 9008287773 for criminal tress pass and committed fraud by collecting and not giving rent in his portion of property belonging to him and for criminal intimidations and removing his tenants and putting her tenants in his portion of property by creating false documents and records and threatening him and his tenants whoever visit there for enquiries . C.V.Vasudeva(about 75 years age ) has alleged that Mr B.N.Umashankar residing at No 12/43 Saibaba Road Sanjivini Nagar Mudalpalaya Bangalore-560072 Mobile: 9886136002 and 9880564025 is helping Smt Sreedevi w/o Late B.N.Balaji to commit this crime and abetting the crime against him .Request to take action as per law and IPC.He Request is made to police to act on his complaint and file an FIR and stop the tress pass .First file an FIR against Smt Sreedevi w/o Late B.N.Balaji and Mr B.N.Umashankar s/o Narayanswamy under section 448 468 420 506 and Read with other relevant sections of IPC and then investigate .It is pertinent to note that C.V.Vasudeva(about 75 years age ) owns the half portion of the house but he is presently staying at rental house with his family at different place fearing criminal activities of his relatives. . It is to be noted that C.V.Vasudeva(about 75 years age ) have not taken any money from his in-laws and neither he have sold the property to anybody and his opponanats are spreading false allegations to knock out his property in his old gae .He is old age senuor person need police help .If opponants have any document let them produce and prove it. Without documents it is blatant lie and injustice to C.V.Vasudeva(about 75 years age ) . Original papers were stolen by his in-laws Prasad and others from his house that is the reason he have produced certified copies..

Bangalore, the Pensioners Paradise is the preferred destination after retirement for a growing number of elders. The breakup of joint family system and the emerging new life style are ushering in new needs and problems to senior citizens. Many elders suffer in silence, physical abuse, harassment, financial exploitation and insecurity. It is time society came to the rescue of elders assuring them a life of dignity and security. The sad truth is that Bangalore like most other Indian cities is woefully lacking in exclusive facilities for the redressal of the problems of elders in distress.Most of the problems begin at home. Elders are deprived of their legitimate rights. Children forget their duties and responsibilities. Loneliness or living alone in independent houses, display of wealth and unreliable service providers cause many hardships to elders. They are deprived of self respect and financially exploited. Medical facilities denied, cases of physical and mental abuse, abandonment and desertion have become common.As most of the harassment and exploitation are by close family members who are the only care takers, the suffering elders seldom open their mouth. Cases are not reported for fear of more abuse and other dire consequences.The National Policy for Elders also upholds elders legitimate rights which include staying with family and ensuring protection from abuse and exploitation.The need of the hour is a strong and reliable support system to identify and bring out cases and to provide efficient and lasting solution.

Hence the Elders Helpline.This Helpline is a joint effort of people who have long association and experience with elders and their problems. It is the first of its kind in Bangalore and a boon to elders in distress who are above 60 years of age.The expertise and services of the Bangalore City Police and the Nightingales Medical Trust are now readily available under one roof. This unique facility will make Bangalore a better and safer place for elders to live in.Qualified and committed social workers, counselors, dutiful police personnel and service-minded volunteers are on duty. These are services elders can rely on. Above all, services are free and within easy reach.The participation of Bangalore City Police, noted for pro-active policing and social commitment adds extra confidence and reliability to the elders and makes the Elders Helpline structurally more solid and broad based.For Nightingales Medical Trust, a Bangalore based NGO, who have already established a name as providers of quality and need based services to senior citizens, this is yet another step in the right direction to enrich the lives of elders.

The Elders Helpline is professionally managed and in close partnership with police officials, legal and security experts, volunteers and members of Nightingales Elders Enrichment Centre and other NGOs.



- The Elders Helpline is staffed by a team of qualified and committed social workers, counselors and volunteers.
- Assisted by the Police and the members of Nightingales Elders Enrichment Centre.
- Police officials, legal, financial and security experts and other service organizations are associated.
- The Elders Helpline is available to elders living within Bangalore City limits.
- Rendering all possible timely support to elders in distress
- Counselling, analyzing the nature of the problems and remedial measures
- All efforts for reconciliation, relief and reunion
- For serious cases, police intervention and legal proceedings arranged
- Medical cases referred to nearby hospitals
- Rehabilitation in old age homes
- Working with other service agencies and related government departments
- Information related to personal security, medical needs and other day- to-day needs
- Creating awareness about elders rights, children's responsibilities and minimizing crime and violence against elder.

Launched on 10th April 2002, as a joint project of Bangalore city Police and Nightingales Medical Trust, the Elders Help line gets about 25 calls every day from Elders in distress with different problems. The problems include family problem, legal disputes, harassment, rehabilitation and medical help. Senior citizens have got dedicated helpline Telephone number from police commissioner office. Elders Helpline promises to assist the elderly who have been targeted by criminals. Bangalore police will be the only police force in the country running such facilities for children, women and the elderly, he added. In 1998-99, the then police commissioner office runs help lines for children and women makkala sahayavani (1098) and vanitha sahayavani (1099). Once proudly called the pensioners' paradise, Bangalore has lately become unsafe for senior citizens and few elderly people have been murdered and homes for the aged were looted and attacked. The helpline will enable the police to stop such crimes to an extent, 'it will be run with the help of NGOs. Police is committed to make efforts to solve the problems faced by senior citizens. Bangalore city police 1090 (toll free), 080 2294 3226 [www.nightingaleseldercare.com](http://www.nightingaleseldercare.com) Helpline India 1800 180 1253 (toll free), 080 2671 6867 [www.helpageindia.org](http://www.helpageindia.org)

Reportedly Harassment of senior citizens in city rife: A city-based helpline for the elderly has seen a steep rise in calls from senior citizens who have been abused in some way or another. The senior citizens face harassment from their family members and some are given a hard time by various public and private agencies or old age homes. In 2013-14, there was a 148 percent increase in calls reporting abuse by family members over the comparable figure for the year before. The Elders Helpline (1090), which is a joint project of Bangalore City Police and Nightingales Medical Trust has received 111,163 calls from senior citizens in the past four years relating to various problems. The Elders Helpline provides senior citizens with assistance including legal advice, counseling, conciliation, police intervention and assistance with pension matters. Sandhya, the coordinator of the helpline said: "We receive 20 to 30 calls per day by the senior citizens. Around 35 to 40 complaints are registered monthly, and it mostly includes family members and organizations that reportedly harass and cheat the senior citizens." According to the helpline's website, it propagates Nightingales Medical Trust's vision of ensuring a life of dignity and security to all elders, by combating harassment and abuse. It is a project which provides free services. "Our staff includes social workers, counselors, volunteers, legal professionals and police personnel," Sandhya said. Reportedly Statistics from April 2013 to June 2015 shows the rapid increase in number of complaints and calls the helpline received from senior citizens. A majority of the complaints against their own children and relatives are about ill-treatment, financial disputes and property-related cases, while the rest are petty issues such as harassment from neighbours, being cheated by bill collection boys and shop-keepers. As reported Ageing is a natural process, which inevitably occurs in human life cycle. It brings with a host of challenges in the life of the elderly, which are mostly engineered by the changes in their body, mind, thought process and the living patterns. Ageing refers to a decline in the functional capacity of the organs of the human body, which occurs mostly due to physiological transformation, it never imply that everything has been finished.

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