



BEYOND OLD AGE HOMES: UPHOLDING FAMILY RESPONSIBILITY TOWARDS THE ELDERLY

Mahi Saxena*

ABSTRACT

This study provides an overview of the rise of old age homes in India and examines their social and legal implications. Drawing on demographic reports, government policies, and legal frameworks, it analyses the reasons for increasing reliance on institutional elder care and contrasts it with the traditional family-based system of support. The paper highlights that while old age homes provide shelter and basic facilities, they often fail to address the deeper needs of the elderly, such as emotional well-being, dignity, and a sense of belonging. The central question of this research is whether old age homes can be a sustainable substitute for family responsibility in caring for the elderly. Although these institutions fill an important gap in cases of abandonment or neglect, they also reflect the weakening of traditional values of intergenerational care. This study argues that strengthening family responsibility through legal enforcement, social awareness, and policy support is essential to ensure the elderly age with dignity. In other words, alongside developing old age homes as a last resort, India must prioritise family-based care and community support systems to reduce loneliness, preserve cultural values, and balance modern social changes with the protection of senior citizens.

Keywords: Family Responsibility, Elderly Care, Right to Dignity.

INTRODUCTION

The elderly population is becoming one of the fastest-growing demographic groups in India. According to the United Nations Population Fund (UNFPA), the share of Indians aged 60 and above is projected to rise from around 10% in 2022 to more than 20% by 2050, meaning that nearly one in five citizens will be elderly in less than three decades.¹ This demographic

*BSC LLB, FIRST YEAR, UTTAR PRADESH STATE INSTITUTE OF FORENSIC SCIENCES, LUCKNOW.

¹ UNFPA India, India Ageing Report 2023 <https://india.unfpa.org> accessed 17 September 2025.

transition presents complex social, economic, and legal challenges, especially in terms of how societies care for their ageing members. Traditionally, Indian families have been the primary caregivers for the elderly, rooted in cultural values of respect and intergenerational responsibility. However, rapid urbanisation, migration, and the shift from joint to nuclear family structures have weakened these traditional bonds.

In response to these changes, old age homes have emerged as institutional alternatives to family-based elder care. They provide shelter and basic amenities, and in some cases medical support, to senior citizens who are abandoned, neglected, or unable to live with their families.² Yet, the question remains whether such institutions can truly substitute the emotional support, belonging, and dignity that family care provides. HelpAge India reports that loneliness, neglect, and elder abuse are on the rise, with nearly 47% of elderly respondents feeling ignored by their families.³ The legal system has attempted to address this issue through the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which imposes a statutory duty on children and heirs to maintain their parents. However, despite such provisions, the number of old age homes is increasing, indicating a gap between legal frameworks and social practices.

This study explores an important question: Can old age homes serve as sustainable solutions to India's ageing challenge, or must family responsibility be restored as the central pillar of elder care? To answer this, it examines demographic reports, legal frameworks, and sociological studies on ageing. The research highlights the tension between institutional elder care and traditional family responsibility, evaluates the benefits and shortcomings of old age homes, and considers the constitutional and statutory protections available to the elderly. Finally, it argues that while old age homes may provide relief in certain circumstances, reinforcing family responsibility and community-based support is essential to ensuring that India's elderly population can age with dignity, security, and respect.

THE CHANGING DEMOGRAPHICS OF AGEING IN INDIA

India is experiencing a major demographic transition marked by a steady rise in its elderly population. According to the United Nations Population Fund (UNFPA), the proportion of people aged 60 years and above is expected to grow from 10.1% in 2021 to 19.5% in 2050,

² Ministry of Social Justice and Empowerment, Directory of Old Age Homes in India (Govt. of India, 2022).

³ HelpAge India, Elder Abuse in India: The Silent Torchbearers (Report 2022) <https://www.helpageindia.org>.

meaning that nearly one in every five Indians will be elderly by mid-century.⁴ This demographic change is driven by declining fertility rates, improved healthcare, and rising life expectancy.

Traditionally, Indian society has relied on the joint family system, where elderly members were supported within households. However, socio-economic transformations such as urbanisation, migration of youth, and the spread of nuclear families have weakened these traditional forms of support. As a result, many elderly individuals face challenges of loneliness, economic insecurity, and dependence on institutional care, such as old age homes.⁵

The Elderly in India Report 2021 by the National Statistical Office (NSO) highlights that while rural areas still host a larger proportion of the elderly, urban ageing is increasing rapidly as well. The report also points out a gendered dimension: women live longer than men, resulting in higher rates of widowhood, economic dependency, and vulnerability to neglect among older women.⁶

This demographic shift presents both opportunities and challenges. While longer life expectancy reflects social progress and advances in healthcare, it also places greater responsibility on families, communities, and the state to provide adequate social, economic, and emotional support. If this responsibility is neglected, the growing reliance on old age homes may gradually replace India's cultural tradition of intergenerational care, raising serious social and legal concerns.

LEGAL AND POLICY FRAMEWORK FOR ELDER CARE IN INDIA

India has developed a range of legal and policy measures to address the challenges of an ageing population. The most significant legislation is the **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**, which places a legal obligation on children and heirs to provide maintenance for their elderly parents. The Act also empowers tribunals to order financial support and mandates the establishment of old-age homes in every district.⁷ However, its

⁴ UNFPA, India Ageing Report 2023 (United Nations Population Fund, 2023) <https://india.unfpa.org> accessed 04 February 2025.

⁵ S Irudaya Rajan, *India's Elderly: Burden or Challenge?* (Routledge 2020).

⁶ National Statistical Office, *Elderly in India Report 2021* (Ministry of Statistics and Programme Implementation, Government of India, 2021).

⁷ Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (No. 56 of 2007).

implementation has faced obstacles such as a lack of awareness, procedural delays, and inadequate infrastructure.⁸

In addition to this, the **Constitution of India** provides broad protection for the elderly under the Directive Principles of State Policy. Article 41 directs the state to provide public assistance in cases of old age, while Article 46 requires the state to protect weaker sections of society, which includes senior citizens.⁹ These provisions, though non-justiciable, form the foundation for welfare schemes.

At the policy level, the **National Policy on Older Persons, 1999**, was the first attempt to formally recognise the needs of the elderly. This was followed by the **National Policy on Senior Citizens, 2011**, which emphasised healthcare, housing, and income security for older people.¹⁰ The government has also introduced social security schemes like the **Indira Gandhi National Old Age Pension Scheme (IGNOAPS)** and healthcare programs such as the National Programme for Health Care of the Elderly (NPHCE).¹¹

Despite these frameworks, gaps remain in ensuring dignity and holistic care. Many elderly citizens are either unaware of their rights or unable to access benefits due to bureaucratic hurdles. Furthermore, most legal and policy measures focus primarily on financial assistance, often neglecting emotional and social aspects of ageing. Strengthening community-based care, creating awareness about legal entitlements, and ensuring strict enforcement of existing laws are crucial steps towards reducing reliance on old age homes and restoring family responsibility for elder care.

OLD AGE HOMES: BENEFITS, LIMITATIONS, AND SOCIAL IMPLICATIONS

Old age homes in India have emerged as institutional solutions to support senior citizens who lack adequate family care. These facilities provide shelter, meals, healthcare, and social interaction with peers, making them a temporary refuge for the elderly.¹² In cases of neglect, abandonment, or strained family relationships, old age homes ensure basic survival and

⁸ Anagha Sarpotdar, 'Implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007: A Critical Analysis' (2018) 55(2) Economic and Political Weekly.

⁹ Constitution of India, 1950, Articles 41 and 46.

¹⁰ Ministry of Social Justice and Empowerment, National Policy on Senior Citizens 2011 (Government of India).

¹¹ Ministry of Rural Development, Indira Gandhi National Old Age Pension Scheme Guidelines (Government of India, 2016); Ministry of Health and Family Welfare, National Programme for Health Care of the Elderly (GOI, 2010).

¹² Tannistha Samanta, *Cross-Cultural and Cross-National Perspectives on the Elderly* (Springer 2017).

physical safety.

Despite these benefits, old age homes have significant limitations. Emotional support and intergenerational bonds are difficult to replicate in institutional settings, which can lead to feelings of loneliness, alienation, and loss of dignity among residents.¹³ Additionally, the quality of care varies widely; many homes suffer from inadequate staff, poor infrastructure, and limited medical facilities, particularly in rural areas or smaller institutions. Financial constraints can further restrict access, as some homes charge fees that low-income seniors cannot afford.

The social implications of this trend are considerable. Reliance on old age homes may reflect the weakening of traditional family structures and the erosion of cultural values that emphasise respect and responsibility for elders. UNFPA's India Ageing Report 2023 indicates that social isolation is a major concern for elderly citizens, and women are disproportionately affected due to higher life expectancy and widowhood.¹⁴ While old age homes address immediate needs, they do not fully compensate for the emotional, cultural, and psychological benefits of living with family.

Thus, while old age homes play an important role as a safety net, over-dependence on these institutions can have long-term social consequences. Strengthening family responsibility, raising awareness about elderly rights, and enhancing community support are crucial to complement institutional care and ensure holistic well-being for the ageing population.

REINFORCING FAMILY RESPONSIBILITY AND COMMUNITY-BASED CARE

Strengthening family responsibility and community-based support for the elderly is one of the most critical challenges in India today. Families have traditionally been the primary caregivers for older members, providing emotional, financial, and social support. However, rapid urbanisation, migration, and the growth of nuclear families have weakened this system.¹⁵ Restoring traditional values of family support is essential not only for the well-being of seniors but also to reduce the over-reliance on old age homes, which cannot fully

¹³ Anjali Syal, 'Determinants of Institutionalization of Elderly in India: Evidence from Old Age Homes' (2019) 54(3) Indian Journal of Social Work.

¹⁴ UNFPA, India Ageing Report 2023 (United Nations Population Fund, 2023) <https://india.unfpa.org> accessed 04 February 2025.

¹⁵ Mathew Cherian, India's Elderly: Voices of the Marginalised (SAGE Publications 2020).

replace familial care.¹⁶

The law plays a crucial role in reinforcing family responsibility. The **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**, provides legal mechanisms to ensure that children and heirs maintain their elderly parents. While the Act is a vital instrument, its enforcement has been uneven due to a lack of awareness, bureaucratic delays, and insufficient monitoring.¹⁷ Strengthening the implementation of this Act can help families meet their obligations and reduce the institutionalisation of elders.

Incentives can further encourage family-based care. Tax benefits, pension schemes, healthcare subsidies, and caregiver allowances can motivate families to provide care at home rather than resorting to old age homes.¹⁸ For example, financial support schemes like the **Indira Gandhi National Old Age Pension Scheme** can help families manage elder care without compromising economic stability. Additionally, community-based programs such as day-care centres, elder clubs, and volunteer networks play an important role in reducing social isolation, promoting active ageing, and providing a safety net for seniors who might otherwise feel neglected.¹⁹

Policy recommendations suggest a balanced approach: old age homes should remain a last-resort option, while families and communities are encouraged and supported to provide primary care. Public awareness campaigns, legal literacy initiatives, and expanded social welfare measures are key steps in achieving this balance. By combining legal frameworks, economic incentives, and community engagement, India can create a system where elderly citizens are cared for with dignity, security, and emotional support.²⁰

CONCLUSION

India's ageing population is increasing rapidly, and this demographic shift presents both challenges and opportunities for families, communities, and policymakers. While old age homes provide essential services for seniors who lack adequate family support, they cannot

¹⁶ S Irudaya Rajan, *India's Elderly: Burden or Challenge?* (Routledge 2020).

¹⁷ Anagha Sarpotdar, 'Implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007: A Critical Analysis' (2018) 55(2) *Economic and Political Weekly*.

¹⁸ Ministry of Rural Development, *Indira Gandhi National Old Age Pension Scheme Guidelines* (GOI, 2016).

¹⁹ UNFPA, *India Ageing Report 2023* (United Nations Population Fund, 2023) <https://india.unfpa.org> accessed 04 February 2025.

²⁰ HelpAge India, *Elderly Care and Community Support in India* (2022) <https://www.helpageindia.org> accessed 04 February 2025.

replace the emotional, social, and cultural bonds inherent in traditional family care. Reliance on institutions alone may inadvertently contribute to social isolation and weaken intergenerational connections.

Strengthening legal frameworks such as the **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**, alongside social security programs like **IGNOAPS** and healthcare initiatives under **NPHCE**, can empower families to provide primary care. Policy incentives, awareness campaigns, and effective enforcement are necessary to ensure that families take active responsibility for the elderly.

Community-based interventions, including elder clubs, day-care centres, and volunteer networks, complement family care by reducing loneliness and promoting active engagement among seniors. A balanced approach that encourages family and community involvement while maintaining old age homes as a last-resort option ensures that seniors are cared for with dignity, security, and emotional well-being.

Moreover, educational and awareness initiatives targeting younger generations are essential to instil respect and responsibility towards the elderly. Schools, colleges, and community programs can foster empathy and understanding, preparing families to better support older members. Encouraging intergenerational interaction not only benefits seniors but also strengthens social cohesion and reinforces cultural values of familial care.

Finally, integrating technology and innovative solutions can further enhance elder care. Telemedicine, mobile health applications, and community helplines can provide timely medical support, monitor well-being, and maintain communication between seniors and their families. By combining legal enforcement, policy incentives, community engagement, and technology, India can create a holistic framework where elderly citizens live with dignity, emotional security, and meaningful social participation, ensuring that family responsibility remains the cornerstone of elder care.

POLICY RECOMMENDATIONS

To ensure that elderly citizens receive proper care while balancing institutional support and family responsibility, the government and stakeholders should consider the following measures:

Strengthen Legal Enforcement of Family Responsibility: Governments should ensure effective implementation of the **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**. This includes streamlining complaint mechanisms, monitoring family obligations, and providing legal assistance to seniors seeking maintenance. Strong enforcement will encourage families to take active responsibility while reducing over-reliance on old age homes.

Provide Incentives for Family-Based Elder Care: Policies should include tax benefits, caregiver allowances, pension schemes, and healthcare subsidies for families caring for older adults at home. Financial and social incentives can motivate families to uphold their traditional responsibilities while reducing institutionalisation.

Promote Community-Based Support Programs: Governments and civil society organisations should invest in community elder care initiatives such as day-care centres, elder clubs, and volunteer networks. These programs reduce social isolation, promote active ageing, and provide support for seniors who may not have immediate family care. Partnerships between government agencies, NGOs, and local communities can strengthen outreach and accessibility.

Raise Awareness and Educational Efforts: Public campaigns should educate families and communities about elder rights, the importance of family care, and available social security programs. Schools, colleges, and community centres can play a role in instilling empathy, respect, and intergenerational responsibility among younger generations.

Balanced Approach Between Institutions and Family Care: Old age homes should serve as safety nets rather than primary care options. Policies should emphasise that while institutions provide necessary services, the family remains the cornerstone of elder care. A combination of legal enforcement, financial incentives, and community engagement can ensure a holistic system where seniors live with dignity, emotional security, and meaningful social engagement.

By implementing these recommendations, India can reduce over-dependence on old age homes, reinforce traditional family values, and create a comprehensive system of elder care that balances institutional, familial, and community support.