

Janaseva Foundation

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To.

Focal Point on Ageing

Department of Economic and Social Affairs (DESA)

Division for Social Policy and Development (DSPD)

United Nations Secretariat

Room S-2979, New York, NY 10017.

Recognizing, Defining and Protecting the Rights of the Elderly – Indian Perspective

Janaseva Foundation working in the field of Ageing / welfare of senior citizens since last 25 years appreciates the initiative taken by UN DESA in support of a UN Convention on the Rights of Elderly People.

Janaseva Foundation founded on 15th January 1988 is a registered charitable trust working in the field ageing disabled, destitute, youth, women etc through various projects since last 25 years. It is a member of International Federation on Ageing (IFA) and is accredited by UN - UNOEWG which is working on Ageing and Human Rights of older persons. Foundation has Oldage Homes, physiotherapy centre, paralytic centre of elderly, day care centre for elderly etc. It had arranged National Consultation on 'Active and Healthy Ageing' with WHO, IFA and ILC-I and had held meetings with eminent personalities and lawyers to suggest amendment to avoid misuse of domestic violence act. Foundation had meeting with municipal commissioner of Pune and presented suggestions to make the city of Pune Age Friendly. It has participated in (1) "National Conference on Ageing" organised by Ministry of Social Justice and Empowerment, Govt. of India., (2) National Conference on Inclusive Growth Opportunities for Senior Citizens organized by UNFPA & Planning Commission and also in many national / international workshops and seminars and has contributed towards development of state policy for elderly and is constantly urging the state govt. to declare it's state policy for elderly.

Foundation has done survey in the rural areas of Pune District and had run Rural Ageing programme for more than 1200 elderly and is willing to carry out a survey project to assess the Human Right Situation of Elderly in and around Pune city. It has necessary infrastructure and trained staff for this.

Foundation's Chairman Dr. Vinod Shah is a member of Steering Committee of Planning Commission of Govt. of India. We have raised the voice of senior citizens for their rights and social justice. Foundation is also recognized by University of Pune as a centre to do Ph.D.

While working in this field we observed that due justice is not given to the elderly as far as dignified life is concerned. In fact the judicial system itself is inhibitory for elderly. Cases take too long and the process is too expensive. It is difficult even provide lawyers for senior citizens due to their exuberant fees.

Under legal system in India there is 498-A Act to deal with domestic harassment / violence. Under this law anyone including elderly in-laws if named by the daughter in law, can be put in prison. Unfortunately some women are misusing this law for variety of reasons, some are induced by lawyers to file a police complain under this act to get help in their court cases. Many senior citizens have suffered due to this. Foundation has held meetings with experts, eminent personalities and lawyers and has formulated amendment suggestions for the govt. and has written to various ministers, prime minister, President of India. Protecting the rights of the elderly is very important that includes elderly abuse, harassment, ill treatment, neglect at family, society, community, state and national level. Elderly all over the world have right to live safe, healthy and dignified life and Janaseva Foundation is working towards this broad goal and is interacting with other institutions for the same at city, state, national and international level.

There is gender discrimination. Elderly illiterate women from rural and even from urban areas are not given much consideration by their families and even by community and society. Family members do not communicate with them mainly due to their illiteracy and age and their advice is never sought. They usually have no part to play in any matters. Similarly many elderly have limited role to play in community and society.

In India out of 110 millions more than 10 million elderly are homeless / shelterless and live life on road. About 35% elderly are from BPL (Below Poverty Line). Unfortunately after the retirement age of 60 they do not get full time/ part time employment which is in fact their Right – Right to Survival. Though the government provides financial support to BPL elderly it is so meager that it is not enough even to buy a day's meal. Only 14% of senior citizens have Pensions and those working in private section / small scale industries and unorganized sector have no pension or any other after retirement benefits and as such they have to work till end or depend on their children even for food. Families, Communities and Govt. should respect the elderly and they should be totally supported by the community after the age of 75 years. No elderly has to work to earn livelihood after 75 years of age.

As far as right to health is concerned there is an improvement in India as health facility is now available for elderly at primary, secondary and tertiary levels and there are special OPDs for them. However there is absence of long term care of

disabled elderly, elderly having dementia, Alzheimer. Palliative care services are almost non-existent and long-term care facilities are few and too expensive. Physiotherapy services are costly. We have demanded that Assistive Devices should be made available at affordable cost.

Fortunately Govt. of India has given fare concession to the elderly in bus / rail and air travels. However, transportation of disabled elderly is severely restricted as there are no proper footpaths, no facility for wheelchair movement in buses, trains and buildings. There is an urgent need to build aged / disabled friendly buildings and transport system.

Many elderly are interested in doing vocational courses including computers, care giving services, volunteerism etc. and few of them are interested in doing Ph.D. Fortunately Govt. of India through Planning Commission of India has decided to offer opportunity to elderly to do Ph.D even if they have not done post graduation. Many elderly are interested in learning new technology e.g. internet, email, mobile, SMS etc. that will make their lives easier. Unfortunately not many elderly get this opportunity and there is a need to increase such facilities. Knowledge upgradation and use of newer gadgets to keep pace with the fast changing life mode is very essential.

There are very few Age Friendly Cities in India and we are working to make Pune an Age Friendly City. There is a National Policy for elderly however only 8 states have State Policy for Elderly and we are working towards the goal wherein all the states will have their State Policies for elderly. Opening more Day Care Centres, multi service centre, amusement parks and for this formation of senior citizens organizations should be encouraged, and these will act as source of offering help and information to the senior citizens.

During calamities plight of the elderly is indeed pitiable. Ideally there should be a comprehensive policy to deal with calamities and disasters and there should be a special provision for elderly in it, taking into consideration their special needs for mobility, health, sheltering, etc. However, at present there is no such consideration and the elderly in such situations feel like beggars. These same people who had worked all their lives for their children deserve some respect in return from community, state and nation. There is a special consideration for children in such situations and so also there is a need to have similar facility for the elderly.

Though there are many facilities given by the govt. of India for the elderly, the awareness about it is lacking. It is very important to have awareness programme for this. The population of elderly in India is 110 millions and it will reach to 300 millions in 2050 and yet there is no special ministry / commission / directorate for them at both the state and central level. In fact elderly are vote banks in elections and the promises given to them are forgotten once elected.

Recommendations

1. Strict laws on elderly abuse should be enacted having provision to give severe punishment to the culprits.
2. Provision to provide at least once a day meal to the destitute, poor elderly mainly by the govt. or by NGOs.
3. Enough Oldage homes should be constructed that would cater to the poor elderly and would give them proper dignified life and to ensure good standard of services there should license system which should be renewed periodically only after thorough evaluation.
4. Provision to make health care available to the poor elderly. No elderly should be denied this on account of having no money.
5. Long term care should be provided by the govt. institutions.
6. Govt. allowance given to the poor elderly should be enough to meet their needs of housing, food and medicines and should not be meager amount.

We now hope that UN Convention on the Rights of Older People will have meaningful meeting and will guide all the nations in the world on Rights of Elderly which is indeed the need of the day.