

Department of Personnel

Order

15/2/2008-PER

Sanction of the Government is hereby accorded for revival of the post of Joint Mamlatdar-II, Mormugao attached to the office of the Mamlatdar, Mormugao under Collectorate of South Goa, in the pay band of Rs. 9,300-34,800+Rs. 4,200 Grade Pay.

The expenditure shall be debited to the Budget Head 2053—District Administration, 093—District Establishment, 01—Civil Administration (South), 01—Salaries under Demand No. 16 controlled by the Collector South.

This issues with the concurrence of Finance Department vide their U. O. No. FD(R&C)/4667/F dated 4-9-2009.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 16th September, 2009.

Department of Public Health

Notification

13/144/87-I/PHD/P.F.

In exercise of the powers conferred by sub-section (2) of section 1 of the Goa Public Health Amendment Act, 2008 (Goa Act 10 of 2009), (hereinafter called as the "said Act") hereby appoints the 1st day of October, 2009 as the date on which the provisions of the said Act shall come into force.

By order and in the name of the Governor of Goa.

Dattaram Sardessai, Joint Secretary (Health).

Porvorim, 29th September, 2009.

Department of Social Welfare

Directorate of Social Welfare

Notification

83-9-2006-07-SDB/Part/2008/3843

In exercise of the powers conferred by section 32 read with section 8, sub-section (2) of section 9, sub-section (2) of section 19, and section 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

CHAPTER I

Preliminary

1. *Short title and commencement.*— (1) These rules may be called the Goa Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise requires:—

(a) "Act" means the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007);

(b) "application" means an application for maintenance referred to in section 5 of the Act;

(c) "blood relation", in the context of a male and female inmates, means father-daughter, mother-son and brother-sister (not cousins);

(d) "Form" means a form appended to these rules;

(e) "inmate", in relation to an old age home, means 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 as per section 4 of the Act;

(g) "Presiding Officer" means an officer appointed to preside over a Maintenance Tribunal referred to under sub-section (2) of Section 7 of the Act;

(h) "Schedule" means a Schedule appended to these rules;

(i) "section" means section of the Act;

(j) "Government" means the Government of Goa;

2. Words and expressions used in these rules but not defined shall have the same meanings as respectively assigned to them in the Act.

CHAPTER II

Procedure for Maintenance Tribunal and Conciliation Officers

3. *Panel of persons 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 of the Act, 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 of the Act shall be chosen subject to fulfilling the following conditions, namely:—

(a) 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;

(b) he should be a senior office-bearer of the organization; and

(c) he should possess good 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 in one or more of the areas mentioned in clause (a); and

(ii) he should possess good knowledge of law.

(3) The Tribunal shall publish the panel mentioned in sub-rule (1) for general information at least twice every year, on 1st January and 1st July, respectively, and every time any change is effected therein:

Provided further that the preparation of such panel is without prejudice to the powers of the Tribunal to nominate any other person as Conciliation Officer.

4. *Procedure for filing an application for maintenance, and its registration.*— (1) An application for maintenance under section 4 of the Act shall be made in Form "A" (hereto) by the person specified in clauses (a) and (b) of sub-section (1) of section 5 of the Act.

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

(a) its essential details to be entered in a Register of Maintenance Claim Cases, to be maintained in such form as the Government may direct; and

(b) its acknowledgment in Form "B" hereto to be given, notwithstanding anything contained in rule 5, to the applicant or his 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.

(3) Where a 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 organisation authorized by him and shall cause the same to be registered in accordance with clause (a) of sub-rule (2) above.

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:—

(a) the application is complete; and

(b) the opposite party has, *prima facie*, an obligation to maintain the applicant in terms of section 4 of the Act.

(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, it shall cause to be issued to each person against whom an application for maintenance has been filed, a notice in Form "C" hereto directing them to show cause why the application should not be granted, alongwith a copy of the application and its enclosures, in the following manner:—

(a) by hand delivery (Dasti) through the applicant if he desires; else through a process server; or

(b) by registered post with acknowledge 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 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 issued in Form "D".

(4) The provisions of order V of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), shall apply, *mutatis mutandis*, for the purpose of service of notice under sub-rules (2) and (3).

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 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 provision of sub-section (5) of section 5 of the Act, 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 impleadment or otherwise.

(3) In case the Tribunal passes an order of impleadment under sub-rule (2), it shall cause a notice to be issued to such impleaded party in Form "C" hereto 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 shows 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, shall refer the matter to the Conciliation Officer 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 by him.

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

11. *Proceeding 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 shall draw up a memorandum of settlement in Form "F", get it signed by both parties, and forward it, with a report in Form "G", alongwith all records of the case received from the Tribunal, back to the Tribunal within a period of one month from the date of receipt of the reference.

(3) If the Conciliation Officer is unable to arrive at a settlement within one month from

the date of receipt of reference under rule (10), he shall return the papers received from the Tribunal alongwith a report in Form "H" hereto, showing efforts made to bring about 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 confirm 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,

the Tribunal shall give to both the parties an opportunity of leading evidence in support of their respective claims, and shall, after a summary inquiry as provided in sub-section (1) of section 8 of the Act, pass such order as it deems fit.

(2) An order passed under rule 7, 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 basic needs, especially food, clothing, accommodation and health care;

(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) A copy of every order passed, whether final or interim, on an application, 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.

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 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 of the Act shall be filed before the Appellate Tribunal in Form "I" hereto and shall be accompanied by a copy of the impugned order of the Tribunal.

16. *Registration and acknowledgement of appeal.*— On receipt of an appeal, the

Appellate Tribunal shall register it in a register to be maintained for the purpose in such form as the Government may direct, and shall, after registering such appeal, give an acknowledgement to the appellant, specifying the appeal number and the next date of hearing, in Form "J" hereto.

17. *Notice of hearing to the respondent.*—

(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 respondent under its seal and signature in Form "K" hereto.

(2) The notice under sub-rule (1) shall be issued through registered post with acknowledgement due, or through a process server.

(3) The provisions of order V of the Code of Civil Procedure, 1908 (Central Act 5 of 1908) shall apply, *mutatis mutandis*, for the purpose of service of notice issued under sub-rule (1).

CHAPTER IV

Scheme for management of old age homes established under section 19 of the Act

18. *Scheme for management of old age home for indigent senior citizens.*— (1) Old age homes established under section 19 of the Act shall be run in accordance with the following norms and standards:—

(A) The old age home shall have physical facilities and shall be run in accordance with operational norms as laid down in the Schedule appended to these Rules.

(B) Inmates of the old age home shall be selected in accordance with the following procedure:—

(a) applications shall be invited at appropriate intervals, but at least once each year, from indigent senior citizens, as defined in section 19 of the Act, desirous of living in such home;

(b) in case the number of eligible applicants on any occasion is more than the number of places available in a home for admission, selection of inmates shall 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 old age 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 order and guidelines issued by the Government from time to time, such that inmates are also suitably represented on the Management Committee.

(2) The Government 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 hereto.

CHAPTER V

Duties and Powers of the District Magistrate

19. *Duties and Powers of the District Magistrate.*— (1) The District Magistrate shall perform the duties and exercise the powers mentioned in sub-rules (2) and (3) so as to ensure that the provisions of the Act and these Rules are properly carried out in his district.

(2) It shall be the duty of the District Magistrate to:—

(i) ensure that life and property of senior citizens of the district are protected and they are able to live with security and dignity;

(ii) oversee and monitor the work of Tribunals and Maintenance Officers of the district with a view to ensuring timely and fair disposal of applications for maintenance and execution of Tribunals' orders;

(iii) oversee and monitor the working of old age homes in district so as to ensure that they conform to the standards laid down in these rules, and any other guidelines and orders of the Government;

(iv) ensure regular and wide publicity of the provisions of the Act, and Central and State Governments' programmes for the welfare of senior citizens;

(v) encourage and co-ordinate with Panchayats, Municipalities, Nehru Yuwa Kendras, educational institutions and especially their National Service Scheme units, organizations, specialists, experts, activists, etc., working in the district, so that their resources and efforts are effectively pooled for the welfare of senior citizens of the district;

(vi) ensure provision of timely assistance and relief to senior citizens in the event of natural calamities and other emergencies;

(vii) 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;

(viii) review the progress of investigation and trial of cases relating to senior citizens in the district;

(ix) ensure that adequate number of specified application forms for maintenance are available in offices of common contact for citizens like Panchayats, Municipality, Post Office, Block Development Offices, Mamlatdar Offices, Collectorate, Police Station, etc.;

(x) promote establishment of dedicated helplines for senior citizens at district Headquarters, to begin with; and

(xi) perform such other functions as the Government may, by order, assign to the District Magistrate in this behalf, from time to time.

(3) With a view to performing the duties mentioned in sub-rule (2), the District Magistrate shall be competent to issue such directions, not inconsistent with the provision of the Act, these rules, and general guidelines of the Government, as may be necessary, to any concerned Department or statutory agency or body working in the district, and especially to the following:—

(a) Officers of the Government in the Police, Health and Publicity Departments, and the Department dealing with welfare of senior citizens;

(b) Maintenance Tribunals and Conciliation Officers;

(c) Panchayats and Municipalities, City Municipal Corporations; and

(d) Educational institutions.

CHAPTER VI

Protection of Life and Property of Senior Citizens

20. Action Plan for the protection of life and property of senior citizens.— (1) The District Superintendent of Police, such Police Officer shall take all necessary steps, subject to such guidelines as the Government 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 (i.e. without there being any member in their household who is not a senior citizen);

(ii) a representative of the Police Station together, as far as possible, with a social worker or volunteer, shall visit such senior citizens at regular intervals of at least once a month, and shall, in addition, visit them as quickly as possible on receipt of a request for assistance from them;

(iii) complaints/problems of senior citizens shall be promptly attended to, by the local police;

(iv) one or more Volunteers' Committee(s) shall be formed for each Police Station 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) the District Superintendent of Police or, as the case may be, the Director General of Police shall cause to be publicized widely in the media and through the Police Stations, at regular intervals, the steps being taken for the protection of life and property of senior citizens;

(vi) each Police Station shall maintain a separate register containing all important particulars relating to offences committed against senior citizens, in such form as the Government may, by order, specify;

(vii) the register referred to in clause (vi) shall be kept available for public inspection, and every officer inspecting a Police Station shall invariably review the status as reflected in the register;

(viii) the Police Station shall send a monthly report of such crimes to the District Superintendent of Police by the 10th of every month;

(ix) List of Do's and Don'ts to be followed by senior citizens in the interest of their safety will be widely publicized;

(x) Antecedents of domestic servants and others working for senior citizens shall be promptly verified, on the request of such citizens;

(xi) Community policing for the security of senior citizens will be undertaken in conjunction with citizens living in the neighbourhood, Residents' Welfare Associations, Youth Volunteers, Non-Government Organizations, etc.;

(xii) the District Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20th 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;

(xiii) the District Magistrate shall cause the report to be placed before the District-level Co-ordination-cum-Monitoring Committee constituted under rule 22;

(xiv) the Director General of Police shall cause the report submitted under clause (xii) to be compiled, once a quarter and shall submit them to the Government every quarter as well as every year for, *inter alia*, being placed before the State Council of Senior Citizens constituted under rule 21.

CHAPTER VII

State Council and District Committees of Senior Citizens

21. *State Council of Senior Citizens.*— (1) The Government may, by order, establish a State

Council of Senior Citizens to advise the Government on effective implementation of the provision of the Act and these rules and to perform such other functions in relation to senior citizens as the Government may specify.

(2) The State Council shall consist of the following members, namely:—

(i) Minister in the State in charge of welfare of senior citizen—

Chairman, *ex officio*

(ii) Secretaries of Departments of the Government dealing with Disabilities, Senior Citizens' Welfare, Health, Home, Publicity, Pensions, and other subjects of concern to the senior citizens—

Members, *ex officio*

(iii) Such number of specialists and activists in the field of welfare of senior citizens, as the Government may determine, to be nominated by the Government—

Members

(iv) Such number of eminent senior citizens, as the Government may determine, but not less in number than the *ex officio* members in the Council, to be nominated by the Government—

Members

(v) Director, Directorate of Social Welfare, of the Government—Member Secretary, *ex officio*

(3) The State Council shall meet at least once in six months.

(4) Tenure of the members of the State Council, other than *ex officio* members, rules of procedure of the Council and other ancillary matters shall be such as the Government may, by order, specify.

22. *District Committee of Senior Citizens.*—

(1) The Government may, by order, establish a District Committee of Senior Citizens for each District to advise in effective and co-ordinated 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 Government may specify:

(1) The District Committee shall meet once every quarter.

(2) Composition of the District Committee, tenure of members (other than ex officio members), rules of procedure and other ancillary matter shall be such as the Government may, by order, specify.

SCHEDULE

(See rule 18)

Norms of Physical Facilities and Operational Standards for an old age home for Indigent Senior Citizens Established under section 19 of the Act

I. Physical Facilities

1. *Land*: 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/ Government, in the case of semi-urban/rural areas, the Government 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.

2. *Living Space*: The old age home shall, as far as possible, have minimum area per inmate as per the following norms:

(i) area of bedroom/dormitory per inmate
7.5 sq. metres

(ii) living area or carpet area per inmate i.e. including (i) above plus ancillary areas like kitchen, dining hall, recreation room, medical room, etc., but excluding verandahs, corridors, etc.

12 sq. metres

3. *Facilities*: (1) The old age home shall have the following facilities:

(i) residential area comprising rooms/ dormitories separately for men and women;

(ii) adequate water for drinking and ancillary purposes;

(iii) electricity, fans and heating arrangement for inmates (as necessary);

(iv) kitchen-cum-store and office;

(v) dining hall;

(vi) adequate number of toilets and baths, including toilets suitable for disabled persons;

(vii) recreation facilities, television, newspaper and an adequate collection of books; and

(viii) first aid, sick bay and primary health care facilities.

(2) The old age home should be barrier-free with provision of ramps and handrails and where necessary, lifts, etc.

II. Operational Standards

1. Supply of nutritious and wholesome diet as per scale to be fixed by the Government.

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.

By order and in the name of the Governor of Goa.

N. B. Narvekar, Director of Social Welfare & ex officio Joint Secretary.

Panaji, 24th September, 2009.

FORM - A

[See rule 4(1)]

Application for Maintenance

Before the Maintenance Tribunal constituted under section 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

..... Sub-Division.

..... District.

- (1) Name of the applicant:
(Senior Citizen/Parent/Organization)
- (2) Name of the Father/Husband/Organization:
- (3) Full Postal address:
- (4) Name of Children/Relative:
- (5) Present address:
- (6) Permanent address:
- (7) Yearly income of children/relative from all sources:

Signature of the applicant

Place:

Date:

Verification

I do hereby verify that the statements made above by me are true to the best of my knowledge and belief and in verification thereof I put my signature hereunder.

Signature of the applicant

Explanation : For the purpose of Section 5 (1) (b), "Organization" means any voluntary association registered under the Societies Registration Act, 1860 or any other law for the time being in force.

FORM – B

[See rule 4 (2) (b)]

Acknowledgement

Received Maintenance Application dated from , on at a.m./p.m., and the same is registered at Serial No..... dated

Recipient's Signature

Name :-
Designation :-
Office :-

Place:

Date:

FORM – C

(See rule 6)

Before the Maintenance Tribunal at Goa.

Shri/Smt.
r/o

Applicant.

V/s

Shri/Smt.
r/o

Opposite Party.

Notice

Whereas abovenamed applicant has instituted a maintenance application, under rule 4 of the Goa Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 (copy of which is annexed herewith), against you, for the reliefs mentioned in the application;

And Whereas the Maintenance Tribunal is satisfied that it is your obligation to maintain the Applicant under section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007);

Now, therefore you are hereby issued Notice to appear before this Tribunal on at and show cause as to why the application of the Applicant should not be granted, failing which, the matter will proceed as per law in force.

Presiding Officer
Maintenance Tribunal

Place:

Date:

FORM - D

[See rule 6 (1)]

Before the Maintenance Tribunal at, Goa.

To

.....
.....
.....

Notice

Take notice that the hearing on your maintenance application dated is fixed before me on at Due notice has been sent separately on the opposite parties.

You are, therefore, directed to appear before me on aforesaid date and time, failing which the matter will proceed as per law in force.

Presiding Officer
Maintenance Tribunal

Place :

Date :

FORM - E

(See rule 10)

Before the Maintenance Tribunal at, Goa.

Maintenance Application No.....

To

Shri.....

Conciliation Officer

.....
.....

Sir,

Sub.:- Reference to Conciliation Officer.

Whereas the applicant, Shri/Smt. r/o and opposite party Shri/Smt. r/o appeared before me on

..... at in the above referred maintenance application, and their opinion was sought as to whether they would like the matter to be referred, to the Conciliation Officer for settlement and the parties concerned expressed their willingness in this behalf and agreed to refer the matter to the Conciliation Officer.

You are, therefore, appointed as a Conciliation Officer in the present matter to settle the dispute and finalize the terms of settlement acceptable to both the parties, and submit your report within month from the date of the receipt of this reference.

The records and proceedings i.e. application/replies etc., running pages from C/..... to C/..... are annexed herewith for your needful.

Presiding Officer
Maintenance Tribunal

Encl.: Records and Proceedings

Copy to,

- 1) Shri
.....
.....
- 2)
.....
.....

FORM - F

[See rule 11 (2)]

Memorandum of Settlement

This Memorandum of Settlement is drawn between Shri i/omajor, applicant in the Maintenance Application No....., (hereinafter referred to as "Party No. I") and Shri i/omajor, as opposite party (hereinafter referred to as "Party No. II").

- (1) The Party No. I claimed as under : (Specify details)
 - (i)
 - (ii)
 - (iii)
- (2) The Party No. II after having gone through above claims agreed as under :
 - (i)
 - (ii)
 - (iii)

The Party No. I, agree and confirms settlement as agreed by Party No. II in para two hereinabove.

This settlement is arrived at on this day ofof the year..... and signed hereto, by the parties.

Party No. I

Signature

Name:

Address:

Party No. II
 Signature
 Name :
 Address :

Before me
 Signature
 Conciliation Officer

Name :
 Address :

FORM – G

[See rule 11 (2)]

From : Shri
 Conciliation Officer

Dated :

To
 The Presiding Officer
 Maintenance Tribunal at....., Goa

Sub. : Memorandum of Settlement
 Ref. : Maintenance Application No. of

Sir,

Upon the receipt of reference on the above said application, the parties in question were called by me and after hearing, both the parties arrived at amicable settlement, which I have drawn in Form F. The Memorandum of Settlement alongwith records and proceedings, running in pages from C/..... to C/.....are forwarded hereto.

Signature
 Conciliation Officer

.....

Encl. : As above.

FORM – H

[See rule 11 (3)]

From : Shri
 Conciliation Officer

 Dated :

To
The Presiding Officer
Maintenance Tribunal at....., Goa.

Sub. : Maintenance application No.

Sir,

Upon the receipt of records and proceedings, in above maintenance application, both the parties were heard by me from time to time. I have convinced both the parties, the pros and cons of the Act and the Rules framed thereunder and suggested them to put forth their claims.

The applicant put forth his claims as under :

- (i)
(Specify details)
(ii)
(iii)

The opposite party/parties were asked to examine the claims and asked his/their views on the claims. The opposite party agreed to settle following claims:—

- (i)
(ii)
(iii)

And further stated that claims like,.....
.....
.....

cannot be agreed due to.....
.....
(Specify reasons)

The applicant was asked whether he is agreeable for the settlement as agreed by the opposite party. The applicant turned down to accept settlement due to:
.....
(Specify reasons)
.....

I have made full efforts to convince the parties to arrive at final settlement, but could not succeed to arrive at final settlement.

Therefore, both parties agreed to refer back the reference to the Tribunal for further hearing.

Therefore, records and proceedings running in pages from C/.....to C..... are returned here with to initiate further action at your end.

.....
Signature
Conciliation Officer

Name :
Address:

Copy to (1) Shri

 Applicant

(2) Shri

 Opposite party

FORM – I

(See rule 15)

Before the Appellate Tribunal for District of of the State of Goa.

Maintenance Appeal No.

From

Shri

.....

.....

.....

Appellant

V/s

Shri

.....

.....

.....

Respondent

Appeal under sub-section (1) of section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

The appellant being aggrieved by the Order passed by the Presiding Officer of Maintenance Tribunal, at Goa, in Maintenance Application No., beg to appeal on some of the following facts and grounds:-

Facts

.....

(Specify in details)

Grounds for appeal.....

.....

The appellant, therefore, pray as under :

(a)

(b)

(c)

(d)

Appellant

Place:

Date:

Verification

I, Shri....., major of age, i/o do hereby verify the statements made above by me are true to the best of my knowledge and belief and on verification thereof I put my signature hereunder.

Place: (Signature of the appellant)

Date:

Identified by me
.....

FORM – J

(See rule 16)

Acknowledgement

Received Maintenance Appeal dated from appellant Shri..... of on at by the Appellate Tribunal of District of and registered it in the register at Sl. No. dated The next date of hearing in the said appeal is fixed on at before the Appellate Tribunal of District of

Place: Signature
for Appellate Tribunal
of District of
Date:

FORM – K

(See rule 17)

Before the Appellate Tribunal for District of of the State of Goa.

Appeal No.

Shri.....
.....
.....
.....
Appellant

V/s

Shri.....
.....
.....
.....
Respondent

Notice

Whereas abovenamed Appellant has instituted above referred appeal in this Tribunal and the same is fixed for hearing in this Tribunal on..... at
(The copy of the appeal memo and annexure are annexed hereto.)

The Respondent is, hereby, directed to appear before this Appellate Tribunal on aforesaid date and time in person or through legal representative to answer the claim of the Appellant, failing which, the matter will proceed as per law in force.

Given under my hand and seal of this Appellate Tribunal, dated this of

Presiding Officer

for District or _____

—◆◆◆—