

(JOINT JURIST)

[NATIONAL-LEVEL | PEER-REVIEWED | OPEN-ACCESS LEGAL JOURNAL]

| VOLUME 1 | ISSUE 1 | MAY 2026

ABOUT THE JOURNAL

Joint Jurist is an online legal platform and a national publication which is aimed at spreading online legal education, bridging the gap between academic research and litigation expertise among the legal audience. It was introduced in early 2026. It is an independent project, started by its founder and does not receive any funding from any person or organisation or body or government as the case maybe. It is a 'Dream Project' of *Mr. Suraj Shandil (Advocate) (Founder-CEO-Editor-in-Chief & Owner)*. We operate on a Double-Blind Peer-Review model, ensuring that every published work meets the highest standards of original scholarship, zero plagiarism, and academic integrity. Our platform is dedicated to providing an open-access environment for legal professionals, scholars, and students to contribute to the evolving legal discourse.

EDITORIAL & ADVISORY BOARD

The Joint Jurist Journal is guided by a distinguished panel of legal luminaries and academicians committed to fostering excellence in legal scholarship.

- **Advocate Suraj Shandil**
- **Dr. Seema Gupta**
- **Dr. Mohd Rafiq**
- **Dr. Harshita Thalwal**
- **Ms. Sabrina Bath**
- **Ms. Soumya Sharma**

NAME	DESIGNATION	INSTITUTION/AFFILIATION	SPECIALIZATION & IMPACT
Advocate Suraj Shandil	Founder, CEO & Editor-in-Chief	High Court of Himachal Pradesh	IPR Specialist, Courtroom Strategy & Legal Research.
Prof. (Dr.) Seema Gupta	Editorial Board Member	Associate Professor / Chandigarh University (CU)	Constitutional Law, IPR, & Supreme Court Certified Mediator/ Interdisciplinary Legal Studies.
Prof. (Dr.) Mohd. Rafiq Dar	Editorial Board Member	Associate Professor/Lovely Professional University (LPU)	Consumer Law, Criminal Law, Law on Consumer Protection/Interdisciplinary Legal Studies.
Dr. Harshita Thalwal	Editorial Board Member	Associate Professor & HOD, Chandigarh University(CU)	Academic Leadership & Interdisciplinary Legal Studies.
Asst. Prof. Ms. Somya Sharma	Editorial Board Member	Professor of law & Ph.D. Scholar/ Shoolini University	Banking Laws, Corporate Laws, & Human Rights /Interdisciplinary Legal Studies..
Asst. Prof. Ms. Sabrina Bath	Editorial Board Member	Assistant Professor & Ph.D. Scholar/Chandigarh University (CU)	Legal Framework Analysis & Academic Rigour/ Interdisciplinary Legal Studies.

| VOLUME 1 | ISSUE 1 | APRIL- MAY 2026

**“ RESEARCH TOPIC: RIGHTS OF ELDERLY IN IN THE
ASPECT OF INCREASING OLD AGE HOMES IN INDIA:
NECESSITY OR SOCIAL FAILURE?”**

AUTHOR:-Anjila Bhattacharya Assistant Professor of Law,

LJD Law College, Tollygaung Campus

/ BALLB (Hons) , LLM (Business and corporate law)

from University of Calcutta, PhD from JIS University Kolkata

1. Introduction

1.1 Background of the study

India has long been known for its high level of family values and family system, which took care of old age family members¹. However, there are different changes that have taken place in family structures, which are influenced by increased urbanisation, migration, industrialisation and changing social-economic conditions. The rise of nuclear family structures and modern lifestyle, the number of assisted living facilities in the country is increasing, old age homes are one of those². There are numerous challenges elderly people often face, including financial uncertainty, loneliness, neglect, and insufficient medical attention. As a result, senior living facilities have become crucial facilities for providing care for the elderly. Specific legal, social, and ethical questions about the State's and families' responsibilities are brought up by this circumstance.

¹ Govil, D., Sahoo, H., Chowdhury, B. and James, K.S., 2024. A qualitative perspective of working women care providers and care receivers on eldercare: a study from India. *BMC geriatrics*, 24(1), p.345.

² Esteve, A. and Reher, D.S., 2024. Trends in living arrangements around the world. *Population and Development Review*, 50(1), pp.211-232.

1.2 Research problem

In the current times, the number of old age homes in India is increasing, which develops a question, whether it is considered as the failure of the society or are a necessity of modern-day lifestyles³. The positive side of old age homes is the older people who have no family support or relatives to take care of, they can get protection, treatment and shelter in old age homes. On the other hand, there are numerous negative aspects such as old-age homes increasing anxiety and depression among older communities which triggering societal justice. However, their expansion can be a sign of the deterioration of conventional family structures and a lack of moral obligation to elderly people. Even with provisions in the Constitution and welfare legislations such as Maintenance and Welfare of Parents and Senior Citizens Act, 2007, many elderly continue to be abandoned and maltreated⁴. This is why it is essential to consider the legal effectiveness and the social impacts of senior housing in India.

1.3 Research questions

- What are the legal rights and governing protection available for the older population in India regarding senior citizen care and old age home systems?
- Why has the demand for old age homes increased in the current Indian society?
- How can legal and social mechanisms enhance the elderly welfare and dignity of older people in the Indian system?

1.4 Research objectives

- To identify the legal framework used for governing elderly rights and the old age homes system in India.
- To explore the socio-economic factors responsible for enhancing the need for old-age homes in India.
- To analyze measures that can improve elderly care, welfare, and enhance institutional or family-based care systems in India.

³ Shrestha, B., Meiners, N., Khan, H.T. and Karakunnel, J.J., 2024, November. Difference between expected and actual long-term service in India: A study on old age residents' homes. In *Advancing Economics: Addressing Contemporary Challenges for a Sustainable Future ICAE 2024*.

⁴ India Code, *Maintenance and Welfare of Parents and Senior Citizens Act, 2007 PART II -Section I* PUBLISHED BY AUTHORITY, (2007), https://www.indiacode.nic.in/bitstream/123456789/6831/1/maintenance_and_welfare_of_parents_and_senior_citizens_act.pdf (last visited May 21, 2026).

1.5 Research scope and Limitation

The legal and social aspects of elderly homes in India are the main subjects of this study. It examines senior citizen welfare policies, legal interpretations and legislative protections, as well as constitutional requirements. The study explores the role of social change in the expansion of assisted living residences and considers the implications of the presence of assisted living for social failure and/or social need. Comparative references to other senior care systems in other countries can be included if for a more complete understanding. However, the study only draws on doctrinal and secondary sources of analysis, such as government reports, statutes, case laws and journal articles. It doesn't include primary data collecting from senior citizens or assisted living facilities, interviews, or empirical fieldwork.

2. Conceptual and Theoretical Framework

2.1 Concept and types of old age homes

Old Age Homes are houses equipped with staff to provide housing, care, protection and assistance to old age citizens who are unable to live on their own or lack support from their families⁵. Senior adults' social, emotional and physical health is the focus of these facilities. India has seen an increased demand for such facilities as a result of the changing socio-economic conditions and an aging population. Senior citizens who are facing financial difficulties, who feel lonely, neglected or abandoned, have another source of support when they enter old age homes. In India, there are various kinds of senior living facilities such as assisted living facilities that are government-run, and provide basic facilities for older adults with less income due to welfare programs. Private facilities for seniors typically offer better amenities, medical care and recreational activities, often at a higher price. Charitable institutions and NGOs help the elderly people who are disadvantaged or abandoned by various means such as donations and social welfare programs⁶. Thus, in urban areas retirement communities and assisted living facilities are beginning to emerge, providing independent living alternatives and care to financially stable elderly. The service type and quality varies from organization to organization depending on the financing, administration and regulatory needs.

⁵ Burholt, V., Shoemark, E.Z., Maruthakutti, R., Chaudhary, A. and Maddock, C., 2022. Dignity and the provision of care and support in 'old age homes' in Tamil Nadu, India: a qualitative study. *BMC geriatrics*, 22(1), p.577.

⁶ Hu, Z., Abd Rahman, N.H. and Hanafi, H., 2025. Non-governmental organizations' role in promoting life satisfaction among the elderly within the active aging strategy. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 36(3), pp.337-351.

2.2 Elderly care system in India

In the old days, family-based support was the basis of Indian elder care, as part of the joint family system. Children and family members revered and took care of the elderly as part of their moral and social obligations ⁷. However, modernization, migration, and economic changes have been undermining this traditional configuration, and increasing reliance on institutional care and state welfare programs. In order to promote the wellbeing of the elderly, the Indian government has implemented a number of laws and policies, such as the Maintenance and wellbeing of Parents and Senior Citizens Act, 2007, pension plans, healthcare initiatives, and assisted living facilities. Despite these efforts, poor execution, lack of infrastructure and awareness are deterring effective elder care.

2.3 Sociological aspects behind Elderly homes in India

Significant sociocultural changes in India are directly associated with the growth of assisted living facilities. Support from the joint family system has declined because of this and people are more likely to live in nuclear households ⁸. Urbanization and migration for work and education have left senior people feeling and physically alone, often from being separated from their aging parents. The change in social values, lifestyle and economic pressures have further disrupted intergenerational relationships. Many older people are financially unstable, neglected and lonely, so institutional care is an option. As a result, larger societal shifts taking place in modern Indian society are reflected in old age homes.

2.4 Human rights aspects on Elderly care in India

Human rights and human dignity is closely tied with elderly care. Senior citizens enjoy basic human rights as guaranteed under both national and international legal systems, including the right to life, the right to equality, the right to health care, the right to shelter and the right to protection. Article 21 of the Indian Constitution guarantees the dignity of a person's life which includes social security, suitable health care and accommodation for the elderly ⁹. The policy of public assistance for old age and infirmity as enshrined in the Directive Principles of State Policy, particularly

⁷ Ezulike, J.C.D., Lu, S. and Chiu, M.Y.L., 2024. Aging and caring: exploring older adults' motivation for informal caregiving to other aging individuals in Nigeria. *Innovation in Aging*, 8(4), p.igad140.

⁸ Jamil, Z., Kakar, R., Habib, S. and Sultan, R.S., 2023. Nuclear and joint family system: Youth perspective in Quetta, Balochistan. *Atlantic Journal of Social Sciences*, 4(4), pp.197-205.

⁹ Indiankanoon.org, *Article 21 in Constitution of India*, (2025), <https://indiankanoon.org/doc/1199182/> (last visited May 21, 2026).

Article 41, encourages the State to provide public assistance when the need arises. These basic guarantees set forth the State's welfare responsibility towards senior citizens.

The independence, participation, care, dignity and self-fulfillment of older people are emphasized in international agreements such as the Madrid International Plan of Action on Ageing, the United Nations Principles for Older Persons and the Universal Declaration of Human Rights (UDHR). Views of human rights focus on older people's right to enjoy good health and dignity through the abuse, neglect, abandonment and poor institution care. Elder care is thus a social issue, a legal and human rights issue, and should be considered in this light, rather than merely a matter of charity or familial responsibility, and should be subject to appropriate regulation, accountability, and social responsibility. Promoting social justice and safeguarding vulnerable groups in society depend on providing adequate care for the elderly.

3. Legal structure and Governing of Elderly care in India

3.1 Constitutional Protection for Senior Citizens

The Indian Constitution is an important aspect of legal grounds for the welfare and protection of senior citizens. Elderly rights are not specifically mentioned in the Constitution, but a few Fundamental Rights or Directive Principles of State Policy have given social security, equality, and dignity to elderly people. Article 14 refers to *Equality before the law and Equal protection of laws* that guarantees elderly persons the right to equality in law and equal protection from law, and the right to be treated equally before the law¹⁰. Article 21 (Right to life and personal liberty) has now been construed as conferring the right to healthcare, shelter and other basic human requirements for the well-being of the elderly.

The State's obligation towards older persons is further strengthened by the Directive Principles of State Policy. The State has a duty, in the case of old age, sickness or inability, to provide public assistance in accordance with its resources, as provided in Article 41. Conversely, Article 46 calls for protection of weaker sections of society like the elderly. The above provisions in the Constitution embody moral and legal responsibilities of elders and the welfare-oriented nature of the Indian State. Thus, the concept of the Constitution serves as the base for subsequent laws, welfare schemes and legal safeguards for the dignity and rights of the elderly citizens of India.

¹⁰ Indiankanoon.org, *Article 14 in Constitution of India*, (2025), <https://indiankanoon.org/doc/367586/> (last visited May 21, 2026).

3.2 Maintenance and Welfare of Parents and Senior Citizens Act, 2007

The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is the main legislation that governs maintenance and welfare of the elderly in India. The Act was enacted to protect parents and senior citizens from financial insecurity, from being neglected and from being abandoned ¹¹. It makes it legally binding for children and legal heirs to provide their aged parents' with basic necessities such as food, health care and shelter. The law takes into account the precarious social and economic status common among ageing people, due to changes in social values and family structures.

A crucial part of the Act is the establishment of Maintenance Tribunals that can swiftly and cost effectively resolve disputes over maintenance. Hence, when a senior citizen is unable to provide for himself, he can request the senior citizen's tribunal to order monthly maintenance from his children or other family members ¹². Further, the Act provides state governments powers to construct old houses for the poor in the district. It also prevents abandonment and enables the transfer of property to be rescinded should there be cases where the children receive property from their parents without paying maintenance. Notwithstanding the progressive nature of the Act, there is still a limited capacity for the Act to achieve comprehensive protection for the elderly, due to several factors, such as social stigma, ignorance and slow implementation.

3.3 Other Relevant Laws and Policies

Apart from the Maintenance and wellbeing of Parents and Senior Citizens Act, 2007, there are a number of laws and programs in India which are conducive to the wellbeing of the elderly. The National Policy on Older Persons, 1999, was one of the first legislative initiatives to ensure the well-being, healthcare, housing and financial security of older citizens. It promoted community-based support networks and non-governmental organizations' involvement in elder care. Therefore, the National Policy for Senior Citizens, 2011 focused on active aging, independence and dignity of senior citizens. The government has also put in place some social welfare programs for financial and medical support of old people. This includes healthcare schemes for elderly care, public service schemes, public transportation schemes and old age pension schemes such as the

¹¹ Sekher, T.V., 2022. Social security schemes for elderly in India awareness, utilisation and barriers. *The Indian Journal of Social Work*, 83(3), pp.337-342.

¹² Maurya, P., Chattopadhyay, A., Rao, S. and Sharma, P., 2024. Understanding elder abuse in India: Contributing factors and policy suggestions. *Journal of Population Ageing*, 17(1), pp.5-32.

Indira Gandhi National Old Age Pension Scheme¹³. Section 125 of the Code of Criminal Procedure also provides for maintenance rights to those parents who cannot support themselves. Additionally, laws on property, health care, and domestic violence indirectly protect elderly individuals from abusing, exploiting, and neglecting them.

3.4 Judicial Interpretation and Landmark Cases

The Indian judiciary, through progressive interpretation of constitutional and legislative laws, have played a pivotal role in strengthening the rights and welfare of the older people. It has been reiterated over and over again that a child has a moral and legal responsibility to uphold and maintain their parents. Judicial decisions have expanded the meaning of Article 21 by affirming the right of older persons to "life with dignity, in security and in proper health.

In the case of *Dr. Vijaya Manohar Arbat v. Kashirao Rajaram Sawai*, the Supreme Court held that as per Section 125 of Code of Criminal Procedure, any daughter is legally bound to help her parents. In this case, the court broadened the definition of maintenance to cover more than the sons¹⁴. Similarly, in the case of *Sunny Paul v. State NCT of Delhi*, the Court highlighted the importance of protecting senior citizens against abuse and neglect in the family environment¹⁵. Another provision under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, allows eviction of children who abuse their parents with houses owned by senior citizens. The recognition of elder welfare as an issue of human rights and dignity has been greatly aided by judicial action. However, many senior people still struggle to get justice, in the face of financial difficulties, lack of knowledge and complex procedures. Thus, strengthening the implementation and legislative structures are still required in India to ensure effective protection of seniors.

4. Old Age Homes as a Necessity in Indian Society

4.1 Socio-Economic Reasons

Major socioeconomic changes in modern society are intimately linked to India's growing need for assisted living facilities. Traditionally, the responsibility of caring for the elderly was carried out

¹³ My-Scheme- India, *NSAP - Indira Gandhi National Old Age Pension Scheme*, (2025), <https://www.myscheme.gov.in/schemes/nsap-ignoaps> (last visited May 21, 2026).

¹⁴ Drishti Judiciary, *Vijay Manohar Arbat v. Kashi Rao Rajaram Sawai and Anr (1987)*, (2024), <https://www.drishtijudiciary.com/code-of-criminal-procedure/vijay-manohar-arbat-v-kashi-rao-rajaram-sawai-and-anr-1987> (last visited May 21, 2026).

¹⁵ Casemine.com, *maintenance-tribunal Case Commentaries | CaseMine*, (2023), <https://www.casemine.com/commentary/in/maintenance-tribunal> (last visited May 21, 2026).

collectively in the family through children and relatives who provided emotional, material and physical support to the senior members of the family. However, these are the traditional family structures that have been seriously affected by the growth in cities, industry and migration. Many young people move to major cities or abroad for work or school, leaving their frail elderly parents without good care and company. Changes in lifestyle and economic considerations have had an impact on the growth of assisted living facilities. In nuclear households, caring for older family members is difficult as both spouses are usually engaged in full-time work. Another obstacle for families with low income is the high expenses of healthcare and the financial need of senior citizens. Additionally, some older people have emotional loneliness, impairments, and chronic illnesses that need specialized support and skilled medical care. In such cases, the old age homes are useful alternatives in ensuring socialization, safety, and medical care. Due to the socioeconomic change, old age homes have become the necessary support for the old age people in India and have gone far beyond the status of welfare houses.

4.2 Role of Old Age Homes in Elderly Welfare

Old age homes are extremely important in the process of safeguarding and caring for elderly people who lack adequate family support or their own homes¹⁶. These services provide senior adults with essential care and services such as clothing, food, shelter, medical care and security. Many assisted living facilities offer social engagement, recreational activities, counseling and medical assistance to support residents' physical and mental health. These institutions help elderly people to make a smooth and dignified transition to old age. Old age homes provide psychological and emotional care besides physical care¹⁷. Social isolation, neglect and loneliness are common problems for many elderly people after losing their spouses and/or after family members abandon them. Living in a community setting enables them to engage in social and cultural events and interact with people of similar ages. This has a positive impact on how emotionally stable and mentally healthy you are. Furthermore, assisted living homes or specialized old age homes provide skilled care for individuals who are aged and have chronic diseases, dementia and impairments. These facilities often reduce the burden on working families and help to ensure that senior citizens are receiving continuous care. Hence, in today's Indian society, assisted living homes have become significant.

¹⁶ Kendig, H.L. ed., 2023. *Ageing and families: a support network perspective*. Taylor & Francis.

¹⁷ Mohsin, I. and Hayat, K., 2025. The Role of Old Age Homes in Supporting the Social, Physical & Emotional Needs of Elderly Individuals: A Case Study of Old Age Home District Sahiwal, Punjab, Pakistan. *Social Science Review Archives*, 3(1), pp.798-803.

4.3 Legal and Welfare Justifications

Other legal and welfare issues can be cited for establishing and developing senior citizen homes in India. The Indian state is a welfare state and it is its responsibility to protect the weakest elements of society, such as the elderly¹⁸. The Constitution, in Article 21 and 41, has recognized the importance of public assistance, medical facilities, shelter and dignity for the elderly. This responsibility is strengthened under Maintenance and Welfare of Parents and Senior individuals Act 2007 requiring the State Governments to establish old age houses for the poor elderly people in each district.

Old Age Homes play a vital role in the welfare provision when family care is not available or inadequate. These places serve as safe havens for senior citizens facing hardship, abuse, neglect and abandonment. From a legal perspective, older citizens' access to social security and fundamental human rights lies with the State. A growing population of seniors and the increasing lifespan of people have resulted in a need for organized systems of senior care and expert caring services. Thus, in a rapidly changing society, the role of an old age home is not just that of a social alternative but a welfare system which ensures the human rights, security and dignity of the elderly.

4.4 Real-life examples of successful old-age home model in the nation

There are several senior homes and nursing homes in India that have successfully enhanced the senior's living standard. One such example is the work of NGO Help Age India which is active in promoting the welfare of the old persons through its healthcare support, mobile medical units, counselling and old age care programs¹⁹. The group promotes social participation, active ageing for older adults from low socio-economic status across the country. Another example is the Dignity Foundation that specializes in offering emotional support, healthcare assistance and recreational activities to older adults. It has established day care and support programs to enable older adults to live independently and with dignity. In south India, organizations such as Nightingales Medical Trust provide home care services for elderly with long-term health conditions, supported living services and specialised dementia care²⁰. Several of the government-sponsored homes and nonprofits provide free or greatly reduced cost housing and medical care for abandoned elderly.

¹⁸ Rathgeb, P., 2024. *How the radical right has changed capitalism and welfare in Europe and the USA*. Oxford University Press.

¹⁹ Helpageindia.org, *NGO India: Charity in India, Elderly or Senior Care Non Profit Organization - HelpAge India*, (2025), <https://www.helpageindia.org/> (last visited May 21, 2026).

²⁰ [Nightingaleseldercare.com](https://www.nightingaleseldercare.com), *About NMT*, (2023), <https://www.nightingaleseldercare.com/about.html> (last visited May 21, 2026).

These successful ideas demonstrate that assisted living homes can be residential homes, as well as social, health, dignity and mental health centers. The above examples illustrate the positive impact of formal aged care in today's Indian society.

5. Older age Homes as a reflection of societal failure

5.1 Decline of Traditional Family Support

Many people think that the increasing dependency of India on assisted living facilities is an indication of the country's traditional family support systems. The interdependent family system in India, wherein the younger members honour and take care of the older family members, is an old tradition that has been followed for ages²¹. Childcare responsibilities were not only moral but cultural and religious as well. These old values and relations have been undermined by the high rate of urbanization, industrialization, migration and modern lifestyles. Nuclear households have significantly reduced relationships and communication between older parents and children. Financial restrictions and tight work schedules can restrict family members' ability to provide adequate time and attention to senior citizens. Elderly people sometimes are neglected, abandoned or isolated, due to their emotional or financial burden. There is an increasing preference for institutional care over family-based care, indicating a change in priorities for social care, and a decrease in social responsibility for caring for elderly family members. The emergence of old-age homes, therefore, can be seen as a sign of the decreasing level of family bonding and the diminishing importance of traditional Indian norms on care for the older people and respect for elderly citizens.

5.2 Emotional and Psychological Impact on Elderly

People who reside in assisted living homes tend to have severe emotional and psychological consequences as they grow older. Many older persons lack emotional stability, feeling alone, rejected and abandoned after being separated from relatives. Past experiences of being in family settings can lead elderly people to find it difficult to adjust to institutional settings, leading to depression and social disengagement. A lack of emotional attachment and personal attention to a

²¹ Annapuranam, K., 2025. Challenges of older adults in India: A qualitative study of institutional care, preferences and government initiatives. *Research on Ageing and Social Policy*, 13(1), pp.1-22.

family member can have a negative impact on mental health and self-esteem²². Stress, anxiety, sadness and lack of direction are often found among elderly residents of an assisted living facility. Financial or physical hardship may not be as terrible as emotional neglect. The lack of home, family and friends can often evoke feelings of loneliness and powerlessness. Older individuals might be worried about the social stigma surrounding their living in care facilities, particularly in a culture that historically has given a great deal of importance to family support. While a few assisted living homes try to provide counseling and social functions, they may not be as successful as providing the emotional support and sense of belonging that family members provide. This consequently raises significant concerns regarding the social treatment, emotional health and dignity of elderly people in contemporary India.

5.3 Inadequacies in Institutional Care

While many elderly homes in India have humanitarian roles, they suffer from serious shortcomings and flaws in their regulation. Many institutions do not have adequate medical facilities, qualified personnel, hygienic conditions, safety precautions and there is a lack of mechanism for emotional support. Financial abuse, overcrowding, abuse and neglect have also been reported in some houses. Low levels of government regulation and oversight compromise the standard of care for seniors²³. Moreover, many poor old people are unable to afford a private old age home that provides more facilities. These defects can highlight bigger issues in society with respect to social and administrative problems, and that institutional care is not a panacea for the problems of aging and elder care.

6. Comparison with international perspective

6.1 Elderly Care Models in Other Countries

In several countries, the concept of advanced senior care has been likened to the system that combines family care, community engagement, and State welfare procedures. The Japanese government has launched an extensive long-term care insurance plan which provides institutional care, homecare and medical care for elderly citizens, and one of the oldest populations in the world.

²² Chen, W.W., Xu, G., Wang, Z. and Mak, M.C.K., 2022. Unhappy us, unhappy me, unhappy life: The role of self-esteem in the relation between adult attachment styles and mental health. *Current Psychology*, 41(2), pp.837-846.

²³ Crowley, R., Atiq, O., Hilden, D. and Health and Public Policy Committee of the American College of Physicians*, 2022. Long-term services and supports for older adults: a position paper from the American College of Physicians. *Annals of Internal Medicine*, 175(8), pp.1172-1174.

Access to healthcare and community participation is major concerns of the Japanese approach. Senior care is provided in the UK by local government agencies and social welfare schemes provided by the National Health Service (NHS). Partial funding for the State is allocated for residential care, home assistance and healthcare support for elderly people.

6.2 International Human Rights Standards

International human rights standards recognise that elder welfare is an integral part of the concept of social equity and human dignity. The Universal Declaration of Human Rights (UDHR) affirms the right to life, security, health care and social protection for all, including older seniors²⁴. Hence, the old age human right to a decent standard of living, health, and social security is highlighted by the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The five cornerstones of the United Nations Principles for Older Persons, adopted in 1991 are: independence, participation, care, self-fulfilment and dignity. These ideas drive governments to ensure that older people can enjoy social inclusion, health, housing, and family support.

7. Challenges and Recommendations

7.1 Challenges and lesson for India

India has a number of obstacles to overcome in order to provide efficient senior care and regulate assisted living facilities²⁵. Senior citizens are still affected by poor infrastructure, lack of qualified care takers, and lack of healthcare facilities and poor implementation of welfare laws. Many elderly homes have been poorly maintained and are underfunded and this leads to poor living conditions and neglect. Elderly are more vulnerable as social stigma is attached to their institutional care and lessening family responsibility. The experiences in other countries around the world demonstrate that action is needed from the government, the community, medical care facilities and families in order to achieve the well-being of the elderly. Welfare-oriented views of care for the elderly that prioritize social inclusion, healthcare accessibility and dignity are possibilities that can be explored in India.

²⁴ United Nations, *Universal Declaration of Human Rights*, UNITED NATIONS (1948), <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last visited May 21, 2026).

²⁵ Vaishnav, L.M., Joshi, S.H., Joshi, A.U. and Mehendale, A.M., 2022. The national programme for health care of the elderly: A review of its achievements and challenges in India. *Annals of geriatric medicine and research*, 26(3), p.183.

7.2 Recommendations

The government should enhance the implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 with a view to enhancing its efficiency through proper oversight and accountability mechanisms. Old age homes should be regularly inspected and properly licensed to ensure the provision of quality health care, hygienic environment, safety and respect for the rights of older persons. Furthermore, greater resources should be directed towards community services for seniors, skilled caregivers, and geriatric care services. Public awareness rising should be done to promote dignified, accountable and considerate treatment of senior citizens in the family and the society²⁶. The financial aid and pension plans for the elderly aged people with lower income level should be raised to reduce dependency and instability. In addition, models of community involvement and home-based care can help senior citizens to sustain their connections with others and receive the care they need. A balanced approach involving family care, institutional care and state responsibility is needed to ensure the dignity and wellbeing of older people in India.

8. Conclusion

Lastly, it can be concluded that Elderly homes in India represent changes in the socio-economic landscape of this country, and the social requirements of the community. While these systems provide valuable service, security and support to the senior population, they illustrate that the responsibilities of society and family are failing. Hence, strong welfare systems, law enforcement, and a stronger sense of family values are crucial to the dignity and well-being of the elderly.

²⁶ World Health Organization, 2023. *National programmes for age-friendly cities and communities: A guide*. World Health Organization.

9. Bibliography/ References

Annapuranam, K., 2025. Challenges of older adults in India: A qualitative study of institutional care, preferences and government initiatives. *Research on Ageing and Social Policy*, 13(1), pp.1-22.

Burholt, V., Shoemark, E.Z., Maruthakutti, R., Chaudhary, A. and Maddock, C., 2022. Dignity and the provision of care and support in 'old age homes' in Tamil Nadu, India: a qualitative study. *BMC geriatrics*, 22(1), p.577.

Casemine.com (2023). *maintenance-tribunal Case Commentaries | CaseMine*. Available at: <https://www.casemine.com/commentary/in/maintenance-tribunal> [Accessed 20 May 2026].

Chen, W.W., Xu, G., Wang, Z. and Mak, M.C.K., 2022. Unhappy us, unhappy me, unhappy life: The role of self-esteem in the relation between adult attachment styles and mental health. *Current Psychology*, 41(2), pp.837-846.

Crowley, R., Atiq, O., Hilden, D. and Health and Public Policy Committee of the American College of Physicians*, 2022. Long-term services and supports for older adults: a position paper from the American College of Physicians. *Annals of Internal Medicine*, 175(8), pp.1172-1174.

Drishti Judiciary (2024). *Vijay Manohar Arbat v. Kashi Rao Rajaram Sawai and Anr (1987)*. Available at: <https://www.drishtijudiciary.com/code-of-criminal-procedure/vijay-manohar-arbat-v-kashi-rao-rajaram-sawai-and-anr-1987> [Accessed 20 May 2026].

Esteve, A. and Reher, D.S., 2024. Trends in living arrangements around the world. *Population and Development Review*, 50(1), pp.211-232.

Ezulike, J.C.D., Lu, S. and Chiu, M.Y.L., 2024. Aging and caring: exploring older adults' motivation for informal caregiving to other aging individuals in Nigeria. *Innovation in Aging*, 8(4), p.igad140.

Govil, D., Sahoo, H., Chowdhury, B. and James, K.S., 2024. A qualitative perspective of working women care providers and care receivers on eldercare: a study from India. *BMC geriatrics*, 24(1), p.345.

Helpageindia.org (2025). *NGO India: Charity in India, Elderly or Senior Care Non Profit Organization - HelpAge India*. Available at: <https://www.helpageindia.org/> [Accessed 17 May 2026].

Hu, Z., Abd Rahman, N.H. and Hanafi, H., 2025. Non-governmental organizations' role in promoting life satisfaction among the elderly within the active aging strategy. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 36(3), pp.337-351.

India Code (2007). *Maintenance and Welfare of Parents and Senior Citizens Act, 2007 PART II - Section I PUBLISHED BY AUTHORITY.* Available at: https://www.indiacode.nic.in/bitstream/123456789/6831/1/maintenance_and_welfare_of_parents_and_senior_citizens_act.pdf [Accessed 20 May 2026].

Indiankanoon.org (2025). *Article 14 in Constitution of India.* Available at: <https://indiankanoon.org/doc/367586/> [Accessed 16 May 2026].

indiankanoon.org (2025). *Article 21 in Constitution of India.* Available at: <https://indiankanoon.org/doc/1199182/> [Accessed 17 May 2026].

Jamil, Z., Kakar, R., Habib, S. and Sultan, R.S., 2023. Nuclear and joint family system: Youth perspective in Quetta, Balochistan. *Qlantic Journal of Social Sciences*, 4(4), pp.197-205.

Kendig, H.L. ed., 2023. *Ageing and families: a support networks perspective.* Taylor & Francis.

Maurya, P., Chattopadhyay, A., Rao, S. and Sharma, P., 2024. Understanding elder abuse in India: Contributing factors and policy suggestions. *Journal of Population Ageing*, 17(1), pp.5-32.

Mohsin, I. and Hayat, K., 2025. The Role of Old Age Homes in Supporting the Social, Physical & Emotional Needs of Elderly Individuals: A Case Study of Old Age Home District Sahiwal, Punjab, Pakistan. *Social Science Review Archives*, 3(1), pp.798-803.

My-Scheme- India (2025). *NSAP - Indira Gandhi National Old Age Pension Scheme.* Available at: <https://www.myscheme.gov.in/schemes/nsap-ignoaps> [Accessed 21 May 2026].

Nightingaleseldercare.com (2023). *About NMT.* Available at: <https://www.nightingaleseldercare.com/about.html> [Accessed 18 May 2026].

Rathgeb, P., 2024. *How the radical right has changed capitalism and welfare in Europe and the USA.* Oxford University Press.

Sekher, T.V., 2022. Social security schemes for elderly in India awareness, utilisation and barriers. *The Indian Journal of Social Work*, 83(3), pp.337-342.

Shrestha, B., Meiners, N., Khan, H.T. and Karakunnel, J.J., 2024, November. Difference between expected and actual long-term service in India: A study on old age residents' homes. In *Advancing Economics: Addressing Contemporary Challenges for a Sustainable Future ICAE 2024*.

United Nations (1948). *Universal Declaration of Human Rights*. United Nations. Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-right> [Accessed 19 May 2026].

Vaishnav, L.M., Joshi, S.H., Joshi, A.U. and Mehendale, A.M., 2022. The national programme for health care of the elderly: A review of its achievements and challenges in India. *Annals of geriatric medicine and research*, 26(3), p.183.

World Health Organization, 2023. *National programmes for age-friendly cities and communities: A guide*. World Health Organization.

