

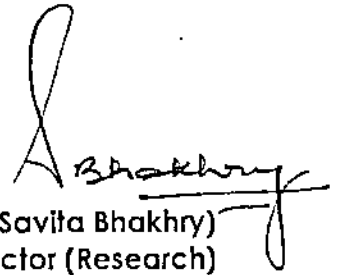
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National Human Rights Commission
(JD(R) Unit, PRP&P Division)

Manav Adhikar Bhawan, 'C' Block,
GPO Complex, INA, New Delhi-110023

Dated: 21 April 2017

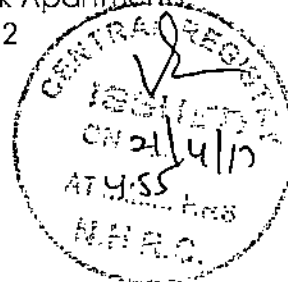
**Subject : Minutes of the Meeting of the NHRC Core Group on Protection and
Welfare of the Elderly Persons**

A meeting of the NHRC Core Group on Protection and Welfare of the Elderly Persons was held in the Commission on 13 January 2017 under the chairmanship of Shri S.C. Sinha, Member, NHRC. Enclosed please find a copy of the minutes of the meeting for information and necessary action.


(Dr. Savita Bhakhry)
Joint Director (Research)

To,

1. Shri Mathew Cherian, Chief Executive, HelpAge India,
C-14, Qutab Institutional Area, New Delhi-110016
2. Dr. S. Siva Raju, Professor and Chairperson, Centre for Development
Studies, Tata Institute of Social Sciences (TISS),
VN Purav Marg, Deonar, Mumbai-400088
3. Shri M.M. Sabharwal, President Emeritus, HelpAge India,
S-37, Panchshila Park, New Delhi-110017
4. Dr. Vinod Kumar, Emeritus Professor, St. Stephen's Hospital,
Delhi-110054
5. Dr. (Mrs.) Mala Kapur Shankardass, Managing Trustee and
Chairperson, Development Welfare and Research Foundation (DWARF),
D-104, Anand Niketan, New Delhi-110021
6. Prof (Dr.) SP Kinjawadekar, Ex-President, All India Senior Citizen's
Confederation, B-8/602, 'Kaveri', Safal Complex, Sector-19A,
Nerul, Navi Mumbai-400706
7. Prof. Sujan Bhatia, President, Indian University Association
for Continuing Education, C-64, Silver Oak Apartments
109, IP Extension, Patparganj, Delhi-110092



8. Dr. G.D. Saxena, Hon'y. President, International Longevity Centre, 1779/84, Gurutryee Smarak, Sadashiv Peth, Bharat Scout Ground, Pune-411030
9. Dr. (Mrs.) Aabha Chaudhary, Chairperson, ANUGRAHA, B-33, Arya Nagar Apartments, 91, IP Extension, Patparganj, New Delhi-110092
10. Prof. PV Ramamurti, Hony. Director (emeritus), Centre for Research on Aging, Department of Psychology, SV University, Tirupati-517502
11. Shri R.N. Mittal, President, All India Senior Citizen's Confederation 8-2-333/14a, Road No. 3, Banjara Hills, Hyderabad-500034
12. Prof. (Dr.) PKB Nayar, Chairman, Centre for Gerontological Studies Kochullor, Thiruvananthapuram-695011
13. Shri K.R. Gangadharan, Director, Heritage Hospital and Chairman Heritage Foundation, 6-3-907/2, Somajiguda, Hyderabad-500082

Special Invitees

14. Ms. Ghazala Meenai, Joint Secretary, Ministry of Social Justice Empowerment Room No. 615, A Wing, Shastri Bhawan, New Delhi - 110001
15. Shri Lav Agarwal, Joint Secretary, Ministry of Health & Family Welfare Nirman Bhawan, New Delhi -110001
16. Dr. Inder Parkash, DDG (PH), Ministry of Health Family Welfare, Nirman Bhawan, New Delhi -110001
17. Dr. Gouri N. Sengupta, ADG, DHS, Ministry of Health Family Welfare Nirman Bhawan, New Delhi -110001
18. Shri Charanjit Singh Mann, Deputy Director, Social Security Department, Government of Punjab, SCO No. 102-103, Sec-34- A, Chandigarh
19. Ms. Saroj Rawat, Deputy Director, Department of Social Welfare, Government of NCT of Delhi, C-Wing, 7th level, Delhi Secretariat, I.P. Estate, New Delhi-110002
20. Shri Ravinder Singh, District Social Welfare Officer Mini Secretariat, Sonapat - 131001 Haryana

Minutes of the Meeting of Core Group on Protection and Welfare of Elderly Persons held on 13 January 2017

1. The meeting of the Core Group on Protection and Welfare of Elderly Persons was held on 13 January 2017 at 11 a.m in NHRC. The meeting was chaired by Shri S.C Sinha, Member, NHRC and was attended by Shri S.N Mohanty, Secretary General, NHRC, Shri J.S Kochher, Joint Secretary (T & R), NHRC and Dr. Savita Bhakhry, Joint Director (Research), NHRC. The list of participants is annexed (Annex-I).

2. To begin with, Shri J.S Kochher, Joint Secretary (T&R) welcomed all the participants. He outlined the various institutions to be constituted under the Maintenance & Welfare of Parents and Senior Citizens Act, 2007. He stated that the current status of the Institutions and their functioning would be discussed during the meeting.

Agenda Item I- Infrastructure available for elderly persons as per the Maintenance & Welfare of Parents and Senior Citizens Act, 2007.

3. Shri S.C Sinha, Member, NHRC welcomed all the participants and discussed the agenda of the meeting. Dr Vinod Kumar, Emeritus Professor, St. Stephen's Hospital initiated the discussion and stated that there is need to spread awareness among the people particularly elderly people and their families about the Maintenance Tribunals envisaged under the Act. He further mentioned that the Maintenance & Welfare of Parents and Senior Citizens Act 2007 is not applicable to children settled abroad or NRIs.

4. Ms. Gazala Meenai, Joint Secretary, Ministry of Social Justice and Empowerment mentioned that most of the States have adopted the Maintenance & Welfare of Parents and Senior Citizens Act 2007. She clarified that at the Ministry level there is no separate budgetary provision for implementation of the Act. She also stated that the Supreme Court had asked the Ministry to relook into the provisions of the Act. Furthermore, the Ministry of Social Justice and Empowerment had organized a National Consultation for wider discussion with all the stakeholders. The Ministry is in process of finalizing its views regarding amendments in the said Act. She stated that a lot of work has been done by the Ministry of Social Justice and Empowerment to create awareness about the provisions of the Act including holding of extensive discussions with Panchayati Raj institutions.

5. Dr. P.K.B Nayar, Chairman, Centre for Gerontological Studies stated that the implementation of the Maintenance & Welfare of Parents and Senior

Citizens Act, 2007 is poor as the Maintenance Tribunals are not able to do full justice and are not established in all the States. He suggested that the Maintenance amount of Rs 10,000 is very less and needs to be increased. The punishment for non compliance of the Act is Rs 5,000 which should be increased to Rs 25,000. He suggested that for payment to the elderly by the family members, there should be a fund for the elderly persons and the family should deposit money in this fund, besides Government contributing to the fund.

6. Smt Gauri N. Sengupta, ADG, DHS, Ministry of Health and Family Welfare stated that there is a need to address the issue of health care seeking behavior of elderly persons. Shri Vinod Kumar agreed to this suggestion and added that 70 per cent of the elderly continue to suffer agony and pain and do not go to doctors. They should be sensitized to come forward and tell about their problems.
7. Dr. Abha Chaudhary, Chairperson, ANUGRAHA suggested that the sensitization of the Police is required as whenever an elderly faces abuse he/she goes to the local police and many a times, police-men do not show adequate sensitivity towards their complaints nor are they aware of the provisions of the Act. She stated that 50 per cent of population is not aware about the provisions of the Act. She further suggested that a one day sensitization programme should also be organized in various institutions to sensitize the youth and children about the rights of the elderly. The three months Care Giver Course given by National Institute of Skill Development (NISD) should not only include geriatric care but also information on fixing appointment with doctors and other related soft communication skills.

Agenda Item II- Establishment of Geriatric Wards in State Hospitals

8. Shri S.C Sinha enquired about the steps taken by the Ministry of Health and Family Welfare (MoHFW) to take care for the health of elderly. Shri Inder Prakash, MoHFW stated that 75 percent of the elderly people suffer from one or the other diseases while 40 per cent have one or other disability and 40 per cent are suffering from psychological problems. He stated that the MoHFW is looking after the National Programme for the Health Care of Elderly which was launched in 2010. The programme was mandated to cover all districts of the country and up till now 418 districts or 60 per cent of the total districts in the country have been covered for the implementation of the National Programme for the Health Care of Elderly. Out of the 418 districts, the Programme is operational in 97 districts and in the remaining districts the Programme is under different stages of operationalization. He further said that the National Programme for the Health Care of Elderly includes a 10 bedded geriatric ward in district hospitals and dedicated OPD services exclusively for geriatric patients at District Hospitals, strengthening of CHCs for biweekly clinics and PHCs for weekly clinics; strengthening of 8 Regional Medical Institutes with 30 bedded geriatric

wards to provide dedicated tertiary level medical facilities for the elderly, introducing PG Courses in Geriatric Medicine and in-service training of health personnel at all levels.

9. Shri Inder Prakash, MoHFW also mentioned that in addition to provision for establishing 10 bedded geriatric wards, the specialty units have been advised to keep two beds reserved for elderly in the specialty care units. It was suggested during the discussion that there is a need to get the functioning of these 97 centres audited through a third party.

10. Shri Inder Prakash further stated that along with the continuation of eight Regional Geriatric Centres, set up in different medical institutions, 12 new Geriatric Centres also to be set up in medical institutions have been sanctioned. As such in all 20 Regional Geriatric Centres will come up in medical institutions across the country. These Regional Geriatric Centres will provide dedicated tertiary level medical facilities for the elderly, develop and update training materials for various levels of health functionaries, conduct Post Graduate courses in Geriatric medicine and provide training to the trainers of identified District Hospitals. He mentioned that the MoHFW is planning to set up two National Centres for Ageing at the All India Institute of Medical Sciences (AIIMS) in Delhi and at Madras Medical College in Chennai. The two Centres would have 200 beds and also have 15 seats for Post-Graduate course in Geriatric Medicine. But the major challenges in setting up of these Centres is the time involved in establishing them and inadequate manpower in terms of doctors, nurses and paramedics for running the same.

11. Shri S.C Sinha suggested that there should be atleast five National Geriatric Centres in the country i.e one each in every region of the country. Shri K.R Gangadharan, Director, Heritage Foundation stated these Centres could be centres of research where people would get treated also. Smt Ghazala Meenai stated that in consultative meeting it was suggested that every medical college should have Geriatric Unit. Smt Ghazala Meenai suggested that five AIIMS which are to be established in the country may also have Geriatric Wards, so that the pressure on other institutes is reduced.

Agenda Item III- Establishment of Old Age Homes

12. Shri S.C Sinha, NHRC asked the Ministry of Social Justice and Empowerment whether there is any thinking to partly finance or support State Governments in building old age homes.

13. Ms. Gazala Meenai stated that M/o Social Justice and Empowerment had asked the Niti Ayog for the revival of scheme for construction of old age homes which was refused by it with reason cited that old age homes should not be

promoted in the country. She mentioned that there is a comprehensive policy by the Ministry of Social Justice and Empowerment but sufficient initiatives are not taken by the concerned authorities/stakeholders.

14. Shri R.N Mittal, President, All India Senior Citizen's Confederation stated that Andhra Pradesh and Telangana are being credited with large number of old age homes in the country but these homes are rather inadequate and the condition is deplorable. He stated that it has been noted in most of the Old Age Homes, the inmates are deprived of their basic human rights namely right to vote, to receive old age pension and health care facilities as they do not have their proof of identity. This is happening inspite of a very eloquent order issued by AP-SHRC No. 2883 dated 9/1/2012, which directs the concerned administrative officer to visit periodically the old age homes and identify eligible BPL inmates; issue BPL identify card on the spot.

15. Dr. Satya N Mohanty, Secretary General, NHRC suggested that while preparing ADHAAR card it should be seen that elderly are not left out in the exercise. He also stated that the private sector could be involved in holding health clinic once in a week in the old age homes.

16. Shri S.C Sinha suggested that a common minimum standard needs to be evolved for the old age homes having a provision for housing 150 persons. Ms. Ghazala Meena stated that the Ministry of Urban Development has already come out with a blue print which describes how old age home should look like and eventually the Ministry of Social Justice and Empowerment is also planning to lay down common minimum standards for old age homes.

Agenda IV- Old Age Pension

17. Shri S.C Sinha asked all the participants to give their views on fixation of amount of old age pension.

18. Shri R.N Mittal stated out of the total 11.81 crore senior citizens in the country 70 per cent belong to the BPL category who can not afford two square meals a day and are generally retirees from the unorganized sector. As per the Supreme Court order, the person retiring from an organized sector is entitled to receive Rs 3000 per month as pension amount. Shri R.N Mittal suggested that the retirees of the unorganized sector should also be paid pension at par with the retirees of the organized sector.

19. Smt Saroj Rawat, Deputy Director, Department of Social Justice, Government of NCT Delhi, stated that the Delhi Government has revised the pension schemes wherein senior citizens in the age group of 60-69 years will now get Rs 2,000 as pension as against of Rs 1,000. She also stated that those above

the age of 70 years will now get Rs 2,500 as pension compared to Rs 1,500 earlier. Smt Saroj Rawat was asked to send a copy of their revised Pension Scheme to the Commission.

20. Dr Mala Kapur, Associate Professor, Maitreyi College agreed with most of the issues raised in the meeting and gave following suggestions:

- Emphasis should be laid on the penalties in case of non compliance of the Maintenance & Welfare of Parents and Senior Citizens Act, 2007.
- Regular auditing and monitoring should be undertaken for the proper functioning of the old age homes.
- Relatively more stress should be laid on the elderly women health.
- Universal coverage and pension for private sector.
- There should be certain provisions as part of Corporate Social Responsibility for eldercare.

21. Shri S.C Sinha asked the members of the Core Group whether it would be reasonable to make the old age pension universal and if so then what should be the criteria to do the same. All the participants responded favourably to universal old age pension.. Shri Mathew Cherian, CEO, HelpAge India suggested that those elderly should come under the ambit of the universal old age pension who are non tax payers and do not receive pension from any other source and the amount of pension should be Rs 2500 which is half of the minimum wage rate.

22. After intensive discussions the following was decided in the Meeting;

1. The National Programme for Health care for Elderly has been launched in 2010. However, it has been implemented till now in only 418 districts or 60 per cent of the total districts in the country. It is suggested to the Ministry of Health and Family Welfare should ensure immediate implementation of the plan in all the 418 districts. Further, the programme should be extended to all the districts of the country by 2020-21 end. Government may also get a third party audit conducted of the implementation of National Programme for the Health Care of Elderly in order to assess whether the funds for the Programme are being properly utilized.
2. The coverage of the old age pension is limited to Below Poverty Line (BPL) families and it is not reaching to every elderly person. It is suggested that the Ministry of Social Justice and Empowerment should make Old age universal for all those who are non-tax payers and do not receive pension from any other source. Further, the Ministry of Social Justice and Empowerment should make the pension reasonable and it may be raised to Rs 2500 p.m which is half of the minimum wage rate.

3. Ministry of Urban Development has come out with a plan which describes how old age home should look like. It is suggested that the Ministry of Social Justice and Empowerment should set up detailed common minimum standards for building and maintenance of Old Age Homes and these common minimum standard should be adhered to by all the old age homes.
4. The government of NCT Delhi has revised the pension schemes wherein senior citizens in the age group of 60-69 years will get Rs 2,000 as pension while those above 70 years will now get Rs 2,500 as pension compared to Rs 1,500 earlier. Smt Saroj Rawat will provide the copy of revised Pension Scheme to the Commission.
5. PG Courses in Geriatric Medicine in all the Medical colleges of the country be started. Action in this regard needs to be taken by President, Medical Council of India (MCI), Government of India and respective state governments.
6. As around 40 per cent of the elderly suffer from some disability or other, all the public buildings must be immediately modified to be accessible to the disabled and also to disabled elderly.
7. Construction of old age homes in all the districts of the country be done on top priority.
8. Regular auditing and monitoring of old age homes should be got done by third party.
9. Since a very large number of elderly suffer from mental problems in each region of the country, separate Centres/Institutes for Geriatric Mental Health care may be established on the lines already established in Lucknow.

The meeting ended with a vote of thanks to the Chair.

Member of Core Group on Elderly Persons and Special Invitees

1. Ms. Ghazala Meenai
Joint Secretary
Ministry of Social Justice Empowerment
2. Dr. Inder Parkash
DDG (PH)
Ministry of Health Family Welfare
3. Dr. Gouri N. Sengupta
ADG, DHS
Ministry of Health Family Welfare
4. Dr. P.K.B. Nayar
Chairman,
Centre for Gerontological Studies
Kochullor, Thiruvananthapuram
5. Shri K.R. Gangadharan
Director,
Heritage Hospital and Chairman
Heritage Foundation
6. Shri R.N. Mittal
President
All India Senior Citizen's Confederation
7. Dr. Mala Kapur Shankardass
Associate Professor, Maitreyi College
Development Welfare and Research Foundation (DWARF)
8. Dr. Vinod Kumar, MD
Emeritus Professor
St. Stephen's Hospital
9. Shri Mathew Cherian
CEO
HelpAge India
10. Dr. Aabha Chaudhary
Chairperson
ANUGRAHA
11. Shri Ranjeet Singh
RRTC, ANUGRAHA

12. Shri Charanjit Singh Mann
Deputy Director
Social Security Department
Government of Punjab

13. Ms. Saroj Rawat
Deputy Director
Department of Social Welfare
Government of NCT of Delhi

14. Shri Ravinder Singh
District Social Welfare officer
Sonapat, Haryana

NHRC

15. Shri S.C. Sinha
Member, NHRC

16. Shri Satya N. Mohanty
Secretary General, NHRC

17. Shri J.S. Kochher
Joint Secretary, NHRC

18. Dr. Savita Bhakhry
Joint Director (Research), NHRC