

Initiatives of Governments in India for Providing Welfare and Social Security to the Senior Citizens

In the Constitution of India, 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. Further, Article 41 of Directive Principles of State Policy has particular relevance to Old Age Social Security.

Item No. 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.

Article 41 of Indian Constitution deals with the State's role in providing social security to the aged. According to this article, "the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in case of unemployment, OLD AGE, sickness and disablement and in other cases of undeserved want".

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

Himachal Pradesh Assembly passed a Parents Maintenance Bill in 1996 wherein a simple procedure was introduced for parents being ignored by their children to be given maintenance. In addition to making it obligatory for errant wards not taking care of their aged parents, the bill aims at simplifying the procedure by authorising the sub-divisional officer (civil) for fixing maintenance and Addl. Commissioner as the appellate authority so that the decision can be taken and cases disposed of promptly bringing justice and relief to older persons without loss of time.

The Government of Maharashtra has prepared a Bill on similar lines.

Correspondence received from the Government of Goa also indicates that it proposes to initiate action towards introduction of Parents Maintenance Bill.

(Goa Parents Maintenance Bill, 1996 and vide letter No. 50-293-97-98-HC/2319 dated 2-7-97, Government of Goa, Directorate of Social Welfare, Panaji, Goa)

The Ministry of Social Justice & Empowerment is the nodal ministry for the welfare of the aged.

The Government of India announced a National Policy on Older Persons in January 1999. This policy provides a broad framework for inter-sectoral

collaboration and cooperation both within the government as well as between government and non-governmental agencies. In particular, the policy has identified a number of areas of intervention; financial security, health care and nutrition, shelter, education, welfare, protection of life and property etc. for the well-being of older persons in the country. Amongst others the policy also recognizes the role of the NGO sector in providing user-friendly affordable services to complement the endeavours of the State in this direction.

While recognizing the need for promoting productive ageing, the policy also emphasizes the importance of family in providing vital non formal social security for older persons. To facilitate implementation of the policy, the participation of Panchayati Raj Institutions, State Governments and different Departments of the Government of India is envisaged with coordinating responsibility resting with the Ministry of Social Justice & Empowerment.

A National Council for Older Persons (NCOP) has been constituted by the Ministry of Social Justice and Empowerment to operationalise the National Policy on Older Persons. The basic objectives of the NCOP are to:

- advice the Government on policies and programmes for older persons
- provide feedback to the Government on the implementation of the National Policy on Older Persons as well as on specific programme initiatives for older persons
- advocate the best interests of older persons provide a nodal point at the national level for redressing the grievances of older persons which are of an individual nature
- provide lobby for concessions, rebates and discounts for older persons both with the Government as well as with the corporate sector
- represent the collective opinion of older persons to the Government
- suggest steps to make old age productive and interesting
- suggest measures to enhance the quality of inter-generational relationships.
- undertake any other work or activity in the best interest of older persons.

There are 39 members in the council. A seven member working group has also been constituted from amongst the members of NCOP. The Working Group has so far held two meetings to discuss ways and means to achieve its objectives.

The Ministry has also launched a project called "Old Age Social and Income Security (OASIS)". An Expert Committee is constituted under the project.

On the lines of the Himachal Pradesh Act, the Government of India is introducing a Bill in Parliament known as "The Older Persons (Maintenance, Care and protection) Bill". This Bill provides for tribunals at district levels to ensure that the children and grandchildren take proper care of their elderly.