

National Policy on Senior Citizens 2011

Draft submitted to the

Union Minister for Social Justice & Empowerment,

Government of India

Background

The National Policy on Older Persons was announced by the Government of India in the year 1999. It was a step in the right direction in pursuance of the UN General Assembly Resolution 47/5 to observe 1999 as International Year of Older Persons and in keeping with the assurances to older persons contained in the Constitution of India. The Right to Equality for all citizens is guaranteed by the Constitution of India as a fundamental right. The well-being of senior citizens is mandated in the Constitution of India under Article 41. "The state shall, within the limits of its economic capacity and development, make effective provision for securing the right to public assistance in cases of old age". Social security in the event of any citizen/s facing vulnerability is the concurrent responsibility of both the central and state governments.

The 1999 Declaration has been followed by some very significant global developments in the area of welfare and development rights of the older persons; these include The Madrid International Plan of Action on Ageing 2002, the United Nations Principles for Senior Citizens adopted by the UN General Assembly in 2002, the Proclamation on Ageing, the global targets on ageing for the Year 2001 adopted by the General Assembly in 1992, the Shanghai Plan of Action 2002 and the Macau Outcome document 2007 adopted by UNESCAP, etc. These and other global policy guidelines were intended to encourage Member-States to design and implement their own policies and programmes from time to time. The Government of India is a signatory to all these global articulations concerning older persons.

The Policy and plans were put in place as a recognition of the stellar role played by both the Family as a traditionally cherished social institution with its reverence towards their older members and by the continuing mentoring roles played by the older persons themselves within their respective families; their traditional roles have been both of active engagement with the family when needed and faith in social and spiritual engagement outside the family in view of their old age. The older persons have, by and large, created adequate space for their younger members to take up the task of re-shaping or strengthening the quality of life in the family.

The Central and some State governments formulated the Policy and Programmes concerning older persons in the context of the above stated recognition; governance

systems stepped in to either remedy the constraints faced by the family, neighbourhood and community or supplement through programmes and resources to fill the void left by the family for both the welfare rights and the development rights of older persons within the framework so capably articulated in the Constitution of India.

The Ministry of Social Justice and Empowerment coordinates programmes to be undertaken by other Ministries in their relevant areas of support to older persons. The Ministries of Rural Development, Health & Family Welfare, Labour, Human Resource Development, Women & Child Development, Science & Technology, Urban Development, etc. manage programmes with resources relevant to their mandate and constituencies. The MP Local Area Development Fund and the MLA Local Area Development Fund are being utilized for creation of physical and social infrastructure for older persons in their respective Parliamentary and Assembly constituencies. State Governments have launched programmes with their resources, apart from utilizing and managing Central programmes. Municipalities and Zila Panchayats have also begun to develop programmes with resources in support of the welfare rights and development rights of older persons.

Old Age and Widow Pensions, relief in income tax, concessions in travel by rail, road and air, medical benefits, additional interest on savings, initiatives for protection of life and property of older persons, etc. could easily be cited as some of the significant measures in this regard. The Ministry of Social Justice and Empowerment has been providing financial support for Old Age Homes, Day Care Centres, Respite Care Centres, Mobile Medical Vans, HelpLines, etc.

The Ministry of Social Justice and Empowerment also piloted landmark legislation called "The Maintenance and Welfare of Parents and Senior Citizens Act 2007" which is being promulgated by the States and Union Territories in stages.

It needs to be noted that the Family, Neighbourhood, Community, the Civil Society, and philanthropy-led initiatives by the Corporate Sector and Individuals in India have traditionally continued to remain the largest resource providers for supporting the welfare and development of the Senior Citizens in India. Many religious and social institutions have periodically organized food security initiatives for the vulnerable persons, including older persons; some of these initiatives have also been aimed at ensuring shelter security and support for subsistence living.

Families that perform their *dharma* by upholding the values of intergenerational solidarity and ensure participation of their older members in all activities constitute, in fact, the silent majority. Some scholars believe that such families remain unsung. Families that are unable or do not uphold the *dharma* are an exception to the large majority. There have been some fissures within the Family as a social institution in regard to striking a balance between the rights of its older members and the demands and aspirations of its younger members; in some cases, such fissures within the family have led to cases of dispossession and abandonment of the older members, consequently

leading to a state of destitution. The older persons have worked out their own strategies in such environments characterized by some degree of neglect, abuse and violence; these strategies have comprised formation of peer groups or associations aimed at ensuring active participation, recreation and citizenship.

Demography of Indian Ageing

A significant rise in human life expectancy over the years has resulted not only in a very substantial increase in the number of older persons but also in a major structural shift in the age group of 80 years and above. The demographic profile depicts that in the years 2000-2050, the overall population in India will grow by 55% whereas population of people in the age group of 60 years and above will increase by 326% and those in the age group of 80+ by 700% - the fastest growing group (see table and graph).

Years	Total Population (millions)	60+ (millions)	80+ (millions)
2000	1008	76	6
2050	1572	324	48

Source: World population Ageing: 1950-2050; Department of Economic and Social affairs, Population Division, United Nations. New York.2002

A majority of the older persons in the age group of 80 years and above are and will be women among whom a majority will be widows or single women with vulnerable health and extremely limited resources for even subsistence living.

Women form majority of population ageing; they are more vulnerable, more likely to lack modern work skills, more likely to lack income security, and more likely to be widowed. The growing feminization of poverty is a stark reality in India; it assumes its worst forms surface for women in old age, more particularly so for women in the age group of 80+ years. A society that had so far taken for granted the "feminization of care giving" responsibilities within the family appears to have left the older women to face the grimness of "feminization of poverty" as well.

1/8th of the World's Elderly Population lives in India. Most of them will never retire in the usual sense of the term and will continue to work as long as physically possible. Inevitably though the disability ("ability!") to produce and earn will decline with age. In the absence of saved economic resources or universal systems of social protection, older persons will continue to experience sharp decline in living standards; those who have some saved economic resources are becoming vulnerable to dispossession, abandonment and consequently destitution.

The demographic scenario of the older persons calls for the need to emphasize, promote and provide for incentives to support the role of the family in providing all forms of care for the Oldest Old (80+ years), particularly psycho-social, financial, health and shelter. Unmet challenges, in any of these areas, would have an impact on the quality of life in old age, when care and concern are most needed. Where family falters, community, civil society and governance systems must pitch in with programmes and resources to protect the human rights of the older persons.

Increase in life span also results in chronic frailty, several ailments and functional disabilities creating a need for assistance required by the Oldest Old to manage even the basic activities of daily living. This Policy seeks to articulate a critical concern for challenges attendant on the rising longevity of people and lack of family-based, community-based and healthcare system-based provision of various types of care giving. The Indian society has for long cherished the goal of longevity with productive and active ageing, despite severe physical, sensory and cognitive constraints attendant with old age.

The National Policy for Senior Citizens 2011: Some Critical Concerns

The foundation of the new Policy, known as the "National Policy for Senior Citizens 2011" is based on the recognition of several "critical concerns". These include recognition of the fact of demographic explosion among the elderly, the global market economy and the phenomenal growth of employment in the services industry, scarcity of the number of caregivers within the Family on account of the growing tendency towards fragmentation of the joint family, and, increasing vulnerability of the older persons to dispossession, abandonment and consequently destitution.

A higher proportion of elderly women than men experience loneliness and are dependent on children. Changing pattern of morbidity affect the elderly the most. While there have been significant advances in medical research worldwide, human understanding of various forms of cognitive deficit (particularly health conditions attendant on Dementia and Alzheimer's) still await more clarity in both pharmacological and non-pharmacological perspectives. Mental Health of the older persons remains a critical concern. Similarly, there have been significant advances in Science and Technology; however, Assistive Technology aimed at enhancing autonomy of the individual is yet to become accessible, affordable, and acceptable.

A Citizen in the age group of 60 years is recognized as a Senior Citizen; he/she could be living in diverse geographic habitats in India – tribal areas, hill areas, coastal areas, desert areas, rural areas, and urban areas. The age anomaly in this description of Senior Citizens that remained in the field of direct taxation has recently been removed; in fact, the Government of India has created an additional category of Senior Citizens – i.e. "Very Senior Citizens" with their age pegged at 80 years and above. Significant tax exemptions have been granted to these two categories in the Union Budget for 2011-12.

In principle, the Policy values an age-integrated society. It will endeavour to strengthen both solidarity and integration among generations. It believes in the development of both formal and informal social support systems, so that the capacity of the family to take care of senior citizens is strengthened and they continue to live in the family. The Policy seeks to reach out in particular to the largest number of senior citizens living in rural areas and who are dependent on family bonds and intergenerational understanding and support.

The framework of "critical concerns" that this Policy articulates include the following:

- 1. Support and incentives to the Family, Neighbourhood and the Community in their continuing efforts to sustain intergenerational solidarity and participation,**
- 2. Address the concerns of poverty among older persons, particularly those living in rural areas and those who are victims of social and economic vulnerability,**
- 3. Mainstream the Rights of Older Women in all development planning,**
- 4. Harness Technology to enhance autonomy in the lives of older persons,**
- 5. Encourage participation by senior citizens, both as individuals and groups, in social, economic, cultural and political spheres of life through appropriate incentives and programmes,**
- 6. Protect the rights of older persons as consumers of financial services, healthcare, leisure industry, etc. through institution of appropriate regulatory mechanisms, and**
- 7. Plan and Nurture a partnership process among the Governance systems and structures (at national, state, district and local levels), the Community, and the Industry for the provision of resources and facilities that the Family finds extremely challenging.**

1. Support to the Family, Neighbourhood and Community

While the Family as a social institution continues to remain the bedrock of the rights of senior citizens by sustaining their bonds across generations and their participation in all social and economic decision making, the globalization of economy and the consequent migration of skilled manpower has given a substantial push to its fragmentation and nuclearization. In many cases, the family unit could easily comprise of "older members alone" with younger members having migrated to other cities, and, even other countries. Alongside migration on the part of younger members in search of better livelihood options, growing urbanization of the hitherto rural areas and small towns has resulted in shrinkage of housing space in the form of smaller residential units wherein it has become difficult to accommodate more than two generations of the same family. In some cases, the growing consumerist culture has triggered aspirations that are being met by the younger members by dispossessing the older members of their savings and other capital resources by the younger members. Dispossession is frequently followed up by abandonment of the older members pushing them to the brink of destitution. There are many other scenarios that result in dispossession, abandonment and destitution.

The Policy views the situation as one of utmost critical concern; it proposes to articulate responses to the situation in terms of creation of greater psycho-social awareness,

support by the neighbourhood and the community, incentives at the level of taxation policy both for direct income and property taxes, healthcare insurance, etc. The Policy would work towards developing a framework of governmental, community and civil society intervention in areas of development activity where the family, neighbourhood and community are unable to cope with the challenges. The Policy advocates a mix of family support incentives alongside support to development and management of alternate institutions and programmes.

2. Poverty among Older Persons

Many households in tribal areas, hill areas, coastal areas, rural areas and in urban slums find themselves at the bottom of the income ladder in India; they are too poor to save for their old age. While a majority of such households usually fall within the BPL category, many households in the APL category either do not have any significant savings or have marginal amount of savings that keep them out of the ambit of payment of taxes. Such households frequently utilize the limited amount of savings for self-insurance against unforeseen emergencies, or perhaps, in short term investments that increase their own productivity or the productivity of their children. Liquidity is, in such households, highly valued. Poverty among such households (both those in the BPL category and in APL but non-tax paying category) indicates a serious impediment to their right to dignified survival and development; poverty must be viewed, hence, as yet another critical concern calling for governmental intervention.

3. Mainstreaming the Rights of Older Women

Women and men age differently. Both the sexes have their specific concerns. The problems of elderly women are exacerbated by a lifetime of gender based discrimination, often stemming from deep-rooted cultural and social biases. It is compounded by other forms of discrimination based on class, caste, illiteracy, unemployment due to lack of skills, and marital status. Patriarchal hierarchy and access to property rights are also discriminatory. Burdened with household chores for a longer span of time compared to older men, older women do not have time for paid work, leisure or recreational activity.

It has also been observed that women experience proportionately higher rates of chronic illness and disability in later life than men. Women seem to carry a greater burden of non-communicable diseases and experience lower social and mental health status, especially if they are single and/or widowed. Over 50% of women over age 80 are widows. Elderly women and their problems need special attention as their numbers are likely to increase in the future and, given the multiple disadvantages they face in life, they are likely to be grossly unprepared to tackle the various challenges of survival.

More women than men face the prospect of being dispossessed, abandoned and rendered destitute by their own family members, as also by other unscrupulous elements in their immediate environments; the plight of older women becomes the third area of critical concerns. The situation calls for formulation of a sub-plan within any

development planning framework for older persons; it also calls for a rigorous monitoring through the instrument of gender budgeting of such development initiatives.

4. Harness Technology to Enhance Autonomy in Functioning

There have been several advances in medical technology, medicine and in technology for assistive living for elderly that have helped enhance autonomy in the lives of senior citizens; however, the benefits of such advances in the science of medicine and of technology highly beneficial to the lives of the older persons have yet to acquire the characteristics of easy access, affordability and acceptability. Many medical institutions and non-governmental organizations have been doing pioneering and commendable work by outreach of healthcare services including greater awareness at the family and community level. The concept of Home Health Service has been of tremendous support to the Family insofar knowledge and services have helped somewhat ease the anxieties of the stressed family members that are engaged in long-term care, palliative care and terminal care for their relatives.

The Ministry of Science & Technology has initiated a programme called Technology Interventions for the Elderly; the Policy views this aspect of planned development response as response to one of the "critical concerns" to the lives of the elderly and looks forward to its expansion with priority attention to utilization of technology to overcome or minimize the existing constraints faced by them in the form of physical, sensory and cognitive deficits. The Policy would also support a barrier-free elderly-friendly environment planning as part of the infrastructure development; it would work towards sharing technological knowledge with the families in the matter of development of age-friendly home modifications.

5. Encourage participation by senior citizens in social, economic, cultural and political spheres of life

Senior citizens frequently step outside their family domain, whenever feasible, to engage in peer group activities both for their own participatory interests and for the welfare and development of their immediate neighbourhood, community and society at large. Such participation extends to efforts that are aimed at enhancing the quality of their and their peer group or community's socio-cultural life. Senior citizens' Associations, etc. are very active in almost every part of the country; lately, their participation in electoral politics has also been noticed in a significant manner. This Policy takes note of the significant role of the senior citizens' community in strengthening the role of democratic institutions for participatory, transparent and accountable systems of governance at all levels. Towards this end, the Policy would encourage and support active engagement on the part of senior citizens with the Right to Information and other measures.

6. Protect the rights of older persons as consumers

Senior citizens are consumers of several product industries and services in their own right. Their contribution in this regard is abundantly evident in Healthcare services, travel and tourism services, lifestyle products and services, peer group shelter products, etc. As consumers, they make significant contribution to the economy as also to the diverse forms of tax revenues of the local bodies, state governments and central governments. The Policy strongly favours the inclusion of their development needs in the development planning processes at all levels. It also views with concern the lack of mechanisms that regulate and ensure fairness and transparency in the matter of standards of care and the pricing of such care and access to other services.

7. Partnership among the Governance systems, the Community, and the Industry

While the Family would continue to discharge its traditional *dharma* towards its own senior members, the Governance systems at all levels, the community and the industry would supplement and strengthen through appropriate interventions and resources in all domains of life of the senior citizens that are not being addressed by the Family. The interventions and resources would be planned keeping in view the constraints and challenges faced by the Family in responding to the welfare and development needs and rights of the senior citizens. These could be in the spheres of intergenerational solidarity, food security, shelter security, health (both physical and mental health) security, economic security, and protection of life and property.