

## Socio-Legal Aspects of Old Homes in Bangladesh: An Analysis

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### Abstract

The older people need inclusive attention and care equally like any other segment of the population. Like different regions of the world, many Asian countries have already started to pay attention in developing elderly support programs and legal framework. Bangladesh is far behind from many Asian countries in ensuring proper protection and minimum social security services for the senior citizens. At present, the traditional joint family structures have broken down and familial support to the older people have been reduced drastically. Due to absence of proper protective mechanism, millions of older people is living a miserable life within and outside the family. Moreover, community home-based care and residential care facilities has not developed yet in the country. Rather, the concept of old homes, caregivers and rehabilitation centers are getting popular as well. Accordingly, there is no regulatory framework or monitoring authority specifically for old homes and centers. Traditionally it is not much appreciated by the society because of the prevailing social, cultural, and religious norms of the country. Hence, it is the need of time to address the issue of the elderly shelter homes and provide them care in a better way. This study focuses on socio-legal aspects of old homes in Bangladesh and possible recommendations for the betterments of the elderly care delivery.

**Key words:** Old people, Familial support, Social aspects, Old homes, Legal framework

### Introduction

Bangladesh is one of the most densely populated countries of South Asian Region. As per the population census of 2022, people aged 60 years and above are considered as senior citizens and their number is 9.28% of the total population (more than 2.5 crore) of the country.<sup>1</sup> Likewise, Bangladesh Bureau of Statistics (BBS) has predicted that the older people will cover 10.09% in 2025, while the number is expected to increase enormously around 17% in 2050.<sup>2</sup> In spite of rapidly increasing numbers of the older population, development protection of their rights and wellbeing is less visible in Bangladesh.

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<sup>1</sup> Population and Housing Census Report-2022, Preliminary Report, Ministry of Planning, Dhaka, Bangladesh.

<sup>2</sup> Bangladesh Bureau of Statistics (BBS), Report on Bangladesh Sample Vital Statistics 2020, Statistics and Informatics Division (SID), Ministry of Planning, June 2021, Bangladesh.

Bangladesh has a long history of maintaining cultural heritage and family traditions. Majority of the people lives in rural areas engaging themselves in agricultural activities, continuing their family heritage. In last one and half decade people of Bangladesh has shifted their focus from agriculture to industrialization. Such mind shift is the result of globalization, influence of western culture, modification in socio economic condition, change in life style and living pattern.<sup>3</sup> Due to shifting focus towards industrialization from agriculture, people's lifestyle, culture, family ties and social structure have also changed. With growing literacy rate people are now relocating at urban areas and cities to support their livelihood. Such demographic shift of family members is influencing family structure in a great deal. As a result, joint family system has already lost its importance as well as social fabric has also changed. Indeed, different types of changes took place in the society that has made the issue of older care and rights more complicated.<sup>4</sup> Therefore, many elderly members are seen to reside alone with no one to look after them.

Senior citizens as an integral part of the society are now slowly losing their values both in families and in societies.<sup>5</sup> According to Bangladesh Association for the Aged and Institute of Geriatric Medicine (BAIGM), 8% of country's total population are senior citizens which is increasing in a tremendous manner.<sup>6</sup> These statistics clearly shows the future demand of old homes, caregiver center and rehabilitation centers across the country. Hence, the rising elderly population is intensifying this need but the country is not prepared to offer any types of alternative options on how to deal with their needs. Moreover, there is no implementation of the laws and policies to address the issues of housing, health care, financial and social protection of senior citizens.<sup>7</sup> As a result, the dependency ratio of the age group starting from 0 to 14 years and above 65 years will reach 52.4% from 46.9 % by 2051. It is an alarming sign for Bangladesh as percentage of active labor force of age group starting from 15 to 59 years will decrease to 60.4% from 65.1%.<sup>8</sup>

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<sup>3</sup> M. Nazrul Islam and Dilip C. Nath, 'A Future Journey to the Elderly Support in Bangladesh', *Journal of Anthropology*, Vol. 2012, p. 2.

<sup>4</sup> Ibid.

<sup>5</sup> M. A. Kabir, 'Elderly Care in Bangladesh, Challenges Ahead', *The Daily Star*, Dhaka, 2015.

<sup>6</sup> Sheikh Iraj, 'Old age homes: Remove the stigma', 9 November, 2019, *The Independent*, Dhaka, web: <https://www.theindependentbd.com/post/223035>

<sup>7</sup> Saifuddin Saif, 'Older population rising in Bangladesh', *The Business Standard*, 9 April, 2023. <https://www.tbsnews.net/bangladesh/bangladesh-must-prioritise-policies-support-growing-older-population-analysts-613918>.

<sup>8</sup> BBS population projection 2011-2061 and BBS elderly population in Bangladesh, Vol. 4.

Bangladesh is heading towards intermediate stage of ageing challenging economic and social aspects of the country. Increasing number of elderly populations, breaking down of joint families and diminishing trend of cultural heritage might result in high demand of accommodation, medical care, and rehabilitation facilities.<sup>9</sup> Experts predicted that demand for old homes and care givers will increase tremendously. Therefore, government must act fast to meet the predicted demand of old homes and rehabilitation centers to safeguard the dignity and security of every senior citizen.<sup>10</sup> However, the idea of establishing old homes for the older people has got popularity in Bangladesh like the rest of the world. It is true that the concept of old homes is not still taken positively by many people, but it has become a harsh reality at present. Developed health care facilities, improved life longevity rate, and growing fertility rate may contribute to doubling the number within next two decades. Increasing demand of old home facilities have forced government and authorization bodies to think about this alarming issue repeatedly.<sup>11</sup>

At present, there six old homes run by the Department of Social Services maintaining the rules of the Voluntary Social Welfare Agencies (registration and control) Ordinance, 1961 and about 45 private registered old homes are working to ensure shelter support for the older people of Bangladesh.<sup>12</sup> According to the section 3 of the Voluntary Social Welfare Agencies (registration and Control) Ordinance, 1961, no agency shall be established or continued without following the provisions of this Ordinance. It is mandatory that all old homes across Bangladesh be registered and maintains guidance provided by Ministry of Social Welfare. However, if steps are not taken for the growing elderly population aging sixty years, a crisis may arise.<sup>13</sup> There are several challenges of senior citizens in near future regarding infrastructures and service constraints of the old home and rehabilitation centers in the country. This study focuses on socio-legal aspects of old homes in Bangladesh and possible recommendations for the betterments of the elderly care delivery.

### Literature Review

Scholars studied the older care facilities including old home service from multiple perspectives. Md. Zillur Rahman (2012)<sup>14</sup> in his book titled *The Life of Older*

<sup>9</sup> Sazzadul Alam, 'Elderly people in Bangladesh: Vulnerabilities, Laws and Policies', Report of BRAC, 30 November, 2015, p.12.

<sup>10</sup> M. Makbul Hossain, 'Better retirement homes a must for industrialised Bangladesh', *The Daily Star*, Dhaka, 15 July 2022. Web: [www.thedailystar.net/opinion/views/news/better-retirement-homes-must-industrialised-bangladesh-3070981](http://www.thedailystar.net/opinion/views/news/better-retirement-homes-must-industrialised-bangladesh-3070981)

<sup>11</sup> Bangladesh Bureau of Statistics, 'Elderly Population in Bangladesh: Current Features and Future Perspectives', *Population monograph of Bangladesh*, Vol. 4, Ministry of Planning, 2015, p. 1.

<sup>12</sup> Field survey report, 2022.

<sup>13</sup> Md. Zillur Rahman, *The Life of Older People*, Arafat's Publication, Dhaka, 2012, p. 124.

<sup>14</sup> Ibid.

*People*', explored the whole situation of older people in the context of the changing social structure of Bangladesh. He has projected a vivid picture of the life of older people through case studies in the family and old homes as well. Md. Raziur Rahman (2018)<sup>15</sup> carried out research titled, 'An Empirical Study on Elderly Population's Care in Bangladesh: Legal and Ethical Issues', described the services for the elderly and their limitations in Bangladesh. Author stated that older people are neglected due to lack of supportive family members of nuclear family. As a result, they are become dependent on institutional support and become mentally depressed. The author also emphasized the improved services of old home for ensuring elderly care.

Another study by Md. Zahid Hossain, S. M. Akram Ullah and A. K. M. Mahmudul Haque (2020),<sup>16</sup> on 'Human Rights of the senior citizens in Bangladesh: Political, Administrative and Economic Challenges', highlighted the present situation of old homes in Bangladesh. The authors assessed the number and functions of old homes in Bangladesh. They argued, the children are busy with their career and they cannot give enough time to their parents. At an old age, parents suffer from loneliness and they desire a company. In this situation, authors viewed the old home as a place where the parents get many people to share their feelings and sufferings, views, opinions, beliefs, emotions, etc. As per authors findings old homes are not available everywhere in the country. They argued that there is no registered government or registered private old home in Rajshahi district. However, the researchers have found a private old home at Bagha, Rajshahi which was not registered by the government. Their findings also show about several types of problems to register an old home.

Similarly, Sharmin Islam *et al* (2019),<sup>17</sup> examined the parents care scenario in Western World and Asian societies. Their observations revealed that old people from both West and Asia are interested to stay in their home with their children and grandchildren. They stated that this is a way to transmit their real life experience to their third generation which is very essential for the emotional, humane and psychological development. They argued it is obviously helpful and required that preferably the old people and senior citizens should stay in their extended families where they found the peace and tranquil to live in touch with their next generations.

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<sup>15</sup> Md. Raziur Rahman, *An Empirical Study on Elderly Population's Care in Bangladesh: Legal and Ethical Issues*, Journal of Humanities and Social Science, Vol. 23, Issue 1, Ver. 9 (January. 2018), pp. 1-8.

<sup>16</sup> Md. Zahid Hossain *et al.*, 'Human Rights of the Senior Citizens in Bangladesh: Political, Administrative and Economic Challenges', *Advances in Research*, Vol. 21, No. 12, 2020, pp. 31-40,

<sup>17</sup> Sharmin Islam *et al.*, 'Old Home and Caring Elderly Population: Need or Dilemma', *Bangladesh Journal of Medical Science*, Vol. 18, No. 3, July 2019.

They strongly support that family will also help to enrich the future generation to get lively exchange of experiences in a passive and friendly way.

However, authors could not ignore the need of 'old home' rather preferred old homes with limited situations. They explained that some families are unable to look after their parents and sometimes all the offspring of an old couple may live abroad, in such situations these types of old people need to be cared in professional 'old home' in professional manners. But the authors supported government old homes not private old homes. They suggested that these old homes must be preferably established and maintained by the government because the administrative rules of private sectors are set for commercial purpose.

A research report on "Expectations, Realities, and coping strategies of Elderly women in a village of Bangladesh" by Tamima Sultana (2011)<sup>18</sup> explored the dignity and honor of the elders in modern society. She also demonstrated that the situation of care for the elderly in Bangladesh is complex. The author argued that families are considered to be the primary place of care for the elderly and they will live with her/his children. She also stated that in reality care for the elderly within family or household may not take place as smoothly as it is perceived to do, particularly in the case of the elderly poor.

Md. Ripul Kabir, Shammy Islam, Dipika Chandra (2020),<sup>19</sup> a study titled on 'Socioeconomic Status of Elderly People at Household Level: A Sociological Study on Rangpur City Corporation', highlighted the socio-demographic and economic profile of the elderly people and analyzed elderly care responsibilities of family members. The authors presented that elderly people in modern societies are mainly alone at home or they are cared in elderly home. They showed the relationship between other family member and the elderly in terms of taking care of the end life of older person.

Likewise, in the report titled 'Elderly people in Bangladesh: Vulnerabilities, Laws and Policies' conducted by Sazzadul Alam (2015)<sup>20</sup> described the factors of isolation of older people from their kindred and, as a result, they live alone and face the

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<sup>18</sup> Tamima Sultana, *Expectations, Realities and Coping Strategies of Elderly Women in a Village of Bangladesh* (December 1, 2011). Available at: <https://ssrn.com/abstract=1967283> or <http://dx.doi.org/10.2139/ssrn.1967283>

<sup>19</sup> Md. Ripul Kabir et al., 'Socioeconomic Status of Elderly People at Household Level: A Sociological Study on Rangpur City Corporation', *Khulna University Studies*, Vol. 17 (1&2): 2020, pp. 67-76.

<sup>20</sup> Sazzadul Alam, 'Elderly people in Bangladesh: Vulnerabilities, Laws and Policies', Report of BRAC, 30 November, 2015, p.12.

problems on their own. The author assessed the absence of elderly protection law and the reasons of breakdown of family structure which are the great challenges for senior citizens.

In the article titled “Protection of Elderly Parents in Bangladesh: An Evaluation of Relevant Guidelines”, Mst. Rezwana Karim (2021),<sup>21</sup> has analysed the provisions concerning the protection of elderly parents in the international and national legal framework and also examined the factors that contributed to stay old homes. Fawzia Farzana, (2019)<sup>22</sup> in the research on ‘Aging in Place’ in Bangladesh: Challenges and Possibilities, conducted to recognize problems faced by the growing number of older adults aging in place as well as the causes force them to choose an institutional housing and determine the possibility of ‘aging in place’.

However, the present study aims to focus on socio-legal aspects of old homes and offers recommendation for the improvement of elderly care service.

### **Methods**

This is a qualitative study and content analysis of elder care facilities in old homes. For this study, firstly, relevant sources are located by conducting library-based research to examine primary and secondary sources. Secondly, content analysis is undertaken when analyzing the primary and secondary resources to explore the importance of old homes service in Bangladesh. Secondary data are collected from existing sources such as textbooks, journals, research articles, internet, international conventions, government statistics and newspapers and so on.

### **Socio-Legal Rights and Dignity of Older People**

Historically, in Bangladesh, younger generations always maintain traditions and a religious belief that encourage them to look after their aged family members with proper care and respect. It is a matter of great concern that this age-old tradition is being changed. Inclusion of so called modern social and religious values, adaptation of western culture and socio-economic, demographic transformations are influencing people’s perception and life style. As a result, younger generation of today prefer to enjoy nuclear family. In different parts of Bangladesh, it is being seen that younger people tend to have nuclear family structure in towns and cities leaving their parents in rural areas. This new trend of living alone and adopting nuclear family structure is

<sup>21</sup> Mst. Rezwana Karim, *Protection of Elderly Parents in Bangladesh: An Evaluation of Relevant Guidelines*, 29 (S2) 2021 IIUMLJ, 221-248.

<sup>22</sup> Fawzia Farzana, ‘Aging in Place’ in Bangladesh: Challenges and Possibilities’, *International Journal of Multidisciplinary Research*, Vol. 4, No. 2, 2019.

responsible for collapse of traditional extended family structures of Bangladesh. Rapid changes in family concepts have become a threat to physically and financially challenged older people. Older people who are suffering greatly due to rapid transformation of living pattern of Bangladeshi younger generation mostly lives in villages and consequently in many cases it becomes impossible to reach that group with proper government support and aid facilities.<sup>23</sup>

It is seen that senior citizens are often neglected in their families, society and there is no legal framework regarding their wellbeing in Bangladesh. Negligence from family and relatives, encountering various forms of diseases and financial crisis are main challenges met by elderly people. In Bangladesh most of the older people live in rural areas and they are often ignored by their near and dear ones beyond the notice of public eyes. Accordingly, vulnerability of the older people in terms of food consumption, shelter, community and social attitude is increasing in present social context. As a result, actual demand for old homes, caregivers and rehabilitation centers are much higher than the documented demand. Indeed, to ensure minimum dignity, care, respect, and treatment for the older people, the concept of setting up adequate number of old homes and rehabilitation center has become a burning issue. Despite steps being taken by the government, radical steps are necessary.<sup>24</sup>

Thus, the issues of old homes remain insignificant in national plans and policies which deteriorate their situation. Though the National Policy on Older Persons was framed in 2013 but it has not been implemented due to the lack of sincere efforts by the authorities concerned. Likewise, the Parents' Maintenance Act, 2013 is not getting implemented for the absence of its rules and awareness among people. Unfortunately, there is no law to safeguard the senior citizens. Further, hospitals, community clinics and old homes often ignore geriatric problem as there are no specific elderly health policy and monitoring system.<sup>25</sup> In near future, the issue of senior citizens will be a vital challenge for the government as the numbers of older people are increasing without appropriate steps to ensure their rights, dignity and services in the country.<sup>26</sup> However, for ensuring their rights and welfare in all aspects

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<sup>23</sup> Md. Sazedur Rahman, 'Aging and Negligence in Bangladesh', *Journal of Gerontology and Geriatric Research*, Vol. 6, No. 3. 2017

<sup>24</sup> Mohammad Abdul Hannan Pradhan *et al.*, 'Demographic Transition and Home Care for the Elderly in Bangladesh: An Urban Rural Comparison', *Advances in Economics and Business*, Vol. 5(6), 2017, pp. 334-345.

<sup>25</sup> Atiqur Rahman, 'Human rights situation of older persons in Bangladesh', *Bangladesh Journal of Geriatrics*, Vol. 47, 2012, p. 91.

<sup>26</sup> Sheikh Iraj, 'The saga of old age homes', *The Business Post*, 25 September 2021.

of their life, there is no particular department in the country which can investigate the violation of human rights of older people.

Hence, elderly individual suffers extremely in their age and in this situation, they have to bear later life is necessary expenses. There are pension policies to ensure social security on old age for retired government employees only. According to Public Service Retirement Act, 1974 after attaining the age of 59 years, they can retire from service and get a pension as retirement benefits.<sup>27</sup> Though about 36 million labors are working in agriculture sector in the country, they are not covered by the law. Similarly, private sector workers and migrant older workers do not receive any pension. In the Act 1974, there is no specific guideline to increase retirement age as the life expectancy is gradually increasing in the country. Thus, most of the older people face various challenges in financial issues under the exiting social security programs. Moreover, many senior citizens are homeless but there are no old homes with free of cost accommodation facility for them.<sup>28</sup>

Bangladesh is neighboring country India is far more synchronized in terms of data, policy and elder support facilities.<sup>29</sup> Another neighboring country Pakistan also enacted Maintenance and Welfare of Old Parents and Senior Citizens Act, 2019 to safeguard its senior citizens. Historically, in Nepal immediate family members used to be the primary caregivers for their senior citizens. With influence of globalization and mass movement of younger generation of Nepali to foreign locations for better living standard and career opportunities slowly older care center are moving towards older care homes. Apart from that many older citizens of Nepal suffers greatly due to superstition. Many older people who suffer from many diseases like dementia are often left behind or have no other option to live of their own as it is considered as bad spirits or punishments of the gods as part of religious belief. As a result, a significant number of senior citizens is moving towards old home in search of a shelter over their head.

According to Help Age Global Network, till 2019, 9% of entire Nepal population consists of senior citizen, it means around two million people living in Nepal were sixty years and above. This amount is expected to become double in 2050 and reach thirty-six million. Therefore, as per prediction of ageing Asia, by 2050, around 18.6% of entire population of Nepal will consists of elderly population aging over

<sup>27</sup> Sazzadul Alam, *Elderly people in Bangladesh: Vulnerabilities, laws and policies*, 2015, p.43.

<sup>28</sup> Md. Humayun Kabir, *Local Level Policy Development to Deal with the Consequences of Population Aging in Bangladesh*, United Nations, New York, 1994, pp.33-74.

<sup>29</sup> *Schemes for The Welfare of Senior Citizens*, PIB Delhi, 16 March 2022. Web: <https://pib.gov.in/PressReleasePage.aspx?PRID=1806506>



sixty.<sup>30</sup> Considering this upcoming situation government of Nepal has taken many initiatives. Traditionally old homes in Nepal are designed only to support specific group of elderly people who do not have anyone as a family member for care giving. So, government of Nepal, as first initiatives sets up old age home in religious places targeting those elderly who do not have any family. Thus, nation across world has been putting emphasize on ensuring proper care and assistance to their senior citizen for a long period of time.

Comparing to that Bangladesh is standing at the beginning stage in terms of ensuring proper care and assistance to it senior citizens. Due to improve quality of life and advancement of medical science older population is increasing in a tremendous manner. Bangladesh Bureau of Statistics (BBS) says the average life expectancy in Bangladesh stood at 72.8 years in 2020 with an increase of 3.8 years from 69 in 2011.<sup>31</sup> Due to increasing number of older citizen, government of Bangladesh has taken many initiatives to ensure proper care and assistance for them alongside with many private enterprises. Setting up of old homes, rehabilitation centers, old age allowance and parents act are some of the noticeable attempts of Bangladesh governments. All such efforts from both private and public initiatives are not adequate to ensure proper care and assistance availability for majority of senior citizens residing across country.<sup>32</sup>

As a result, pressure on existing old homes, caregivers and rehabilitation center is increasing in a rapid manner which is putting an adverse impact on the facilities and monitoring systems of such old homes and centers. Some of the major challenges of old age homes and centers have inadequate number of accommodation facilities, limited number of healthcare facilities, absence of proper recreation and motivational events, unskilled elderly assistance, absence of proper policy, improper monitoring, absence of regulatory bodies and limited financial assistance. Thus, socio-legal aspects of old homes and centers of senior citizens remain insignificant in national strategy.

### **Legal Framework of Old Homes**

Governmental old homes of Bangladesh are established under the supervision of social welfare ministry of Bangladesh, whereas the private initiatives for older

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<sup>30</sup> 'Ageing population in Nepal', HelpAge. Web: <https://ageingasia.org/ageing-population-nepal/>

<sup>31</sup> Statistical Yearbook Bangladesh-2021, 41st edition, Bangladesh Bureau of Statistics (BBS) Statistics and Informatics Division (SID), Ministry of Planning.

<sup>32</sup> Md. Anisar Uddin, 'Social Safety Nets in Bangladesh: An Analysis of Impact of Old Age Allowance Program', Unpublished Dissertation, Institute of Governance Studies (IGS), BRAC University, Bangladesh, 2013, pp. 18-19.

persons are registered and monitored by the Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961<sup>33</sup> (amended in 2007) and the section 19 of the ordinance the Voluntary Social Welfare Agencies (registration and control) Rules, 1962 has been passed. The Voluntary Social Welfare Agencies (registration and control) Ordinance, 1961 is expedient to provide for the registration and control of voluntary social welfare agencies operating across country. This ordinance covers the whole Bangladesh. As per such ordinance a person or organization wishes to establish a company should be registered and should submit all necessary documents. Registration authority shall process such registration in prescribed format. None of the agency shall be established or continued their service without maintenance in accordance with the provisions of this ordinance.<sup>34</sup>

As per section 3 of the Voluntary Social Welfare Agencies (registration and control) Ordinance, 1961, all old homes operating across Bangladesh needs to be registered under Ministry of Social Welfare of Bangladesh. Under section 14 of the Voluntary Social Welfare Agencies (registration and control) Ordinance, 1961, there is provision of punishment. Any person or company violating rules of such ordinance shall be punishable with imprisonment or fine. But it is unfortunate that till date there is no specific authorized body that is responsible for monitoring old homes. Neither any specific mechanism is developed to evaluate the service standard of old homes. Good nutrition and sound health of older people largely depends on food with proper nutritious, availability of safe drinking water, proper sanitation facilities, minimum medical care, and maintenance of proper hygienic system.

As per reference of the World Social Protection Report 2021-22 published by International Labor Organization (ILO), Bangladesh has secured second position in South Asia for bringing 28.4% of country's population under social protection programs including older people.<sup>35</sup> Article 15(d) related to social security in the Bangladesh constitution with the aim of ensuring social security for the older people. All the policies guiding practices and regulating old homes are highlighted below for better understanding of elderly situation of Bangladesh.

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<sup>33</sup> The Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 (no.46). Bangladesh government adapted this ordinance by the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>34</sup> The Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961. Web: [minlaw.gov.bd](http://minlaw.gov.bd)

<sup>35</sup> 'President Hamid, PM Hasina issue messages on eve of Int'l Day of Older Persons', Dhaka Tribune, 30 September 2022. Web: [www.dhakatribune.com/bangladesh/2022/09/30/president-hamid-pm-hasina-issue-messages-on-eve-of-intl-day-of-older-persons](http://www.dhakatribune.com/bangladesh/2022/09/30/president-hamid-pm-hasina-issue-messages-on-eve-of-intl-day-of-older-persons)

Bangladesh National Social Welfare Policy was announced in 2005 aiming towards addressing challenges of older people residing across country. Later on, to address all possible challenges of older population National Committee on Ageing was constituted for the first time soon after the Vienna International Plan of Action on Ageing in 1982. It is considered as the first move that Bangladesh government has initiated to address the ageing issues formally.<sup>36</sup> National Health Policy 2008 was introduced to ensure senior citizen receive medical assistance from national and local healthcare centers and hospitals.

On November 17, 2013, the cabinet approved the National Policy on Older Persons and recognized them as the senior citizens of the country. The National Policy for Older Persons 2013,<sup>37</sup> aims to strengthen elderly health care facilities including primary health care support and establishment of age-friendly health center. National Elderly Policy 2013 also includes referral services along with short term mobile camps for those older persons who live in remote areas. Aiming towards ensuring a dignified, povertyless, functional, healthy, and secure society for the older people government has enacted such policy.

The Maintenance of Parents Act, 2013 of Bangladesh is enacted to ensure social security of the parents and senior citizens. This law also compels the children to take good care of their parents especially at their old age. As per the Maintenance of Parents Act, 2013 the children are entitled to ensure proper maintenance of their and parents and provide them with food and shelter facilities. Furthermore, this law also put a restriction of children sending their parents to old homes without their consent. Under section 3 it is clearly stated that under no circumstances children are allowed to force their parents to live in old homes beyond their wishes.<sup>38</sup>

This law is milestone in ensuring rights of older people living in Bangladesh. Under section 2 and 4 of the Act 2013, this law clearly stated that food, cloth, shelter, and medical care facilities for parents and grandparents must be ensured by the children and grandchildren. In section 7 of the law, it also emphasizes that in case of separate living from parents, children are responsible for giving a reasonable amount of money from their daily, monthly, or yearly income. This Act clearly stated that any

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<sup>36</sup> Social Welfare Policy, 2005- Chancery Law Chronicles (clcbd.org) Web: <http://www.clcbd.org/document/45.html>

<sup>37</sup> National Policy for Older Persons (PIB.GOV.IN), Web: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=108092>

<sup>38</sup> Bangladesh Parents Care Act, 2013. (ILO.Org).  
Web: [http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=95797](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=95797)

kinds of offences are cognizable, bailable, and compoundable. As per section 6 of such Act, it is stated that in case of any non-cooperation from any family members including children or son's wife or daughter's husband or any other relatives, such person shall be liable as abettor to the same crime and punishment.<sup>39</sup>

Soon after designating people aging sixty and above as the country's senior citizens, Bangladesh government aims to extend social dignity, security, and essential facilities to of older people targeting 1.50 crore older citizens in the country. As per a press release by the social welfare ministry of Bangladesh, government has drafted a new law which will ensure facilities such as food, clothing, communication and treatment for the older population.<sup>40</sup>

Bangladesh government enacted old age allowance program in the fiscal year 1997-98 to support poor older population of the country. Till now almost all older people living across 262 upazilas of the country has bring inside of this allowance program. On current fiscal year 2022-23, Almost six million (5.7 million) older persons had received old age allowance.

In the year 2015 Bangladesh government formulated a comprehensive National Social Security Strategy (NSSS) which aims to rationalize and reinforce the existing safety programs with a view point to achieve a better output from the capital invested on 2021 and ahead. It aims to broaden the scope of social protection programs across the country. It also identified several strategies to safeguard employment policies and social insurance to address the emerging needs of the middle-class families.<sup>41</sup>

### **Challenges of Old Homes**

Bangladesh government has taken many initiatives to ensure proper care and assistance for older people, such as, old age allowance, maintenance of parents act, national policy of older person are some of the noticeable attempts. All such efforts are not adequate to ensure care and assistance for the senior citizens. The number of old homes comparing to required number is significantly low in Bangladesh. The main challenge is the shortage of old homes for the senior citizens.

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<sup>39</sup> Nahid Ferdousi, *Rights and Challenges of Older People in Bangladesh*, 27 Oct 2020. Web: <https://www.thedailystar.net/law-our-rights/news/rights-and-challenges-older-people-bangladesh-1984633>

<sup>40</sup> Deepak Acharjee, 'Govt dragging feet on 1.50cr senior citizens' benefits', 30 September 2017, Web: <https://www.theindependentbd.com/home/printnews/116533>

<sup>41</sup> National Social Security, Strategy (NSSS) of Bangladesh, Web: <https://socialprotection.gov.bd/wp-content/uploads/2018/09/National-Social-Security-Strategy-English.pdf>

In many cases it is being observed that both private and public old homes operating across Bangladesh is not following proper rules and guidelines to ensure proper service and health care facilities to the senior citizen who are availing their services. In reality, rich, upper-class older people want better old homes with modern facilities. Apart from government old homes, many private old homes have been established to provide elderly care services. There are no old homes for mid and low-income families and they struggle to bear the high expenses of private old homes. Moreover, the number of private old homes is not recorded and they are not monitored by the government agencies. The present challenge is to ensure old homes not only for those who are financially sound because every older person has right to get the facilities of old homes.<sup>42</sup>

Bangladesh government has initiated policies regarding old homes but still several significant issues are not addressed properly by existing policies like the monitoring tools, evaluation mechanism, regulation body and role of law enforcement agencies in case of any violation. Due to absence of adequate monitoring system service features and quality of old homes are greatly affected. In many cases old age homes are only limiting their services only to food and sheltering. Care giving which is very much essential for senior citizens is somewhat missing in many old homes due to absence of proper monitoring system.<sup>43</sup>

Thus, the major challenges of old homes are limited number of healthcare facilities, absence of proper recreation and motivational events for the residents. In most of the old homes, there is no improved diet facilities, skilled caregivers, physical exercise opportunity, counseling system, recreation facilities and awareness rising program. It is mandatory for the older person to intake proper nutrition for supporting their health condition. Absence of registered nutritionist in many old homes is creating great challenge for the vulnerable older. Moreover, absence of skilled therapist and ineffective therapy session is creating blockage in mental condition.<sup>44</sup> Often, older person who resides at old homes are mentally challenged. In this situation, regular physical and counseling service can reduce such mental blockage and demotivation from their mind.

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<sup>42</sup> *The state must take better care of elderly citizens*, The Daily Star, August 20, 2022.

<sup>43</sup> Zubair Khaled Huq, *Provisions and rights of senior citizens*, The New Age, 28 February, 2022. <https://www.newagebd.net/article/163902/provisions-and-rights-of-senior-citizens>

<sup>44</sup> Ekram Kabir, *This is why we need more homes for the elderly*, The Business Standard, 7 February, 2022. <https://www.tbsnews.net/thoughts/why-we-need-more-homes-elderly-367474>

Often, absence of proper medication or irregular visit of doctor in old homes is creating a great challenge for the vulnerable older people to conduct regular activities. Absence of routine check-up may give rise to deeper physical problems in the long run. To support emerging number of old homes comparing to availability there is no other alternatives than proper service management. Thus, there are not enough facilities for older people to get proper treatment.

The National Policy on Older Persons was formulated in 2013. Although the policy is a positive initiative, due to lack of specific legal framework and sincere efforts from the concerned ministries, it yet to be properly implemented. Most of the older people and service providers authorities are unaware of the policy.

#### **Some Possible Measures for Improvement**

The discussion above suggests that government should come forward with more meaningful assistance for the senior citizens. In these regards, the government should improve its social safety schemes and expand its pension coverage to include a larger proportion of older people. Equally it must prioritize elderly supporting facilities at the local level and major cities.<sup>45</sup> To support vulnerable senior citizens, government should establish sufficient old homes and rehabilitation centers in the country.

For maintaining old homes, rules should be formulated for proper monitoring and ensuring quality services to elderly people. The government needs to implement the National Older Persons Policy 2013 policies that support introduction of an appropriate pension system, privilege card, assisted-living facilities, day care support and health insurance scheme of older people. In addition, the allocation of senior citizens in yearly budget should prioritize.

Government needs to develop mechanism that can ensure a supporting livelihood system for the senior citizen who are physically capable enough to earn their living. It will not only improve their self-respect but only inspire them to live a healthy life. Adequate elderly health care facilities are also needed. Old age is a period of physical declining. It is undeniable fact that in course of time, physical condition slowly turns to diminishing. Thus, appointing adequate number of caregivers, physiotherapist, nutritionist and doctors in the old homes are necessary.

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<sup>45</sup> The state must take better care of elderly citizens, The Daily Star, 20 August, 2022.  
<https://www.thedailystar.net/opinion/editorial/news/the-state-must-take-better-care-elderly-citizens-3099226>

Number of older generations is increasing in a rapid manner. Therefore, alongside with public initiatives, private initiatives also play a vital role in ensuring proper assistance and support for the older people. Affiliation of both public and private initiatives can result in significant change in service quality and awareness quantity. In this regard, a separate cell on 'Ageing Affairs' under the concerned Ministry should be established for delivering essentials services and ensuring fundamental rights.

Considering all aspects of older persons need, it is reality that they want to stay with their family. The last episode of older age should live with their extended families where they contributed. This is prime concern of the children to serve their responsibilities reciprocally. So, it is needed to think how can be ensured their rights and care in-house and outside in consistent with the social values and culture of Bangladesh.<sup>46</sup>

Living at an old home in such a critical moment of life is stated to be the most difficult part of one's life. With the increasing number of older populations across country it is becoming extremely important for the government of Bangladesh to ensure proper care and assistance for the senior citizens. For betterment of the specialized health care, separate sections in National Health Policy should be enacted which prescribes the guidelines of the hospitals, clinics, old homes and shelter homes how they will provide service to older people without suffering the financial hardship. The government should develop and implement a work plan on the basis of the National Policy on Older Persons, 2013 to provide facilities.

### **Conclusion**

From the above discussion, it is clear that senior citizens deserve more attention and care from family, society as well as the country. Usually, the elderly needs are ignored as there is no comprehensive legal framework with relation to respecting, promoting and protecting the rights of older people. The government should establish a significant number of old homes both in rural and urban to meet the basic needs of older people. With the present demands of elderly, the law should be enacted for the execution of the national policy and for providing social service facilities to ease the

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<sup>46</sup> Habiba Sultana. "Rights of Senior Citizens in Bangladesh: An Overview", Journal of Humanities and Social Science, Vol. 25, No. 10, 2020, pp. 1-4.

plight of the older people. It is required to uphold the aged-friendly society for the proper execution of the laws and policies. Additionally, the government should adopt the Madrid Plan of Action towards achieving the Agenda 2030 for Sustainable Development of all citizens including the elderly so that they can pass their later life with respect, dignity and peace.