**Role of NGO'S-Bridging the gap between law and society especially for elderly person:**

Society is a web of relationships. In ancient days the family was one of the institutions that looked after the wealth of the entire person. There is a slow breakdown in the family system by a gradual improvement in society. Due to economic necessity, cultural change, social change, members in the family are moving from one place to another to fulfill their needs; the other factors which influenced the members for mobilization are Globalization, Industrialization and Sanskritization. Due to such societal change, there is a disintegration of the joint family system due to that they living alone some of the elderly is voluntarily neglected; abandoned. They could not fulfill their basic needs, and their basic human rights that are the right to live, are violated. The other important organization in society is a social organization that is, Non-Governmental Organization played its part in helping the needy person in the family and the destitute person, especially the older person, to fulfill their basic needs and help to get basic human rights. The NGOs gave awareness to get their rights, and on behalf of an older person to know the policies programs implemented by the government, and they give digital literacy awareness.

**JOINT FAMILY SYSTEM:**

Traditionally Indian family follows a joint family system compared to other countries. When Husband and wife lives under one roof is called family. In a joint family, the husband, wife and children living after the marriage son living with his parents and with his children living together are called extended family or Joint family system. Indian society is either being the patrilineal or matrilineal system. In Kerala, the husband goes and lives with the wife's parents it is matrilineal family. When the wife lives with the husband's family house, it is called the patrilineal family. In this family system, they look after each other with love and affection. In the joint family system, an older person is looked after by the other family members.

An older person is the head of the family, and also to the property he is the Karta that is he is the manager of the joint family property, so they live in a protected life. When older people's health condition become worsens, the family members look after them. Most of the families depend upon agriculture, but due to an increase in the members of the joint family, they cannot fill their needs by agriculture, so they have to depend upon other sources for their survival. The children in their families get education through that education they are in search of jobs apart from this; they migrate to another country to fulfill their economic needs due to sanskritization, globalization, westernization, and technology and communication improvement they are going out of the joint family system. Through socialization, the family members are opting for inter-caste and inter-religious marriages; the members are going out of the joint family system due to non-acceptance and also due to psychological reasons some are going out of joint family system.. They do not want to live in the common family system. They want to live independently. The father, mother and some senior person are left alone for the above-said reasons by this cause there is a slow degradation of a joint family system, and there is a lot of emergence of the nuclear family by a change in this family system the most affected person is the older person they are in thrust of love and affection, care, support maintenance etc. Son and daughter are in the position to take care. If the children get a job in any foreign country he settled there and occupied a permanent residence, the cost of living is also high, so they are not taking their parents, and they are not able to care for them. So they are in a position to live alone. Some families have ancestral property or self-acquired property in their native place to save the property; the elderly are the only person in the native home to look after their property. To free their liabilities, they are not duty-bound to look after their parents due to their economic problems, unemployment, poverty, psychological mind set up and by their nature of work already they are overburdened.

India has 100 million older people. In 2017, the United Nations Population Fund report said 12.5% of the elderly will be 60 and above by 2030, increasing up to 1/5 in 2050. So importance is given by the Government to protect and maintain the elderly.

**ANCIENT TEXTS:**

The ancient texts Vedas, Smritis, Sastras of Hindus specifically mentioned the duty of their son and daughter. Children came to this world because their parents spent a lot of time uplifting their children without looking after their welfare. They brought up the child by sacrificing all their lives. A few examples which are in Vedas, Smritis, stories, epics and in the orders of courts are:

In Hindu mythology, Shravankuma carried his parents in the hanging baskets throughout his life. All children must know about those extraordinary people.

In Vedas, the mother and father is God. Matha, Petha, Guru, Deivam. In his book, Guru Granth Sahib mentioned that arguing with our father is a sin to say with father.[[1]](#footnote-1)

In the famous Manu Smriti, when an older person is taken care of by family members, they will benefit from longevity, knowledge, fame and strength.[[2]](#footnote-2)

Lord Vishnu said to Ṛiṣi Mārkandeya- In Naradapurana, God says that one who their parents thinking father as universe and mother as River Ganga is my favourite Bhaktas.[[3]](#footnote-3)

Karttikeya learned a very nice lesson from his brother Ganesha. He knew that no one other than parents in the world would care for us. They are our Gods. so Ganesha worshipped his parents by respecting them. He won the race. No one will substitute the parents.[[4]](#footnote-4)

**PROTECTIVE CARE AND SUPPORT:**

Taking care of your parents is dharma. Not just a duty.[[5]](#footnote-5)

During the time of Asoka, hospitals were there for care and proper upkeep of society, but there was no development for the care of the elderly. After the advent of the Mughals, the conditions in the community remained more or less the same. During the British-Raj, the structure of society changed in a noted way. The concept of nuclear families came into existence as individuals became more centralized and concerned about the well-being of their immediate families.

Indian culture, like many other Asian cultures, emphasized filial duty. Respect, be obedient, dutiful care must be towards the parents.[[6]](#footnote-6)

The older person who lived happily in the joint family system was left alone they had to look after them, neglected, abandoned etc. The statistics of abandoned older people in urban and rural areas continuously increase.[[7]](#footnote-7)

**LAWS PASSED IN SUPPORT OF ELDERLY PERSON:**

During the period of British rule, laws were enacted, which is necessary for the proper functioning of the state. One of the laws they passed was the criminal procedure code in that code Sec 125 speaks of maintenance it says that if any person that means son or daughter having sufficient means neglect or refuses to maintain his father or mother the Magistrate on proof of such neglect or refusal order their child to keep their parents, on breach of the order court issue warrant and give them punishment. So father and mother have a statutory right to claim maintenance from the children who neglected or refused to maintain them.

After India became a Sovereign independent country, we enacted the constitution for the welfare of the people. In this supreme law, there is a mention of fundamental rights Art 21 speaks about the individual's liberty in that right to live peacefully is the fundamental right of the person this right is to be protected by the state. In the directive principle of state policy Art, 41 states that economic capacity and development give public assistance in case of old age.

Within the legislative power granted to the union and state legislative body, they enacted the Hindu adoption and maintenance act, 1956. Section 20 says that Hindus are bound to maintain their aged or infirm parents during their lifetime. The son or daughter must keep ageing parents when they cannot fulfill their needs out of his earnings or through his property. If they fail to maintain the infirm or aged, parents have a right to claim.

Due to the demographic increase in elderly persons, the legislative body passed a special act, especially for older people that are Maintenance and Welfare of Parents and Senior Citizens Act 2007

In this act, it mention that it is the bounden duty of son and daughter to maintain if there are no children, the person who gets the property rights have to keep them failure on their part is fine, or the court gives punishment for not supporting the parents.

Hon'ble Madras High Court Bench Judge Justice S.Vimala while hearing the Criminal Revision case filed by an individual challenging the lower court order directing him to pay maintenance to 70-year-old mother and also mention that sons and daughters liability to pay maintenance is not just a duty but is dharma a much larger behavioral aspect that encompasses obligations, rights, laws, conduct, virtues and so on.

In this criminal revision case, mothers' right is statutory, constitutional, moral, natural and basic rights. The son spoke about the duty and responsibility of the mother, not about his duty and responsibility; The Judge observed that the claim for maintenance could not be a match for the profit and loss account.[[8]](#footnote-8)

**NGO's ROLE FOR CARE AND SUPPORT OF ELDERLY PERSON:**

On the other hand, NGOs are voluntary organizations, i.e., non-governmental organizations formed after registering under the societies act or trusts act or companies.[[9]](#footnote-9) It aims is to provide free service to the needy person and provide basic needs to the deserving person. It is funded by the private individual or private companies or by the person sponsoring voluntarily or by grants by the state fund. India has at least 31 lakh NGOs registered under the societies registration act, trusts act, companies act. According to NGO-DARPAN, an initiative by NITI Aayog, there is over 15,000 NGOs in India exclusively working for the welfare of older people. These elderly persons NGOs are continuously working for providing nursing homes, healthy diet, medical and psychological support, programs, awareness to elderly persons.

Nearly 39% of the elderly live alone or abandoned by their children. These NGOs protect the older person or some older person who does not have basic needs to fulfill their needs. NGOs take them and give all support to defend their human rights. The older person who is abused, harassed, neglected, abandoned are cared for by these NGOs. They aim to provide free services and advocate a public policy.[[10]](#footnote-10)

In Tamil Nadu, there is 25 NGO’s which runs by government grants for protecting the older person who is abandoned or homeless. These Grants are to run nursing homes in 23 districts of Tamil-Nadu. These NGO’s provide food, shelter, clothing, health care, recreational facilities, etc. The Government offers a sum of Rupees 2 lakh per year for each home 845 nursing homes were benefitted.

Some of the important NGO’s in the country is.

Manavlok, which is in the Ambajogai district, Maharashtra, this voluntary organization aims to provide two meals a day at least for 75 senior citizens who go to bed hungry.

Help-Age India conducts eye cataract surgeries with eye hospitals and organizations for older people who need surgeries. The surgeries benefit nearly nine lakh elderly.

Abhay Mission launched a SPONSOR, a Grandparent program, in 2003 in west Tripura. They aim to provide a monthly ration kit and daily commodities, and also they are giving 50 Rupees for medicine and 50 Rupees for personal needs.

Shraddhanand Mahilashram Provides shelter, food, a separate bed, and medical assistance with active medical staff. The foraged person who abandoned and poor elderly person.

Asha Kiran It provides basic needs to the elderly living in remote rural areas, and also they are conducting medical camps monthly and cultural programs to be aware of the scheme and improve their lives.

By recognizing the work done by Agewell Foundation, ECOSOC has granted special status in the year 2011 at the United Nations. Now it is associated with the Ministry of Social Justice and Empowerment, the working group on Awareness and capacity building for senior citizens, Sub-groups on Elderly care, Under NITI Aayogs, National Human rights commission.

They distribute wheelchairs, Food packets, Adult diapers, walking sticks, collection and distribution of woolens.[[11]](#footnote-11)

In Tamil Nadu, some nursing homes are Udavum Karangal, a nursing home that provides shelter to older people and rescues abandoned older people, giving them shelter, food, and care.

Malarvanam and Karunai Illam is a home for older people and the children living in the home.This home is distributing wheelchairs, Food packets, Adult diapers, walking sticks, collection and distribution of woolens.[[12]](#footnote-12)

In 2007, an act for senior citizens was enacted by the legislative body for the welfare of senior citizens. The act was the Maintenance and welfare of parents and senior citizens act 2007. It is mentioned that when senior citizens right violated, on behalf of the senior citizen whose right is violated by their son or daughter who is not maintaining the parents or senior citizen this act provide remedy for it. And also, when any person misuses a senior citizen's property on behalf of senior citizens NGO’s have a right to file a case. Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 gave a right to an organization to file a claim on behalf of the older person who is incapable of filing a case.

India has 100 million older people. In 2017, the United Nations Population Fund report said 12.5% of the elderly will be 60 and above by 2030, and it will increase up to 1/5 in 2050.

**GOVERNMENT SUPPORT TO NGO's**

The Government of India spent nearly 58 core rupees for the year 2013 to 14 for the help of nursing homes, almost 21,000 old age people benefitted in various states of India.

For the welfare of senior citizens central Government, either independently or with the support of state Government or other voluntary and a non- governmental organization take action plan for protecting the basic rights of senior Citizens that is called the Scheme of National Action Plan for the welfare of Senior Citizens

The four sub-schemes under the plan are

1. Scheme of Integrated Programme for Senior Citizens

2) State Action Plan for Senior Citizens

3) With other Ministries/Departments of India, they look after senior citizens.

4) By NAPSrC through NISD, the Media, advocacy, Capacity building, Research and Study, Pilots and any other project aimed towards the welfare of the senior citizens

So, for the welfare of senior citizens government is not only helping the senior citizens who are indigent by providing basic needs and also building nursing homes for the homeless and the abandoned senior citizens, by the establishment of NGO’s it plays an important role in protecting the life of senior citizens by giving food, shelter, clothing, medical assistance for the deserving and also care, affection, love is given by the NGO's. They are doing marvelous work for the senior citizens. Programmes,Awareness etc, are provided by the NGO’s. The NGO’s work independently for helping the senior citizens. Some of the NGOs with the Government protect the life of senior citizens.

**CONCLUSION:**

Senior Citizens are a person who is above 60 years ago. Our Indian family system is based on joint family system. Now there is the slow disintegration of the joint family system. Due to this, the most affected person is an older person. Some of the elderly are left alone by their children, so the elderly feel lonely; they need care, psychological support, help etc. For that, many laws are passed for maintaining the older person and also forced to maintain. Some older people are living alone due to childlessness due to age factor they are not able to work, so they went for begging. Now-a-days the NGO’s give more support by providing homes, food, shelter, medical assistance, care, psychological support etc. not only this they are giving awareness about the policy, programs by conducting seminars etc. NGOs play multiple roles in the socio-economic development of older people.

1. .<https://timesofindia.indiatimes.com/city/chandigarh/hc-reminds-son-of-duty-to-parents/articleshow/50402650.cms> [↑](#footnote-ref-1)
2. <https://tamilandvedas.com/tag/elderly-care/> [↑](#footnote-ref-2)
3. Nāradapurāņa 1.5.53 [↑](#footnote-ref-3)
4. <http://www.hindupedia.com/en/Ideals_and_Values/Duty_of_a_Son_or_a_Daughter_towards_Parents> [↑](#footnote-ref-4)
5. .<http://timesofindia.indiatimes.com/articleshow/50402650.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst> [↑](#footnote-ref-5)
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7. <https://pubmed.ncbi.nlm.nih.gov/23858270/> [↑](#footnote-ref-7)
8. https://www.thehindu.com/news/cities/Madurai/maintaining-parents-is-dharma-not-just-duty/article7910980.ece [↑](#footnote-ref-8)
9. https://www.tnsocialwelfare.org/pages/view/old-age-homes-of-ngos [↑](#footnote-ref-9)
10. <https://indianexpress.com/article/india/india-others/india-has-31-lakh-ngos-twice-the-number-of-schools-almost-twice-number-of-policemen/> [↑](#footnote-ref-10)
11. https://www.giveindia.org/blog/top-5-ngos-helping-senior-citizens-in-india/ [↑](#footnote-ref-11)
12. https://www.agewellfoundation.org/. [↑](#footnote-ref-12)