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Ageing with Dignity: A Comparative Study of the Elderly Rights in India and USA

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Abstract

The protection of human rights for elderly is a critical issue globally. The world population has been increasing with an unprecedented rate, driven by declining birth rates and increasing life expectancy globally. The global elderly population of 65+ old or above people is projected to reach upto 1.575 billion which will be around 16% of its total population. This research analysis the social, economic and legal framework of India and United States of America aimed at safeguarding the rights and wellbeing of the older people. This paper presents a comparative study of the legal frameworks, policies and institutional mechanisms in protecting the human rights of elder people and to evaluate the role of government institutions, non-government institutions and civil society in ensuring the access to healthcare, financial security, social inclusion and protection from abuse related to them. The paper also examines the role of international instruments like United Nations Principles for Older Persons and the Madrid International Plan of Action on Ageing in shaping the national policies of countries. While both countries have made significant strides in protecting the vulnerable class of senior citizens, the ongoing challenges in implementing and enforcing this social welfare schemes loom tirelessly.

Keywords: Elderly, Human Rights, Health Care, India, U.S.A, Protection, Legal Framework

Introduction:

Elders are considered as most valuable assets of any society because of their experience, wisdom and their valuable contribution in development of the society. Throughout their lives, they serve as custodians of culture, moral values and wisdom of their families and societies. In early Indian society, our elders were well cared and honored by their joint family members. However, since urbanization, nuclear family structure & economic mobility etc. have taken place, our elders are experiencing loneliness and instability. They and their needs are generally ignored by their family members and societies. Because of which, at present, the senior citizens are facing a lot of challenges and problems in their lives such as financial insecurity, social isolation, violation of their rights, elderly abuse, discrimination, crime against seniors, physical & mental health issues etc. In spite of all these, the elderly population is increasing worldwide very swiftly because of reduction of fertility and mortality rate, availability of better and advanced health care services,

improved educational status of people's family planning, modernization, etc. At present, growing elderly population is the most significant and worldwide phenomenon of the 21st century as the share of global elderly population aged 65 or above is expecting to increase from 9.3% in 2020 to around 16.0% in 2050. So the aging population is such a phenomenon which can no longer be ignored.

What is ageing and definition of Senior Citizens:

- **What is Ageing:** World Health Organization has defined ageing as "At the biological level, ageing results from the impact of the accumulation of a wide variety of molecular and cellular damage over time. This leads to a gradual decrease in physical and mental capacity, a growing risk of disease and ultimately death. These changes are neither linear nor consistent, and they are only loosely associated with a person's age in years. The diversity seen in older age is not random beyond biological changes, ageing is often associated with other life transitions such as retirement, relocation to more appropriate housing and the death of friends and partners."¹
- **Definition of Senior Citizens:** There is no universally accepted definition of senior citizens. Generally, who will be a senior citizen, it differs from country to country as it is influenced by culture, social and governmental factors of any particular country. The WHO considers individuals to be seniors who are of the age 65 or older. However, such age range of seniors may differ country to country i.e. in India, a person of 60 years of age or above is considered as senior citizen for all senior citizen's purposes but in America, the citizens who are of 65 years of age or above are generally considered as senior citizens of America and they become eligible to get full social security and retirement benefits². However, some benefits may start earlier i.e. at 62 years of age. Further, the United Nations has used 60 years of age to refer older people.³
- **Rights of Elderly:** Every person has a right to live a standard, dignified and healthy life which includes food, medical care, right to social and economic security, housing, clothing, necessary social services etc. As the other person has these rights, in the same way the elderly also has. But unfortunately, the picture is different. Presently, the senior citizens are facing many kinds of problems, challenges and violations such as violation of human rights. Like other persons, senior citizens also have the basic rights to dignity, to Freedom from every kind of discrimination, to maintenance, to freedom from every kind of exploitation, abuse and neglect, to get adequate health care, to property, to work, to material assistance and to participation in society etc.

Ageing- A Worldwide phenomenon:

In the world's population, the share of the elderly population is increasing very swiftly. In 21st century, the people are living longer and healthier lives which is showing our success in improving living conditions of billions of people worldwide. Currently, where the

¹ <https://who.int/news-room/fact-sheets/detail/ageing-and-health>; WHO-world health organization; ageing and health; Ageing Explained, 1 October 2024

² <https://www.care/resources/determining-senior-citizen-status-and-its-benefits>; determining Senior Citizens status and its benefits; March 21, 2024

³ <https://emergency.unhcr.org/protection/persons-risk/older-persons>; UNHCR-The UN Refugee Agency, Emergency Handbook, who is old? (Definition of older people).

elderly population is increasing worldwide, at the same time the share of children and youth is shrinking because of reduction of fertility and mortality rate worldwide. The contributing factors of such transition are better and advanced medical facilities, great and easy access to education, family planning, strides towards gender equality etc.

As per the reports of WHO, UN and the UN Refugee Agency, the elderly population which was 6.832% of the world's total population in 2000,⁴ increased upto 10.20% (i.e. 832.9 million) in 2024 and now expecting to increase upto 1.006 billion in 2030 and 1.575 billion (i.e. 16%) in 2050 and till the end of this century i.e. in 2100 there will be around 23.74% share of elderly population in the world's total population.⁵

India's increasing elderly population:

To scrutinize the problems, obstacles, data and opportunities towards the welfare senior citizens in India, the Government of India through its time-to-time survey has published its specific reports related to elderly population e.g. "Elderly in India 2021", "India Ageing Report 2023". As per the report "Elderly in India 2021" the growth rate of India's elderly population is higher than that of India's general population because of which proportion of elderly's population in general population has been increasing.⁶ As per the data, the elderly population of India has increased by more than 27 million in 2001-11 and around 34 million in 2011-21 which is now expected to increase by more than 56 million in 2021-31. The report 2021 pointed out Kerala as a state with highest elderly population proportion in its population by the year 2021 with 16.5% and the Bihar as a state with lowest proportion of its elderly population in its total population with 7.7%.⁷ Further the facts revealed by the "India Ageing Report 2023" has shown that increasing elderly population in India is putting a significant impact on health care, economy and society of India. As per the report, the elderly population which was around 10.5% in 2022 will increase upto 20.8% in 2050 that means by 2050, there will be around 347 million people who will be senior citizens in India and at the end of the century i.e. in 2100 which will increase upto 36.1% (i.e. 550 million) of the India's total population.⁸

- Share of elderly (60+) in population (%)

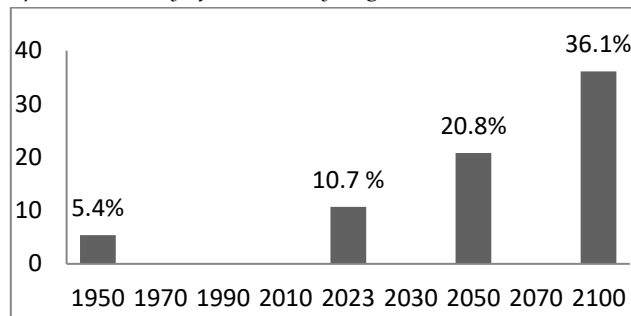
⁴ <https://ourworldindata.org/age-structure>

⁵ <https://who.int/news-room/fact-sheets/detail/ageing-and-health>; world health organization; ageing and health; 1 October 2024

⁶ The Social Statistics Division of the Ministry of Statistics and Program implementation, published a report in August 2021 on the elderly population of India

⁷ <https://ruralindiaonline.org/en/librery/resource/elderly-in-2021/#:~:text=the%202020%20national%20commission%20on%20population%20report%20estimates,is%20higher%20+.....~>; Elderly in India; Factoids

⁸ <https://factly.in/data-india-ageing-report-2023-highlights-challenges-of-demographic-shift>; FACTLY; Data: 'India Ageing Report 2023' Highlights Challenges of Demographic Shift; By Pavithra K.M.; On October 2023



Source: World Population Prospects 2022

Indian Legal Provisionsto protect Senior Citizens:

Till 2007, in India, there was no specific legislation for the welfare and protection of senior citizens. In 2007, “The Maintenance and Welfare of Parents and Senior Citizens Act, 2007” was enacted to ensure financial security in form of maintenance, health care, establishment of old age homes for destitute seniors, protection of their property rights etc. Instead of this, through some specific provisions, the Constitution of India also provides them some rights and protections directly and indirectly. For example all Fundamental Rights available to the citizens of India are automatically available to senior citizens also e.g. Article 14; Article 15(1),(2); Article 16(1),(2); Article 19; Article 20; Article 21; Article 22(1),(2); Article 25(1); Article 32. Instead of the above Article 38(1), Article 39A, Article 41, Article 42, Article 43, Article 46, Article 47 of DPSP also provide protections to senior citizens. Article 300A of the Constitution protects their property rights.

Under criminal laws also senior citizens have provided some kinds of protections e.g. under chapter X of BNSS from Sections 144-147(earlier chapter IX from sections 125-128 of Cr. P.C., 1973) senior citizens can claim maintenance from their sons and daughters. Under this provisions biological parents and adoptive parents can claim maintenancewhen unable to maintain themselves. A stepfather who fulfills the same responsibilities as the biological father⁹ and a stepmother who is a childless widow or if having husband, the husband is unable to maintain her, may also claim maintenance under BNSS¹⁰. Instead of it, the Proviso of Section 179 also provide exemption to older people above 60 years of age from attending police station as a witness and provides that they shall not the required to attend any place instead of their residence. Section 482 of BNSS which deals with provisions of anticipatory bail is also provided protection to senior citizens. Further, female senior citizens also have the protection of the “Protection of Women from Domestic Violence Act, 2005” from any kind of violence occurring within the family.

When we talk protection to senior citizens under personal laws of different religions we found that there is a legal provision under Hindu Law i.e. Section 20 of the “Hindu Adoption and Maintenance Act, 1956” which protects there maintenance right from children or legal heirs.

⁹ SunitDebsharma V. State of W.B and Others C.R.R 1087 of 2020 with I.A. No. C.R.A.N. 3 of 2022; Calcutta High Court; Decided on- 30.08.2022

¹⁰ Kirti Kant D. Vadodaria V. State of Gujarat and Another; 1996; Supreme Court of India, Decided on- 26 April 1996

However Muslim Law does not have any such statutory protection but under Muslim Law it is a moral and general duty of children to maintain their parents. In the same way, the Christian and Parsi Laws also do not have any specific legislation or legal provision for the protection of parents or senior citizens. As Section 144 of BNSS is a secular provision, the senior citizens of all religions can claim maintenance under this provision.

Instead of the above, some other laws also provide some kinds of specific protections to senior citizens e.g. under the Pensions Act, 1871, the Income Tax Act, 1961. The provisions of the Pensions Act 1871 protect the pension right of government employees. Such Pension Rights are considered as Constitutional Right of property under Article 300A of the Indian Constitution thus always protected by the courts. Further under the Income Tax Act, 1961 also many kinds of exemptions and deductions have been permitted the senior citizens.

Government Policies, Programmes and Schemes for the welfare of Senior Citizens:

Our seniors are our responsibility, so their protection and welfare are our duty. By keeping in mind these responsibilities and the duties imposed by our Constitution, the Government of India has implemented many schemes, policies and programmes for the welfare of our senior citizens which are as followings: -

- (a) **“National Policy on Older Persons (NPOP)”, 1999¹¹:** The scheme was announced for the general, economic, social and physical wellbeing of the senior citizens. To make life better of our senior citizens, the NPOP also made sure the states support to the older persons regarding financial and food security, shelter, health care, protection against exploitation & abuse, equitable share of them in development, need of special attention in favour of older females to protect them from discrimination and triple neglect on the basis of age, gender and widowhood.
- (b) **“National Programme for the Health Care of Elderly (NPHCE)”, 2010:** The NPHCE was launched in 2010 to achieve the target of “Healthy Ageing” and to tackle various health issues of senior citizens and to facilitate them with proper medical care. The main objective of the NPHCE is to provide specialized, separate and comprehensive health care facilities to senior citizens at various levels of State’s health care system.¹²
- (c) **“Pradhan Mantri Vaya Vandana Yojana (PMVVY)”, 2017:** PMVVY is a kind of Insurance Policy-Cum-Pension Scheme of the Govt. of India to provide social security and financial stability to the senior citizens of our country. The pension provided under this scheme is a regular source of income for those senior citizens who make an investment under this scheme as it helps them in managing their daily living expenses, medical costs and other kinds of financial needs.¹³
- (d) **“Indira Gandhi National Old Age Pension Scheme (IGNOAPS)”, 2007:** IGNOAPS is non-contributory scheme for the welfare and financial assistance of senior citizens of India living below poverty line. Under this scheme, a monthly pension of Rs 200 is

¹¹<https://socialjustice.gov.in/writereaddata/uploadfile/national%20policy%20for%20older%20persons%20year%201999.pdf>; National Policy for Older Persons 1999; Ministry of Social Justice and Empowerment; Government of India

¹² <https://sansad.in/getFile/loksabhaquestions/annex/11/AU3741.pdf?source=pqals>; National Program for Health Care of the elderly; Ministry of Health and Family Welfare, Govt. of India; Lok Sabha; Unstarred question no. 3741; To be answered on 24th March 2017

¹³ <https://cleartax.in/s/pradhan-mantri-vaya-vandana-yojana-PMVVY>; clear tax; PMVVY, Pradhan Mantri Vaya Vandana Yojana (iz/kkuea=h o; onauk; kstuk) – Eligibility, benefits and

- provided to the people aged 60 to 69 years and a monthly pension of Rs 500 is provided to the people aged 80 or above 80. The States are also providing pensions to their senior citizens according to their economic capacity.¹⁴
- (e) **“National Action Plan for Senior Citizens (NAPSrC)”**: “NAPSrC” is a Centrally sponsored umbrella scheme which was launched for the welfare of Senior Citizens of India. The scheme is in effect since 1st April 2020. However, in April 2021, this scheme was renamed as “AtalVayoAbhyudayYojana (AVYAY)”. Financial Security, shelter and welfare, protection of life and property of senior citizens, health care and nutrition etc. are the main areas of action for the welfare of senior citizens under the NAPSrC.¹⁵
- (f) **“AtalVayoAbhyudayYojana (AVYAY)”**: AVYAY, is a centrally sponsored umbrella scheme which has been formulated for the welfare of senior citizens. The main purpose of this scheme is to improve the quality of life of senior citizens and fulfillment of their basic needs such as clothing, water, medical care, shelter, social and financial security, recreation, encourage the productive and active ageing etc.¹⁶ “National Action Plan for Senior Citizens”, “RashtriyaVayoshriYojana (RVY)”, “PoshanAbhiyan for Elderly”, “Livelihood and Skilling Initiatives for Senior Citizens” etc are some of the sub-schemes covered under AVYAY.
- (g) **“RashtriyaVayoshriYojana (RVY)”**¹⁷: To provide physical aids and assisted living devices to those senior citizens who belong to BPL category and are Suffering any kind of age-related infirmities or disabilities so that they may restore near normancy in their bodily functions. Under this scheme, such assisted living devices are provided totally free of cost to them such as walking sticks, walkers/crutches, hearing aids, spectacles, elbow crutches, wheel chairs etc.¹⁸
- (h) **“PoshanAbhiyanFor Elderly”**: The studies have revealed that nutritional standard of the elderly persons specially of the rural areas are very low which is reducing their immunity system. “PoshanAbhiyan for Elderly” is a scheme to provide nutritional support and to reduce nutritional deficiencies in such indigent senior citizens who are not living in old age homes. The main objective of this scheme is to provide the locally

¹⁴ <https://www.researchgate.net/publication/363112026-National-Programme-for-health-care-of-elderly-a-review-of-achivements-and-challenges-in-India>; Topic: - National Programme for Health Care of the elderly –a Review of achievements and challenges in India; Author- LokeshMukutVaishnav; Shiv Hiren Joshi; AbhishekUpandra Josh

¹⁵ <https://sansad.in/getFile/annex/253/AU3340.pdf?source=pqars>; Digital Sansad; Welfare of Senior Citizens; Ministry of Social Justice and Empowerment, Government of India; RajyaSabha; Unstarred question no-3340; Answered on 24/03/2021

¹⁶ <https://socialjustice.gov.in/writereaddata/uploadfile/AVYAY%20pdf.pdf>. Govt of India, Ministry of Social Justice and Empowerment, department of social justice and empowerment; AtalVayoAbhyudayYojana (AVYAY), formerly National Action Plan For Senior Citizens (NAPSrC), umbrella scheme, duration financial year 2021-22

¹⁷ The scheme “RVY” has been launched by the “Ministry of Social Justice and Empowerment” on 1st April 2017; implementation by “Artificial Limbs Manufacturing Corporation (ALIMCO)”

¹⁸ <https://pib.gov.in/pressreleaseshare.aspx?PRID=1562683>; Press Information Bureau, Government of India, Ministry of Social Justice and Empowerment, RashtriyaVayoshriYojana.

available healthy food material and serving hot-cooked mid-day meals to such indigent senior citizens.¹⁹

- (i) **“Varishtha Pension BimaYojana”**: This scheme is an insurance policy cum pension scheme, started in 2003 to provide social and financial security to senior citizens. The scheme was again revived in 2014. The scheme provides 9% per annum payable monthly (equivalent 9.38% p.a.) assured return on the investment made by the subscribers. Under this scheme, the minimum and maximum purchase price was Rs. 66,665/- and Rs. 6,66,665/- for a minimum and maximum pension of Rs. 500/- and Rs. 5000/-.
- (j) **“VAYO MITRA: AYUSH Geriatric Health Care Service”**: VAYO MITRA programme had been started under the “NATIONAL AYUSH MISSION (NAM)” scheme to promote the healthy ageing by creating awareness within the community and by providing special and comprehensive AYUSH health care services to senior citizens. So, the purpose of the programme is to emphasised the physical and mental health of elderly.²⁰

Instead of the above, there is long list of other policies and programmes which have been specially implemented by the government of India for the welfare of senior citizens i.e. “VarishthaMediclaime Policy”; “National Senior Citizen Mediclaime Policy”; “New India Assurance Senior Citizen Mediclaime Policy”; “Elderline- National Helpline for Senior Citizens - 14567”; “Senior Able Citizens for Re-Employment in Dignity (SACRED) Portal”; “Senior Care Ageing Growth Engine (SAGE)”; “National Council of Senior Citizens”; “VayoshreshthaSammans”; “PM-Special (Training of Geriatric Care Givers)”; “Senior Citizen Saving Scheme”; “70 years old Ayushman Card for Senior Citizens”; “AyushmanVayoVandana Card 2025”.

Ageing in America:

Today, the United States of America’s population is older than it has been ever, as today, America’s senior citizens aged 65 or above are the fastest growing group among the other groups within the nation. In 1963, where there were only 17 million Americans who were of age 65 years or above, as per the “American Community Survey (ACS), now in 2021, there were around 55,892,014 people who were of the age 65 years or above out of the America’s total population i.e. 331,893,745.²¹

The older population of America reached around 55.8 million i.e. 16.8% of the total population of the United States that means in U.S.A about 1 in 6 persons were of the age 65 and over and which is expecting to increase up to 82 million by 2050 which means by 2050,

¹⁹ <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1706914>; Ministry of Social Justice and Empowerment; PoshanAbhiyan for Senior Citizens; Posted on; 23 March 2021; Implemented by Gram Panchayats and Urban Municipalities

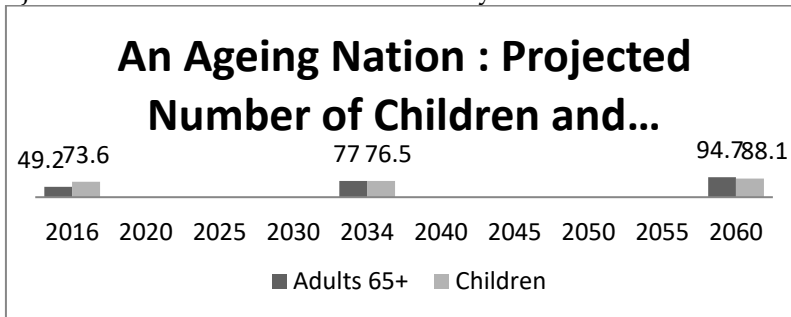
²⁰ <https://namayush.gov.in/sites/all/themes/webcms/images/org-str/National-AYUSH-Mission2021-22to2025-26.pdf>; NATIONAL AYUSH MISSION(NAM) OPERATIONAL GUIDELINES; Ministry of Ayush, Government of India.

²¹ <https://www.census.gov/library/stories/2023/05/2020-census-united-states-older-population-grew.html>; United States Census Bureau; 2020 Census; 1 in 6 people in the United States were 65 and over.

the share of the 65+ age group population of America will rise from 17% to 23% of America's total population.²²

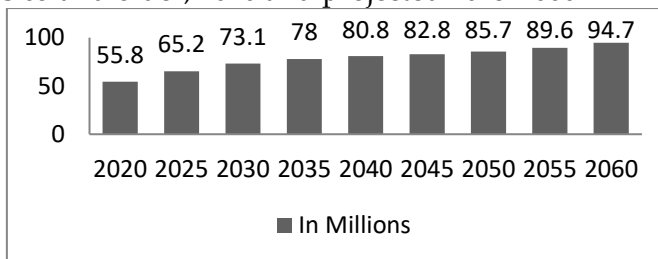
The United States population of people aged 65 and over increased nearly five times faster than the total population, over the period of last 100 years i.e. from 1920 to 2020. So as per the 2020 census of United States, where in 1920, there only 1 in 20 persons were of the age 65 or above, now in 2020 such ratio came to nearly 1 in 6 i.e. nearly 1 in 6 people were age of 65 or above in 2020 in the United States of America. Further, it is also expecting that in 2060 nearly 1 in 4 Americans will be of 65 years of age or above and the number of 85+ years of age will triple at that time.²³

Further for the first time, in the United States history, it was happened that older adults of America are projected to out number the children by 2034.



The U.S. senior citizen's population is projected to increase by nearly 40% between 2020 and 2035.

U.S. population ages 65 and older, 2020 and projected 2025-2060



Here 2016 is the base population estimate for the projections.

Note: - 2016 Data are estimates not projections.²⁴

While taking about the problems and challenges faced by the older persons, we found that even in the developed countries also like America, the older citizens are facing many kinds

²² <https://www.prb.org/resources/fact-sheet-ageing-in-the-united-states/>; According to the United States Census Bureau, in 2020.

²³ <https://www.census.gov/library/stories/2018/03/graying-america.html>; According to the 2020 census of the United Nations.

²⁴ www.census.gov/programs-surveys/popproj.html; United States Census Bureau; U.S. Department of Commerce, U.S. Census Bureau, Census.gov Source: - National Population Projections, 2017;

of problems in their lives such as problems relating to housing, inadequate nutrition, job loss, health care bills, lack of access to transportation etc.²⁵

The government of America through different laws, conventions, programmes and facilities, time to time has tried to prevent the discrimination on the ground of old age and also tried to uphold different rights of senior citizens such as right not to be subjected to cruelty, torture, inhuman treatment and punishment, right to life and right to live with dignity, right to freedom of expression, right to personal freedom, right to easy access to information etc.²⁶

Health benefits to Senior Citizens of America

- **“Medicare services for Senior Citizens”**: As by 2030, older adults of America will share 21% of its total population, and the quality health care of such great number of older adults is a significant challenge for America’s government. Even though America’s seniors are living longer still most of them are suffering by at least one chronic health condition and many other multiple health issues. In United States of America, Medicare and Medicaid are the most popular programmes providing health care to the American Citizens.²⁷ Medicare is a government funded health insurance programmes which was introduced on July 30, 1965 which provides health insurance to older and disabled persons. Thus in spite of the seniors, other younger people with specific disabilities or diseases are also eligible for Medicare services in America. Basically, Medicare services are divided into four parts. Part A, B, C, and D. Part A covers “Hospital Insurance” Part B covers “Medical Insurance” Part C covers “Medicare Advantage” Part D covers “Prescription Drug Coverage”. Medicare does not cover non-medical services i.e. help with meal preparation, dressing, bathing, long-term care etc. Currently Medicare in America covers 67.1 million Americans and among all Medicare beneficiaries around 89.5% beneficiaries are 65 years old or above. The American governments are spending a good amount on Medicare i.e. about \$848.2 billion in 2023 or 13.7% of that year’s \$6.2 trillion federal budget. This averages about \$15,727 per Medicare enrollee.²⁸
- **“Medicare Savings Programs (MSP)”**: Medicare Savings Programmes are free government benefits which help seniors over 65 to manage costs of health care. It helps those senior who have limited resources and income to pay for some or all of their medicare expenses such as Medicare Premiums, Co-payments, and Deductibles etc.

²⁵ U.S. Census Bureau. Pov-01 Age and Sex of All People, family members and unrelated individuals, 2022. Found at internet at <https://www.census.gov/data/tables/time-series/demo/income-property/cps-pov/pov-01.html>.

²⁶ <https://www.oas.org/en/iachr/reports/pdfs/2023/personasmayores-EN.pdf>; IACHR (Inter American Commission on Human Rights); Human Rights of the elderly and National Protection systems in the Americas; OAS-More rights for more people; OEA/ser.L/V/II; Doc. 397/22; December 31, 2022; original; espanol; www.iachr.org; ISBN-978-0-8270-7624-2

²⁷ <https://www.statista.com/topics/11380/healthcare-for-the-elderly-in-the-US/>; Statista; Healthcare for the elderly in the U.S. – Statistics and facts; Published by PreetiVankar; December 18, 2023

²⁸ <https://usafacts.org/articles/how-much-does-the-government-spend-on-medicare/>; USA Facts; How much does the government spend on Medicare? Updated August 1, 2024 by the USA Facts Team

- **Medicaid Program in America:** Since its introduction in 1965, like Medicare, the Medicaid has also become the largest source of medical and health related services in America for low income Americans which is funded by both federal and state government. So, Medicaid is a federal and state health care program which is run by the state government under the guidelines and criteria decided by the federal government. Thus the eligibility requirements, benefits etc. may vary from state to state.

Following services are generally provided under Medicaid such as personal care assistance (i.e. dressing, eating, bathing, mobility etc.), medication management, nursing services, and homemaker services (i.e. laundry, housecleaning, shopping for essentials etc.), transportation, case management etc.²⁹

To avail the benefits of Medicaid programs, beneficiaries are required to be the residents of the state in which they are applying for Medicaid.³⁰

As per the estimates of the “Centre for Medicare and Medicaid Services” over 90 million people had enrolled in Medicaid in 2022.

- **Social Security Benefits in Retirement:**

In America, many of the older adults depend heavily on social security, the largest anti-poverty program in the United States. For example, a research shows that in 2021, social security was the sole source of income for 28% of aged population in America. However, in 2021 it is only 3.3% of the total population aged 60 or over which was never received social security benefits.³¹ Generally, the social security administration provides four types of benefits i.e. retirement benefits, disability insurance, survivors benefits and supplemental security income benefits to eligible U.S. citizens. Among all these, retirement benefits are the most popular social security program under which, to avail benefits, an American citizen is required to work for at least 10 years and also to pay social security taxes during such work period. Under this program, the beneficiary can receive benefits at any of three stages i.e. the beneficiary can retire at the age of 62 and may receive reduced benefits, he can retire at the age of 66 or 67 and may receive full retirement benefits and at last he can choose to retire at age of 70 and may receive and increased retirement benefits. Further, “Survivors Benefits”, “Disability Insurance Benefits” and “Supplemental Security Income Benefits” are also supporting senior citizens of America in one or the other way.

“Reverse Mortgage for Seniors/Home Equity Conversion Mortgages for seniors”.

In America, homeowners (who are of 62 years of age or above) may apply for a specific type of home loan known as reverse mortgage. It is a type of government - backed program which allows to eligible homeowners to convert a portion of their home equity into cash and to use that amount for home maintenance, repairs or other daily living expenses. Thus, in reverse mortgage, the amount of money which the owner may borrow

²⁹<https://www.medicaidplanningassistance.org/assisted-living/>; American Council on Ageing; How Medicaid can help seniors cover the cost of assisted living; last updated February 07, 2025

³⁰<https://www.medicaid.gov>; Eligibility Policy – Medicaid

³¹<https://www.ssa.gov/policy/docs/population-profiles/never-beneficiaries.html>; Social Security; Research, Statistics & Policy Analysis; Population Profiles

depends on his home equity (home equity is related to that how much money the owner could get for his home if he sold it).³²

The only reverse mortgage insured by the U.S. Federal Government is called as “Home Equity Conversion Mortgage (HECM)” and at present, which is the most common reverse mortgage. The money borrowed through the reverse mortgage is tax free and it does not affect the social security and Medicare benefits of the beneficiaries.³³

The Senior Tax Credit:

Senior tax credit is formally known as the “Credit for the elderly or the Disabled”. It is a federal tax credit which results in a significant tax refund that lowers the tax bill of qualifying older adult. To become eligible for the senior tax credit, the person must be a citizen of America and be of 65 years of age or older by the end of the tax year.³⁴

Instead of the above, the facility of “Tax Counseling for the elderly” has been provided to the taxpayers aged 60 and older by the Internal Revenue Service (IRS).³⁵

- **Property Tax Exemption for Seniors:**

Property tax exemption offers significant savings which reduce the financial burden during retirement and provides financial relief especially for those on a fixed income after the age of 65. To be eligible for property tax exemption as a senior, one should be at least 65 years of age and must own or occupy the home as his primary residence.³⁶

As many states offer property tax credits, deductions or exemptions to seniors over 65, there are 12 states who provide complete exemptions to them: Alaska, Alabama, Hawaii, Florida, New Hampshire, Georgia, New York, South Dakota, Washington, South Carolina and Texas. Instead of the above, seniors in America may claim a high standard deduction on their taxes than younger individuals.

Government’s food assistance programs for senior citizens:

The “United States Department of Agriculture (USDA)” provides following some food assistance facilities and programs for senior citizens with low income: -

- **“Senior Farmers Market Nutrition Program (SFMNP)”:**

This program provides benefits to low-income older adults of 60 years of age or above to purchase locally grown vegetables, fruits, herbs and honey etc. The agriculture produces are purchased directly from farmers by the authority for delivery to older adults. Thus it is a seasonal USDA (United States Department of Agriculture) grant program which is funded by a combination of federal grants from the USDA under the farm bill as well as

³²<https://consumer.ftc.gov/articles/reverse-mortgages>; Federal Trade Commission Consumer Advice; Reverse Mortgage

³³<https://www.ncoa.org/older-adults/benefits/housing-utilities/home-equity/reverse-mortgages/>; ncoa; Reverse Mortgage/ HELOCs for older adults.

³⁴<https://www.findlaw.com/elder/elder-care-law/thesenior-tax-credit-do-i-qualify.html>

³⁵<https://www.irs.gov/newsroom/eligible-seniors-should-take-advantage-at-free-filing-options-this-tax-season>; IRS; Eligible Seniors should take advantage of free filing options this tax season; 8 February 2023.

³⁶[https://www.cchfh.org/property-tax-exemptions-people-over65/#:](https://www.cchfh.org/property-tax-exemptions-people-over65/#:text=To%20be%20eligible%20for%20a%20property%20tax%20exemption,details%20can%20vary%20;)

[text=To%20be%20eligible%20for%20a%20property%20tax%20exemption,details%20can%20vary%20;](https://www.cchfh.org/property-tax-exemptions-people-over65/#:text=To%20be%20eligible%20for%20a%20property%20tax%20exemption,details%20can%20vary%20;) CCHFH; What are the property tax exemptions for people ever 65? Senior Relief Programs; February 2, 2024 by UmairJardan.

state and local funding. To provide fresh, nutritious and unprocessed vegetables and fruits on affordable prices from local farmers markets to low income older adults is the aim of this program.³⁷SFMNP benefits are not available in every state of America.

- **“The Commodity Supplemental Food Program (CSFP)”**: This program has been designed specially to improve the health quality of low-income individuals, specially of seniors of age 60 years or above by supplementing their diets with nutritious USDA foods. Under this program, a monthly package of health food is distributed to the eligible individuals through food banks, local agencies and non-profit organizations. CSFP is also not available in every state of America.³⁸
- **“Food Assistance through Medicare”**: If an older adult has insurance through Medicare Advantage (Part C), he may be eligible for a Medicare flex card. This flex card is a kind of benefit which acts as a food allowance card for seniors and also helps them to pay for transportation to medical appointments, utilities etc. Flex card is provided by some insurers and not issued by the government.³⁹
- **“Supplemental Nutrition Assistance Program (SNAP)”**: In America, SNAP is the largest domestic anti-hunger federal program which helps low-income families including senior citizens by providing food benefits to afford nutritious food products for healthy life. SNAP is one of the most effective ways to reduce food insecurity and to improve health among people with limited incomes. Currently 6.5 million households that includes seniors also participate in SNAP.⁴⁰

Government’s Energy Assistance Benefits:

Low-income older adults and other adults with disabilities sometimes suffer a lot when they become fail in heating or cooling their homes when require. But there are several governmental energy assistance programs which are helping such persons. Some of such programs are as following: -

- **“Emergency Home Energy Assistance for the Elderly Program (EHEAP)”**: If there is a crisis then under this program, the eligible senior citizens become capable to pay their home energy bills. This is a federally funded program under which the help of \$600 is given to the eligible beneficiary. To avail the benefits, under this program, one should be of age 60 and also to fulfill the income requirement.
- **“Low Income Home Energy Assistance Program (LIHEAP)”**: It is a federally funded program to help qualified individuals including senior adults with their home heating and cooling costs and sometime to make improvements in their homes also to make them more energy efficient.
- **“Weatherization Assistance Program (WAP)”**: WAP helps low-income families to make their homes more energy efficient by reducing their energy bills. Under this program, services are 100% free for those peoples who qualify. Homeowners,

³⁷ <https://www.dshs.wa.gov/altsa/home-and-community-services/senior-farmers-market-nutrition-program>; Washington State Department of Social and health services, ageing and long-term support administration; Senior Farmers Market Nutrition Program.

³⁸ <https://www.usa.gov/senior-food-programs>

³⁹ <https://www.usa.gov/senior-food-programs>; USA Government; Food assistance program for older adults.

⁴⁰ <https://www.ncoa.org/article/how-snap-ensures-healthy-ageing/>; ncoa; SNAP and Healthy Ageing: Benefits that help Older Adults Eat Well; October 02, 2024

mobile home-owners and renters are all eligible to apply for WAP. However priority is usually given to the older adults age 60+, households with one or more members with disability etc.⁴¹

Travel discounts for seniors:

In America, seniors are getting many kinds of travel related discounts such as hotel discounts, flight discounts, car rental discounts, train discount, cruise discounts etc. Instead of it, some membership organizations like "AARP (American Association of Retired Persons) and AAA (American Automobile Association)" also provide some additional benefits and discounts for seniors.

Home Repair Assistance for Senior:

In old age, maintaining their homes well become a big challenge for seniors. So home repair assistance offers a great support to seniors to remain safely and comfortably in their homes. In America, some government programs, non-profit organization and local resources provide assistance to seniors to maintain their homes properly i.e. "HUD Title 1 Property Improvement Loans", "Section 504 Home Repair Program", "Weatherization Assistance Program" are some of the governmental programs for home repair for seniors. Further, in various states of America, the departments of ageing are also well known for their offers and helps which they provide to seniors through free roof repairs; replace windows with more energy-efficient units and more. Instead of it, additional home repair grants are also provided to seniors through different local programs i.e. "Area Agencies on ageing", "Community Development Block Grants". Further "Rebuilding Together" and "Habitat for Humanity's home Preservation Program" are some other kinds of assistance provided by the non-profit organizations to seniors for repair their homes.⁴²

Protective legislations for senior citizens in America:

There is a long list statute which the federal government of America have passed for the welfare of its seniors i.e. "Older American Act, 1956", "Elder Justice Act, 2010", "Age Discrimination in Employment Act (ADEA), 1967", "Social Security Act, 1935", "Employees Retirement Income Security Act (ERISA), 1974", "Elder Abuse Prevention and Prosecution Act, 2017" etc. Instead of the above there are many such federal statutes under which the American Senior are getting indirect protection. Further the many state governments of U.S.A also have passed their own enactments for the protection of senior citizens.

Conclusion and Suggestion:

When we compare the growth of elderly population of both countries, we find that India has a large number of elderly in comparison of America. Currently in 2026 India has approximate 112.3 million (aged 65+ and above) senior citizens which is expected to reach up to around 246.4 million by 2050 but on the other side, at the same time the number of Americans elderly citizens aged 65 and older is projected to increase from 65.68 million in 2026 to 87.77 million by 2050. Further, the researcher has found that in comparison to India, the America has much effective, comprehensive and specific legislations, policies,

⁴¹ [https://www.ncoa.org/article/what-is-weatherization-assistance;ncoa;Energy & Utility Assistance; what is weatherization assistance?](https://www.ncoa.org/article/what-is-weatherization-assistance;ncoa;Energy%20&%20Utility%20Assistance;what%20is%20weatherization%20assistance?) August 8, 2024

⁴² [https://seniorsite.org/resource/home-repair-assistance-for-seniors-programs-and-resources/;](https://seniorsite.org/resource/home-repair-assistance-for-seniors-programs-and-resources/) Senior Site; Home Repair Assistance for seniors: Programs and Resources.

programmes and facilities for the protection and welfare of American senior citizens. As India has only one specific legislation which is dealing exclusively with Welfare and protection of senior but America has a long list of legislations which are specifically dealing with welfare and protection of American's seniors. Further, when we look towards the implementation of policies, programmes and facilities, the American federal as well as state governments are also working at grass root level to provide the benefits to their seniors. The American government also emphasizes on effective implementation of such legislations, policies, programmes and facilities. For this, every year the American government allocates and spends a huge amount for protection and welfare of its citizens but in India the picture is different as the Indian government does not allocate any direct amount for the welfare of its seniors, rather the expenditure for senior citizens welfare is provided under the overall social services expenditure. Despite so many differences, there are many similarities between the both countries. As for the welfare of American seniors, the American government is providing some kind of pension for the social and financial security of its seniors, in the same way, the Indian government is also doing. Further as the American government is providing some medical facilities to its seniors, the Indian Government is also doing the same thing. However, when we see towards the financial status of both of these countries, we found that there is a major gap between the economy of both of these countries, as America is already a well-developed country but India is a developing country. India is spending a lot on the welfare policies, programmes and facilities specifically made for the welfare and protection of seniors. However, in comparison of last few decades, there is a lot of improvements in the conditions of India senior citizens. No doubt, the Indian government is doing well in this direction but still there are a lot of area in which Indian government can do well for senior citizens welfare.

Suggestions: -

In view of my research, I would like to suggest that: -

- The issue of the elderly requires an immediate and extremely careful response. As America has a long list of specific legislations for the protection and well-being of senior citizens, India should also to take initiatives in this side to cover different problems of the senior citizens.
- Through its timely researches and surveys, the Governments should try to find out the most critical issues and problems faced by the seniors and must try to resolve those problems.
- By continuously spreading awareness among public specifically among senior citizens regarding their rights, welfare policies & programmes, facilities, legislations etc. So that the seniors by taking benefits of such programmes etc. may make their lives better.
- Just like "Ministry of Women and Children Development" Indian Government should make a special authority for our senior citizens which specifically deals with matters of senior citizens.
- Government should time to time review its policies and programmes specially made for the senior citizens and must try to remove their shortcomings so that more effective implementations can be assured.