



**Substantive Input**  
For  
14th session of the Open-ended Working Group on Ageing

**Focus Area**  
**“ACCESSIBILITY, INFRASTRUCTURE AND HABITAT (TRANSPORT, HOUSING AND ACCESS)”**

India has various legal provisions and policy frameworks that recognize the rights of older persons to accessibility. Some of the major policy frameworks include the following:

- Maintenance and Welfare of Parents and Senior Citizens Act, 2007: This Act mandates adult children and heirs to provide maintenance to their elderly parents and provides mechanisms for the protection of senior citizens' rights and welfare.
- The Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 prescribe the minimum standards for facilities to be provided in senior citizen homes, which indirectly address accessibility concerns.
- The National Policy for Senior Citizens, 2011: This policy outlines measures for enhancing the quality of life of senior citizens, including ensuring their accessibility to healthcare, income security, and social integration. This policy framework recognizes the need for a



supportive environment for older persons, including accessibility to healthcare, recreation, transportation, and community services.

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- The Rights of Persons with Disabilities Act, 2016 (RPWD Act): While not specific to older persons, this Act provides for accessibility standards and mandates barrier-free access to public places, transportation, and information and communication technologies (ICTs) for persons with disabilities, which often benefits older individuals as well.
- Integrated Programme for Older Persons (IPOP): This program aims to improve the quality of life of older persons by providing financial assistance for various welfare services, including health services, recreational facilities, and counseling.
- Accessible India Campaign (Sugamya Bharat Abhiyan): Launched in 2015, this campaign aims to achieve universal accessibility for persons with disabilities including the elderly by making public infrastructure and transportation accessible. While its primary focus is on persons with disabilities, it indirectly benefits older persons as well.

These legal provisions and policy frameworks play a crucial role in recognizing and addressing the rights of older persons to accessibility in India. However, implementation and enforcement remain significant challenges, and there is ongoing work to improve accessibility and inclusivity for older individuals across various domains.

### **Status of older persons' friendly infrastructure in India**

India has been making efforts to improve infrastructure to be more elderly-friendly, but challenges remain in ensuring widespread accessibility and inclusivity for older persons.

In India, some cities have taken steps to make public transportation more accessible to older persons by providing priority seating, ramps for wheelchair access, and audible announcements on buses and trains. However, many public transportation systems still lack adequate infrastructure and support for older passengers.

Efforts have been made to create more age-friendly public spaces, such as parks with benches, well-maintained walking paths, and accessible toilets. However, accessibility remains a challenge in many areas due to uneven pavements, lack of ramps, and inadequate signage.

Some hospitals and healthcare facilities have implemented measures to cater to the needs of older patients, such as priority queues, accessible entrances, and age-appropriate medical services. However, there is still a need for more elderly-friendly infrastructure in healthcare settings, especially in rural areas.

There is a growing awareness of the need for elderly-friendly housing options, such as senior living communities and accessible housing designs. However, affordable and accessible housing remains

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limited, and many older persons continue to face challenges related to housing accessibility and safety.

While the digital divide among older persons remains a concern, efforts have been made to make ICT more accessible through initiatives such as digital literacy programs and the development of user-friendly technology. However, more needs to be done to ensure that older persons can fully access and utilize ICT resources.

Community-based services for older persons, such as daycare centers and senior citizen clubs, play a crucial role in promoting social inclusion and well-being. Efforts have been made to make these services more accessible by providing transportation assistance and ensuring physical accessibility. However, there is a need for greater investment in community support services, particularly in rural areas.

### **Status of transportation, housing and older person's access to public life**

Many state transport corporations also provide similar concessions on bus fares for senior citizens. Efforts have been made to make public transportation more accessible to older persons by providing ramps, priority boarding, and assistance services at stations. However, accessibility remains a challenge in many areas, especially in rural regions.



There has been a rise in senior living communities in urban areas, offering various amenities and services tailored to the needs of older adults, including healthcare facilities, recreational activities, and security services.

Some developers are incorporating age-friendly features into housing designs, such as grab bars, wheelchair ramps, and wide doorways. However, accessible and affordable housing options remain limited, particularly for low-income older persons.

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India has both government-run and privately managed old age homes that provide accommodation, meals, healthcare, and recreational activities for older persons who are unable to live with their families or lack adequate support.

Older persons have access to healthcare services through government-run hospitals, community health centers, and private clinics. Some government schemes provide free or subsidized healthcare services for older adults.

### **Right of older persons to adequate housing, including land, property, and inheritance**

In India, older persons have certain rights related to adequate housing, land, property, and inheritance, which are protected by various laws and policies.

- Hindu Succession Act, 1956: This law governs inheritance and succession among Hindus, including older persons. It provides for the equal distribution of ancestral property among male and female heirs, and if a person dies intestate, their property is inherited by their legal heirs, which may include older family members.
- Maintenance and Welfare of Parents and Senior Citizens Act, 2007: This Act mandates adult children to provide maintenance to their elderly parents, including sheltering them. It also allows senior citizens to claim maintenance and protection of their property rights.
- Muslim Personal Law: Under Muslim law, older persons have inheritance rights, with shares allocated based on fixed proportions for various heirs. However, these rights can be subject to certain conditions and variations based on personal law principles.
- Other Personal Laws: Different personal laws govern inheritance and property rights for other religious communities, such as Christians, Sikhs, Buddhists, and others.



**Protection Against Property Disputes:** Older persons are entitled to legal protections against property disputes and wrongful deprivation of their land or property rights. They can seek redress through civil courts to assert their rights and claim ownership or possession of property.

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**Right to Adequate Housing:** The Constitution of India does not explicitly mention a right to housing; however, the Supreme Court of India has interpreted the right to life under Article 21 of the Constitution to include the right to adequate housing. Additionally, various government schemes and policies aim to provide affordable housing for marginalized and vulnerable groups, including older persons.

### **Challenges and barriers faced by Older Persons and remedy mechanism**

In India, older persons face numerous challenges and barriers that hinder the realization of their right to accessibility, infrastructure use, and habitat. These challenges span across various domains, including transportation, housing, and access to public facilities, and are often compounded by factors such as age-related mobility limitations, socioeconomic disparities, and inadequate infrastructure development.

In India, older persons have several mechanisms to submit complaints and seek redress for the denial of their rights to accessibility, infrastructure, and other essential services. They can file complaints with relevant government departments, such as the Ministry of Social Justice and Empowerment or the Ministry of Urban Development, responsible for addressing issues related to older persons' rights and accessibility. Additionally, older individuals can seek assistance from human rights commissions, ombudsman offices, or legal aid organizations to file complaints or pursue legal action against discrimination or denial of their rights.

Furthermore, older persons can engage with non-governmental organizations (NGOs) and advocacy groups specializing in elder rights to seek support, guidance, and advocacy in addressing accessibility barriers and ensuring their rights are upheld. These mechanisms provide avenues for older persons to voice their concerns, seek redress, and advocate for systemic changes to improve accessibility and uphold their rights.

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