



WEST BENGAL HUMAN RIGHTS COMMISSION

PURTA BHAVAN (2ND FLOOR)
BLOCK-DF, SECTOR-I, SALT LAKE,
KOLKATA-700 091
PHONE: 2337-2655, FAX: 2337-9633
E-mail: wbhrc8@bsnl.in

Ref. No.

Date:

Recommendation No 54/16-17/WBHRC/COM/1137/16-17

From: Shri Laima Chozah IAS,
Secretary & CEO

To: The Addl. Chief Secretary
Home Department
Government of West Bengal
NABANNA
325, Sarat Chatterjee Road
Mandirtala, P.O.- Shibpur,
Howrah-711102

Sir,

I am directed to send herewith an authenticated copy of the Recommendations made in the one-day seminar on “Maintenance & Welfare of Parents and senior Citizens Act, 2007” on 21.11.2016 held at Nano Technology Auditorium, Calcutta University, Salt Lake Campus, Kolkata which have been accepted and considered as recommendations of the West Bengal Human Rights Commission for taking necessary action. The recommendations are self-explanatory.

Action taken or proposed to be taken by the Government on the recommendations may please be intimated to the Commission at an early date.

Yours faithfully,

Enclosures: As stated above.

Sdt
Secretary & CEO

No. 592(1)/WBHRC/COM/1137/16-17

Dated 01-12-16

Copy with the copy of the recommendations is forwarded to the D.G.& I.G.of Police, West Bengal for taking necessary action.

Chellu
Deputy Secretary

Recommendations on " Maintenance & Welfare of Parents and Senior Citizens Act, 2007"

1. Introduction:-

West Bengal Human Rights Commission organized a day-long Seminar on "Maintenance & Welfare of Parents and Senior Citizens Act, 2007" at Nano Technology Auditorium, Calcutta University, Salt Lake Campus on 21.11.2016 in the presence of luminaries & different stakeholders of the Act. At the outset of the programme, Dr. (Smt) Shashi Panja, Hon'ble MOS (Independent Charge), Women & Child Development & Social Welfare and Health & Family Welfare, set the tone & class of the proceeding by her inimitable & erudite speech on various latent, implicit & veiled aspects of Maintenance & Welfare of Parents and Senior Citizens Act, 2007 & also on empirical study on this subject. She delved into diverse range of topics that include caregivers' training on geriatric care, more number of Government-run Old Age Homes, Recreation & ID Card for Senior Citizens, more conspicuity & explicitness of NGO-run Old Age Home, utilization of unexploited potential of talented senior citizens, additional amenities in Homes, more pro-action of State-Level Monitoring Committee, introduction of new Schemes such as Bhorosha, concessions in bus / train tickets & treatment for Senior Citizens, etc. Other speakers threw light on varied aspects of this young Act including Geriatric care, present status of implementation of this Act in Government Hospitals, actual proceedings in Tribunals, status of Old Age Homes in West Bengal as assessed by Help Age India, use of Social Media Management for furtherance of the cause of senior citizens & practical experience of Pronam & Sanjbati, two most effective initiatives towards the welfare & interests of Senior citizens. Participants of this Seminar were inhabitants from different Old Age Homes & members of Pronam / Sanjbati / other NGOs. From the information about the following activities of Pronam & Sanjbati any other Police or Civil Unit can emulate & replicate similar initiative. Even new innovative ideas can also be imbibed.

2. Activities of both Pronam & Sanjbati are as follows:-

Pronam:-

- It was set up on 27.06.2009 by Kolkata Police to assist people, of & above the age of 65 years & those who are secluded / isolated from family.
- The present number of members is 14329, though this figure keeps changing. Membership is totally free of any cost.
- There is a permanent office of Pronam that runs a 24 X 7 Control Room named "Senior Citizens Emergency Assistance Control Room".
- There is a round-the -clock Liaison Team consisting of One ASI & four Constables.

Authenticated

Chatterjee 30/11/16

D. Chattopadhyay
Deputy Secretary
West Bengal Human Rights Commission

- Pronam emphasizes on the discernible visit to the Member's residences off & on to secure the member by providing an invisible aura of a protective rim.
- Pronam provides emergency medical help to the members. One phone call to the earmarked Liaison Officer or the Control Room is sufficient to get one Ambulance & priority facilitation in some listed / empanelled hospitals in Kolkata.
- Pronam organizes periodic medical check-up for its members that include general health, eye / dental check-ups.
- Apart from Security, Pronam also provides Legal help to its members. It mediates with empanelled lawyers on behalf of its members.
- There is provision for Tele-counselling & also psychological counselling. Pronam maintains a panel of good Psychologists.
- Pronam organizes annual sports for its members with events suitable for them.
- Different cultural programmes are organized for the members of Pronam where they can also participate. In the case of other cultural programmes, Pronam members are facilitated with en masse seat blocking.
- Pronam issues Quarterly Magazine named "শেষ থেকে শুরু" with literary contribution from its members.
- Upcoming facilities are:- "**Pronam App**" that can be downloaded from Google Play Store. This new App is a one-touch solution for many problems of senior citizens, more cultural programmes, more medical facilities, more home-visits, more amenities to its members, etc.

Sanjbati:-

- It started functioning from 14th April, 2012.
- It is having around 1300 members at present. Membership is totally free of any cost.
- There is a Help-Desk cum Office for Sanjbati at Bidhannagar North Police Station. It works 24 X 7 with a help-line number **9748898933**. Volunteers from Police & Sanjbati run this office.
- Sanjbati provides Ambulance to its members when needed.
- Half-yearly Block meetings are organized converging members of 2/3 adjoining blocks.
- Sanjbati provided ID Card to its 1300 odd members.
- Annual Get-together of members is held every year in the month of January / February at a pre-determined & mutually-agreed-upon venue.
- Sanjbati issued a Members' Directory distributed to all members.
- Sanjbati arranged for a panel of 5/6 doctors of Bidhannagar SD Hospital for its members.

Authenticated

D. Chattopadhyay
30/4/16

D. Chattopadhyay
WBSS

Deputy Secretary
West Bengal Human Rights Commission

- Sanjbati facilitates its members for Medical Test Reports / Telephone Docketing / LPG Booking, etc.
- Tele-counselling facility is available to the members for which three lady doctors are empanelled.
- Three members of Sanjbati are assigned with the task of selecting "Sharad Samman" awardees.
- Sanjbati organizes Mela (Fair) visit programmes for its members.
- Telephonic Birthday Wishes are arranged by Sanjbati for its members.
- Need-based visits to the residences of the members are organized by Sanjbati.
- "Sanjbati" magazine is published annually with literary contribution from members only.
- "Rakhi-Bandhan" & "Basanta-Utsob" celebrations are observed annually by Sanjbati.
- Presently members are facilitated in the **queues** after the tangle of de-monetization.

3. Recommendations:-

- a) We must give wide publicity to "Maintenance & Welfare of Parents and Senior Citizens Act, 2007". Older people are still grossly neglected for not availing the benefits enshrined in this Act.
- b) All districts should have an adequate number of Old-Age Homes with the capacity of 150 persons or more.
- c) Like Pronam & Sanjbati all remaining Police Commissionerates should have their own initiative to support the aged.
- d) State-level Monitoring Committee should closely monitor the functioning of all the Tribunals & Appellate Authorities.
- e) ADG, WBHRC may be included in the State-level Monitoring Committee as a member.
- f) An abandonment / desertion / ouster of a parent or senior citizen from his home / residence should be considered as **Cruelty & Criminal Negligence**. Accordingly, Section 24 of this Act needs suitable amendment. Punishment for cruelty to a parent or senior citizen should be raised to seven (7) years of RI with heavy fine. It should be treated as a cognizable & **non-bailable** offence. Minimum punishment should be five (5) years.
- g) All senior citizens should be vaccinated with Influenza Vaccine each year for nominal payment if not totally free of cost at Government Hospitals.
- h) Definition of Maintenance should include "Cost of Courses of Physical Fitness, Yoga, Recreation & other Welfare measures." Section 2 (b) of the Act should be amended accordingly.

Authenticated

30/11/16

D. Chattopadhyay

Deputy Secretary
West Bengal Human Rights Commission

- i) Maximum maintenance allowance of Rs 10,000/= should be awarded to "each" of the parents. Section 9(2) of the Act should be amended accordingly. This upper limit should be made flexible & feature of "proportionate" allowance commensurate with the income of children & others should be included in calculation process as done in case of Section 125 CrPC.
- j) There should be a scope for further review of the final decision of Appellate Tribunal. It cannot be sealed as Final. Section 16(5) of the Act should be amended accordingly.
- k) Health Department, Government of West Bengal, should fulfil all the duties mentioned in Section 20 of the Act.
- l) I&CA Department & Social Welfare Department, Government of West Bengal, should fulfil all the duties mentioned in section 21 of the Act.
- m) Senior citizens should also be briefed about the benefits of Section 125 Cr.P.C., Hindu Adoption & Maintenance Act, 1956; Article 41 of Constitution of India and procedure to pursue Writ petitions.
- n) Senior citizens should also be endowed with the benefit of Reverse Mortgage & customized pension schemes for them.
- o) Senior citizens should be facilitated with the vast virtual world of Social Networks, WhatsApp, emails, twitter, etc.
- p) Time constraint of two years in Section 32 of the Act should be omitted.
- q) All District Magistrates should personally monitor the performance of each of the Tribunals under the SDOs, who act as Presiding Officers, at least twice in a month.
- r) All DMs should take the initiative to give extensive publicity of this Act so that neglected & deserving Senior Citizens & Parents can easily avail the benefits provided in the Act. In the Web Portal of the concerned District, all Allowances Orders passed by all Tribunals should be regularly posted.
- s) Department of Law, Government of WB & Judicial Department, Government of West Bengal, as the case may be, should tie up with Law & Justice Department, Government of India to propose for necessary amendments in the Maintenance & Welfare of Parents and Senior Citizens Act, 2007.

Conclusion:-

All District-Police Units & Commissionerates should immediately imitate & emulate the good efforts of Kolkata Police & Bidhannagar Police as quick as possible.

Authenticated

Date:- 24.11.16

30/11/16
D. Chattopadhyay
 WBSS
 Deputy Secretary
 West Bengal Human Rights Commission

24/11/16
 (Dipankar Bhattacharyya IPS)
 Superintendent of Police
 West Bengal Human Rights commission