



ABSTRACT

Social Welfare – Senior Citizens Welfare – Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 – Specifying the functions, duties and responsibilities of the State Council of Senior Citizens - Amendment to Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 – Orders - Issued.

Social Welfare and Nutritious Meal Programme (SW6(1))Department

G.O.(Ms) No.53

Dated:26 .07.2018

விளம்பி, ஆடி 10,
திருவள்ளூர் ஆண்டு 2049

Read:

1. G.O.(Ms) No. 168, Social Welfare and Nutritious Meal Programme Department, dated 30.12.2009.
2. G.O.(Ms) No. 170, Social Welfare and Nutritious Meal Programme Department, dated 31.12.2009.

Read also:

3. From the Director of Social Welfare Letter Roc.No.741/Grants 1/2012, dated 30.03.2012.

Order:

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary, dated 26-07-2018.

APPENDIX **NOTIFICATION**

In exercise of the powers conferred by section 32 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009:-

P.T.O.

AMENDMENTS

In the said Rules, after rule 23, the following rules shall be added, namely:-

" 24. Functions, Duties and Responsibilities of the council.-

Subject to the other provisions of the Act, the functions of the State Council for Senior Citizens shall be:-

- (i) to take such measures as it may consider necessary for implementation of the Act effectively;
- (ii) to review the status of maintenance claim cases reported by Parents and Senior Citizens, once in six months or whenever necessary;
- (iii) to ensure that the life and property of Senior Citizens are protected by reviewing the status of crimes against senior citizens including progress of investigation and prosecution of registered offences and preventive steps taken by the concerned departments;
- (iv) to monitor the work of Maintenance Officer, Conciliation Officer, and review the progress of the cases pending in Maintenance Tribunals and Appellate Tribunals;
- (v) to ensure timely and fair disposal of applications for maintenance and execution of Tribunal's orders;
- (vi) to review the working of Old Age Homes and ensure that the Homes conform to the standards as laid down in these Rules and any other guidelines and orders, as the Government may issue from time to time;
- (vii) to ensure that the Volunteers Committees are formed to liase between the Senior Citizens living alone and the Police;
- (viii) to review the performance of line departments, namely:-
 - a) Social Welfare and Nutritious Meal Programme Department at Secretariat;
 - b) Director of Social Welfare;
 - c) Revenue and Disaster Management (Old Age Pension issues);
 - d) Health and Family Welfare (Geriatric and Public Health issues);

- e) Housing and Urban Development (Senior Citizen homes);
- f) Transport (Issue of free bus passes to Senior Citizens);
- g) Home (enforcing relevant Senior Citizen Welfare Acts);
- h) School Education and Higher Education Departments for inculcating, the Value for Senior Citizens in the minds of students by taking a pledge or oath while observing "June 15" as Abuse Awareness day against Senior Citizens.
- i) Municipal Administration and Water Supply Department
- j) Rural Development and Panchayat Raj Department.
- k) Information and Public Relation Department.

- (ix) to review the action taken to create awareness among the public about the Act;
- (x) to make recommendations to the State Government about any modifications in the mode of implementation of any of the provisions of the Act.

25. Disqualification for membership of council.- A person shall be disqualified for being nominated as a member of the State Council if -

- i. he is of unsound mind;
- ii. he is an applicant to be adjudicated as an insolvent or is an undischarged insolvent;
- iii. he has been sentenced for any offence involving moral turpitude punishable under any law with imprisonment, such sentence not having been annulled and a period of five years has not elapsed from the date of expiration of the sentence;
- iv. he is a paid officer or employee of the Commission; or
- v. he incurs such other disqualifications as may be prescribed by the Government.

26. Resignation.- A non-official member of the State Council may, at any time by writing addressed to the Chairperson resign from the office of the member but shall continue in office until his resignation is accepted.

27. Cessation Of Membership.- If any non-official member of the State Council fails to attend three consecutive meetings of the State Council without obtaining the leave from the Chairperson for such absence, he shall cease to be a member of the State Council;

Provided that the Chairperson may, if he is satisfied that such member was prevented by sufficient cause from attending

three consecutive meetings of the State Council, direct that such cessation shall not take place and on such direction being made, such member shall continue to be a member of the State Council.

- 28. Removal from membership.-** If, at any time, it appears to the Government that the member has shown himself to be unsuitable for office or has been guilty of misconduct or neglect which renders his removal expedient, the Government may, after giving the member a reasonable opportunity of showing cause, by notification, remove the member from office.
- 29. Vacancy.-** When a vacancy occurs or is likely to occur in the membership of the State Council, the State level Nodal Officer and Convenor of the State Council shall submit a report to the Government immediately and on receipt of such report, the Government shall take steps to fill up the vacancy.
- 30. Filling up of casual vacancy.-** A non-official member of the State Council nominated to fill up a casual vacancy, shall hold office for the remaining period of tenure of the member in whose place he is nominated.
- 31. Disposal of business.-** All business shall be considered in the meeting of the State Council and shall be decided by a majority of the votes of the members present and voting.
- 32. Disposal of business through circulation.- (1)** Where the Chairperson considers that a decision has to be taken urgently, he may direct that the proposal may be circulated to all the members of the State Council.
- (2)** Any decision taken through circulation among the members of the State Council shall be valid only if it is supported by not less than two-third of the members.
- 33. Method of voting.-** Voting shall ordinarily be by raising of hands, but if the majority of the members present so decide the votes shall be taken by ballot;
 Provided that, in case of equality of votes, the chairperson shall have a casting vote.
- 34. Meetings.- (i)** Every meeting of the State Council, shall be presided over by the Chairperson and in his absence, the State Council shall elect one member from amongst themselves, as the Chairperson of the meeting and the member so elected, shall in that meeting, exercise all the powers of the Chairperson.

(ii) If either an official member or a non-official member is unable to attend a meeting of the State Council, the Government may, for the reasons to be recorded in writing, nominate a substitute to attend the meeting and such a substitute (member) shall have all the rights of a member in respect of that meeting and any decision taken in the meeting shall not become invalid on the ground that the said substitute was a party to the decision.

- 35. Notice of meetings and list of business.- (1)** Notice shall be given to every member regarding time and place fixed for each meeting at least fifteen days before such meeting. The Chairperson or in his absence, the member elected may summon a meeting of the State Council, at any time, by giving fifteen days notice and every member of the State Council shall be furnished with a list of business to be transacted in the meeting;

Provided that in case of an emergency meeting, notice shall be given to every member of the State Council at least seven days before the meeting.

(2) No business which is not in the agenda shall be considered in the meeting without the permission of the Chairperson.

- 36. Minutes of the meeting.-** The Proceedings of the meetings of the State Council shall be in the form of typed minutes and a copy of the minutes shall be circulated to all members of the State Council, as soon as possible, after the meeting is over. The minutes shall be confirmed in the next meeting of the State Council after signed by the Chairperson or the member presiding over, as the case may be, and shall thereafter be recorded in the minutes book maintained for the purpose.

- 37. Quorum.-** No business shall be transacted in the meeting whether it is an ordinary or emergency meeting of the State Council, unless atleast one-third of the total number of members are present;

Provided that if in any meeting, less than one-third of the total number of members are present, the Chairperson or in the absence of Chairperson, the member elected to preside over the meeting, may adjourn the meeting to a date not less than seven days from the date of the meeting, informing the members present and giving notice of the meeting to the other members of the State Council that he proposes to dispose of the business in the adjourned meeting irrespective of the quorum and it shall

thereupon be lawful to dispose of the business in the adjourned meeting irrespective of the quorum.

38. Allowances of the members.- (1) The members who are Government servants shall be allowed travelling allowance admissible to them under Tamil Nadu Government Travelling Allowance Rules.

(2) The members other than Government Servants shall be allowed travelling allowance admissible to them under the Travelling Allowance Rules of Persons other than Government Servant.

(3) The State Council shall be deemed to be a first class committee constituted by the Government for the purpose of the travelling allowance and other allowances of the member of the Board and the members of the Board shall be paid the allowance accordingly."

(By order of the Governor)

K. Manivasan
Principal Secretary to Government.

To

The Works Manager,
Government Central Press,
Chennai-79.

(for Publication of the Notification in the Tamil Nadu Government Gazette)

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 The Pay and Accounts Officers (North/South/East/Madurai). (through the Commissioner of Social Welfare, Chennai-15)
 All District Treasuries/Sub Treasuries Officers (through the Commissioner of Social Welfare, Chennai-15)
 The Secretary/Managing Director of all Public Undertakings, Tamil Nadu. (through the Commissioner of Social Welfare, Chennai-15)
 The Commissioner, Corporation of Chennai / Madurai/ Coimbatore / Tiruchirapalli / Tirunelveli / Salem / Tiruppur / Vellore / Thoothukudi / Erode
 All District Social Welfare Officers (through the Commissioner of Social Welfare, Chennai-15)

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 Social Welfare and Nutritious Meal Programme Department, Chennai-9.
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// Forwarded by order //

Section Officer
 26/7/2018