

ITEM NO.1502

COURT NO.2

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).193/2016

DR.ASHWANI KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

WITH

W.P.(C) No. 81/2015 (PIL-W)

Date : 13-12-2018

These petitions were called on for
pronouncement of judgment today.

Amicus

Mr. Mathew Cherian (Helpage)
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Ms. Kinjal Sampat, Adv.

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Puducherry	Mr. V.G. Pragasam, Adv. Mr. S. Prabu Ramasubramanian, Adv.

Hon'ble Mr. Justice Madan B. Lokur pronounced the judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice Deepak Gupta.

In view of the signed reportable judgment, the following directions have been issued:

"1. The Union of India will obtain necessary information from all the State Governments and the Union Territories about the number of old age homes in each district of the country and file a Status Report in this regard.

2. The Union of India will also obtain from all the State Governments the medical facilities and geriatric care facilities that are available to senior citizens in each district and file a Status Report in this regard.

3. On the basis of the information gathered by the Union of India as detailed in the Status Reports, a plan of action should be prepared for giving publicity to the provisions of the MWP Act and making senior citizens aware of the provisions of the said Act and the constitutional and statutory rights of senior citizens.

4. Section 30 of the MWP Act enables the Government of India to issue appropriate directions to the State Governments to carry out and execute the provisions of the MWP Act. The Central Government must exercise its power in this regard and issue appropriate directions to the State Governments for the effective implementation of the provisions of the MWP Act. Alongside this, the Central Government must, in terms of Section 31 of the MWP Act, conduct a review for the purposes of monitoring the progress in implementation of the MWP Act by the State Governments.

5. Some of the schemes referred to hereinabove are comparatively dated. It is high time that the Government of India has a relook at these schemes and perhaps overhaul them with a view to bring about convergence and avoid multiplicity. In particular, the Government of India and the State Governments must revisit the grant of

pension to the elderly so that it is more realistic. Of course, this would depend upon the availability of finances and the economic capacity of the Government of India and the State Governments.

52. The Status Reports should be filed by the Union of India through the learned Additional Solicitor General on or before 31st January, 2019.

53. List the matters for further proceedings on receipt of the Status Reports.”

(SANJAY KUMAR-I)
AR-CUM-PS

(Signed reportable judgment is placed on the file)

(KAILASH CHANDER)
ASSISTANT REGISTRAR