Polity & Governance · GS - II

Examine the role of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, in protecting the rights and dignity of elderly persons.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 24/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Elderly welfare, maintenance obligations, property rights, Maintenance Tribunals, Article 41, social security

Model Answer

Introduction

Changing family structures, urbanisation and increasing nuclear households have created new challenges for elderly care in India. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, provides a legal framework to protect their maintenance, welfare and dignity.

Major Provisions of the Act

1. **Right to maintenance:** Section 4 enables parents and eligible senior citizens unable to maintain themselves to claim maintenance from specified relatives.

2. **Maintenance Tribunals:** Section 7 provides for the establishment of tribunals to adjudicate maintenance claims through a simplified procedure.

3. **Protection of property:** Section 23 permits the cancellation of certain property transfers when the transferee fails to fulfil a condition of providing basic amenities and physical needs.

4. **Old-age homes:** Section 19 provides for the establishment and maintenance of old-age homes by State Governments, subject to the statutory framework.

5. **Medical and welfare support:** The Act also contains provisions relating to medical care and protection of the life and property of senior citizens.

Challenges in Implementation

1. **Low awareness:** Many elderly persons are unaware of their legal rights and available remedies.
2. **Family dependence:** Emotional and financial dependence can discourage elderly persons from initiating legal proceedings.
3. **Administrative limitations:** Inadequate infrastructure and delays can reduce the effectiveness of Maintenance Tribunals.
4. **Social attitudes:** Neglect, isolation and financial exploitation remain difficult to address through legislation alone.

Way Forward

1. Strengthen Maintenance Tribunals and ensure timely disposal of applications.
2. Improve access to legal aid and awareness programmes.
3. Expand affordable healthcare, social security and community-based elderly care.
4. Encourage intergenerational responsibility and family-based support systems.

Conclusion

The Act provides an important legal safeguard for elderly persons, but effective implementation requires accessible institutions, social awareness and stronger public welfare support. Protecting the dignity of senior citizens must remain a shared responsibility of families and the State.

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