INDIAN CULTURE RESPECTS ELDERS- "SAY NO" TO CRIME AGAINST ELDERLY

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ABSTRACT

Being an Elder is not just a biological process, it is also very much closer to a cultural and emotional one. Cultural perspectives can have a huge effect on experience of getting older because different cultures have different attitudes and practices around aging. While many cultures venerate their elders and on other hand in western cultures, where youth are fetishized, and the elderly are commonly removed from the community. It happens so much same in our Indian culture around elderly, People themselves feel that there is something wrong with them and they are losing value, with growing age.

As per the National Crime Record Bureau (NCRB) 2017 there is an increase of 9.7% offences committed against elderly as compared to 2014 data, the offenders are generally their relatives on whom they are dependent. India is the unique country where we boast to have inherited great culture of humanism and compassion, and on other hand our country is a sin to be elderly and alone.

According to the article "Reviewing the definition of elderly" by Orimo et.al. "Elderly" has been defined as a chronological age of 65 years old or older. Those who are between 65 to 74 years old are referred to 'early elderly' and those who are 75 or more years referred to as 'late elderly'. In India, person aged 60 or above is considered elderly or senior citizens. According to Census 2011 data, there are approx 104 million elderly persons (aged 60 years and above) in India.

There is a steady rise in the population of elderly person in our county from 19.8 million in 1951 to 104 million in 2011. A report released by UNPF (United Nations Population Fund) & HelpAge India that the number of elderly persons is expected to grow to 173 million by 2026. State wise data on Elderly population release that Kerala has maximum population of Elderly person in its population (12.6%) followed by Goa (11.2%) and Tamil Nadu (10.4%) as per Census 2011.

There has been a long-standing tradition in the Indian culture to live in joint families.Many Indians live in joint family with their elders and younger member of the family support to their elderly people. They are head of the family and all the other family members treat them with respect and regard. Elders are most religious and charitable members of the family. They play an important role in raising their grandsons & granddaughters.

"The best classroom in the world is at the feet of an elderly person"- A. Roomy

In India, principle of Karma (action) and Dharma (the religious way to perform the work) are given significant values. Individual was being regulated harmoniously according to the Ashram system, i.e., Brahmacharya (Studentship); Grihastha (householder); Vanaprastha (Forest dweller); and Sanyas (Ascetic) and was meant to maintain the discipline, peace and harmony in the family and society. But now days, Indian population is going through the period of transition. Nuclear families, the generation gap, adoption of Western ways of life, lack of traditional values, migration for better opportunities and increasing participation of women in workforce have marginalized the elderly in the society.

In the era of consumerism, humans are aspiring to augment their economic and social status. To achieve this, many people resort to the path of crime. This is the major reasons for alarming speed at which crime rate is increasing day by day in the society. In our society, the parents spend most of their savings on their children, due to which they have to depend on their children in the age of elderly and they face a range of problems due to which there is no sufficient and secure income for their health care and social security. Most common disability among the elderly people was locomotor disability and visual disability as per the census 2011. On the other hand, disrespecting & crime against the elders or sending them to an old-age home has become a societal stigma in India.

FORMS OF CRIME AGAINST THE ELDERLY

Many types of crime exist into several categories: organized crime; property crime; white-collar crime; violent crime and victimless crime etc. but within each category, various forms of crimes exist. For example, violent crime includes rape and sexual assault, aggravated and simple assault, while property crime includes theft, arson, and burglary etc. Today, elderly are victim of murder, grievous hurt, kidnapping, theft, extortion and isolated by neighbours, family members and domestic members.
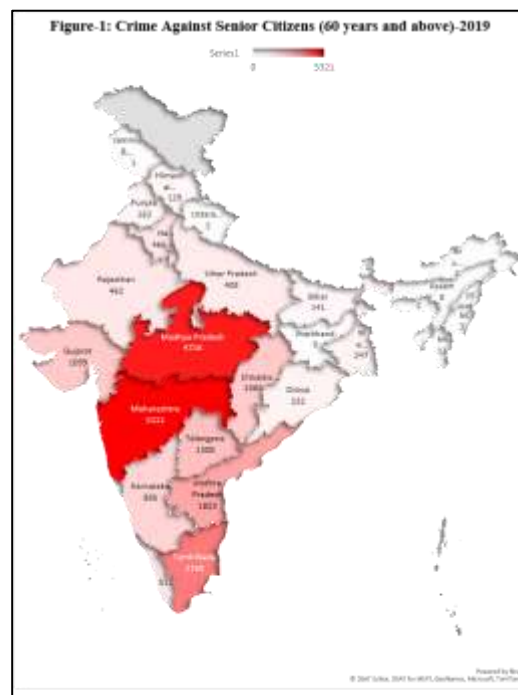
DATA ON CRIME AGAINST THE ELDERLY

The cases of Crime against the elderly person are on the rise across India.Total Crimes against Senior Citizen has been reported during the year (2019) is 27696 as per data provided by States/UTs.

Table-1 shows different types of crimes that have been reported against the elderly during the year 2019.

Sr. No.	Crime	Cases Reported during the year 2019
1	Murder	1156
2	Simple Hurt	6042
3	Kidnapping and Abduction	43
4	Rape	63
5	Theft	4971
6	Extortion	87
7	Robbery	906
8	Dacoity with Murder	5
9	Forgery, Cheating & Fraud	2758

Figure-1 indicates crime against senior citizens during the period of 2019. According to National Crime Report Bureau (NCRB) maximum incidence of crime has been occur in the State of Maharashtra and Madhya Pradesh. It has also been observed that very less crime has been occurred against the elderly in the Eastern India.

Figure-1: Crime Against Senior Citizens (60 years and above)-2019

According to HelpAge India data, more than half of the elderly (51%) feel neglected sometimes while 40% feel neglected every day. Maximum elderly (88%) were aware of the Maintenance and Welfare of Parents and Senior Citizen's Act, 56% of the elderly were aware of the National Policy on Older Persons and 67% were aware of the Protection for Women against Domestic Violence Act.

FEAR OF CRIME AGAINST THE ELDERLY

The fear of crime against elderly is an emerging social problem for our society. According to Ferraro and LaGrange (1987), "Fear of crime is an emotional response of dread or anxiety to crime that a person associates with crime". The term fear is a confusing variety of personal risk, feelings, thoughts, and criminal victimization. There are many major factors of fear of crime that affects the elderly, like- crime rate of an area, previous victimization, location of the residence, vulnerability & defensibility, and incivilities in the neighbourhood. Those who lived alone or socially isolated and not able to interact with their near ones and with their neighbourers have serious concern for their safety as compared to those who have good social network and are socially active.

Victim-offender relationship is the important element in the fear of crime among the elders and it is arising due to social disorganisation. Social Disorganisation refers to the break-down in traditional social control and organisation in the family and societal setup. There are four factors that cause social

disorganisation, and by which fear of crime against the elderly increasing: low socioeconomic status of the family, disrupted families, high residential mobility, and growing urbanisation. Social disorganisation weakens the social bonds such as attachment, involvement, commitment, and belief.

According to the article "Crime against the Elderly" (2010) by Patel M. that 25% crimes against the elderly were committed by their own family members (particularly the son, daughter-in-law, relatives, and neighbours) for property and land disputes etc.

LEGAL PROVISIONS FOR THE PROTECTION OF ELDERLY

- Part IX – Personal Law (Hindu), (Chapter III – Hindu Adoption and Maintenance Act, 1956) which imposes an obligation on the children to maintain their parents and have an equal duty of sons & daughters towards parents.
- Protection under the Code of Criminal Procedure- Section 125 and 127 of Criminal procedure Code 1973 provides sufficient means for the maintenance of their parents.
- The National Social Assistance Program (1995) provides financial security to the poor elderly people.
- The National Policy for Older Persons (1999) provides welfare measures and empowering the Old age. It includes- construction of old age homes & day care centers, establishment of resource centers and reemployment bureaus for elderly and concessions in rail/air fares for elderly etc.
- Maintenance and Welfare of Parents and Senior Citizens Act 2007

CONCLUSION

- Indian Family structure has been transformed by the socio-economic transformation. Due to this joint families are constantly breaking down into nuclear families and majority of the elderly, who have enjoyed most of their lives in joint families, are on the verge of social and emotional breakdown and consequently become easy victim for various crimes. They are also deprived to lead a safe and dignified life.
- It is difficult to identify any specific reason behind their victimization but the fast changing social and family structure is mainly responsible for their neglect and miserable condition. Along with this, crime against elderly makes them

more vulnerable, dependent and marginalized. Although Government of India is continuously working on legal provision and welfare of elderly yet the crime rate against elderly are increasing day by day. Therefore as a true Indian, it is our responsibility to re-establish our culture which respect and care for elderly.

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