

## ACCESS TO JUSTICE FOR SENIOR CITIZENS

**(a) The guarantee of older persons' legal capacity (legal standing and legal agency) on an equal basis with others and not denied on the basis of age,**

Entry 9 in the State List and entries 20, 23 and 24 of the Concurrent List in the Seventh Schedule to the Constitution of India relate to old age pension, social security and social insurance and economic and social planning. Entry 24 in the Concurrent List specifically deals with the Welfare of labour, including conditions of work, provident fund, liability for workmen's compensation, invalidity and old age pension and maternity benefits.

**b) Elimination of the influence of ageist stereotypes at any stage of judicial or non-judicial proceedings, including the award of damages or compensation,**

Different Ministries under the Government of India have come up with different Schemes for senior citizens. The National Policy on Senior Citizens focusses on mainstreaming senior citizens, especially older women, promoting the concept of ageing in place or ageing in own home, housing, income security and homecare services old age pension and access to healthcare insurance schemes and other programmes and services to facilitate and sustain dignity in old age.

**(c) Access to timely legal proceedings, especially in situations of immediacy,  
&**

**(d) Accessibility of courtrooms, legal tribunals and other justice-related facilities to all older persons;**

The laws and the Schemes lay down the entitlements of the senior citizens and if the senior citizens have any difficulty in availing their entitlements under the laws and the Schemes, it is felt by National Legal Services Authority (NALSA) that Legal Services Institutions have a significant role to play and they can play a pivotal role in ensuring access to the benefits of the schemes and the legal provisions to the senior citizens.

**(e), (f) & (g)**

(e) Access to legal services, including legal assistance, legal aid, counselling and hotlines, on an equal basis with others;

(f) Access to alternative, non-judicial pathways to justice, including, but not limited to, one-stop community justice centres, paralegal support, ombuds procedures or specialist commissioners;

(g) Access to reasonable accommodation in all legal and administrative proceedings at any stage to facilitate older persons' effective role as direct or indirect participants in justice proceedings;

All senior citizens who are entitled to legal aid under Section 12 of the Legal Services Authorities Act, 1987, are provided legal aid on a priority basis. The Legal Services Institutions are accessible in terms of physical infrastructure for the senior citizens, otherwise access to justice would become meaningless for them. Accordingly, steps are taken by Legal Services Institutions to ensure accessibility such as having the front office on the ground floor of the Legal Services Institutions.

**(h) Adequate and appropriate training to all those working in the administration of justice and law enforcement, including the judiciary, police and prison staff, on the rights of older persons;**

The State Legal Services Authority conduct training and orientation programmes for panel lawyers, PLVS and other stakeholders to sensitize them on how to deal with cases of senior citizens and to build their capacity, knowledge and skill.

**(i) Accommodation of the needs of older prisoners, including necessary physical adaptations, protection against violence and extortion, appropriate educational and vocational opportunities, and support with reintegration into the community,**

The State Legal Services Authorities (SLSAs) and District Legal Services Authorities (DLSAs) take up with the State Government, the matter of establishment of sufficient number of old age homes for Indigent Senior citizens. The SLSAs and DLSAs also explore the possibility of setting up of Old Age Homes for senior citizens under corporate social responsibility.

**(l) Equal access of older prisoners to services, including physical, mental and cognitive health, dental, hygiene and hospice services, and social and other support services available to the general population; and**

The State Legal Services Authorities take all steps to disseminate information regarding the policies, schemes, programmes to the senior citizens and government functionaries. SLSAs also ensure that such information is prominently displayed in old age homes, hospitals and other places which are frequented by senior citizens.

**(k) Access to prompt remedies and redress when older persons' right to access justice is denied.**

The Legal Services Institutions take up the matter of any infringements of the rights of the older persons with the appropriate authorities for redressal of their grievances.