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THE PLIGHT OF SENIOR CITIZENS IN INDIA

KEY WORDS: Elder abuse, Demographic profile, Provision of Law.

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ABSTRACT

The U.S. National Academy of Sciences (Wallace & Bonnie, 2003) proposed a widely accepted scientific definition of elder abuse. Elder abuse is defined as: "(a) intentional actions that cause harm or create a serious risk of harm to a vulnerable elder by a caregiver or other person who stands in a trust relationship, or (b) failure by a caregiver to satisfy the elder's basic needs or to protect the elder from harm.

The population of India is expected to be very young in the following years. The responsibility of taking this country towards growth and development lies in the hands of youth who comprises more than 50% of the country's population. But with the moral degradation and devaluation, the elder abuse has become a menace in the society.

Elder abuse is now recognized internationally as an extensive and serious problem, urgently requiring the attention of health care systems, social welfare agencies, policymakers, and the general public.

The U.S. National Academy of Sciences (Wallace & Bonnie, 2003) proposed a widely accepted scientific definition of elder abuse. Elder abuse is defined as: "(a) intentional actions that cause harm or create a serious risk of harm to a vulnerable elder by a caregiver or other person who stands in a trust relationship, or (b) failure by a caregiver to satisfy the elder's basic needs or to protect the elder from harm." This definition includes two major points: that an older person has suffered injury, deprivation, or unnecessary danger, and that another person (or persons) in a relationship of trust was responsible for causing or failing to prevent the harm. .

The population of the country is expected to be very young in the following years. The nation is looking forward to the greatest achievements and accomplishments. The responsibility of taking this country towards growth and development lies in the hands of youth who comprises more than 50% of the country's population. The population of elderly is comprised of 8.6% whose responsibility lies on the younger generation. The percentage of older people was 7% in the year 2009 but by 2050 it would go up to 20% of the total population.

But what is seriously lacking is the moral degradation, devaluation. Elder abuse has become a menace in the society and has become order of the day in a country like India which used to thrive upon the strength of morality and was proud of its value system.

These senior citizens are subjected to the abuse by their off springs which requires immediate attention of the responsible citizens and the policy makers. They definitely deserve a fair dealing with special socio economic, physical, emotional and financial considerations. Elder abuse is now recognized internationally as an extensive and serious problem which requires the urgent attention of health care systems, social welfare agencies, policymakers, and the general public.

Reports from the World Health Organization, United Nations, and other international bodies have prominently featured elder abuse and highlighted the range of harmful activities subsumed under this rubric throughout the world (World Health Organization, 2011, 2014; OHCHR, 2010; Podnieks, Anetzberger, For example, widows in some traditional societies risk having their property seized and being abandoned by their families. In some regions of India and Africa, mourning activities expected of widows would elsewhere be considered abusive, such as being forced into marriage or being expelled from their homes (Kumari, 2014; McFerson, 2013). Reports have also identified devastating effects of accusations of witchcraft in some cultures, typically directed at older women (Kabole & Kioli, 2013; Krug, Mercy, Dahlberg, & Zwi, 2002; Schnoebelen, 2009). Thus, significant cultural variation exists in elder abuse.

Researchers, practitioners and legal experts generally identified the following as most common types of abuse on elders. "Abuse can be verbal, physical, and emotional including neglect,

disrespect and abandonment" [i] physical abuse causing physical pain or injury. [ii] psychological abuse causing emotional pain through verbal and non verbal degradation. [iii] economic deprivation and material exploitation creating havoc, threat and violence for demanding elder's money, land, savings and property. [iv] sheer neglect is the failure towards the needs of a dependent older person. The elder abuse generally is of more than these mentioned types.(Council, 2003; Lachs, Williams, O'Brien, Hurst, & Horwitz, 1997; Laumann, Leitsch, & Waite, 2008;).

Abuse of older persons is considered a global public issue, seriously affecting the well-being of the elderly. Old, vulnerable and frail persons, dependent on others for their daily needs, are routinely abused, neglected, and exploited worldwide and India is no exception.

The BKPAI survey conducted in 2011 collected information on elder abuse from seven states of India and HelpAge India which voluntarily works for providing assistance and welfare to the senior citizens, also conducted a survey on elder abuse in select urban centres of the country in 2014. There are devastating details which were published by the organisation. The results of the study by Help Age India, published in 2015, showed that about half of the elderly population in the country face some form of abuse, more in case of women than men and that there are over 100 million senior citizens over the age of 60 in the country of which 52% are women who reported that facing abuse has become a routine of their lives. The reason could be emotional and the economic dependence of the senior citizens.

They avoid filing a complaint since they are afraid of abandonment and retaliation. Besides saving their children and family to become notorious for the ill treatment. Further details of the survey reveal that in fact the abuse on elders has only increased from 23% to 50%, from 2013 to 2014.

The HelpAge India survey had covered 12 cities across 8 States with a sample of 1200 elders or senior citizens from both urban and rural areas. According to the survey daughter in laws are the highest perpetrators at 61% followed by son's at 59%..

Verbal Abuse (41%), Disrespect (33%) and Neglect (29%) were ranked as the most common types of Abuse experienced by the elders.

Delhi, ranked the lowest in Elder Abuse with 22% it also indicated a marginal increase of the same from 20% last year, showing a slow but disturbing growth. Bengaluru ranked the highest at 75%. Almost all senior citizens in Chennai have experienced abuse and 'mistreatment' in public spaces reported by HelpAge India. Considering Tamil Nadu comes third in the share of the elderly in the total population as per the census 2011.

The cases of abuse are generally not reported by the elderly in

Metro cities since it is looked upon as 'lack of confidence in the person' and also there seems to be a general feeling and fear of retaliation. The top three reasons for abuse were: Emotional Dependence of the victim on the Abuser (46%), Economic dependence of the victim (45%) and changing ethos (38%). The report revealed that though 64% of the victims were aware of the Police helpline, the most popular remediation mechanism, only 12% approached them. Most preferred approaching a relative or friends. The National Crime Records Bureau [2014] has reported about 18714 cases of crime against elders. Agewell India studied 2705 seniors stated that 65.2% of elderly respondents accepted that they are neglected. 54% respondents said that they are either abused in their families or in the society. One out of four elderly accepted that they are being exploited financially (87.7%) by their family members and (96.4%) were harassed emotionally. The urban elderly were more neglected than the rural ones.

Maintenance and Welfare of Parents and Senior Citizens Act 2007 has created some confidence among the seniors as the awareness about this Act has grown from 11 to 19 percent. Many victims feel that developing an effective legal reporting mechanism is an important step to deal with the Elder Abuse. The effective mechanisms perceived by all elderly to deal with Elder Abuse include "increasing economic independence of the abused, "sensitizing children and strengthening inter-generational bonding" and "developing Self-Help-Groups of Older Persons to provide assistance and intervention.

THE PROVISIONS OF LAW:--

The UN Principles for Older Persons are :-

- 1. Independence:-** Older persons should have access to adequate food, water, shelter, clothing and health care, the opportunity to work, be able to reside at home for as long as possible, access to appropriate educational and training programme.
- 2. Participation:-** They should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being .
- 3. Care:-** a) They should benefit from family and community care and protection in accordance with each society's system of cultural values, have access to social and legal services, protection and social and mental care in a humane and secure environment.
- 4. Self-fulfilment:-** They should be able to pursue opportunities for the full development of their potential, have an access to the educational, cultural, spiritual and recreational resources of society.
- 5. Dignity:-** They should be able to live in dignity and security and be free of exploitation and physical or mental abuse.

The United Nations celebrates World Elder Abuse Awareness Day on 15th of June every year. This year's theme was "Understand and End Financial Abuse of Older People.

Hence in India also there are several programmes initiated by the NGO's and the government which guarantees the social security to protect elders' rights though the awareness about these laws is not very satisfactory among the masses. There are Acts and other Legal Provision to provide security and dignity to senior citizens. In the recent past the Delhi High Court passed an order stating that adults who live in their parents' house and abuse them can be evicted from the property but many are not aware of this law. HelpAge India also has launched "SAVE OUR SENIORS" app that connects to the elders in distress and provides health and legal information for elderly.

Maintenance and Welfare of Parents and Senior Citizens Act, 2007

- This Act was framed to provide the effective provisions for the maintenance and welfare of parents and senior citizens recognised under the Constitution.

The Act states that parents and grandparents who are unable to maintain themselves from their own earning can seek maintenance from their children.

Childless senior citizens can also demand maintenance from a "relative" who is the legal heir of the former and is in possession or will inherit their property after their death.

- **Provisions:-**
- If the children or said relatives neglect or refuse to maintain the senior citizens, the Maintenance Tribunal can order the former to make monthly allowances of Rs. 10,000.
- "Maintenance" includes provisions for food, clothing, residence, and medical attendance and treatment.
- The Act mandates state governments to constitute Maintenance Tribunals and Appellate Tribunals to deal with proceedings under the Act. Maintenance applications can be made in a Tribunal which will have the powers of a Civil Court.
- A significant provision in the Act deals with the Transfer of Property, which can be made void under certain circumstances.
- Section 24 of the Act deals with offences related to abandonment.
- According to this section, any person who abandons a senior citizen can be jailed for up to 3 months, and/or be made to pay a fine of up to five thousand rupee.
- Right to a dignified life and careful planning of post-retirement life.

Unfortunately the awareness about this fact is very poor among the elderly in India. Only 14% of the victim knew about this law.

CONCLUSION:--

Respect for the elderly is supposed to be ingrained in Indian culture, but it may not be reflected in daily life. In the past, the elder abuse phenomenon did not exist in the Indian society, rather the elder were held in high esteem and their value in the society was in comparable. But the disintegration of joint family system, industrialisation, urbanisation and the contemporary scenario of globalization has contributed greatly to the emerging disrespect and negligence towards elders. Investment in social sector such as health and nutrition have resulted in reducing the mortality rate , wheather the younger population has an acceptance to shoulder this responsibility or not is the major concern.

The recent surveys revealed that the young are not giving a fair dealing to the aged then what could be the concerned criteria which ensures the security, safety and dignity of the senior citizens. There are Acts, and Laws, Legal Provisions and assurances by the government and judiciary but would that be enough to attain the respect and care?

Apart from the Laws and Acts, we need to develop a thorough mechanism through which we should be able to regain the lost treasure of Indian cultural ethos. Parents and teachers need to adopt measures in order to provide the due respect and care for the elders. The civil society, Government of India and State governments need to respond to the changing demographic profile.

Loneliness is a major feature of modern civic life, it is the job of the parents and teachers to instil an affectionate attitude among children towards the elders of the family. The importance of family ties and bondage should be highlighted in the young minds right from their tender age for the best behavioural exposure and respectful attitude for the elders. The concept of Matro, Pito Deva Bhava has to be evoked among one and all. Children should also be trained to provide care and company to the elders of the family to the best of their capacities. The elders also should become emotionally strong and fight for their rights.

The role of NGOs is crucial in the urban as well as rural areas to bring awareness and empower elderly and help them overcome elder abuse. The best solution is to spread awareness about all the available welfare practices and laws.

The government of India is concerned about the demographic transition and the emerging issues and hence its commitment to plan for the future is clear from the National Policy on Older Persons [NPOP] and the implementation of [IPOP], Integrated Programme for the Older Persons. NITI Ayog has also suggested many initiatives for senior citizens including legislative policy and institutional reforms, strengthening the existing policies. In its three year Agenda of 2017-18 to 2019-20. The primary preventive measure is about creating awareness among elderly regarding their health which will surely help in controlling the incidents of elder abuse in future. The older generation shall be made strong enough mentally and physically to become less dependent on others. They should be encouraged to prevent accidents and injuries and take good care of themselves.

REFERENCES

1. United Nations Population Fund 2017. 'Caring for Our Elders: Early Responses' - India Ageing Report – 2017. UNFPA, New Delhi, India Published online 2017 Oct 22. doi: 10.1136/bmjopen-2017-017152
2. Elderly Abuse In India : Its High Time To Speak Up Now For Elderly Rights And Protection" --- PHIN NEWS... Dec 2017
3. Man Allegedly Beats Elderly Father To Death Over Empty Water Tank... Delhi Press Trust of India.... March 2017. By BOBINS ABRAHAM
4. Survey of HelpAge India... 2014.
5. Half of All City's Elderly Face Abuse in Public Spaces' ...by Zubeda Hamid.
6. WWW.INDIA TIMES.COM..... April -11- 2017
7. Elder Abuse As a Risk Factor For Psychological Distress Among Older Adults in India A Cross Sectional Study..... by Maria Evandrou, Jane C. Falkingham, Min Qin and Athina Nations Population Fund---New Delhi.