

ELDER ABUSE IN INDIA (2013)

A HelpAge India Report



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 **HelpAge India** | Fighting isolation,
poverty, neglect

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EXECUTIVE SUMMARY

The current ageing scenario in India is showing an unexpected and faster rise of the age group 60 years and above. As a result of the rise, issues of elder security and well being are becoming a matter of concern. There is a need to take care of the situation of elderly in terms of social and mental well being, economic and social security and Elder Abuse. With this scenario, HelpAge India felt the need to understand the situation of Elder Abuse so that necessary action can be taken to prevent the rising elderly population from falling victim to such acts and adopt effective mechanisms by which the elderly will be cared and respected and will be able to live a life with dignity.

HelpAge India has been conducting similar surveys for the past 3 years. This year's survey on Elder Abuse was conducted in 24 cities of India by interviewing elderly above 60 years of age. This study aims at knowing the perceptions of elderly regarding Elder Abuse, its prevalence in their society and their experience of abuse and the primary perpetrators. The field work was carried out by HelpAge and Sigma during April 27- May 17, 2013. Most of the elderly belonged to the age group 60-70 years and a large percentage were married. More than four-fifth of the elderly live with family and around 73% own their house.

Disrespect, neglect and verbal abuse are the three major forms of abuse as understood by the elderly and the same are the most prevalent forms as reported by most. The major reasons for such abusive behavior include: lack of adjustment, economic dependence of the abused and increasing longevity of the old. Elderly suggested sensitizing children and strengthening intergenerational bonding, increasing economic independence of the abused and sensitizing young adults, as the measures to deal with Elder Abuse.

Elder Abuse has been reportedly experienced by more than one fifth of the elderly with the most common forms experienced being disrespect and neglect. Most of the elderly are experiencing it almost daily. The extent of reporting of abuse is low and this can be attributed to maintaining confidentiality of family matter and fear of retaliation. Relatives are mostly approached to report cases of abuse as confidentiality of the family matter can be maintained. Daughter-in-law has been reported as a primary perpetrator in most cases of abuse followed by son and relatives.

Thus action needs to be taken against situations which make life difficult for the elderly. Social security of elderly should be taken care of, they should be given opportunity for income generation, programmes to sensitize children and young adults and involvement of society at large against elder abuse should be initiated.

SALIENT FINDINGS

Elder Abuse in India (2013)

NATIONAL Findings

- More than one fifth of the elderly 23% reportedly experienced abuse nationally.
- Four fifth of the elderly 83% live with family.
- Nationally the Daughter-in-law has been reported as a primary perpetrator of abuse (39%) followed closely by the Son (38%).
- The most common form of abuse nationally experienced by elderly was Disrespect 79% followed by verbal abuse 76% and neglect 69%, and a disturbing 39% elderly faced beating/slapping.
- The major reasons cited by the elderly for prevalence of elder abuse include: “*lack of adjustment*”, “*economic dependence of the abused*”, “*increasing longevity*” and “*economic dependence of abuser.*”
- About 35% of the elderly abused, reported to be facing it almost daily.
- 16% of elderly reported facing abuse for 6-10 years, while 28% reported facing abuse for 3-5 years and 26% were facing it for 1-2 years.
- 70% of those abused, did not report the matter.
- “*Maintaining confidentiality of the family matter*” is the major reason behind not reporting abuse 31% followed by “*fear of retaliation 23%.*” One fifth of the elderly 20% did not report as they “*did not know how to deal with the problem*”.
- The Police Helpline is the most known redress mechanism reported by 70% of elderly, while 17.67% knew about the HelpAge India Elder Helpline and 11% about the Maintenance and Welfare of Parents and Senior citizens Act 2007.
- The effective mechanisms suggested by the elderly to deal with Elder Abuse include “*sensitizing children and strengthening intergenerational bonding*”, “*increasing economic independence of the abused*” and “*sensitizing young adults.*”

TIER-I (Metro) cities & TIER-II Findings

- Among the Tier-1 (*Metro*) cities: Hyderabad emerged with the highest rate of elder abuse 37.50%, followed by Kolkata 28%, Delhi 20%, Mumbai 11.43% and Chennai with the lowest with 9.64%.
- In Tier 1 (*Metro*) cities Daughter-in-law has been reported as the main perpetrator of abuse. While it is the Son who is the main abuser in Tier-II cities and a disturbing fact that emerged was that 17% faced abuse at the hands of their daughter.
- Madurai 63% and Kanpur 60% recorded highest levels of Elder Abuse.
- J&K and Rajasthan have the highest share among non-reported cases of abuse, which is 100%.
- Among those elderly abused, a shocking 16.19% in Rajasthan and 13.67% in Andhra Pradesh faced beating/ slapping.
- In West Bengal & Tamil Nadu (TN) Economic Exploitation as a type of abuse was high, with 18.91% and 15.23% respectively.
- Disrespect 11.51% & Verbal Abuse 12% was also high in TN, and in West Bengal Neglect as a type of abuse was high with 12.55%.

CHAPTER 1

INTRODUCTION

1.1 BACKGROUND OF STUDY

The Context

Ageing of population is a major emerging demographic issue and is an inevitable consequence of the demographic transition experienced by most countries. In India the proportion of the population aged 60 years and above was 7 percent in 2009 and has been projected to increase to 20 percent by the year 2050. India has an estimated 100 million elderly. By 2050 the number is expected to increase to 315 million. For most of the nations, regardless of their geographic location or developmental stage, the 60 and above age group is growing faster than any younger segment of the older. As a matter of fact, vulnerabilities towards the elderly arising out of poverty, rural living, income insecurity, illiteracy, dependency, decreasing support base, etc is increasing.

The Concern

As a result of the current ageing scenario in India, there is a need to take care of all aspects of the elderly persons namely, socio economic, financial, health and shelter. With these issues, safety and security of older persons are also of concern in India. With more elderly people living longer, the households are getting smaller and congested, causing stress in joint and extended families. Even where they are co-residing marginalization, isolation and insecurity are felt among the older persons due to the generation gap and change in lifestyles. Increase in lifespan also results in chronic functional disabilities creating a need for assistance required by the older person to manage simple chores as the activities of daily living. As defined by the Action on Elder Abuse in United Kingdom and adopted by the International Network for Prevention of Elder Abuse “*Elder Abuse is a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person*”. Elder Abuse constitutes of different forms of abuse like neglect, disrespect, verbal abuse, physical abuse, financial abuse, psychological and emotional abuse or even sexual abuse.

Need for the Study

HelpAge India felt the urgency to take up the issue of Elder Abuse in the country for the purpose of advocacy on safety and security of the older persons; hence , the need for a study to understand the prevalence and extent of abuse across cities, perception of abuse among elderly, reporting behavior and reasons behind. The study outcome is expected to help the HelpAge in having effective mechanism in place to address the issue of Elder Abuse.

1.2 OBJECTIVES

Study Objectives

The specific objectives of the study are to understand:

- Perceptions of elderly regarding what constitutes Elder Abuse
- Perceptions of elderly on prevalence and most prevalent type of abuse
- Personal experience of abuse by elderly and abusers
- Reporting behavior of older persons
- Awareness of currently available intervention mechanisms

The socio-demographic and economic profile of the elderly and their living arrangement are also studied and discussed in a broad way.

1.3 STUDY DETAILS

Research Technique

A quantitative study with structured interviews was conducted in 24 cities from 20 states of India.

Target Groups

The target group for the study comprised male and female elderly people of age 60 years and above from all the twenty states covered.

Coverage and Sample Size

The study area included the following 20 states of India and their selected respective cities:

Table 1.1(a) List of Tier-I (*Metro*) cities covered

State	City
Andhra Pradesh	Hyderabad
Delhi	Delhi
Maharashtra	Mumbai
Tamil Nadu	Chennai
West Bengal	Kolkata

Note: Tier-I are those cities where population = +5 million

Table 1.1(b) List of Tier-II cities covered

State	City
Andhra Pradesh	Vizag
Assam	Sibsagar
Chhattisgarh	Raipur
Gujarat	Surat
Haryana	Faridabad
Himachal Pradesh	Solan
Jammu & Kashmir	Srinagar
Jharkhand	Jamshedpur
Karnataka	Mangalore
Kerala	Thiruvananthapuram
Maharashtra	Nagpur
Odisha	Cuttack
Punjab	Amritsar
Rajasthan	Bikaner
Tamil Nadu	Madurai
Tripura	Agartala
Uttar Pradesh	Kanpur
Uttarakhand	Haridwar
West Bengal	Durgapur

Note: Tier-II are those cities where population = 1 million to 5 million

Twenty four cities were covered within these states with at least one city in each state. In each city, a sample size of 280 comprising both male and female elderly was covered. Table 1.2 gives the achieved sample size by city.

Table 1.2 Sample Size Achieved by State

States	Male	Female	All
Andhra Pradesh	283	277	560
Assam	149	132	281
Chhattisgarh	161	119	280
Delhi	161	119	280
Gujarat	141	154	295
Haryana	138	167	305
Himachal Pradesh	134	169	303
Jammu & Kashmir	157	121	278
Jharkhand	159	121	280
Karnataka	84	127	211
Kerala	129	151	280
Maharashtra	280	269	549
Odisha	127	153	280
Punjab	118	162	280
Rajasthan	119	161	280
Tamil Nadu	328	352	680
Tripura	118	76	194
Uttar Pradesh	123	164	287
Uttarakhand	136	145	281
West Bengal	284	280	564
Total	3329	3419	6748

Sampling Approach

HelpAge provided a list of localities in each city by SEC as the sampling frame. For each SEC, 10 localities were selected by systematic sampling with a random start. A sampling interval was obtained by dividing the total number of localities in a SEC by 10. The first locality was selected using a random number and then the second one after adding the interval and so on.

In each locality, 7 interviews - 4 men and 3 women- were carried out. The four men were selected following the right hand rule of field movement from a landmark / starting point e.g. school, temple, or some shop (any structure that is not a household) and three women were selected using the left hand rule. In case of more than one eligible elderly in a household, the choice was made on the basis of availability and the youngest elderly above 60 years.

Field Operations

The field work was carried out by HelpAge in 17 cities and by Sigma in 7 cities. The field work was carried out during April 27- May 17, 2013.

Data Processing

The data entry was done using CS Pro and the analysis was carried out using SPSS and MS Excel. After completion of all the data entry, the data cleaning was done and tables were prepared according to the plan. Analysis has been done comparing results from Tier-I (*Metro*) cities and Tier-II cities as suggested by HelpAge.

1.4 STRUCTURE OF THE REPORT

The present report has four chapters including this chapter and an executive summary. The details of the chapters are given below.

The second chapter gives profile of the elderly in terms of socio-demographic profile, economic status and living arrangements.

The third chapter provides the perceptions of elderly regarding Elder Abuse, reasons for such abuse.

The fourth chapter gives the results on experience of abuse among the elderly, its frequency, type of abuse faced and who are the perpetrators, reporting behavior, reasons for not reporting the abuse incidence, how they can be dealt with and awareness regarding the redress mechanisms.

CHAPTER 2

PROFILE OF ELDERLY PEOPLE

2.1 DEMOGRAPHIC PROFILE

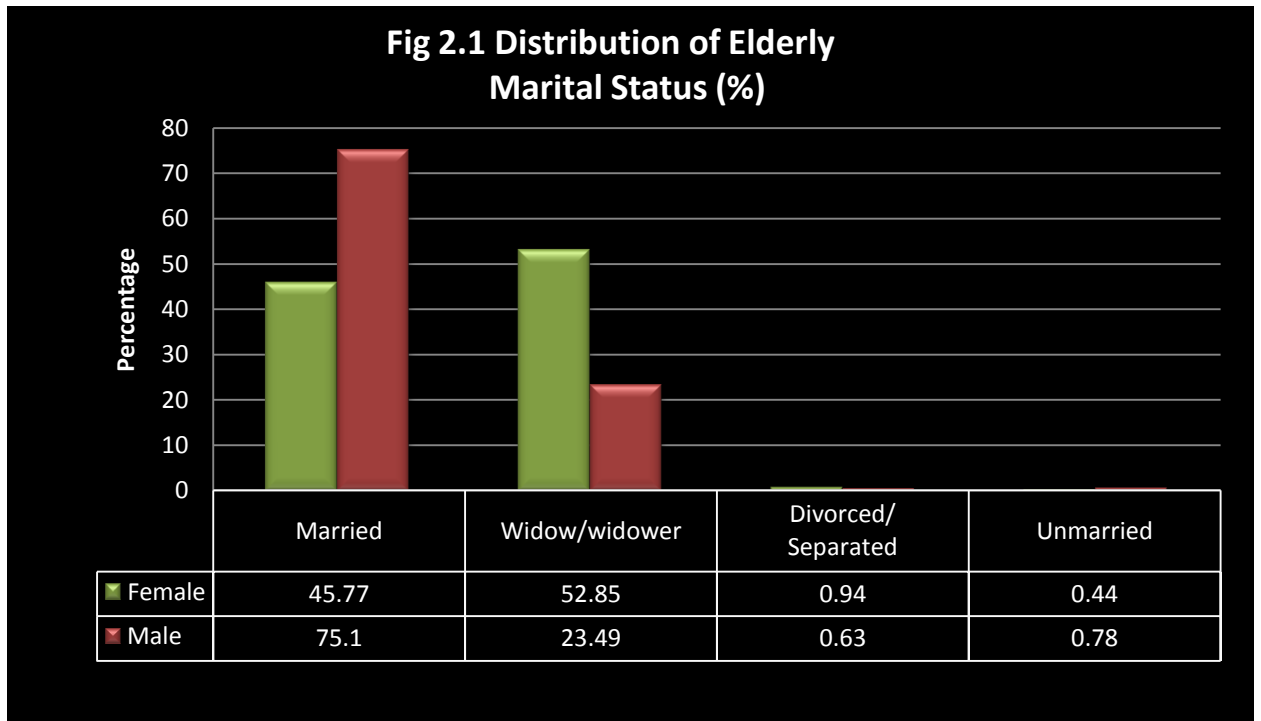
This section provides the demographic profile of the elderly in terms of age, gender and marital status.

Age and Sex Distribution

The mean age of the elderly is 68 years for men and for 66 years for women. More than two third of the elderly 69% belong to the age group 60-70 years while 19% belong to the age group 71-80 years. More males belong to age group 71-80 compared to females who are more in age group 60-70 years.

Marital Status

Around 60% of the elderly are married, 38% are widow or widower, 1% are divorced/separated and 1% unmarried. Percentage of married females is less than married males while percentage of widow is more than widower.

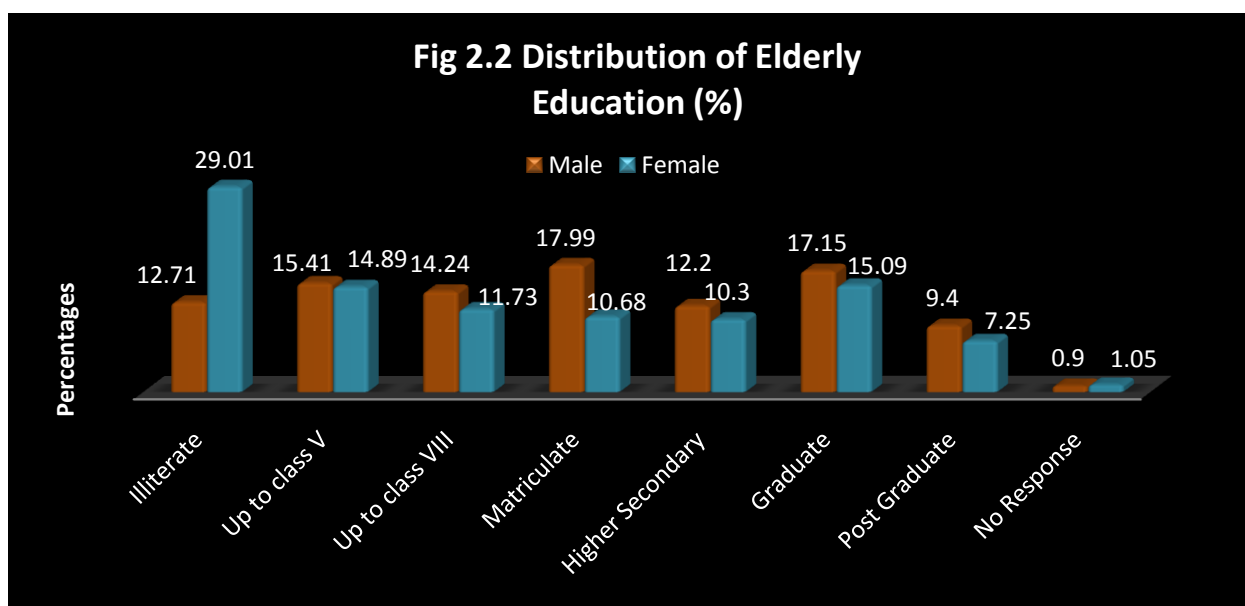


2.2 SOCIAL PROFILE

This section provides the social profile of the elderly which includes educational qualification of elderly in different states.

Educational Attainment

About 21% of the elderly are illiterate, females being more 29% than males 13% whereas 16% are graduates and 9% are post graduates, male percentage being more than females. Around 15% completed up to primary, while 13% completed middle school, 14% completed secondary education while 11% completed till higher secondary. Literacy rate is higher among males in all stages of education compared to females.



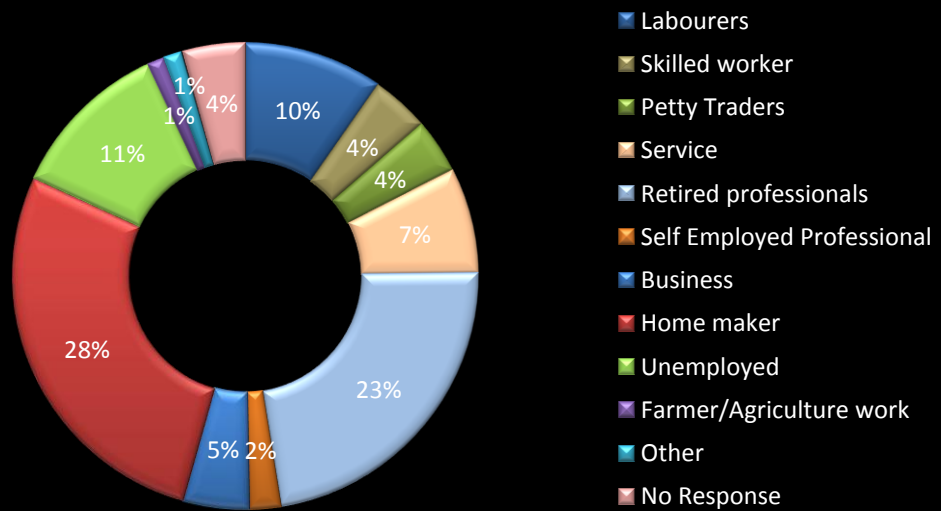
2.3 ECONOMIC PROFILE

This section deals with the occupations of the elderly and their ownership of houses.

Occupations of Elderly

About 23% elderly are retired professionals and 10% are labourers. Equal percentages 4% of elderly are skilled workers and petty traders. Around 7% elderly are still into services. About 5% reported to be in business. Almost one-third elderly are homemaker which mostly constitutes female elderly.

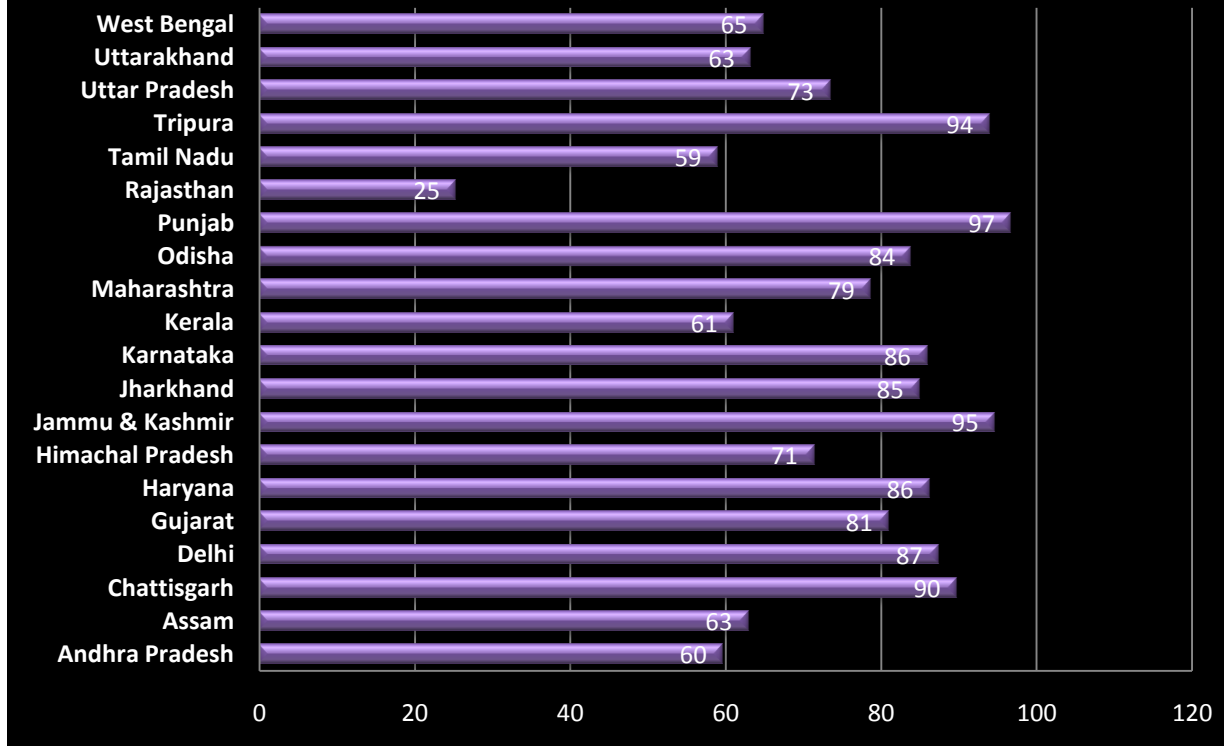
Fig 2.3(a) Distribution of Elderly Occupation (N=6748)



Ownership of House

Self ownership of house is reported by 73% of the elderly, 66% females and 80% males. Self ownership of house is highest in Punjab 97% followed by Jammu and Kashmir 95% and Tripura 94%. The lowest self-ownership of house is in Rajasthan.

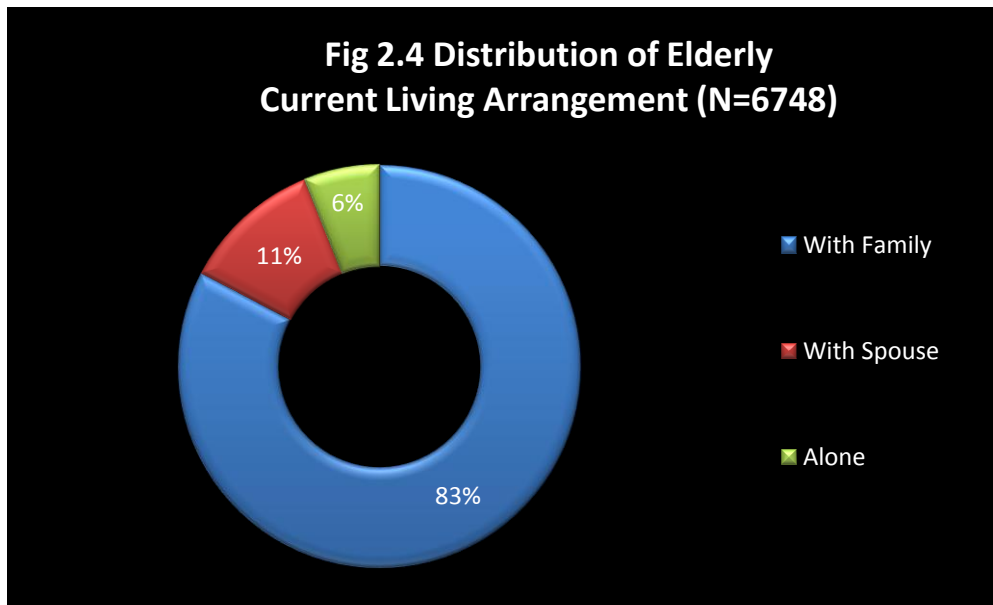
Fig 2.3(b) Distribution of Elderly Ownership of Houses (%)



2.4 LIVING ARRANGEMENTS

Current Living Arrangement

A huge number, 83% of the elderly, live with their family as compared to 11% who live with their spouse. On the other hand, 6% reported to be staying alone.



CHAPTER 3

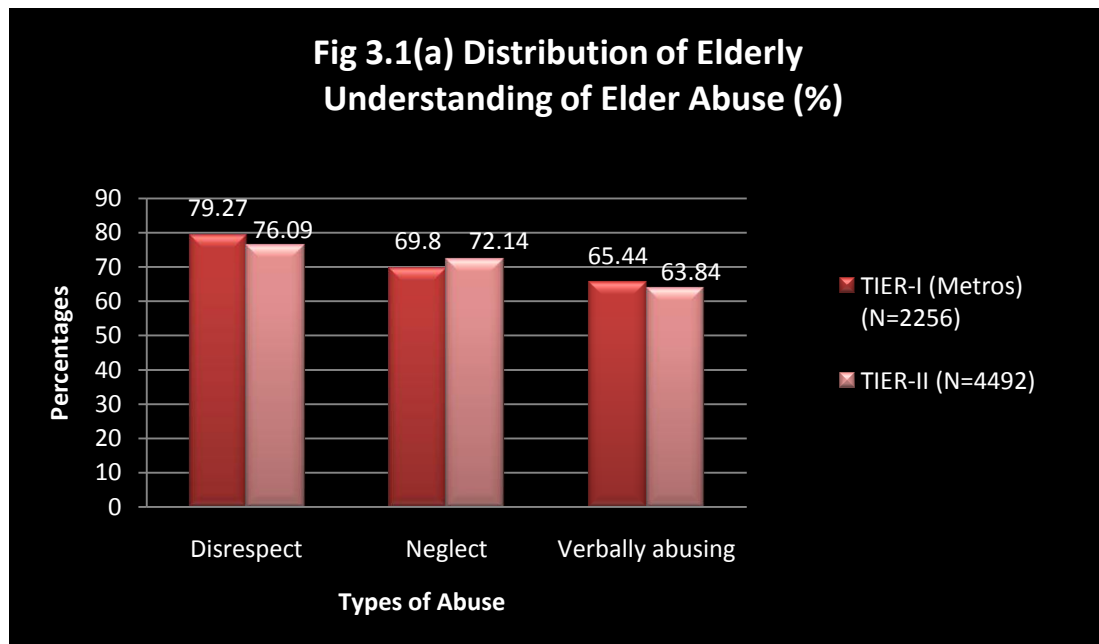
PERCEPTIONS ABOUT ABUSE

3.1 PERCEPTIONS ABOUT ABUSE AND PREVALENCE

This section deals with the perceptions of elderly on Elder Abuse, the prevalence of different forms of Elder Abuse in society and its extent.

Understanding of Abuse

Disrespect, verbal abuse and neglect are the major forms of abuse as understood by elderly on the context of Elder Abuse. Neglect as an abuse is seen more among elderly from Tier-II cities while disrespect and verbal abuse is seen more in the Tier-I (*Metro*) cities.



Note: Total more than 100 due to multiple response

Perception on Prevalence of Elder Abuse and its Extent

When asked whether they agree that Elder Abuse is prevalent in the society, 72% elderly from Tier-I (*Metro*) cities and 71% from Tier-II cities replied in affirmative. In Tier-I (*Metro*) cities, more males agreed with the statement regarding prevalence of Elder Abuse, while in Tier-II more females agreed.

Out of those who agreed, 48% think that it is moderately prevalent, while 31% think that its prevalence is high and 21% think it has low prevalence. Fig 3.1(b)

Table 3.1 Percentage of Elderly who agree that Elder Abuse is Prevalent in Society

Agreeing to Prevalence of abuse	Tier-I Cities (Metros)			Tier-II Cities		
	Male	Female	All	Male	Female	All
Yes	73.44	71.33	72.44	68.67	73.08	70.98
Total Number	1186	1064	2250	2049	2255	4304

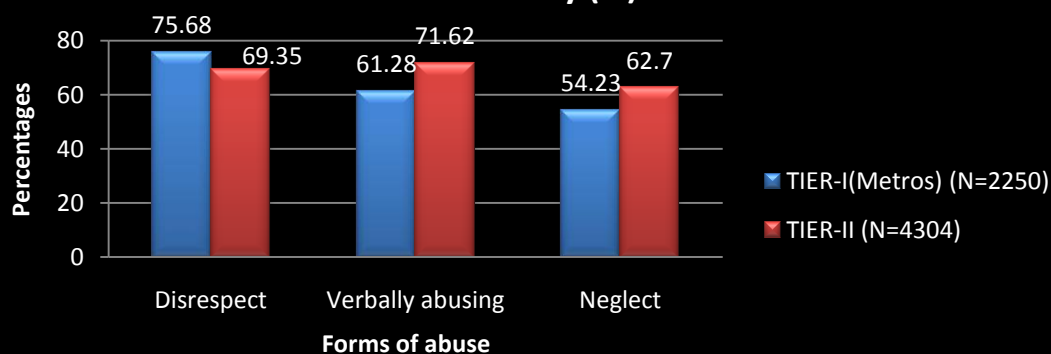
Fig 3.1(b) Distribution of Elderly Perception on Extent of Elder Abuse (N= 4685)



Perception on Prevalence of different forms of Abuse

According to elderly, disrespect 76% in Tier-I (*Metro*) cities and 69% in Tier-II cities is the most prevalent form of abuse followed by verbal abuse 61% and 72%, and neglect 54% and 63% respectively. In **Andhra Pradesh, Rajasthan, Maharashtra and Tamil Nadu quite a high percentage of elderly reported beating/slapping as a prevalent form of abuse.** Economic exploitation was reported by many as a prevalent form of abuse in West Bengal and Tamil Nadu.

Fig 3.1(c) Distribution of Elderly Perception on Prevalence of different forms of Abuse in Society (%)



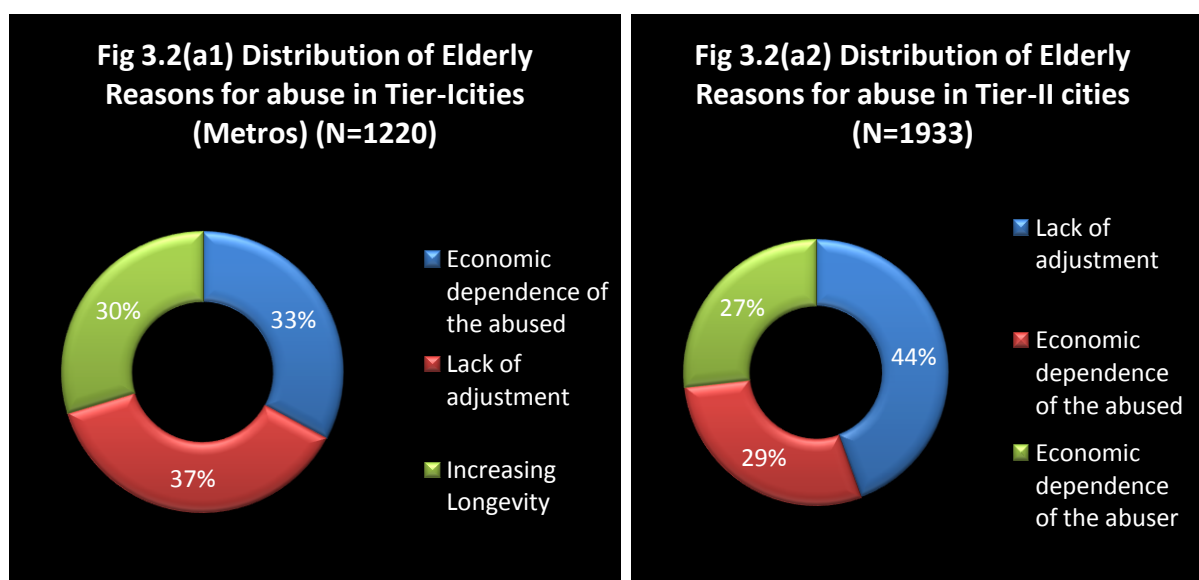
Note: Total exceeds 100 due to multiple responses

3.2 REASONS FOR ABUSE

This section deals with the reason behind Elder Abuse and how they can be dealt with to reduce such cases as per the elderly people's point of view.

Reasons for Abuse

In Tier-I (*Metro*) cities, the 'lack of adjustment 37%' emerges as the major reason for prevalence of elder abuse followed by 'economic dependence of the abused 33%' and 'increasing longevity 30%.' The scenario in the Tier-II cities is slightly different with the first two major reasons being same as that of Tier-I (*Metro*) cities 'lack of adjustment 44%', 'economic dependence of abused 29%' but the third reason pertains to 'economic dependence of the abuser 27%'.



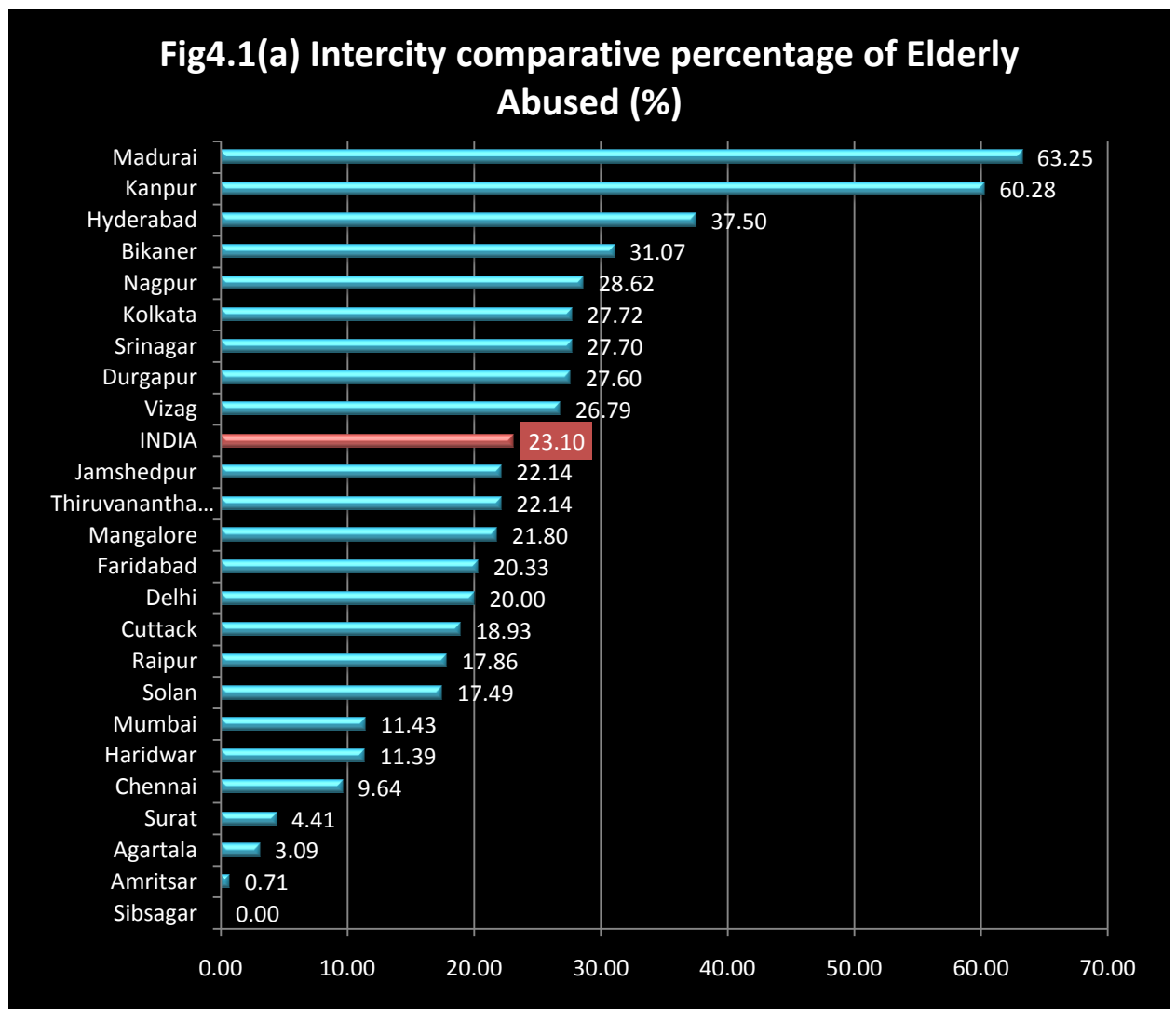
CHAPTER 4

EXPERIENCE OF ABUSE

4.1 REPORTED INCIDENCE OF ABUSE

Experience of Elder Abuse

At the national level, 23% reported of experiencing abuse.



Madurai recorded the highest incidence of Elder Abuse (63%) followed by Kanpur where 60% elderly reported of experiencing abuse. Amritsar has the lowest experience of Elder Abuse. In Delhi, 20% elderly reportedly faced abuse.

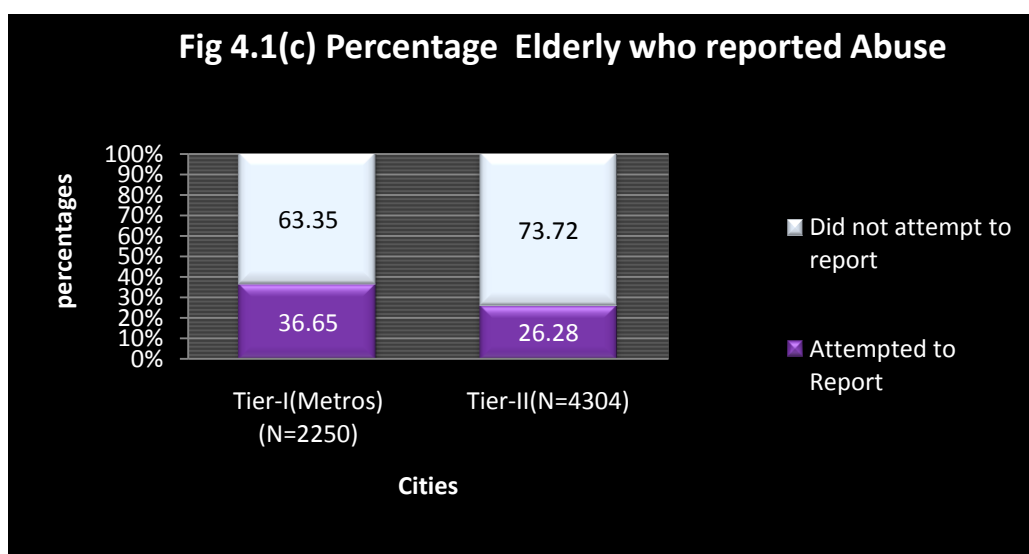
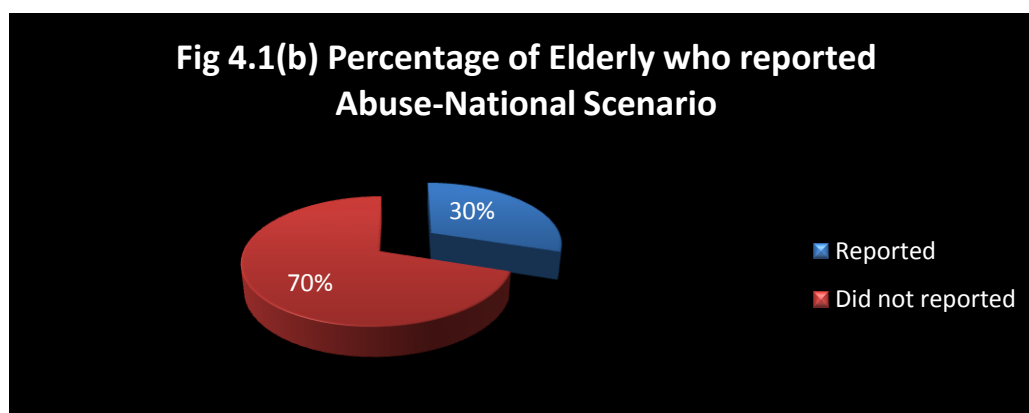
About 72% of those who experienced abuse belong to age group 60-70 years while 19% belong to age group 71-80 years. In Tier-I(*Metro*) cities 25% reported of facing abuse while in the Tier-II cities 23% reported of facing it. Percentage of female facing abuse is more than males.

Table: 4.1 Experience of Abuse among Elderly

Whether Experienced Abuse	Tier-I Cities (Metros)			Tier-II Cities		
	Male	Female	All	Male	Female	All
Yes	21.8	28.6	25.0	21.5	24.7	23.12
No	78.3	71.4	75.0	78.5	75.3	76.8
Total	1186	1064	2250	2049	2255	4304

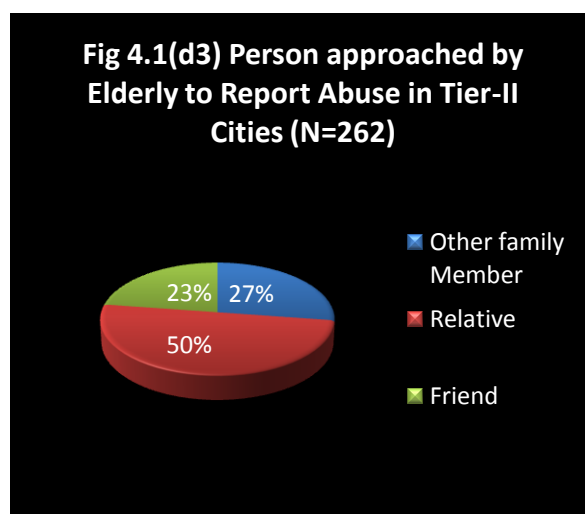
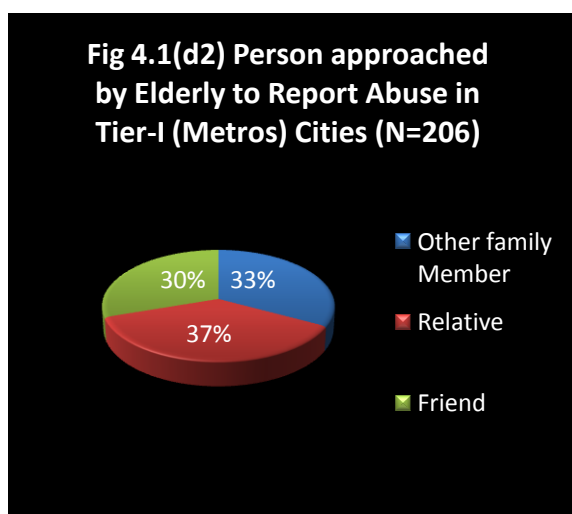
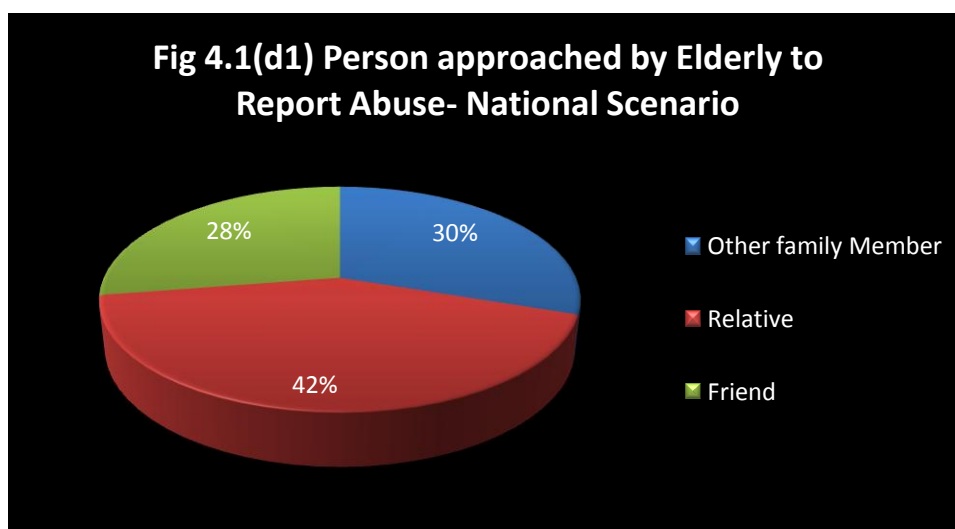
Reporting of Elder Abuse

Among those who experienced abuse 30% made an attempt to report. Among those who faced abuse, 37% from Tier-I (*Metro*) cities made an attempt to report the matter, while 26% from the Tier-II cities reported.



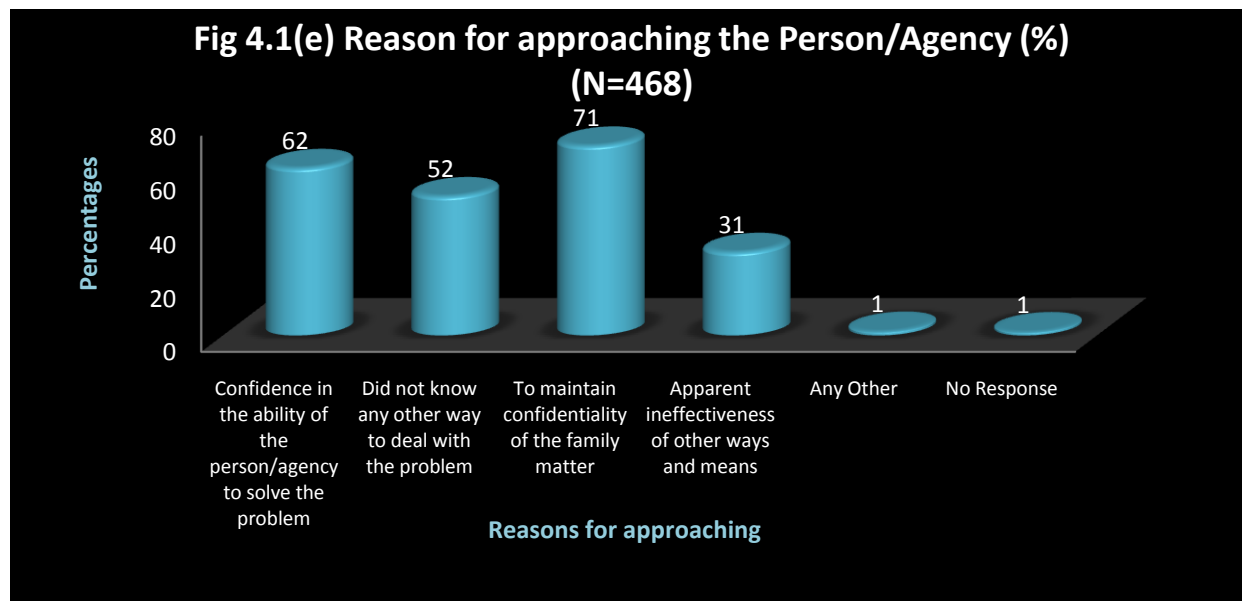
Person Approached to report

Nationally 42% approached relative, one-third approached other family members 30%, while 28% approached a friend. Relatives have been approached by 37% of the elderly from Tier-I (*Metro*) cities and 50% from Tier-II cities to report the abuse they have faced. About 33% from Tier-I (*Metro*) cities and 27% from Tier-II cities reported to have approached other family members, while 30% of the elderly from Tier-I (*Metro*) cities and 23% from Tier-II cities reported the matter to their friends.



Reason for approaching any person/agency

The elderly who faced abuse and approached a person or agency were asked about the reasons for doing the same. “Maintaining confidentiality of the family matter” emerges as the major reason 71% followed and confidence in the ability of the person/agency to solve the problem 62%. Half of the elderly 51% reported that they did not know any other way to deal with the problem and hence they approached the agency/person.



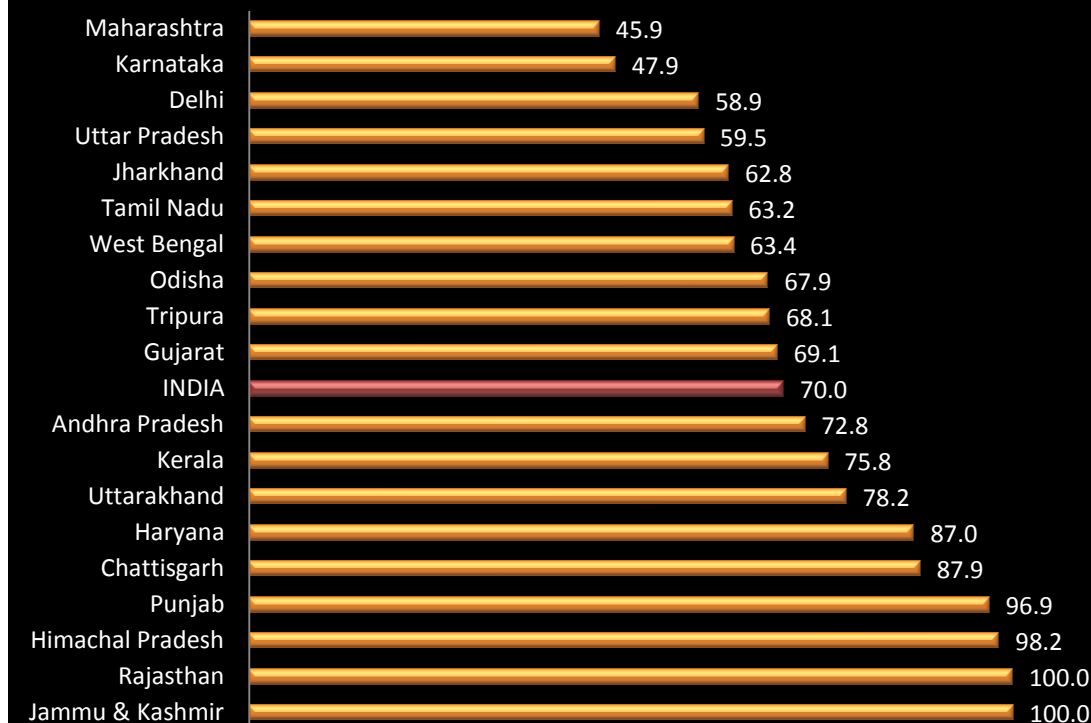
*Note: *Total exceeds 100 due to multiple responses*

***As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.*

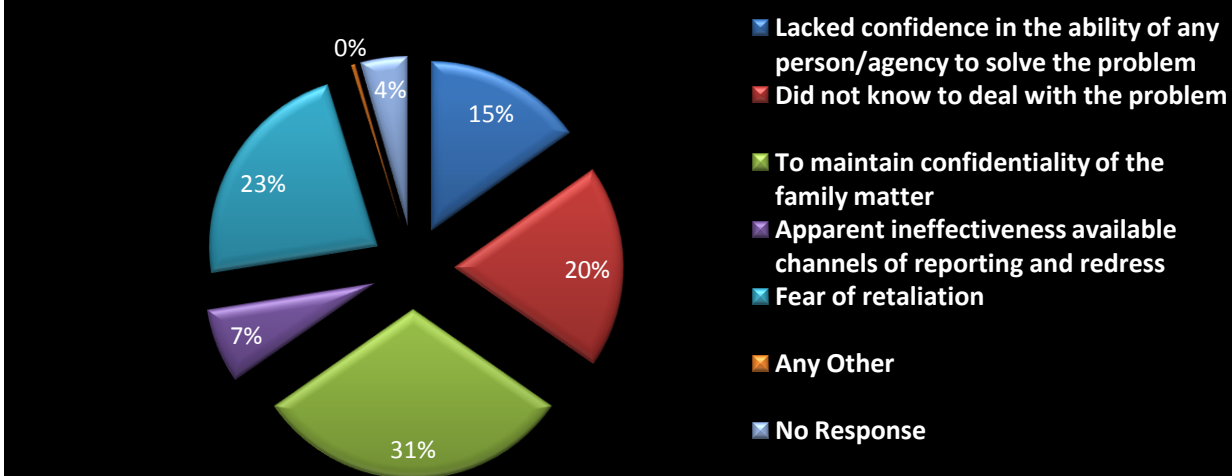
Reason for not Reporting Abuse Cases

None in Rajasthan and Jammu & Kashmir have reported of abuse faced. Maharashtra 46% and Karnataka 48% are the lowest in non-reported cases of abuse. The elderly who did not report about the abuse faced by them were asked about the reasons for the same. “Maintaining confidentiality of the family matter” is the major reason behind not reporting abuse 31% followed by “fear of retaliation 23%.” One fifth of the elderly 21% did not report it as they did not know how to deal with the problem.

**Fig 4.1(f) Distribution of Elderly
Not reporting abuse in different States (%)**



**Fig 4.1(g) Distribution of Elderly
Reasons for not Reporting abuse (N=1091)**



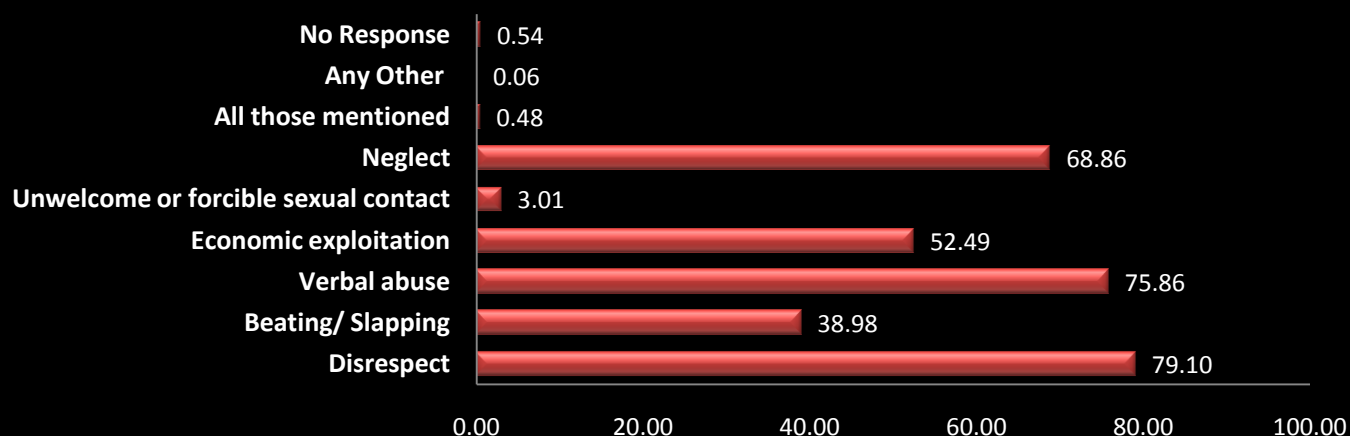
Note: As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.

4.2 TYPE AND FREQUENCY OF ABUSE

Type of Abuse faced

On a national scale the three main types of abuse are disrespect 79 %, verbal abuse 76% & Neglect 69%.

Fig 4.2(a1) Percentage of Different Type of Abuse Faced (N=3153) (%)

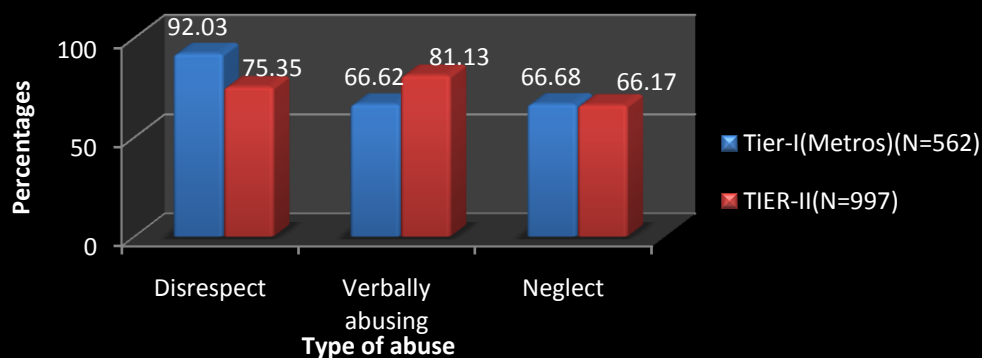


Note: Total exceeds 100 due to multiple responses

In Tier-I (*Metro*) cities, disrespect is the most common type of abuse faced by the elderly, followed by neglect 67% and verbal abuse. In Tier-II cities, verbal abuse is the most common type of abuse 81% followed by disrespect 75% and neglect 66%.

Among those elderly abused, a shocking 16 % in Rajasthan and 14% in Andhra Pradesh faced beating/ slapping. In West Bengal & Tamil Nadu (TN) Economic Exploitation was high, with 19% and 15% respectively. Disrespect 12% & Verbal Abuse 12% is also high in TN, and in West Bengal Neglect is high with 13%.

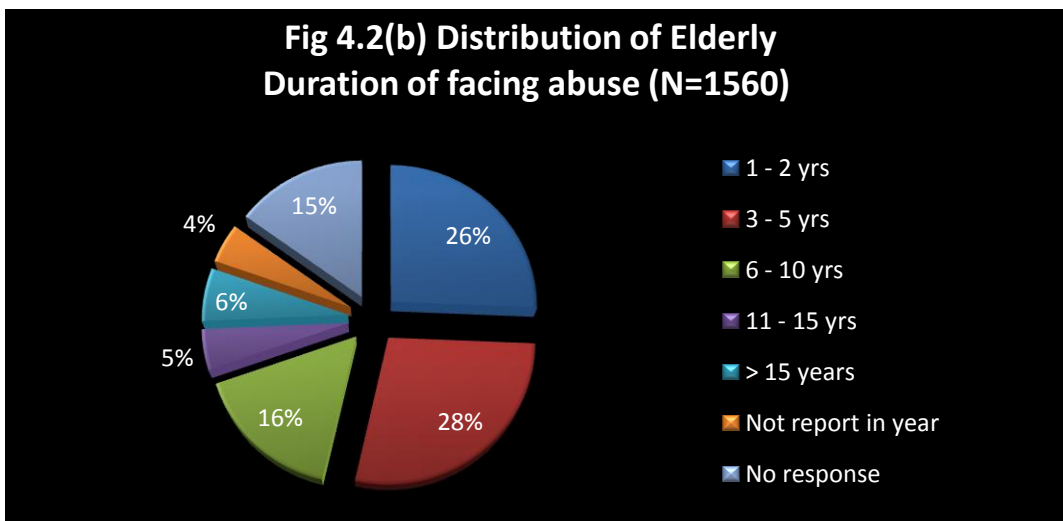
Fig 4.2(a2) Distribution of Elderly Major Type of abuse faced (%)



Note: Total exceeds 100 due to multiple responses

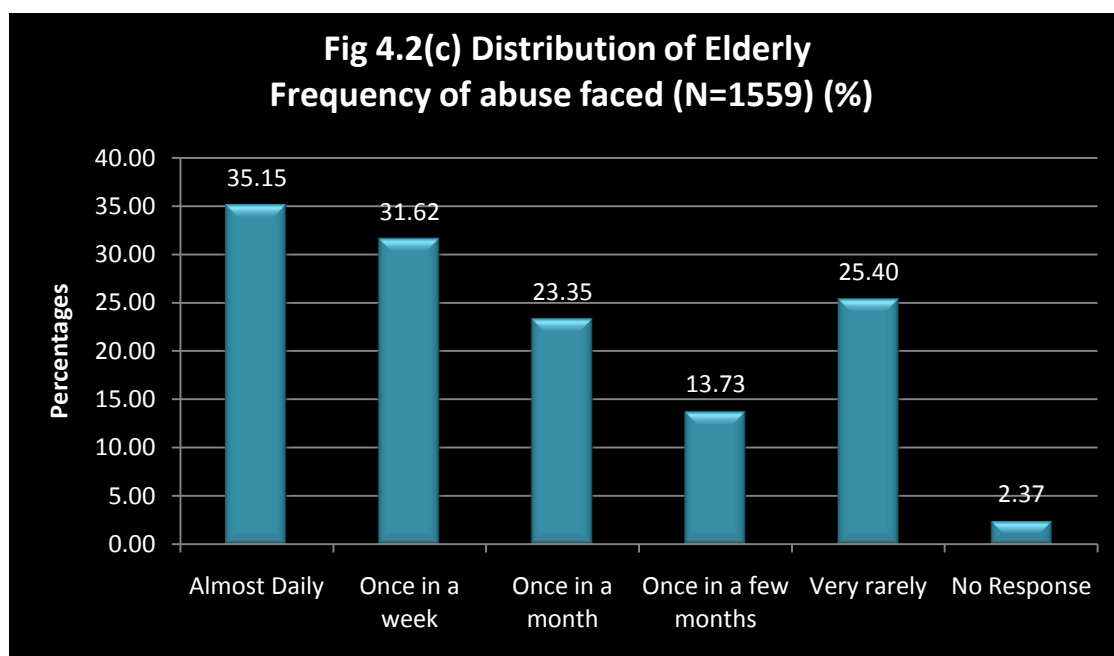
Duration and frequency of facing Abuse

Among the elderly who faced abuse, 28% reported to be facing abuse for 3-5 years, while 26% reported the duration as 1-2 years. About 6% of the elderly are facing abuse for more than 15 years.



Note: As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.

One third of the elderly who faced abuse reported to be facing it almost daily 35% and 23% of the elderly faced it once in a month.

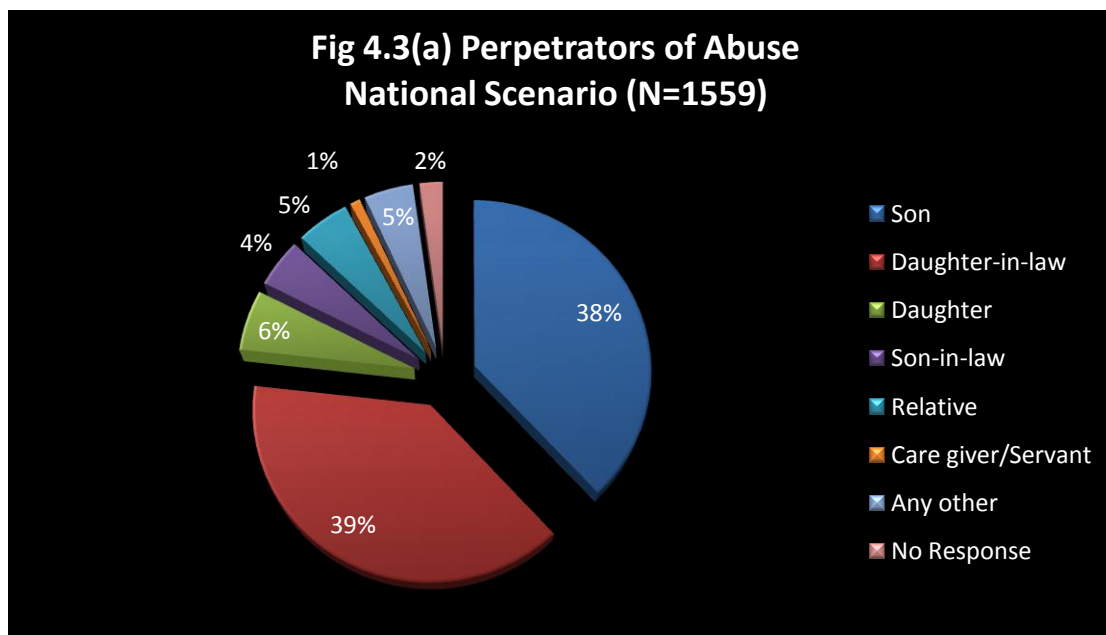


*Note: *Total more than 100 due to multiple responses*

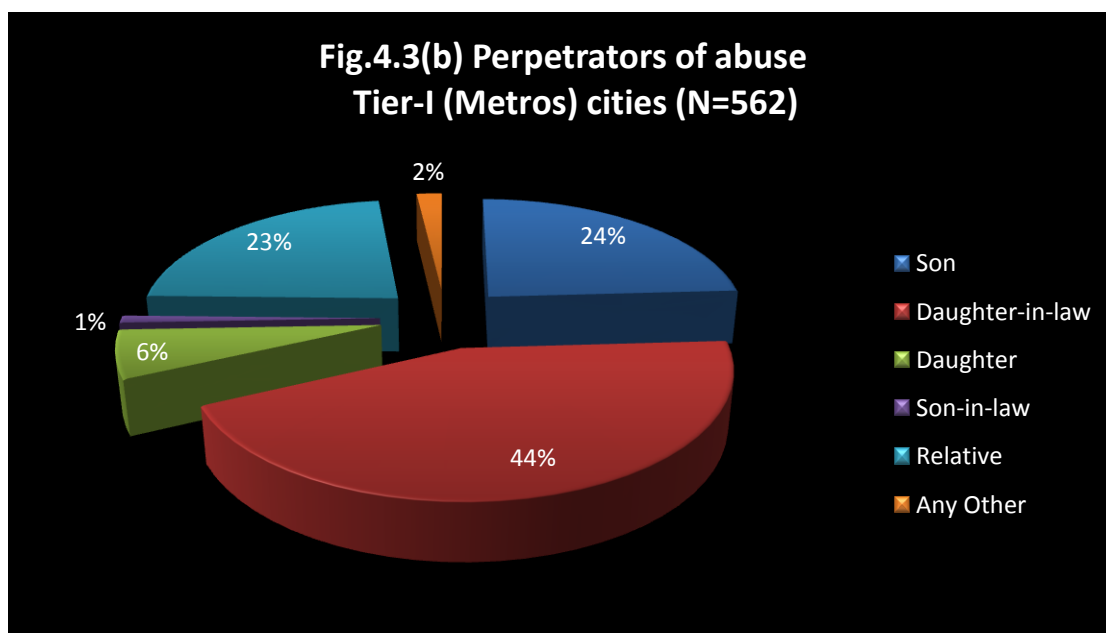
***As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.*

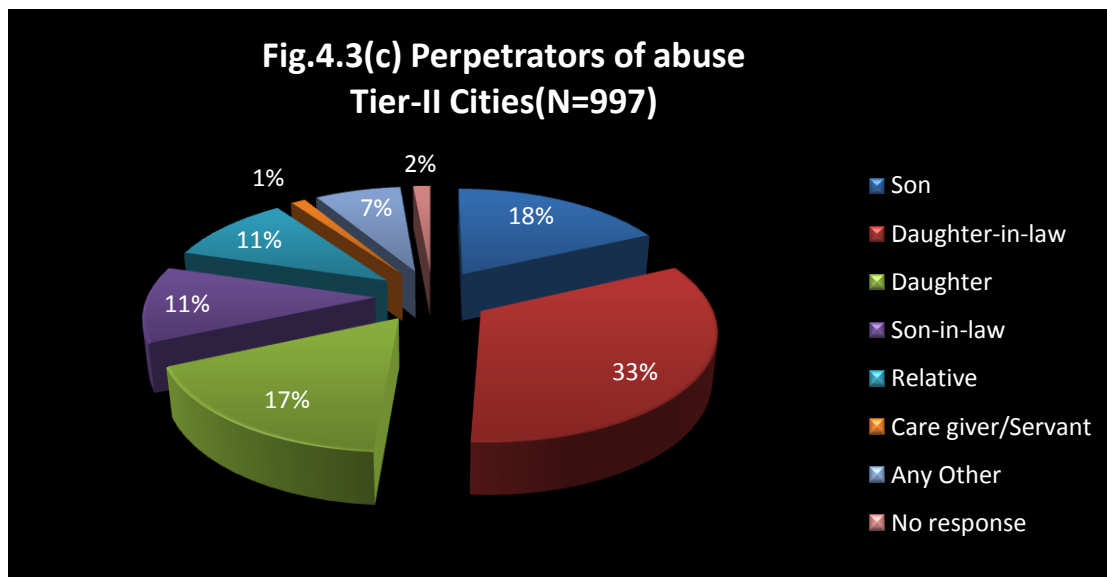
4.3 PERPETRATORS

Nationally Daughter-in-law is reported by 39% as the main perpetrator of abuse and very closely followed by Son 38%.



Among the perpetrators of abuse in Tier-I (*Metro*) cities, 44% reported daughter-in-law as the main perpetrator, while one fifth reported son the abuser 24% and 23% reported relatives. In Tier-II cities, 33% reported daughter-in-law as the main perpetrator, followed by the son 18% and daughter 17%.

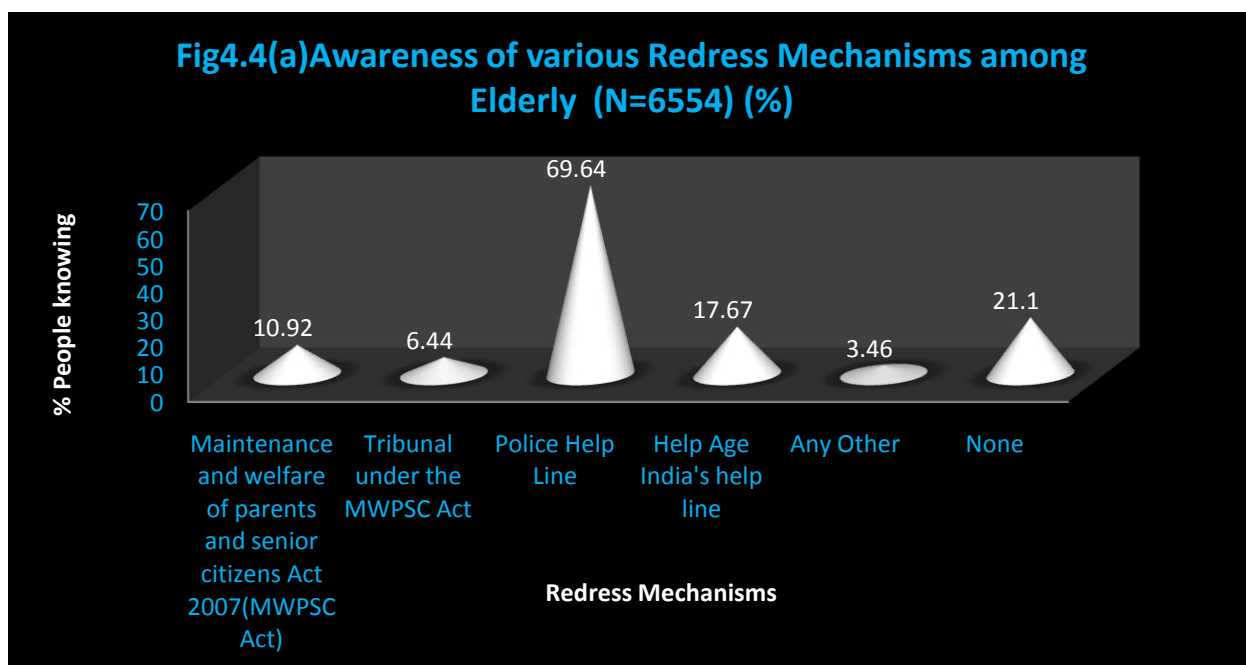




4.4 AWARENESS OF REDRESS MECHANISMS

This section gives the results on awareness among elderly people on the different redress mechanisms available to report cases of elder abuse.

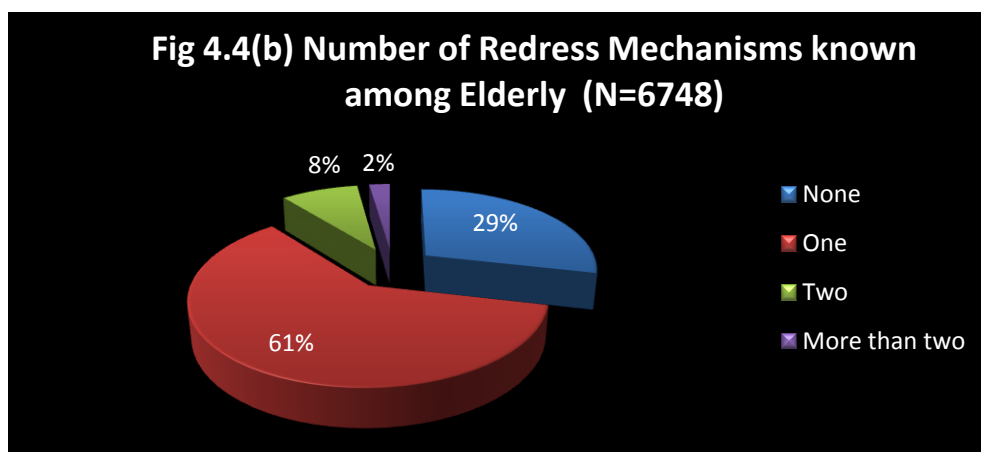
Police Help Line 70% is the most commonly known redress mechanism for Elder Abuse. 18% reported to be aware of HelpAge India's Elder Helpline number, while one tenth 11% are aware of Maintenance and Welfare of Parents and Senior Citizens Act 2007.



Not : * Total exceeds 100 due to multiple responses

**As the variation in Tier-I(Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.

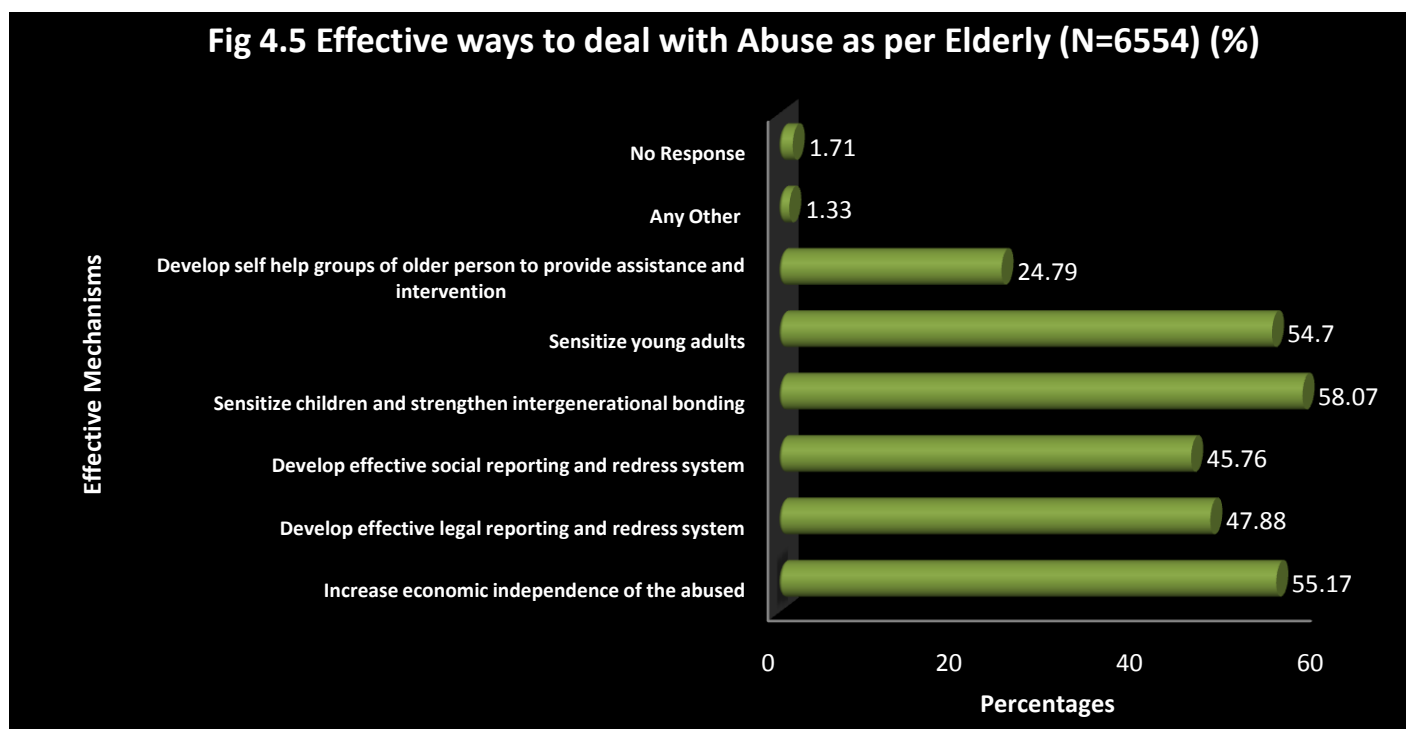
About 61% elderly are aware of only one of the redress mechanism, while only 8% are aware of two redress mechanisms and 2% reported to know more than two redress mechanisms. More than one fourth 29% of elderly are aware of no redress mechanisms. Awareness on redress mechanisms is highest in Tamil Nadu and lowest in Tripura.



Note: As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.

4.5 EFFECTIVE WAYS TO DEAL WITH ABUSE

Sensitizing children and strengthening inter generational bonding 58% has been reported as the most effective way to deal with abuse by the elderly. More than half 55% of the elderly added that increasing economic independence of the abused and sensitizing young adults is an effective way to deal with the abuse.



*Note: *Total exceeds 100 due to multiple responses*

***As the variation in Tier-I (Metro) cities and Tier-II cities in this case was negligible, separate figures showing that data are not given.*

ANNEXURE 1

ELDER ABUSE STUDY QUESTIONNAIRE

S. No.

Elder Abuse Survey Schedule

Date

Section 1

Locality..... City..... State.....

Q.1. Details of Respondent

Name	Age	Gender	Marital Status	Educational Status	Occupation	Monthly Income	Living Arrangement	Ownership of House

Q.2 Details if Living with Family

S. No.	Relation with the Respondent	Age	Educational Status	occupation	Monthly Income

Section 2

Q. 1. What according to you amounts to elder abuse? Please rank all the given statements starting with 1 as the most appropriate.

Disrespect	Beating/Slapping	Verbally Abusing	Economic Exploitation	Unwelcome or forcible Sexual Contact	Neglect	Any Other(Pl Specify)	Don't Know

Q.2. Do you think elder abuse in any form is prevalent in your society?

Yes	No
-----	----

Q.3.If yes, then what according to you is the prevalence rate?

High	Somewhat	Low

Q.4. What is the form in which it is most prevalent? Give top three choices starting with 1 as the most prevalent.

Disrespect	Beating/Slapping	Verbally Abusing	Economic Exploitation	Unwelcome or forcible Sexual Contact	Neglect	Any Other(Pl Specify)	Don't Know

Q.5. Have you ever been a victim of elder abuse? In No then please go directly to Q No. 14.

Yes	No

Q.6. If yes, what type of abuse did you face? Rank in case of multiple forms starting with 1 as the most common.

Disrespect	Beating/Slapping	Verbally Abusing	Economic Exploitation	Unwelcome or forcible Sexual Contact	Neglect	All those mentioned	Any Other(Pl Specify)

Q.7. For how many years have you been facing abuse? Please give details of duration.

Q.8. In the last one year how many times did you face this situation? Give details of abuse faced along with the frequency.

Almost Daily	Once in a Week	Once in a month	Once in a few months	Very rarely

Q. 9. Who was responsible for the abuse? Give details.

Son	Daughter-in-law	Daughter	Son-in-law	Relative(Pl Specify)	Care Giver/Servant	Any Other (Pl specify)

Q.10. Have you made any attempt report these incidents?

Yes	No
-----	----

Q.11. If yes, who did you approach? Rank the top three options starting with 1 as the most frequently used option.

Other family Member	Extended Family Member	Relative	Friend	Community Leader	Social Worker	Local Police	NGO	Any Other (Pl Specify)

Q.12. Why did you approach that particular person/agency? Rank top three choices starting with 1 as the most important reason.

Confidence in the ability of the person/agency to solve the problem	Did not know any other way to deal with the problem	To maintain confidentiality of the family matter	Apparent Ineffectiveness of other ways and means	Any Other(Pl. Specify)

Q.13. If you did not report the matter, please give reasons. Please rank top three choices starting with 1 as the most important reason

Lacked Confidence in the ability of any person/agency to solve the problem	Did not know how to deal with the problem	To maintain confidentiality of the family matter	Apparent Ineffectiveness available channels of reporting and redress	Fear of Retaliation	Any Other(Pl. Specify)

Q.14. Have you come across cases of elder abuse in your surroundings? If no, then go directly to Q.17

Yes	No
-----	----

Q.15. If yes, please specify the type. Rank the top three options starting with 1 as the most common form.

Disrespect	Beating/Slapping	Verbally Abusing	Economic Exploitation	Unwelcome or forcible Sexual Contact	Neglect	All those mentioned	Any Other(Pl Specify)

Q.16. What do you think are the possible reason for such behaviour? Please rank top three choices starting with 1 as the most important reason.

Economic dependence of the abused	Economic dependence of the abuser	Emotional dependence of the abused	Lack of adjustment	Increasing Longevity	Care Giver's Stress	Excessive Individualism	Any Other(Pl specify)

Q.17. How can we deal effectively with elder abuse? Please rank top three choices starting with 1 as the most effective mechanism

Increase Economic Independence of the Abused	Develop effective legal reporting and redress system	Develop effective social reporting and redress system	Sensitize children and strengthen intergenerational bonding	Sensitize Young Adults	Develop Self Help Groups of Older Persons to provide assistance and intervention	Any Other(Pl Specify)

Q.18. Are you aware of the following reporting and redress mechanism?

Maintenance and Welfare of Parents and Senior Citizens Act 2007(MWPSC Act)	Tribunal Under the MWPSC Act)	Police Help Line	HelpAge India's Help Line	Any Other(Pl Specify)

ANNEXURE 2

SUMMARY OF MAINTENANCE & WELFARE OF PARENTS & SENIOR CITIZENS ACT, 2007

MAINTENANCE & WELFARE OF PARENTS & SENIOR CITIZENS ACT, 2007

BACKGROUND:

Socio-cultural scenario:

In the traditional Indian system elderly were respected and they had a great decision making power in the family. Children felt duty bound to serve and respect the elderly and to contribute to the family resources. Children sought the counsel of elders for making major decisions and placed family resources at the disposal of elders for prudent handling.

During the last century this socio economic and value system has slowly eroded. More and more couples are working full time, families have become smaller and nuclear, migration and consumerism have become the order of the day. At the same time, life expectancy of the elderly has gone up from 32 years in 1947 to 67 years in 2001. All these factors cause pressures on families resulting in abuse, neglect and abandonment of the elderly. While most elderly are well looked after, many suffer from poverty, loneliness, neglect, abuse and abandonment and find it difficult to mobilise resources for their most basic needs as their children are either unable or unwilling to maintain them. Problem of widows, widowers and the childless elderly is even more acute.

Legal provisions:

All Indian citizens are entitled to fundamental rights guaranteed to them by the Indian Constitution. Senior citizens are no exception. They are also entitled to fundamental rights to life and personal liberty, freedom of speech and equality before law but these rights are often difficult for them to achieve for a variety of reasons.

Most personal laws including the Hindu Adoptions and Maintenance Act, 1956 recognise duty of the children to maintain their aged parents and the right of the parents to maintenance. Section 125 of the Criminal Procedure Code, 1973 specifically provides for maintenance from children if parents are unable to maintain themselves but cases are rarely filed by parents due to love and affection, fear of stigma and time and money required for the legal proceedings. A need has been felt for long for a simpler and faster means and HelpAge India, as part of its work for the cause and care of the elderly, has been advocating for provision of care and maintenance of the elderly amongst other measures.

MAINTENANCE & WELFARE OF PARENTS & SENIOR CITIZENS ACT, 2007

Government has come to the rescue of the elderly and has brought about “An Act to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognised under the Constitution and for matters connected therewith or incidental thereto.” as follows

Title of the Act: “The Maintenance and Welfare of Parents and Senior Citizens Act, 2007”.

Applicability: “It extends to the whole of India except the State of Jammu and Kashmir and it applies also to citizens of India outside India.”

Effective Date: The Act shall come into force in a State from the date fixed and notified by the concerned State Government in the Official Gazette.

Provisions:

The Act has provisions detailed under the following chapters:

- I. Definitions
- II. Maintenance of Parents & Senior Citizens
- III. Establishment of Old Age Homes
- IV. Medical Care
- V. Protection of Life and Property
- VI. Offences

Summary of the Provisions:

Who is a Senior Citizen, Parent, Child or Relative under the Act?

“Senior citizen” is any citizen of India of 60 years and above whether living in India or not.

“Parent” is the father or mother even if not of 60 years yet.

“Children” are adult son, daughter, grandson and grand-daughter

“Relatives” are those who are either in possession of the property of the senior citizen or would inherit it.

Who can demand maintenance under the Act?

Parents and grandparents who are unable to maintain themselves from their own income can demand maintenance from their children as defined above.

and

“Childless Senior Citizens” who are unable to maintain themselves from their own income can demand maintenance from their relatives as defined above.

What is Maintenance?

Maintenance includes provision for food, clothing, residence, medical attendance and treatment. Maximum amount which may be ordered for maintenance of a senior citizen by the Tribunal shall be such as prescribed by the State Government which shall not exceed Rs. 10,000/- per month.

Who is entitled to Maintenance?

Parents, grand-parents and senior citizens who are unable to maintain themselves from their own income and property are entitled to demand maintenance from their children and specified relatives respectively with sufficient means.

Whose obligation is it to maintain the elderly?:

It is the obligation of the children and specified relatives with sufficient means to provide maintenance for their parents and childless senior citizen respectively.

How is an Application for Maintenance made and decided?

Application for maintenance may be made by the senior citizen or parent to the Tribunal under Section 4 in layperson's language giving names, full details and addresses of the persons from whom they are demanding maintenance. If there is more than one child or relative, they may claim maintenance from one or all of them depending on their means of income.

Maintenance proceedings may be initiated against any child/children or relative in any district where the parent or senior citizen lives or last lived or where the child/children or relative live.

If such applicants are **incapable** of making an application themselves, any other person or registered voluntary organisation authorised by him/her can make the application; or the Tribunal can take suo motu cognizance and proceed. Upon receipt of the application, the Tribunal would issue notices to the children, conduct hearings, take evidence and order maintenance. Tribunal may also refer the case for reconciliation or pass interim orders for maintenance.

If the children or relatives fail to pay the ordered maintenance without sufficient reason for 3 months after its due date, the senior citizen can approach the Tribunal again who may impose a fine or order imprisonment of the child/relative upto a month or until payment is made whichever is earlier.

What if the elderly themselves and their children and specified relatives do not have sufficient means to maintain them?

State Governments may establish, in a phased manner, sufficient senior citizen homes and maintain the same for indigent or abandoned and neglected (by their kith and kin) beginning with at least one Old Age Home in each district sufficient to accommodate a minimum of 150 elderly. State Government may also prescribe scheme for management of old age homes, set standards and prescribe minimum services for medical care and entertainment of the elderly in the Old Age Homes.

Abandonment:

Under Section 24, if anybody who has responsibility for the care or protection of a senior citizen leaves him/her in any place, with the intention of wholly abandoning him/her, such person shall be punishable under the Act with imprisonment of either three months or fine upto Rs. 5,000 or both. The offence would be cognizable and will be tried by a Magistrate.

Conditional Transfer of Property:

An important provision has been made for the elderly to claim their property back from children, if given conditionally after commencement of the Act on promise of looking after their needs and amenities if such promise is not fulfilled. Under Section 23, if after commencement of the act any Parents or senior citizens have transferred their property to their children or relatives on the condition that they would provide certain maintenance and amenities to the senior citizen but subsequently neglect or refuse to do so the parents or senior citizens can get such transfers voided (cancelled) at their option by having such transfer treated as a fraudulent or coercive acquisition and seek return of their property so transferred.

Government's Role:

- Constitution of Maintenance Tribunals and Appellate Tribunals by the State Governments in all Sub Divisions and States within 6 months of commencement of this Act
 - State Governments may make rules for carrying out the purposes of the Act by notification in the Official Gazette.
 - Summary trials by the Tribunals for passing orders for maintenance.
 - Lawyers excluded from the proceedings.
 - Elderly can choose to seek maintenance either under this Act or under the provisions of the Criminal Procedure Code 1973 if applicable but not under both the provisions.
 - “No Civil Court to have jurisdiction in respect of any matter to which any provision of this Act applies
 - No injunction shall be granted by any Civil Court in respect of anything which is done or intended to be done by or under this Act.” (Section 27)
-
- State Govt to designate District Social Welfare Officer or an equivalent officer as Maintenance Officer.
 - Maintenance Officer can represent a parent or senior citizen if he/she wants.
 - State Government may establish and maintain sufficient senior citizen homes for indigent or abandoned and neglected (by their kith and kin) beginning with one in each district sufficient to house 150 elderly.
 - State Government may prescribe a scheme for management of old age homes, setting standards and minimum services necessary for medical care and entertainment of the elderly
 - State Government to establish specific medical facilities, allocate doctors/hospital beds, expand treatment for chronic, terminal and degenerative diseases; and conduct research on ailments of the elderly and ageing.
 - State Government to take all measures to sensitise and orient the police and judiciary regarding protection of life and property of the elderly and provisions of this act

This is a model Legislation passed by the Central Government for adaptation and application by the States.

The Act will apply in a State from the date fixed and notified by the State in the official gazette.

For a full copy of the act kindly log onto the website of the Ministry of Social Justice &

Empowerment: <http://socialjustice.nic.in/oldageact.php>

ANNEXURE 3

IMPLEMENTATION STATUS UPDATE OF MAINTENANCE OF PARENTS AND SENIOR CITIZENS ACT

Implementation Status Update of Maintenance of parents and Senior Citizens Act 2007¹

(i) States/ UTs which have taken all the necessary steps

14 States			
Assam	Bihar	Chhattisgarh	Goa
Gujarat	Haryana	Karnataka	Kerala
Madhya Pradesh	Odisha	Rajasthan	Tamil Nadu
Tripura	West Bengal		
5 UTs			
A & N Islands	Chandigarh	Daman & Diu	Delhi
Puducherry			

(ii) States/ UTs yet to take all the necessary steps

3 States			
Mizoram	Nagaland	Uttar Pradesh	
1 UT			
Lakshadweep			

(iii) States/ UTs which have framed Rules

18 States			
Andhra Pradesh	Assam	Bihar	Chhattisgarh
Goa	Gujarat	Haryana	Karnataka
Kerala	Madhya Pradesh	Maharashtra	Manipur
Odisha	Rajasthan	Tamil Nadu	Tripura
Uttarakhand	West Bengal		
5 UTs			
A & N Islands	Chandigarh	Daman & Diu	Delhi
Puducherry			

(iv) States/ UTs which have appointed Maintenance Officers

19 States			
Assam	Bihar	Chhattisgarh	Goa
Gujarat	Haryana	Jharkhand	Karnataka
Kerala	Madhya Pradesh	Manipur	Meghalaya
Odisha	Punjab	Rajasthan	Sikkim
Tamil Nadu	Tripura	West Bengal	
6 UTs			
A & N Islands	Chandigarh	Daman & Diu	Dadra & Nagar Haveli
Delhi	Puducherry		

(v) States/UTs which have constituted Maintenance Tribunals

19 States			
Andhra Pradesh	Assam	Bihar	Chhattisgarh
Goa	Gujarat	Haryana	Jharkhand
Karnataka	Kerala	Madhya Pradesh	Orissa
Punjab	Rajasthan	Sikkim	Tamil Nadu
Tripura	Uttarakhand	West Bengal	
5 UTs			
A & N Islands	Chandigarh	Daman & Diu	Delhi
Puducherry			

(vi) States/UTs which have constituted Appellate Tribunals

19 States			
Andhra Pradesh	Arunachal Pradesh	Bihar	Chhattisgarh
Goa	Gujarat	Haryana	Jharkhand
Karnataka	Kerala	Madhya Pradesh	Meghalaya
Orissa	Punjab	Rajasthan	Sikkim
Tamil Nadu	Tripura	West Bengal	
6 UTs			
A & N Islands	Chandigarh	Daman & Diu	Dadra & Nagar Haveli
Delhi	Puducherry		

Data shared by Ministry of Social Justice and Empowerment in November 2012 at the National Conference on Ageing

ANNEXURE 4

HELPAge INDIA ELDER HELPLINE NUMBERS

HelpAge India Elder Helpline Numbers (Toll free):

Helpline Number	State / UT
1800-180-1253	Andhra Pradesh Chandigarh Delhi/ NCT of Delhi Goa Gujarat Himachal Pradesh J&K Karnataka Kerala Maharashtra Rajasthan Tamil Nadu Uttar Pradesh Uttarakhand Chhattisgarh
1800-345-1253	Assam Bihar Odisha West Bengal
1800-233-1253	Madhya Pradesh



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