Research Paper Social Science

Government Policies and Programmes for The Aged in India

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ABSTRACT

The goals of the policies are the well-being of older persons. It aims to strengthen their legitimate place in society and help older persons to live the last phase of their life with purpose, dignity and peace. The Policies visualizes that the State will extend support for financial security, health care, shelter, welfare and other needs of older persons, provide protection against abuse and exploitation, make available opportunities for development of the potential of older persons, seek their participation, and provide services so that they can improve the quality of their lives.

KEYWORDS

INTRODUCTION

A policy is a principle or rule to guide decisions and achieve rational outcomes. It is intent, and is implemented as a procedure. It also refers to the process of making important organizational decisions, including the identification of different alternatives such as programs or spending priorities, and choosing among them on the basis of the impact they will have. Policies can be understood as political, management, financial, and administrative mechanisms arranged to reach explicit goals.

The policy formulation process typically includes an attempt to assess as many areas of potential policy impact as possible, to lessen the chances that a given policy will have unexpected or unintended consequences.

Developing a comprehensive policy for elderly is the most urgent need for taking care of them in a comprehensive and coordinated manner. The task of implementing the policy is a national responsibility, requiring the combined efforts of the government, NGOs and other social units. It should be made mandatory for all participating ministries, departments, state governments and NGOs to promote and participate in the programmes concerned with the welfare of older persons.

A governance structure needs to be put in place which provides for transparency, accountability, evaluation and monitoring of performance and also provides for a fair amount of autonomy.

Constitutional Provisions for Elderly

Article 41 of the Directive Principles of State Policy in the Indian Constitution, specifies that the State shall, within the limits of economic capacity, provide for assistance to the elderly. In the Constitution, entry 24 in list III of schedule VII deals with the "Welfare of Labour, including conditions of work, provident funds, liability for workmen's compensation, invalidity and old age pension and maternity benefits". Item 9 of the State List and item 20, 23 and 24 of Concurrent List relates to old age pension, social security and social insurance, and economic and social planning.

The right of parents, without any means, to be supported by their children having sufficient means has been recognized by Section 125 (1) (d) of the Code of Criminal Procedure, 1973, and Section 20(3) of the Hindu Adoption and Maintenance Act, 1956.

Legal Measures

Section 125 of the Criminal Procedure Code, 1973, specifies the rights of parents without any means for maintenance to be supported by their children having sufficient means. If any person refuses or neglects to maintain his/her parents, then a magistrate may order such a person to make a monthly allowance for the maintenance of his/ her mother or father at a monthly rate not exceeding Rs.500.

The Hindu Adoption and Maintenance Act 1956 also enjoins children to look after their parents if parents are unable to maintain themselves out of their own earnings or other property. The Act is applicable to Hindus only. It defines maintenance as providing provision of food, clothing, residence, medical attendance and treatment. Here, the amount is left to the discretion of the court.

According to codified Muslim law, children are required to maintain parents and paternal and maternal grandparents, if they are poor and cannot take care of themselves.

Older Persons (Maintenance, Care and Protection) Bill 2005

The Central Government introduced a bill in Parliament for better care of rapidly growing elderly population in India. The bill titled "Older Persons (Maintenance, Care and Protection) Bill 2005" is intended to overcome the lacunae existing in the current legislation on maintenance and to make relief simpler, speedier and less expensive. It also aims to cover new areas of care and protection that have not so far been covered by any existing legislation. The bill has taken into account three thrust areas for legislation, viz., Maintenance, Care and Protection.

Maintenance includes a) financial b) housing requirement c) protection of life and property d) recreational and spiritual needs e) grievance redressals. Maintenance from the family will hitherto be a matter of right for the older persons.

Care embraces a) financial b) housing requirement c) clothing requirement d) health requirement e) companionship requirement, from families and/or the state government in the case of persons without family support or living below the poverty line.

Protection covers protection of life and property of the old against exploitation including physical and mental abuse.

Senior Citizen (Maintenance, Protection and Welfare) Act 2007

The senior citizens saw a new ray of hope in December 2007, when the Central Government passed legislation, called the Maintenance and Welfare of Parents and Senior Citizens Act. Since then, each state has to make rules to carry out the provisions of the Act including the action plan for providing protection of life and property of senior citizens and implement the provisions of the Act by arranging fund.

Provisions of the Act
Maintenance includes
- Financial
- Health requirement
- Protection of life and property
- Recreational and spiritual needs
- Grievance redressal

Maintenance from the family will hitherto be a matter of right for the older persons.

Care embraces
- Financial
- Housing requirement
- Clothing requirement
- Health requirement
- Companionship requirement

Families and / or state governments are responsible in case of persons without family support or living below the poverty line.

The National Social Assistance Programme (NSAP)
The National Assistance Programme is a welfare programme being administered by the Ministry of Rural Development. The programme is being implemented in rural areas as well as in urban areas. The Government of India launched NSAP as a centrally sponsored scheme w.e.f. August 15, 1995. It included three schemes:

i) National Old Age Pension Scheme:
Under the scheme, destitute aged 65 years and above were entitled to a monthly pension of Rs.75.

ii) National Family Benefit Scheme:
The benefit under the scheme to below the poverty line household was lump sum amount of money on the death of primary breadwinner aged between 18 and 64 years. The ceiling of the benefit was Rs. 5000/- for death due to natural causes, and Rs. 10,000/- for accidental death.

iii) National Maternity Benefit Scheme:
Under the scheme, lump sum cash assistance of Rs.300 per pregnancy was provided as maternity benefits to women of BPL households up to 2 live births.

Old Age Pension Amount under NOAPS
Under NOAPS, Rs.75 per month was being provided to each destitute who was of 65 years and above. The amount of pension was increased to Rs.200 per month w.e.f. 1-4-2006 and the states were requested to top up with another Rs.200 from their own resources so that a destitute pensioner could get at least Rs 400 per month. At present, 18 states/ U.Ts are providing Rs. 400 as old age pension.

Table .No: 1 Amount of pension paid under IGNOAPS by states/UTs

STATES/UTs	AMOUNT/Rs.	STATES/UTs	AMOUNT/Rs.
Delhi	1000	West Bengal	400
Goa	1000	Himachal Pradesh	330
Haryana	700	J & K	325
Chandigarh	700	Chhattisgarh	300
Pondicherry	600	Nagaland	300
A&N island	500	Uttar Pradesh	300
Dadra & Nagar	500	Lakshadweep	300
Maharashtra	500	Madhya Pradesh	275
Punjab	450	Kerala	250
Gujarat	400	Assam	250
Jharkhand	400	Meghalaya	250
Karnataka	400	Mizoram	250
Rajasthan	400	Andhra Pradesh	200
Uttrakahand	400	Arunachal Pradesh	200
Sikkim	400	Bihar and Orissa	200
Tripura	400	Manipur	200
Tamil Naidu	400	Uttaranchal	200

Policies and Programme for Care of Older Persons
The National Policy on Older Persons (NPOP) was announced in January, 1999, with the chief objective viz. to support individuals to make provision for their own as well as their spouse's old age; to support families to take care of their aged family members; to enable and hold up voluntary and non-governmental organizations in addition to the care provided by the family; to offer care and protection to the vulnerable aged people, to provide health care facility to the aged; to promote research and training facilities, to train geriatric care givers and organizers of services for the elderly; and to create awareness regarding aged persons and to develop themselves into fully independent citizens.

Concession in Rail Transport
The Ministry of Railways provides the following concessions and facilities for the senior citizens:-

- 30% discount in all Mails/Express including Rajdhani/ Shatabadi/Jan Shatabadi trains for the senior citizens
- Senior Citizen who is a heart patient is granted 75% concession in I, II and sleeper class fares
- Retired Persons including for their families from Indian Railways are entitled to free and concessional travel,
- At specific hours, certain compartments are reserved for elders in the suburban trains, as in Western Railways, 7 seats are reserved between 12 and 3 p.m

Road Transport
Two seats are reserved for senior citizens in front row of the buses of the State Road Transport Undertakings. Fare concessions are given to senior citizens by different State Governments. In Chandigarh, 50 % concession is given on the fares of state buses to senior citizens. In Delhi, Delhi Transport Corporation (DTC) has provision of reservation of seats for senior citizens and has also emphasized the same for private buses. The Corporation issues monthly passes on 50% concession in all the routes to the commuters for its City Buses. Kerala government provides free pass for traveling in state buses for those older persons who were freedom fighters.

Air Travel
Indian Airlines Scheme: A discount of 50 % is given on normal economic class fare for all domestic flights to Indian male senior citizens (subject to certain conditions) of 65 years and above and Indian female senior citizens of 63 years and above.

Income tax rebates and other facilities Under the Employees Provident Funds and Miscellaneous Provisions Act, 1952, (subsequently amended in 1996) several schemes are in operation and are designed to provide a measure of economic security to a person or his family in the event of retirement, or death before retirement. Section 88B of the Income Tax Act, 1961, was inserted by the Finance Act, 1992. The section provides for rebate of income tax in the case of individuals with 65 years and above. The aforesaid provision is as follows:

"An assessee, being an individual resident in India, who is of the age of 65 years or more at any time during the previous year and whose gross total income does not exceed Rs.1,00,000 shall be entitled to a deduction from the amount of Income Tax on his total income with which he is chargeable for any assessment year of an amount equal to 40% of such Income Tax."

Earlier, a relief for the elderly people was granted in Compulsory Deposit Scheme (Income Tax Act, 1974). Under the Act, persons liable to make compulsory deposit did not include persons of more than 65 years of age. Earlier the age limit was 70 years which was reduced to 65 years by an amendment made in 1983 in the Compulsory Deposit Scheme, Income Tax Payers Act, 1974.

Special priority is given to the older people at the time of submission of income tax returns, payment of electricity or tele-

phone bills and for getting telephone connection. Some banks in India are offering a higher rate of interest to the deposits made by the elderly.

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