

[AS INTRODUCED IN THE SENATE]

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BILL

to provide for the well-being, comfort and dignity of the senior citizens in the Islamabad Capital Territory

WHEREAS it is expedient to provide for the establishment of the Board for the well-being, comfort and dignity of the senior citizens in the Islamabad Capital Territory;

AND WHEREAS the Constitution of the Islamic Republic of Pakistan, enjoins on the State to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race;

It is hereby enacted as follows:-

**PART-I
PRELIMINARY**

1. Short title, extent and commencement.-(1) This Act may be called the Islamabad Capital Territory Senior Citizens Board Act, 2017.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.-(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) "Act" means the Islamabad Capital Territory Senior Citizens Board Act, 2017;

(b) "Board" means the Islamabad Capital Territory Senior Citizens Welfare Board established under section 3;

(c) "Chairperson" means the Chairperson of the Board;

(d) "Fund" means the Islamabad Capital Territory Senior Citizens Welfare Fund established under section 10;

(e) "Government" means the Government of Pakistan;

(f) "ICT" means the Islamabad Capital Territory;

(g) "Indigent" means any senior citizen who has not having sufficient means of income as may be determined by the Board from time to time;

- (h) "Senior citizen" means an elderly person of age of 60 years and above living in the Islamabad Capital Territory;
- (i) "Welfare" includes all such services relating to social, economic, boarding, lodging and legal protection of senior citizens; and
- (j) "Welfare packages or grants" mean welfare and social security packages or grants announced for welfare of the senior citizens by the Government.

(2) The expressions, not defined in sub-section (1), shall have the same meaning as defined in any other relevant law or generally used.

PART-II
SENIOR CITIZENS BOARD

3. Establishment of the Board.- As soon as after the commencement of this Act, the Government shall establish a Board to be known as the Islamabad Capital Territory Senior Citizens Welfare Board.

4. Composition of the Board.-(1) The Board shall consist of,-

- (a) The Minister for Capital Administration and Development; Chairperson
- (b) Three Members of the Senate preferably having age of 60 years or above to be nominated by the Chairman Senate; Members
- (c) Three members of the National Assembly preferably having age of 60 years or above to be nominated by the Speaker National Assembly; Members
- (d) Mayor, Municipal Corporation Islamabad; Member
- (e) Secretary, Capital Administration and Development Division; Ex-officio Member/
Secretary

(2) The Board shall have powers to co-opt members from amongst persons who are experts in their respective fields, for advice on particular matters under its consideration.

(3) The members of the Board, other than ex-officio members, shall be nominated for a term of three years which may be extended for another term of three years.

(4) If a member of the Board, other than ex-officio member, is unable to perform as member of the Board, he shall inform the Board and the Board after receiving such information, may cancel his membership.

(5) Any casual vacancy of a member, other than an ex-officio member, shall be filled in by a person nominated by the respective Authority and the person so nominated shall hold office for the unexpired period of the term of his predecessor.

5. Qualification of Members.- No person shall be the member of the Board unless,-

- (a) he is a citizen of Pakistan;
- (b) he is sane and of sound mind;
- (c) he has not been convicted of an offence involving moral turpitude;
- (d) he has not at any time been adjudicated insolvent;
- (e) he has not at any time been disqualified for employment in or dismissed from Government service;
- (f) he is not acting in contravention of the provisions of this Act;
- (g) he has financial interest in any aspect of the Authority, or has a conflict of interest, directly or indirectly, with the Authority.

6. Powers and functions of the Board.-(1) Subject to the provisions of this Act and rules, the Board shall exercise such powers and perform such functions, as may be necessary for carrying out the purposes of this Act.

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(2) Without prejudice to the generality of the fore-going sub-section, the Board shall,-

- (a) formulate policy proposals on aging in the light of national commitments on the welfare of senior citizens and submit it to the Government for the approval from time to time;
- (b) conduct research and compile data on various aspects of aging for the wellbeing of senior citizens for policy or plan formulation;
- (c) take steps towards introduction of geriatrics as part of the syllabus of medical universities or colleges;
- (d) propose arrangements in hospitals for better medical attention to senior citizens;
- (e) create facilities including clubs, for better social inter-action among senior citizens;
- (f) arrange workshops to educate senior citizens about life changes required for a healthy and stratifying old age;
- (g) formulate proposals to accommodate the requirements of senior citizens in urban and rural planning and development;
- (h) undertake social, economic and other welfare activities in collaboration with public and private sectors for the welfare of senior citizens;
- (i) mobilize of financial resources for welfare of the senior citizens;
- (j) constitute committees to assess and carry out welfare activities for senior citizens;
- (k) co-ordinate with Government, non-governmental and international social and welfare organizations at national and international level to take steps for the welfare of senior citizens;
- (l) make regulations for proper functioning of the Board including regulations for appointment of different categories of employees under the administrative control of the Board;

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- (m) publish reports and other material for guidance and welfare of senior citizens;
- (n) grant of senior citizens awards in the fields of their expertise;
- (o) create awareness in the public through organizing seminars, workshops, conferences and use of mass media;
- (p) establish senior citizens homes to accommodate homeless, deserted and indigent senior citizens; and
- (q) encourage to setup organization of senior citizen corps for utilization of their potential for service activities and national development.

7. Meetings of the Board.-(1) The meetings of the Board shall be held quarterly, and shall be presided over by the Chairperson or, in his absence, by a member nominated by the Chairperson for the purpose. One third of the total members shall constitute the quorum.

(2) All decisions of the Board shall be taken by simple majority of the members of the Board present in the meeting. The Chairperson shall have a casting vote in case of a tie.

(3) Decision of the Board shall be recorded by the Secretary of the Board, who shall circulate such decisions for confirmation to Chairperson and the members within fifteen days of each meeting.

PART-III ESTABLISHMENT OF OLDAGE HOMES

8. Establishment of oldage Homes.-(1) The Government shall establish and maintain such number of oldage homes at accessible places, as it may deem necessary, to accommodate indigent senior citizens in such homes.

(2) The Government shall prescribe scheme for management of old age homes including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to inhabitants of such homes.

(3) The Secretary, Capital Administration and Development Division shall be the Incharge of the oldage homes.

**PART-IV
PRIVILEGES TO SENIOR CITIZENS**

9. Privileges to senior citizens.-(1) A senior citizen may, on completion of his sixty (60) year of age, apply for the senior citizen card.

(2) The procedure and criteria for obtaining the senior citizen card shall be such, as may be prescribed by rules.

(3) The senior citizens shall be allowed the following privileges on the basis of senior citizen card:-

- (a) free of charge entry to public museums, libraries, parks and recreation facilities;
- (b) financial supports to deserving senior citizens;
- (c) separate counters for senior citizens in hospitals;
- (d) separate counters for senior citizens in utility stores;
- (e) separate counters for senior citizens in banks;
- (f) concession in medical and medicine charges;
- (g) separate medical wards; and
- (h) fares concession in public transport.

10. Fund.-(1) There shall be established a Fund to be known as the Islamabad Capital Territory Senior Citizens Welfare Fund, consist of-

- (a) all grants, allocations made by the Government of Pakistan;
- (b) donations, endowments, contributions made by the private individual organizations within country and abroad; and
- (c) all sums received by the Board from any other source including Pakistan Bait-ul-Mal, Profits on Investment from funds, funds generated by different motivated campaigns and received from any lawful sources. Funds shall be invested only in scheduled banks and National Saving Schemes. No investment will be made in stock market shares or used for speculation in any manner.

(2) The Fund shall be administered by the Board, which shall make such allocations for specific activities, enumerated in sections 8 and 9 of this Act and may deem appropriate in line with the performance of functions of the Board.

(3) The Government shall make annual budgetary allocations for the establishment and other charges of the Board.

(4) The Fund shall be utilized for,-

- (a) the establishment charges; and
- (b) welfare of the senior citizens.

(5) The Fund shall be maintained in a scheduled bank and shall be operated in accordance with directions of the Board.

(6) The Fund shall be regularly monitored by the Board and audited in the same manner as in the case of the funds of other Government Departments.

(7) The Fund shall be maintain in accordance with the rules and shall be auditable annually through Auditor General of Pakistan and annual audit report of the Fund shall be submitted to the Government of Pakistan.

PART-V OFFENCE AND PROCEDURE FOR TRIAL

11. Contravention.- Any person, who refuses to honor the senior citizen card issued by the Board or violates any provision of this Act, shall be punished with rigorous imprisonment up to three years but not less than six months or with fine which may extend to fifty thousand rupees or with both.

12. Abandonment of Senior Citizen.-Whoever, having the care and protection of senior citizen including family member and spouse, leaves such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment up to three months or with fine which may extend to thirty thousand rupees or with both.

13. Cognizance of Offences.-(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence shall be cognizable and bailable.

(2) An offence under this Act shall be tried summarily by a Judicial Magistrate of First Class.

**PART-VI
MISCELLANEOUS**

14. Head office of the Board.-The Head office of the Board shall be at Islamabad.

15. Public servants.-All employees of the Board shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

16. Officers, employees, etc.-To carry out the purposes of this Act, the Board may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

17. Power to make rules.-The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Customary standards of the Pakistani society lay stress on giving consideration to the elderly. However, the starting trends of nuclear family system have led most elderly of the family unattended, not being taken care of and are particularly left to spend their twilight years all alone. They are often exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge and there is a need to give more attention to the care and protection for the older persons.

The Bill proposes to constitute a board to work for the well being of senior citizen and to make provisions for setting-up old-age homes for the indigent older persons. The Bill further proposes to provide better medical facilities to the senior citizens and provisions for protection of their life and property. The Bill, therefore, institutionalizes the protection of senior citizen's rights and the provision of proper care to senior citizens.

The Bill seeks to achieve the above objectives.

**SENATOR CHAUDHARY TANVIR KHAN
Member-in-Charge**