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For the fourteenth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons, 2024

Focus area 2 (a): Protection of the rights of older persons to 'Social Inclusion'

Definition

Indian Constitution:

a) Article 41 - This article of the Constitution secures the right of senior citizens to employment, education and public assistance. It also ensures that the state must uphold these rights in cases of disability, old age or sickness.
b) Article 46 - This Article of the constitution asserts that the educational and economic rights of the weaker sections (elderly) must be protected by the state.

Other key legislations, policies and programmes:

National Policy on Older Persons (1999): The policy envisages state support to ensure financial and food security, health care, shelter, protection against abuse and considering the elderly as a resource by advocating their inclusion within the family, community and society and carving out specific productive roles and opportunities for them.

The National Policy for Senior Citizens, 2011 It focuses on increasing employment opportunities and living facilities for abandoned senior citizens. It recognizes senior citizens as a valuable resource and urges to create an environment that enables their full participation in the society. The policy further wants to ensure social security of older citizens of the country.

The Maintenance and Welfare of Parents and Senior Citizens Act was enacted by the Parliament in 2007 to provide maintenance support to elderly parents and ensure their basic rights of life, property and medical facilities by enabling them to participate in sustainable development.

Senior Citizens' Welfare Fund: Established in March 2016, this fund is utilised for welfare schemes for promoting financial security, healthcare, nutrition, welfare of elderly widows, old age homes and day care centres.

Social Security schemes (the major focus of which is financial-*pension and insurance,* as well as food security) and sub-schemes under the programme Atal Vayo Abhyuday Yojana, which includes Integrated Programme for Senior Citizens – *health, shelter, continuous care homes, Mobile Medicare units, etc.*, Rashtriya Vayoshri Yojana, National Helpline - *14567* and equity participation in start-ups for elderly care.

Scope of the rights – References to existing national legal standards

a) The health and shelter sub-scheme Integrated Programme for Senior Citizens (IPSrC) of Atal Vayo Abhyuday Yojana, highlights improving the quality of life of senior citizens by providing basic amenities like shelter, food, medical care and 'entertainment' opportunities.

b) Elderly population seems to be missing from the plans [of Indian Government's National Digital Literacy Mission](#) which aims to empower at least one person per household with crucial digital literacy skills.

c) All the aforementioned legislations, government programmes and social security schemes either advocate or have provisions for access to resources for the elderly in order to live independently.

d) Setting up and maintenance of institutions for the abandoned and destitute and ensuring institutional care for them have been covered under The National Policy for Senior Citizens, 2011 and Integrated Programme for Senior Citizens.

e) The Integrated Programme for Senior Citizens by the Ministry of Social Justice and Empowerment has a provision of assistance to NGOs and civil society organisations to implement programmes that will strengthen [intergenerational relationships](#) particularly between children/ youth and older persons.

f) It is a mandate of the [National Human Rights Commission (NHRC)](#) to work for the protection of human rights. The National Policy for Senior Citizens, 2011 has a provision to constitute national/state level commission for senior citizens to deal with cases pertaining to violations of rights of senior citizens.

Challenges, State Obligations & Special Considerations

One of the key deliverables of social inclusion is enhancing access of elders to social security schemes, including identity, pension, health and livelihood schemes. The State must review existing programmes and initiatives for [gaps in design and implementation](#), [take corrective measures](#), encourage synergies between CSOs for knowledge exchange and promote as well as strengthen Community Based Organizations (CBOs) to ensure effective dissemination and implementation of existing/new Government policies. Programmes that enhance intergenerational solidarity have to be conceptualized and promoted. Training the elderly in computers and [digital](#) technology to make them digitally literate. This will save them from social isolation and keep them relevant and independent in the world that is ruled by internet and information technology.

Best practices to ensure social inclusion of older persons

The most important objective of social inclusion is to promote a cohesive and sustainable ecosystem for the social security of the older population in rural areas. And this is possible by forming stronger interconnected and intergenerational groups of older people and younger generation. [UNFPA's India Ageing Report of 2023](#) has compiled some of these interventions led by CSOs and CSR departments along with good practices in elder care and support.

GRAVIS has been promoting older people led CBOs in rural India such as [(OPAs), Self Help Groups (SHGs) and Intergenerational Learning Groups (ILGs)](#) to ensure that older people in the rural and arid regions of the country are rightfully involved in all family, community and developmental decisions as well as activities. [“Battling against droughts”](#), [“Taking everyone along”](#), [“Turning a new leaf”](#), [“Older women matter”](#), and [“Bringing older people together”](#) are few examples of documented best practices. ILGs cultivate [reciprocal learning relationships between different generations,](#) helps to develop social capital and relieve isolation while involving older people in community activities, contributing to improved heath and overall wellbeing.