



**THE ADMINISTRATION OF UNION TERRITORY OF LADAKH  
SOCIAL AND TRIBAL WELFARE DEPARTMENT**

**NOTIFICATION**

Ladakh, the \_\_\_\_\_ February, 2023

S.O.....In exercise of the powers conferred by sub section (1) read with sub section (2) of section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Act No.56 of 2007), the Administration of UT of Ladakh hereby makes the following Rules, for the Maintenance and Welfare of Parents and Senior Citizens in Ladakh. These Rules shall come into effect from the date of publication in Official Gazette after the approval of the Lieutenant Governor, UT of Ladakh, hence hereby published for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of **fifteen (15) days** from the date on which the copy is made available to the public;

Objection and suggestions, if any, may be addressed to Social & Tribal Welfare, Department UT of Ladakh or by email at [stw-ladakh@ladakh.gov.in](mailto:stw-ladakh@ladakh.gov.in)

The objections and suggestions which may be received from any person with respect to the said draft rules before the expiry of the period specified above, will be considered by the Administration of Union territory of Ladakh.

**CHAPTER I  
PRELIMINARY**

1. **Short title and commencement.** – (1) These rules may be called ‘the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023’.
- (2) They shall come into force from the date of their publication in the Official Gazette.
2. **Definitions.** – (1) In these rules, unless the context otherwise requires: -
  - (a) “Act” means the Maintenance and Welfare of Senior Citizens Act, 2007 (Central Act. No.56 of 2007);
  - (b) “Application” means an application made to a tribunal under section 5 of the Act;
  - (c) “Administration” means the Administration of Union territory of Ladakh.
  - (d) “Form” means a form appended to these rules;
  - (e) “Inmate” means in relation to an old age home, a senior citizen duly admitted to reside in such a home;
  - (f) “Opposite party” means the party against whom an application for maintenance has been filed under section 4;
  - (g) “Old Age Institution” means any home or institute extending facilities or services to the older persons, whether residential or not;
  - (h) “Presiding Officer” means an Officer appointed to preside over a Maintenance Tribunal referred to under sub section (2) of section 7, or an Appellate Tribunal under sub section (2) of section 15;
  - (i) “Schedule” means a schedule appended to these rules;
  - (j) “Section” means a section of the Act;
- (2) Words and expressions defined in the Act but not defined in these rules shall have the meanings respectively assigned to them in the Act.

**CHAPTER II  
PROCEDURE FOR MAINTENANCE TRIBUNAL AND CONCILIATION OFFICERS**

3. **Panel for appointment as Conciliation Officers.** – (1) Every Tribunal shall prepare a panel of persons suitable for appointment as Conciliation Officer under sub section (6) of section 6, which shall include the Maintenance Officers designated under section 18.

(2) Persons referred to under sub-rule (1), other than Maintenance Officers designated under Section 18, shall be chosen subject to fulfilling the following conditions, namely: -

- i. he should be associated with an organization which is working for the welfare of Senior Citizens and or Weaker Sections, or in the area of Education, Health, Poverty Alleviation, Women's Empowerment, Social Welfare, Rural Development or related fields, for at least two years with an unblemished record of service;
- ii. he should be a senior office-bearer of the organization; and
- iii. he should possess knowledge of law:

Provided that a person who is not associated with an organization of the kind mentioned above, may also be included in the panel mentioned in sub-rule (1) subject to fulfilling the following conditions, namely: -

- (i) he must have a good and unblemished record of public service of minimum two years in one or more of the areas mentioned in clause 2 (a); and
- (ii) he should possess knowledge of law.

(3) The Tribunal shall publish the panel mentioned in sub-rule (1) for general information at least once in every year, on 1<sup>st</sup> January and every time any change is effected therein.

(4) The following persons shall not be eligible to be appointed as Conciliation Officer in any proceeding namely:-

- (i) Any person who is interested in or connected with or is related to any one of the parties or to those who represent them unless such objection is waived by the parties in writing.
- (ii) Any legal practitioner who has appeared for either of the party in the case or any other suit or proceeding connected therewith.

**4. Procedure for filing an application for maintenance and its registration.** - (1) A senior citizen including parent who is unable to maintain himself/herself from his/her own earning or out of the property owned by him/her, shall be entitled to make an application under section 4 in Form 'A' duly satisfying the clauses (a) and (b) of sub-section (1) of section - 5, through registered post, e-mail or any other manner as may be prescribed.

(2) On receipt of an application under sub-rule (1), the Presiding Officer shall cause-

- (i) its essential details to be entered in a Record of Maintenance Claim cases to be maintained as in the **Form -M** and
- (ii) Application shall be acknowledged in **Form 'B'**, notwithstanding anything contained in rule 5, to the applicant or his/her authorized representative in case of hand delivery, and its dispatch by post in other cases and the acknowledgement shall specify, inter alia, the registration number of the application.
  - a. Where the Tribunal takes cognizance of a maintenance claim, *suo motu*, the Presiding Officer shall, after ascertaining facts, get **Form 'A'** completed as accurately as possible, through the staff of the Tribunal, and shall, as far as possible, get it authenticated by the concerned Senior Citizen or parent, or any person or organization authorized by him/her and shall cause the same to be registered in accordance with clause (a) of sub- rule (2) above.
  - b. An application filed under sub-section (2) of section 5 for monthly allowance, for maintenance and expenses, shall be disposed off within ninety days from the date of the service of notice of the application to such person;
 

Provided that the Tribunal may extend the said period, once for a maximum period of 30 days in exceptional circumstances for the reasons to be recorded in writing.
  - c. The Tribunal may take the assistance of a person possessing special knowledge of any matter relevant to the enquiry or an office bearer of any registered organization of Senior Citizens.
  - d. It shall not be necessary to present a separate application to seek an interim maintenance order or direction, if the application contains a request seeking an interim maintenance order or direction pending final disposal of the application.

- e. An applicant may, subsequent to the filing of application under section 4 of the Act, apply for an interim order or direction. Such application shall, as far as possible, be in the same form as is prescribed for an application under Rule 4(1).

- 5. Preliminary Scrutiny of the application.** – (1) On receipt of an application under sub-section (1) of section 5, the Tribunal shall satisfy itself that-
- the application is complete and
  - the opposite party has, prima facie, an obligation to maintain the applicant in terms of section 4
- (2) In case where the Tribunal finds any lacunae in the application, it may direct the applicant to rectify such lacunae within a reasonable time limit.
- 6. Notice to the Opposite Party.** – (1) Once the Tribunal is satisfied on the points mentioned in sub-rule (1) of rule 5, within 7 (seven) working days from the date of receipt of the application by the Tribunal, it shall cause to be issued to each person against whom an application for maintenance has been filed, a notice in Form 'C' directing them to show cause why the application should not be granted, along with a copy of the application and its enclosures, in the following manner:-
- by hand delivery (Dasti) through the applicant if he/she so desires else through a process server, or
  - by registered post with an acknowledgement due.
- (2) The notice shall require the opposite party to appear in person, on the date to be specified in the notice and to show cause, in writing as to why the application should not be granted and shall also inform that, in case he/she fails to respond to it, the Tribunal shall proceed ex-parte.
- (3) Simultaneously with the issue of notice under sub-rules (1) and (2), the applicant(s) shall also be informed of the date mentioned in sub-rule (2), by a notice in **Form 'D'**.
- (4) The provisions of Order V of the Code of Civil Procedure, 1908, shall apply *mutatis mutandis*, for the purpose of service of notice under sub-rules (1) (2) and (3).
- (5) The Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Tribunal shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. (2 of 1974)
- 7. Procedure in case of non- appearance by the Opposite Party:** - In case, despite service of notice, the opposite party fails to show cause in response to a notice, the Tribunal shall proceed ex-parte, by taking evidence of the applicant and making such other inquiry as it deems fit, and shall pass an order disposing of the application.
- 8. Procedure in case of admission of claim:** - In case, on the date fixed in the notice issued under rule 6, the opposite party appears and accepts his /her liability to maintain the applicant, and the two parties arrive at a mutually agreed settlement, the Tribunal shall pass an Order accordingly.
- 9. Procedure for impleading children or relatives.** – (1) An application by the opposite party, under the proviso to sub-section (5) of section 5, to implead any other child or relative of the applicant shall be filed on the first date of hearing as specified in the notice issued under sub-rule (2) of rule 6:
- Provided that no such application shall be entertained after such first hearing, unless the opposite party shows sufficient cause for filing it at a later stage.
- (2) On receipt of an application under sub-rule (1), the Tribunal shall, if it is prima facie satisfied, after hearing the parties, about the reasonableness of such application, issue notice to such other child, or relative to show cause why they should not be impleaded as a party, and shall after giving them an opportunity of being heard, pass an order regarding their

implement or otherwise.

(3) In case the Tribunal passes an order of implement under sub-rule (2), it shall cause a notice to be issued to such impleaded party in **Form 'C'** in accordance with rule 6.

**10. Reference to Conciliation Officer.** - (1) In case, on the date fixed in the notice issued under rule 6, the opposite party appears and show cause against the maintenance claim, the Tribunal shall seek the opinion of both the parties as to whether they would like the matter to be referred to a Conciliation Officer and if they express their willingness in this behalf, the Tribunal shall ask them whether they would like the matter to be referred to a person included in the panel prepared under rule 3, or to any other person acceptable to both parties.

(2) If both the parties agree on any person, whether included in the panel under rule 3, or otherwise, the Tribunal shall appoint such person as the Conciliation Officer in the case, and shall refer the matter to him/her, through a letter in **Form 'E'** requesting the Conciliation Officer to try and work out a settlement acceptable to both parties, within a period not exceeding one month from the date of receipt of the reference.

(3) The reference in **Form 'E'** shall be accompanied with copies of the application and replies of the opposite party thereto.

**11. Proceedings by Conciliation Officer.**- (1) Upon receipt of a reference under rule 10, the Conciliation Officer shall hold meetings with the two parties as necessary, and shall try to work out a settlement acceptable to both the parties, within a period of one month from the date of receipt of the reference.

(2) If the Conciliation Officer succeeds in working out a settlement acceptable to both the parties, he/she shall draw up a memorandum of settlement in **Form 'F'** and get it signed by both parties, and forward it, with a report in **Form 'G'** along with all records of the case received from the Tribunal, back to the Tribunal within a month from the receipt of the reference.

(3) If the Conciliation Officer is unable to arrive at a settlement within one month of receipt of a reference under rule 10, he/she shall return the papers received from the Tribunal along with a report in **Form 'H'** showing efforts made to bring a settlement and the points of difference between the two parties which could not be reconciled.

**12. Action by the Tribunal in case of settlement before a Conciliation Officer.**- (1) In case, the Tribunal receives a report from the Conciliation Officer under sub-rule (2) of Rule 11, along with a memorandum of settlement, it shall give notice to both parties to appear before it on a date to be specified in the notice, and confirms the settlement.

(2) In case on the date specified in the notice as above, the parties appear before the Tribunal and confirm the settlement arrived at before the Conciliation Officer, the Tribunal shall pass a final order as agreed in such settlement.

**13. Action by the Tribunal in other cases.** - (1) In case,

- (i) the applicant(s) and the opposite parties do not agree for reference of their dispute to a Conciliation Officer as per rule 10, or
- (ii) the Conciliation Officer appointed under rule 10 sends a report under sub-rule (3) of rule 11, conveying inability to work out a settlement acceptable to both the parties, or
- (iii) no report is received from a Conciliation Officer within the stipulated time limit of one month, or
- (iv) in response to the notice issued under sub-rule (1) of rule 12, one or both the parties decline to confirm the settlement worked out by the Conciliation Officer.

(2) An order passed under rule 7 or rule 8 or under sub rule (1) above shall be a speaking one, spelling out the facts of the case as ascertained by the Tribunal, and the reasons for the order.

(3) While passing an order under sub-rule (1), directing the opposite party to pay

maintenance to an applicant, the Tribunal shall take the following into consideration: -

- (a) amount needed by the applicant to meet his/her basic needs, especially food, clothing, accommodation, and healthcare;
  - (b) income of the opposite party; and
  - (c) value of, and actual and potential income from the property, if any, of the applicant which the opposite party would inherit and / or is in possession of.
- (4) copy of every order passed, whether final or interim, shall be given to the applicant(s) and the opposite party or their representatives, in person, or shall be sent to them through a process server or by registered post and a copy shall be communicated to the Maintenance Officer.
- (5) The Tribunal may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this section, order such child or relative to make a monthly allowance for the interim maintenance of such Senior Citizens including parent and to pay the same to such Senior Citizen including parent, specifying the manner in which the amount is to be given as per the convenience of the applicant.

14. **Maximum Maintenance Allowance.** -The maximum maintenance allowance which a Tribunal may order the opposite party to pay shall, subject to a maximum of rupees ten thousand per month, be fixed in such a manner that it does not exceed the monthly income from all sources of the opposite party, divided by the number of persons in his/her family, counting the applicant or applicants also among the opposite party's family members.

**CHAPTER - III**  
**PROCEDURE OF APPELLATE TRIBUNAL**

15. **Form of Appeal.**- An appeal under sub-section (1) of section 16 shall be filed before the Appellate Tribunal in **Form 'I'** which shall be accompanied by a copy of the impugned order of the Maintenance Tribunal.
16. **Registration and Acknowledgement of appeal.**- On receipt of an appeal, the Appellate Tribunal shall register it in a record to be maintained for the purpose in such form as in the Form 'N' and shall, after registering such appeal, give an acknowledgement to the appellant specifying the appeal number in Form 'J'.
17. **Notice of hearing to the Respondent and Appellant.**- (1) On receipt of an appeal, the appellate Tribunal shall, after registering the case and assigning an appeal number, cause notice to be served upon the respondents under its seal and signature informing the date of hearing in Form 'K';  
(2) The notice under sub-rule (1) shall be issued through registered post with acknowledgement due, or through a process server;  
(3) Simultaneously with the issue of notice under sub-rule (1), the applicant(s) shall also be informed of the date mentioned in sub-rule (1), by a notice in Form 'L'  
(4) The provisions of Order V of the Code of Civil Procedure 1908 shall apply *mutatis mutandis* for the purpose of service of notice issued under sub-rule (1) and (3).
18. The Appellate Tribunal shall make an endeavor to pronounce its order in writing within one month from the date of receipt of an appeal.

**CHAPTER - IV**

19. **Scheme for Management of Old Age Homes for indigent senior citizens:-**(1) Old age homes established under section 19 shall be run in accordance with the following norms and standards:  
(A) The home shall have physical facilities and shall be run in accordance with the operational norms as laid down in the Schedule.

- (B) Inmates of the home shall be selected in accordance with the following procedure:
- (a) application shall be invited at appropriate intervals, but at least once in each year, from indigent senior citizens, as defined in section 19 of the Act, desirous of living in the home;
  - (b) where the number of eligible applicants on any occasion is more than the number of places available in a home for admission, selection of inmates will be made in the following manner:-
    - (i) the more indigent and needy will be given preference over the less indigent applicants;
    - (ii) other things being equal, older senior citizens will be given preference over the less old; and
    - (iii) other things being equal, female applicants will be given preference over male applicants.
- Illiterate and/or very infirm senior citizens may also be admitted without any formal application if the District Magistrate or other competent authority, designated by him for the purpose, is satisfied that the senior citizen is not in a position to make a formal application, but is badly in need of shelter;
- (C) While considering applications or cases for admission, no distinction shall be made on the basis of religion or caste;
- (D) The home shall provide separate lodging for men and women inmates, unless a male and a female inmate are either blood relations or a married couple;
- (E) Day-to-day affairs of the old age home shall be managed by a Management Committee which shall be constituted in accordance with orders and guidelines issue by the State Government from time to time, such that inmates are also suitably represented on the Committee.
- (2) Administration may issue detailed guidelines/orders from time to time for admission into and management of old age homes in accordance with the norms and standards laid down in sub-rule (1) and the Schedule.

## CHAPTER V

20. **Duties and Powers of the District Magistrate.-** (1) The District Magistrate shall ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within which such powers or duties shall be carried out by the officer as may be prescribed.
- (2) It shall be the duty of the District Magistrate to:
- a. ensure that life and property of senior citizens of the district are protected and they are able to live with security and dignity;
  - b. oversee and monitor the work of Registration authority Maintenance Tribunals and Maintenance Officers of the district with a view to ensuring timely and fair disposal of applications for maintenance, and execution of Tribunal's orders and implementation of rules herein.
  - c. oversee and monitor the working of old age homes in the district so as to ensure that they conform to the standards laid down in these rules, and any other guidelines and orders of the UT Administration;
  - d. ensure regular and wide publicity of the provisions of the Act, and Central and UT Administration programmes for the welfare of Senior Citizens;
  - e. encourage and coordinate with Panchayats, Municipalities, Nehru Yuvak Kendras, Educational Institutions and especially their National Service Scheme Units, organizations, specialists, experts, activists and other civil societies organizations working in the district so that their resources and efforts are effectively pooled for the welfare of senior citizens of the district;
  - f. ensure provision of timely assistance and relief to senior citizens in the event of natural calamities and other emergencies;
  - g. ensure periodic sensitization of officers of various departments and Local Bodies

concerned with welfare of senior citizens, towards the needs of such citizens, and the duty of the officers towards the latter.

- h. review the progress of investigations and trial of cases relating to senior citizens in the district, except in cities having a Police Commissioner, where it shall be responsibility of Police Commissioners concerned to do so.
- i. ensure that adequate number of prescribed application forms for maintenance are available on-line or in offices of common contact for citizens like Panchayats, Post Offices, Mandal Parishad Offices, Mandal Revenue Offices, Revenue Divisional Offices, Collectorate, Police Stations etc;
- j. promote establishment of dedicated Help Lines for senior citizens at district headquarters, to begin with; and
- k. perform such other functions as the UT Administration may, by order, assign to the District Magistrate in this behalf, from time to time.

(3) With a view to ensuring the provisions of this Act, Rules and Guidelines and instructions as prescribed by the Administration from time to time are properly carried out, the District Magistrate shall be competent to issue such directions, not inconsistent with the Act, these rules, and general guidelines of the Administration, as may be necessary, to any concerned Government or Statutory Agency or body or individuals/ a group of individuals/ Voluntary Organizations / Institutions / Charitable Trusts/ Statutory Bodies etc. working in the district, and especially to the following:-

- (a) Officers of the UT Administration in the Police, Health and Publicity Departments and the Departments dealing with welfare of senior citizens;
- (b) Maintenance Tribunals and Conciliation Officers;
- (c) Panchayats, Municipalities and Municipal Corporations;
- (d) Educational institutions and
- (e) Other concerned institutions/persons.

## **CHAPTER VI**

### **PROTECTION OF LIFE AND PROPERTY OF SENIOR CITIZENS**

**21. Action plan for the Protection of Life and Property of Senior Citizens:** (1) The District Superintendent of Police, and in the case of cities having a Police Commissioner, such Police Commissioner shall take all necessary steps, subject to such guidelines as the UT Administration may issue from time to time, for the protection of life and property of Senior Citizens.

(2) Without prejudice to the generality of sub-rule (1)

- (i) each police station shall maintain an up-to-date list of senior citizens living within its jurisdiction, especially those who are living by themselves with the assistance of Volunteers Committee formed under rule 21(2)(iv).
- (ii) a representative of the police stations together, as far as possible, with an office bearer of a senior citizens' organization or social worker or volunteer shall visit such senior citizens living on their own at regular intervals or atleast once a quarter and shall, in addition, visit them as quickly as possible on receipt of a request for assistance from them.
- (iii) community policing for the security of senior citizens will be undertaken by Police in conjunction with citizens living in the neighborhood, Residents' Welfare Associations, Youth volunteers, Non-Governmental Organizations etc.
- (iv) one or more Volunteers' Committee(s) shall be formed for each Police Station, consisting of a respectable senior citizen, a member of an accredited NGO, a women member who could be a member of any one of the Government Committees like Child Welfare Committee, a retired person who has served in uniform service, which shall ensure regular contact between the senior citizens, especially those living by themselves, on the one hand, and the police and the district administration on the other.
- (v) complaints/problems of senior citizens shall be promptly attended to, by the local

Police.

- (vi) antecedents of domestic servants and others to be engaged by senior citizens shall be promptly verified by the concerned Station House Officer with the assistance of Concerned Village Administration Officer and/or concerned other Local Level Officers, on the request of such citizens.
- (vii) the District Superintendent of Police or the Police Commissioner, as the case may be, with the assistance of District Committee, with the help of the Assistant Director Welfare of Disabled and Senior Citizens, and District Public Relations Officer, shall cause wide publicity in the media and through the Police Stations, at regular intervals, the steps beings taken for the protection of life and property of senior citizens. List of Do's and Don'ts to be followed by senior citizens in the interest of their safety will be widely publicized.
- (viii) each Police Station shall maintain a separate register containing all important particulars relating to offences committed against senior citizens including the names of their children, relatives or legal heirs in such form as the UT Administration may, by order, specify.
- (ix) the register referred to in clause (viii) shall be kept available for inspection, to the members of Voluntary Committee, UT Council and District Committee formed under rules 21(2)(iv), rule 22 and rule 23 respectively. Every Officer inspecting a Police Station shall invariably review the status as reflected in the register.
- (x) the Police Station shall send a monthly report of such crimes to the District Superintendent of Police or the Police Commissioner, as the case may be, by the 10<sup>th</sup> of every month.
- (xi) the District Superintendent of Police / Commissioner of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by 20<sup>th</sup> of every month, about the status of crime against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month.
- (xii) the District Magistrate shall cause the report to be placed before the District Level Coordination-cum-Monitoring Committee constituted under rule 23.
- (xiii) The Director General of Police shall cause the reports submitted under clause (xi) to be compiled, once in a quarter, and shall submit them to the Administration every quarter as well as every year for being placed before the UT Council of Senior Citizens constituted under rule 22.

**CHAPTER – VII**  
**UT COUNCIL AND DISTRICT COMMITTEES OF SENIOR CITIZENS**

22. **Union territory Council of Senior Citizens.** – (1) The Administration may, by order, establish a Union territory Council of Senior Citizens to advise the Administration on effective implementation of the Act and to perform such other functions in relation to senior citizens as the Administration may specify.

(2) The Union territory Council shall consist of the following members, namely: -

(i)	Advisor to the Hon’ble Lt Governor	Chairman, Ex-officio
(ii)	Administrative Secretaries, Social Welfare, Finance, Health, Home, Information, Rural Development	Members, Ex-officio
(iii)	Such number of specialists and activists in the field of welfare of senior citizens, as the UT Administration may determine, to be nominated by the UT Administration;	Members
(iv)	Such number of eminent senior citizens, as the Ut Administration may determine;	Members



- (3) The Union territory Council shall meet at least once in six months.
- (4) Tenure of the members of the Union territory Council, other than ex-officio members, rules of procedure of the Council and other ancillary matters shall be such as the Ut Administration may, by order, specify.
23. **District Committee of Senior Citizens.-** (1) The UT Administration may, by order, establish a District Committee of Senior Citizens for each district to advise on effective and coordinated implementation of the Act at the district level, and to perform such other functions in relation to senior citizens at the district level, as the UT Administration may specify.
- (2) The District Committee shall consist of the following members:
- |  |                    |
|--|--------------------|
| i. District Collector  | : Chairperson      |
| ii. Superintendent of Police   | : Member           |
| iii. Chief Medical Officer   | : Member           |
| iv. Medical Superintendent   | : Member           |
| v. District Rural Development Agency   | : Member           |
| vi. Revenue Divisional Officers / Sub Collectors   | : Member           |
| vii. Two members from N.G.O.s / Specialists / Activists in the field of Welfare of Senior Citizens, of whom one should be woman. | : Member           |
| viii. Two members from Eminent Senior Citizens of whom one should be woman.  | : Member           |
| ix. District Social Welfare Officer  | : Member Secretary |
- (1) The tenure of the non-official members shall be three years.
- (2) The District Committee shall meet once in every three months.
- (3) The Administration may issue guidelines on the selection of non-official members of UT Council of Senior Citizens and District Committee.

CHAPTER - VIII  
MISCELLANEOUS

24. **Maintenance Officer:** - The District Social Welfare Officer of the concerned district is designated as Maintenance Officer as per the mandate of Sub Section (1) of Section 18 of the Act.
25. **General.-**Director Social & Tribal Welfare shall facilitate on-line applications, disposal thereof, and monitoring etc. for which purpose the Annexures may be appropriately modified.

BY ORDER AND IN THE NAME OF THE LT GOVERNOR OF LADAKH

COMMISSIONER SECRETARY

**SCHEDULE**

**(See Rule 19)**

**NORMS OF PHYSICAL FACILITIES AND OPERATIONAL STANDARDS FOR AN OLD AGE HOME FOR INDIGENT SENIOR CITIZENS ESTABLISHED U/S 19 OF THE ACT.**

**I. Physical Facilities**

- |           |                     |   |
|-----------|---------------------|---|
| <b>1.</b> | <b>Land</b>         | The land for the old age home should be adequate to comply with the Floor-Area Ratio (FAR) as prescribed by the relevant urban body/Administration. In the case of semi-urban/rural areas, the District Administration shall provide adequate land for setting up of an old age home of requisite capacity such that there is adequate land for recreation, gardening, further expansion, etc.  |
| <b>2.</b> | <b>Living Space</b> | <p>The old age home shall, as far as possible, have minimum area per inmate as per the following norms:-</p> <ul style="list-style-type: none"><li>(i) area of bedroom/dormitory per inmate 7.5 sq. metres</li><li>(ii) living area or carpet area 12 sq. metres per inmate i.e. including</li><li>(i) above plus ancillary areas like kitchen, dining hall, recreation room, medical room, etc. but excluding verandahs , corridors, etc.</li></ul>  |
| <b>3.</b> | <b>Facilities</b>   | <p>(1) The old age home shall have the following facilities:-</p> <ul style="list-style-type: none"><li>i) residential area comprising rooms/dormitories – separately for men and women;</li><li>ii) adequate water for drinking and ancillary purposes;</li><li>iii) electricity, fans and heating arrangement for inmates (as necessary);</li><li>iv) kitchen-cum-store and office;</li><li>v) dining hall;</li><li>vi) adequate number of toilets and baths, including toilets suitable for disabled persons;</li><li>vii) recreation facilities, television, newspaper and an adequate collection of books; and</li><li>viii) first aid, sick bay and primary healthcare facilities.</li></ul> <p>(2) The old age home should be barrier-free with provision of ramps and handrails, and where necessary, lifts, etc.</p> |

**II. Operational Standards**

- 1. Supply of nutritious and wholesome diet as per scale to be fixed by the Administration.
- 2. Adequate clothing and linen for the inmates, including for the winter season.
- 3. Adequate arrangements for sanitation, hygiene and watch and ward/security.
- 4. Arrangements with the nearest Government hospital for emergency medical care, and with the nearest Police Station for security requirements.

FORM - A  
(See Rule 4(1))

APPLICATION BEFORE THE MAINTENANCE TRIBUNAL UNDER RULE 4(1) OF THE LADAKH  
MAINTENANCE OF PARENTS AND SENIOR CITIZENS RULES, 2023.

1. Details of the Applicant:

i.	Name of the Applicant	
ii.	Name of Father/Husband	
iii.	Age	
iv.	Sex	
v.	Permanent Address	
vi.	Present Address	
vii.	Phone Number and email ID if any	

2. Details of the Authorized Person/ Organization, if the Parent/Senior  
Citizen is incapable:

(i) Name:

(ii) Address:

(iii) Phone Number and mail.ID if any

3. Details of Children or Relative from whom maintenance claimed/Respondents:

Sl. No.	Respondent Name	Relationship with the applicant	Address	Telephone No. if any	Annual income from all sources
(1)	(2)	(3)	(4)	(5)	(6)

4. Grounds/Facts of the case:  
(Give a concise statement of facts in a chronological order)

5. Relief (s)/ Assistance sought:

6. Interim Order, if prayed for:  
Pending final decision on the application, the applicant seeks issue of the  
following Interim Order (Give here the nature of the interim order requested  
for, with reasons)

7. List of enclosures:

**DECLARATION**

I \_\_\_\_\_ (Name of the applicant)  
S/o,D/o,W/o \_\_\_\_\_ age \_\_\_\_\_ resident of \_\_\_\_\_ do  
hereby declare that the contents from paras 1 to 8 are true to the best of my personal knowledge and  
belief and that nothing material has been concealed and also declare that the subject matter of the

order against which I seek redressal is within the Jurisdiction of the Tribunal. I further declare hereby that the matter regarding which this application has been made is not pending before any court of law or any other authority or has not been rejected by any court of law or other authority.

Place:  
Date:

Signature of the Applicant.

Or

Signature of the Authorized Person/Organization,

To  
**The Presiding Officer (s),**  
.....  
.....  
.....

**FORM – B**  
(See Rule 4(2)(ii))

**Maintenance Tribunal under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023**

**ACKNOWLEDGEMENT**

Your application dated ..... has been received on ..... The same has been registered in the Register of Maintenance Claim Cases of this Tribunal as Application No..... of .....

Signature:  
  
Authorised Officer of the Maintenance Tribunal  
  
(Office Seal)

To,  
  
The Applicant/Authorised person or organisation.  
  
(Name and Address)

**FORM - C**  
(See Rule 6 (1) and 9(3))  
**NOTICE TO THE OPPOSITE PARTY TO APPEAR BEFORE THE MAINTENANCE TRIBUNAL**

(Issued under rule-6 of the Ladakh Maintenance and Welfare of Parents and Senior Citizens  
Rules, 2023)

Application No.....of.....

To  
.....  
.....  
.....

Whereas an application has been filed before me by  
Sh./Smt.\_\_\_\_\_ aged\_\_\_\_\_  
R/o\_\_\_\_\_ on (date) \_\_\_\_\_  
claiming Maintenance Allowance to be paid to him/her by his/her  
child/children/relative(s) namely a) \_\_\_\_\_  
R/o\_\_\_\_\_, b)  
\_\_\_\_\_  
R/o\_\_\_\_\_,  
c) \_\_\_\_\_  
R/o\_\_\_\_\_, therein are hereby directed to  
appear before me in person or through your authorized representative on  
the\_\_\_\_day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_O' clock in the forenoon/afternoon  
and show cause in writing as to why the application should not be granted.

Take notice that, any default of your appearance on the day before mentioned, the  
case will be heard in your absence

Signature of the Presiding Officer of Tribunal  
  
Date:  
  
Stamp & Seal:



**FORM - D**

(See Rule 6 (3))

**NOTICE TO THE PETITIONER/APPLICANT  
Under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023**

Application No.....of.....

To

Whereas the applicant Sh./Smt \_\_\_\_\_ R/o \_\_\_\_\_ has applied to this Tribunal for grant of Maintenance allowance. The registration No. of his/ her application is \_\_\_\_\_. He/She is directed to appear before the Tribunal on the date of hearing in this case fixed on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ O' clock in the forenoon /afternoon.

Signature of the Presiding Officer of Tribunal

Date:

Stamp & Seal:



**FORM - E**

See Rule 10(2)

**REQUEST TO THE CONCILIATION OFFICER TO TRY AND WORK OUT THE SETTLEMENT UNDER  
THE LADAKH MAINTENANCE OF PARENTS AND SENIOR CITIZENS RULES, 2023**

Application No.....of.....

To

The Conciliation Officer

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Whereas an application has been filed before me by Sh./Smt. \_\_\_\_\_  
aged \_\_\_\_\_ R/o \_\_\_\_\_ on (date) \_\_\_\_\_  
bearing Registration No. \_\_\_\_\_ claiming Maintenance Allowance to be paid to  
him/her by his/her child/children/relative(s) namely a) \_\_\_\_\_  
R/o \_\_\_\_\_, b) \_\_\_\_\_  
R/o \_\_\_\_\_, c) \_\_\_\_\_  
R/o \_\_\_\_\_.

You have been agreed upon as the conciliation officer by both the parties. You are requested to try  
and work out a settlement acceptable to both parties, within a period not exceeding one month from  
the date of receipt of the reference. The documents concerning the matter are being forwarded  
hereby for further action.

Signature of the Presiding Officer of Tribunal

Date:

Stamp & Seal:

**FORM - F**  
(See Rule 11)  
**Memorandum of Settlement**

**Before the Maintenance Tribunal under the Ladakh Maintenance of Parents and Senior Citizens  
Rules, 2023**

Application No.....of.....

Whereas an agreement has been arrived in r/o \_\_\_\_\_  
(applicant) and \_\_\_\_\_ (respondent) and the respondent have agreed to pay  
a monthly allowance to the applicant Sh./Smt. \_\_\_\_\_ (Specify  
relationship) \_\_\_\_\_ amounting to Rs \_\_\_\_\_

The matter is referred back to the Tribunal for final orders.

Signature of applicant	Signature of respondents
	1.
	2.
	3.

Signature of the Conciliation officer

Date:

Stamp/ Seal :

**FORM - G**

**(See Rule 11 (2))**

**REPORT OF THE CONCILIATION OFFICER REGARDING SETTLEMENT OF CASE FILED BEFORE MAINTENANCE TRIBUNAL  
Under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023**

Application No.....of.....

To,  
The Presiding Officer,  
Tribunal for Maintenance of Parents and Senior Citizens,  
\_\_\_\_\_ Division,  
\_\_\_\_\_ District.  
LADAKH

I have carefully considered the application and the records filed by Shri/Smt\_\_\_\_\_,  
(applicant) who is unable to maintain himself/herself from his own earning or out of the  
property owned by him/her. The record shows about the property of the legal heirs income of  
the legal heirs position of the property of the applicant and after his/her life time the legal heir  
would inherit the property.

On scrutinizing the available records, I have arrived at the reasonable amount of  
Maintenance as being Rs.\_\_\_\_\_/ - per month payable to the  
petitioner, by Shri/Smt\_\_\_\_\_ the legal heir/s of the applicant.

I return herewith all records of the case received from the Tribunal.

Signature with seal of the Conciliation Officer.

Place

Date

**FORM - H**  
(See Rule 11(3))  
**BEFORE MAINTENANCE TRIBUNAL**  
**Under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023**

Application No.....of.....

\_\_\_\_\_ Petitioner

**Vs.**

\_\_\_\_\_ Respondent/Respondents

To,  
The Presiding Officer,  
Tribunal for Maintenance of Parents and Senior Citizens  
\_\_\_\_\_ Division,  
\_\_\_\_\_ District.  
LADAKH.

***Sir/Madam,***

The Hon’ble Tribunal had referred the above matter to arrive a settlement and the period fixed for the same is one month. I am unable to arrive at a settlement within the said period for the reasons in brief as stated below:

- i) \_\_\_\_\_
- ii) \_\_\_\_\_
- iii) \_\_\_\_\_

I enclose herewith a detailed report which shows the efforts taken by me to arrive a settlement along with the points of difference between the two parties which could not be reconciled. I hereby also return the papers referred to me along with my report.

Signature with seal of the Conciliation Officer.

Place

Date

FORM - I

(See Rule 15)

APPEAL FOR MAINTENANCE UNDER SECTION 16 OF THE ACT BEFORE THE APPELLATE TRIBUNAL  
Under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023

- 1. Name and Address of the appellant :
- 2. Name and Addresses of the Respondents :
- 3. Name of Maintenance Tribunal that issued the order  
and the number and date of such order :
- 4. Date of receipt of the order :
- 5. Reason for challenging the order :
- 6. Whether wants stay order, if so what  
are the reasons thereof :
- 7. The remedy sought for :

I.....the aforesaid appellant, hereby declare that the facts mentioned above are true and correct to the best of my knowledge and belief. A copy of the Order of the Maintenance Tribunal is appended.

Place:

Date :

Signature of Appellant:

FORM - J

(See Rule 16)

APPELLATE TRIBUNAL

Under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023

Acknowledgement

Your appeal dated ..... has been received on ..... against the order no.....  
dated.....passed by the Maintenance Tribunal,.....which has been  
registered in this Appellate Tribunal as Appeal No..... of .....

Signature:

Authorised Officer of the Appellate Tribunal

(Office Seal)

To,

The Appellant

(Name and Address)

FORM - K

[(See Rule 17 (1)]

NOTICE TO RESPONDENT

Before Appellate Tribunal under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023

Appeal No. \_\_\_\_\_ of 20 \_\_\_\_

To,  
\_\_\_\_\_  
\_\_\_\_\_

~~Whereas an appeal,~~ has been filed before me by Sh./ Smt. \_\_\_\_\_

Aged \_\_\_\_\_ R/o \_\_\_\_\_

on (date) \_\_\_\_\_ against the Orders no. .... dated ..... passed by

the Maintenance Tribunal, ..... under Maintenance and Welfare of

Parents and Senior Citizens Act, 2007 , you are required to appear in person or through a duly

authorized representative before the Appellate Tribunal on \_\_\_\_\_ day of \_\_\_\_\_ at

\_\_\_\_\_ (venue) for hearing. Kindly attend on the above date

failing which the matter will be decided ex-parte.

Signature of the Presiding Officer of Appellate Tribunal

Date:

Stamp & Seal:

**FORM - L**  
(See Rule 17 (3))

**NOTICE TO THE APPELLANT**  
**Before Appellate Tribunal under the Ladakh Maintenance of Parents and Senior Citizens Rules, 2023**

Appeal No. \_\_\_\_\_ of 20 \_\_\_\_\_

To,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir/Madam,

On Appeal filed by you against the order no..... dated.....passed by the Maintenance Tribunal,.....under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 by Shri/Smt \_\_\_\_\_ residing, at \_\_\_\_\_, you are required to appear in person or through a duly authorized representative before the Appellate Tribunal on \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ am/pm at (venue) \_\_\_\_\_ for hearing. Kindly attend on the above date failing which the matter will be decided ex-parte.

Seal with date and  
Signature of the  
Presiding Officer



FORM - M

[See Rule 4(2) (i)]

Register of Claim Cases to be maintained by the Tribunal

Sl. No	Date of receipt of the application	Registration No. of the Application	Nature of Claim	Name of the Parent/Senior Citizen with address, phone no.and mail id if any	Age	Name of the Authorised Person/ Organisation, if the Parent/ Senior Citizen is incapable with address, phone no. and Mail ID if any.	Application filed against (names, addresses and relationship to parent/senior citizen of the Opposite Party)
(1)	(2)	( 3)	( 4)	(5)	(6)	(7)	(8)

Date of notice served to the Applicant	Date of notice served to the respondents	Date of Referral of case to Conciliation Officer	Date Receipt of Report from conciliation Officer	Dates of hear- ing	Date of granting of interim maintenance allowance and the amount granted	Date of granting the final maintenance Order and details	Details of Appeal before the Appellate Tribunal, if any	Date and Outcome any other information
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

FORM – N

(See Rule 16)

Register of Appeals to be Maintained by the Appellate Tribunal

Sl. No.	Date of receipt of the appeal	Registration No of the Appeal	Nature of the Appeal	Name of the Parent/Seni or Citizen with address, phone no. and Mail Id. If any.	Age	Name of the Authorised Person/ Organisation, if the Parent/ Senior Citizen is incapable: with address, phone no.and Mail Id if any	Application filed against (names, addresses and relationship to parent/senior citizen of the Opposite Party)
(1)	( 2)	( 3)	(4)	( 5)	(6)	(7)	(8)

Date of calling for the Record of proceedings from the Tribunal	Date of receipt of record of proceeding s from the Tribunal	Date of notice served To the Appe- llant	Date of notice served To the Res- pon- dents	Dates of hearing	Date and details Final Order of the Appellate Tribunal	Any other information
( 9)	(10)	(11)	(12)	(13)	(14)	(15)