

India's senior citizens finally get a hearing

The Union Cabinet's recent decision to approve a new law -- the Maintenance and Welfare of Parents and Senior Citizens Bill 2007 aimed at helping the elderly live in dignity and peace -- is a welcome move towards the protection and care of India's 77 million elderly citizens.

The past five years have been a living nightmare for Raghu Sharma, 78, a retired schoolteacher. The septuagenarian was thrown out of his Delhi flat by his two sons after they forcibly took possession of it by forging Sharma's signature on his will! Poor Sharma isn't sure what hurts him most -- the fact that he was cheated out of a house bought from his life savings, the fact that he now lives in a dilapidated barsati, or the fact that his own sons betrayed him most unconscionably.

Widowed Rajshree Bhatia, 69, a Mumbai resident, survives on the frugal pension of her late husband, a government clerk. When she refused to give her valuables and life savings to her three children, they tried to set her on fire by dousing her with kerosene! Fortunately, she was saved by her neighbours who now not only feed and clothe her but also support her decision to sue her children for mistreatment.

Even as yet another World Elder Abuse Awareness Day passed us by last month (June 15) -- with khadi-clad politicians and platitude-spewing social workers clambering onto podiums to lecture us on how we need to take care of our elderly -- the fact remains that a substantive percentage of India's whopping 77 million elderly continue to live an existence of insecurity, injustice and abuse. This is all the more disconcerting considering that India's grey population (senior citizens above 60 years) will ratchet up to 177 million in 25 years. Of this, women will constitute 51%, thanks to a spurt in life expectancy.

The International Network for the Prevention of Elder Abuse (INPEA, founded in 1997), a body dedicated to global dissemination of information on the prevention of elder abuse, designated June 15, 2006, as the first World Elder Abuse Awareness Day. The day, supported by the United Nations and the World Health Organisation, aims to raise awareness about elder abuse and how it can be prevented. Broadly, INPEA defines elder abuse as "...neglect, violation of human, legal and medical rights, and deprivation of the elderly".

Many pan-India surveys reveal that almost 30% of India's elderly are subject to some form of abuse or neglect by their families. Ironically, in spite of this, only one in six of the abused elderly report the injustice. Shockingly, 47.3% of abuse against elders is committed by adult caregivers, partners or family members, while 48.7% of all abuse cases imply neglect of an elderly person, abandonment, physical, financial or emotional abuse. Nine out of 10 calls received by Mumbai's

Dignity Foundation pertain to property-related abuse. HelpAge's Delhi, Bangalore and Chennai helplines report a similar trend.

Social scientists attribute many reasons to this upward spiral in injustice against senior citizens. "Such cases reflect a rapidly altering social landscape where family bonds are weakening and elders are being marginalised," says sociologist Dr Aruna Khatri. Another reason for this social menace, Khatri points out, is that a growing number of middle class children are moving out of their parental homes to live independently or go overseas to seek better work opportunities. "Changing family dynamics have left many elderly people feeling lonely and more vulnerable to crime," says Khatri.

According to Shalini Dewan, Director, United Nations Information Centre, New Delhi, the problem of elder abuse is largely under-recognised although the UN considers it critical. Member countries of the United Nations adopted an International Plan of Action in Madrid in April 2002 to recognise the importance of elder abuse and put it in its framework of universal human rights.

According to a recent all-India INPEA survey, the problems of the elderly can be broadly categorised as economic, health, disability, and social. In Delhi, the survey revealed that the most prevalent health problems among the elderly related to mental handicap, orthopaedic and ophthalmic problems. Loneliness, no source of income, and unemployment were also found to be widespread among Delhi's elderly. However, in Kolkata, lack of adjustment, no source of income, non-fulfilment of basic needs, alcoholism/drug addiction and chronic illness were the major problems.

Loneliness was, in fact, a common refrain among the elderly from all regions. Similarly, lack of familial adjustment among the elderly in Kolkata, and abuse of elders in Imphal were found to be significantly higher, compared to other regions. Unemployment, unfulfilled basic needs and no source of income were universally prevalent among senior citizens in all the four regions surveyed. Orthopaedic and ophthalmic problems were very high among the elderly in northern and southern Indian regions.

Apart from the social and health problems, what also troubles the elderly -- especially in cosmopolitan areas -- is lack of safety and security. For instance, gruesome crimes have been committed against senior citizens living in Delhi, in the last few years. Overall, 500 murders of senior citizens were committed in Delhi in 2005, 511 in 2004, and 547 in 2002. So far this year, according to police records, the city and the national capital region (NCR) have already witnessed 18 murders of elderly couples. In addition, out of the 18 murders last year, 11 took place in south Delhi which is inhabited mostly by the upper middle class and rich. The motive was mainly robbery, as the police claim the city's elderly are soft targets.

But despite the staggering statistics -- which highlight a truly sordid picture of security for the elderly in the national capital -- the police are vehement that their measures are productive. According to DCP (south) Anil Shukla, the police have ramped up security for senior citizens manifold in all areas. But, he says, the elderly too need to be aware of the facilities and helplines that exist for their convenience. "Any senior citizen can call up the Delhi police at 1291 and register his complaint. Immediate action will be taken on the complaint," he explains. Shukla also stresses the importance of verification of servants, tenants and drivers.

The Delhi police have set up a special cell to deal with the security of senior citizens, which coordinates and monitors campaigns for their safety. An advisory has been issued for senior citizens to submit the names and details of their servants to the nearest police station. Neighbourhood watch schemes, patrolling by policemen, and wireless alarm systems are other measures already in place.

But are these measures enough? Apparently not, according to many resident welfare associations in Delhi and the NCR. "Crimes against the elderly are spiralling despite such measures," says J K Puri, General Secretary of a local resident welfare body. "The police invariably wake up after the crime. Why don't they do something at the prevention stage?"

Dr Aabha Chowdhury, Founder Secretary, Anugraha, a Delhi-based NGO that works for the welfare of the elderly, thinks many problems of the elderly could be solved by whittling down dependence on the government and family members. "The elderly should look at creating their own community network to rely on in times of need, by taking their welfare matters into their own hands," she asserts.

Apart from NGO interventions, the National Institute for Social Defence, an autonomous organisation under the Ministry of Social Justice and Empowerment, has also identified the special needs of the elderly and designed targeted interventions. It has launched Project NICE, an initiative on care for the elderly, which provides technical training and teaches care of the elderly through three-month and six-month courses, free of charge.

According to Rafiq ur Rehman, Project Director, NICE, the response has been overwhelming. "We've started a one-year post-graduate diploma course to enhance skills and knowledge in geriatric care. Now, geriatric care can be taken up as a career. The two short-term courses are customised for individuals or NGOs who want to learn how to take care of elderly patients at home." Project NICE also engenders valuable data on the social and economic status of older persons. Its last survey showed loneliness, loss of economic independence and declining health to be major problems among senior citizens.

Even as the police and NGOs are doing their bit, the Union Cabinet's recent decision to approve a new law -- the Maintenance and Welfare of Parents and

Senior Citizens Bill 2007, aimed at helping the elderly live in dignity and peace -- is a welcome move. The Bill -- to be introduced in Parliament this monsoon session -- includes provisions to protect our country's senior citizens besides expressly prescribing the State's role in taking care of them.

The Bill also places a legal obligation on children and relatives to maintain the senior citizen or parent in order to enable him to live a 'normal life'. This obligation applies to all Indian citizens, including those living abroad. Children/heirs will henceforth be required to provide sufficient maintenance to senior citizens, while state governments will establish old-age homes in every district.

According to the proposed law, any senior citizen who is unable to maintain himself on his own earnings or property shall have the right to apply to a maintenance tribunal for a monthly allowance from his child/relative. The maintenance tribunal may also, on its own, initiate the process for maintenance. State governments shall set the maximum monthly maintenance allowance. The Bill caps the maximum monthly allowance at Rs 10,000 per month. Punishment for not paying the required monthly allowance shall be Rs 5,000 or up to three months imprisonment, or both.

In view of the increasing number of cases of harassment of elderly citizens, the Bill's provision for a tribunal certainly is noteworthy, especially as it will hear out senior citizens' complaints of neglect, physical injury, mental cruelty, separation from families and their restoration, against their children or any external agency. The tribunal will also be required to dispose of complaints within 90 days. In other words, justice will neither be delayed nor denied.

The Older Persons' Bill reflects new priorities as the Indian demographic profile undergoes a perceptible change. It offers a comprehensive framework and a national perspective for developing and administering programme interventions for older persons. In a country where the wellness quotient of 77 million citizens depends on such measures, this Bill is indeed a welcome move.

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