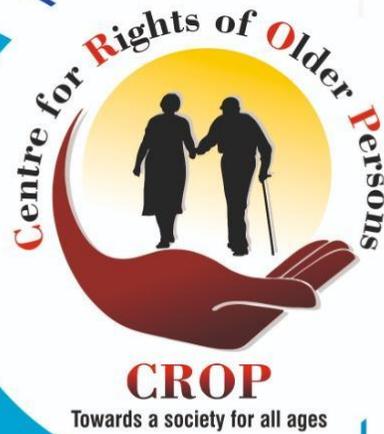




Devi Sharvani Education Society's
**V. M. SALGAOCAR
COLLEGE OF LAW**



**Devi Sharvani Education
Society's
V.M.Salgaocar College of Law**

**Centre for the Rights of Older
Persons (CROP)**

Survey Report

**Implementation of Maintenance and Welfare
of Parents and Senior Citizens Act, 2007 & the
Goa Maintenance and Welfare of Parents and
Senior Citizens Rules, 2007 with respect to
Old Age Homes run by Institute of Public
Assistance (Provedoria), Government of Goa**

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1.About CROP

The Centre for the Rights of Older Persons (CROP) was established by the College in August 2022, with students as members and two faculty members as mentors.

1.1 Objectives:

The objectives of CROP include the following:

- 1) To empower and equip a team of students with the law and procedure regarding the protection of senior citizens
- 2) To associate with the Directorate of Social Welfare and concerned agencies including NGOs working for the cause, and generate constructive activities.
- 3) **To conduct research and field study relating to the legal entitlements as well as the difficulties faced by senior citizens in Goa, and make recommendations to the concerned authority, leading to law reform**
- 4) To launch sensitization and legal literacy campaigns

- 5) To represent senior citizens and parents in enforcing their legal rights

1.2 Members & Mentors

Mentors	Dr. Shaber Ali G, Offg. Principal, V.M.Salgaocar College of Law Dr. Sandhya Ram, Associate Professor - Director, CROP Ms. Ruchira Naik, Assistant Professor - Associate Director, CROP
Members	<ol style="list-style-type: none">1. Aarya Kandolkar2. Alisha Mahambrey3. Asia Choudhary4. Bhaghyawati Guddannavar5. Jeet Jayant Volvoikar6. Keagan Ferrao7. Madhav Cuncolincar8. Meliza Eldrica Fernandes9. Navami A. Naik Panvelkar10. Rishiraj Kamble11. Sahshrik Talaulikar12. Saniya Khan13. Shaniah Ziena Ribeiro Costa Martins14. Sharang Daware15. Shreya Karapurkar

2. About the Survey

The purpose of the survey was to verify the implementation of the the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the Goa Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 with respect to the old age homes run by Government of Goa.

The member students studied the Act and Rules with special focus on the responsibilities and obligations of the government with respect to old age homes in the State of Goa. They prepared a questionnaire and verification list to check the compliance of the Act and Rules in the said old age homes. Accordingly, CROP sought the permission of the Provedoria authorities to conduct a survey by visiting the old age homes, and conducted a survey. The students visited six old age homes, observed the facilities and premises, interacted with the staff to know about the conduct of the homes.

3. List of Old Age Homes visited

In North Goa

Name of the Old Age Homes	Address	Date of visit	Members visited
Recolhimento de Serra (Old Age Home for women/Night shelter for homeless)	Althino, Panaji, Tiswadi-Goa	11/04/23	1. Jeet Jayant Volvoikar 2. Sharang Daware 3. Navami A. Naik Panvelkar 4. Keegan Ferrao 5. Asia Choudhary
Asylum of Candolim	Pinto wado, Candolim, Bardez-Goa	12/04/23	6. Meliza Eldrica Fernandes 7. Shaniah Costa Martins
Victor Da Gama Retirement Home	Saligao, Bardez-Goa	12/04/23	

In South Goa

Name of the Old Age Homes	Address	Date of visit	Members visited
Asylum of Margao	Near Hospicio Hospital, Margao, Salcete	12/04/23	1. Aarya Kandolkar 2. Sahshrik Talaulikar
Asylum of Loutulim	Loutulim, Salcete, Goa	12/04/23	3. Alisha Mahambrey
Centre of Cuncolim	Cuncolim, Salcete, Goa	12/04/23	4. Bhaghyawati Guddannavar 5. Madhav Cuncolincar

4. Data collected through questionnaire responses from the staff in charge

Question	Responses					
	Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
1. What is the total capacity of inmates?	28	21	11	49	31	27
2. Is any fee charged during the admission process	No	No	No	No	No	No
3. At what time meals are served?	7:30 am - breakfast; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner 8pm - before bed meal	7:30 am - breakfast; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner	7:30 am - breakfast; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner	7:30 am breakfast ; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner	7:30 am breakfast; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner	7:30 am - breakfast; 10:30 am - mid break; 12:30 pm - lunch; 3:30 pm - tea; 7:30 pm - dinner
4. Are the meals prescribed by any nutritionist	Yes	Yes	Yes	Yes	Yes	Yes
5. Do you accept any kind of food contribution from outside	During covid-material only, Prior to	Yes	Yes	Yes	Yes	Yes

	covid - all kind					
6. What kind of food contribution is accepted?	As per the menu	-	Any food. Cash also accepted	Both veg and non-veg	Both veg and non-veg	Both veg and non-veg
7. How often is the medical check-up done	Twice a week	Twice a week	Weekly (GMC & PHC doctors)	Weekly	Twice a week	Twice a week
8. What are the kinds of check-up done?	Diabetics, Blood pressure etc.	All necessary check-up	Diabetics, Blood pressure etc.	All necessary check-up	All necessary check-up	All necessary check-up
9. Is there any arrangement is nearby government hospitals in case of emergency?	Yes	Yes	Yes	Yes	Yes	Yes
10. Which is the nearest government hospital	GMC	GMC	GMC	Hospicio	PHC	PHC
11. How often is entertainment activities conducted?	On various occasions	Monthly	-	As per approval or permission	On various occasions	Occasionally
12. What entertainment activities are provided?	Every Saturday Mass, TV, NGOs visit	TV	TV	-	Games, Workshops, birthday parties	Workshops, birthday parties
13. Are family members allowed to visit the inmates?	Yes	Yes	Yes	Yes	Yes	Yes

14. How often are the inmates taken out of the home and is any transport provided?	Depends	-	Taken out for picnic and transport is provided	Depends - government vehicle is provided	Depends - government vehicle is provided	Depends - office vehicle is provided
15. What are the visiting hours?	4-5pm	-	3-4.30pm	4-5pm	4-5pm	4-5pm
16. Whether the bathroom has railings?	Yes	Yes	Yes	Yes	Yes	Yes

5. Data collected through questionnaire responses from the inmates

Question	Responses					
	Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
1. Do you like the surroundings?	Yes	Yes	Yes	Yes	Yes	Yes
2. Do you like the food served here?	Yes	Yes	Yes	Yes	Yes	Yes
3. Do you like passing time with the other inmates?	Yes	Yes	Yes	Yes	Yes	Yes
4. Is there anything	No	No	Mouth organ	Radio	No	Radio

particular that you need here?						
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6. Infrastructure and facilities - Compliance check with the Goa Rules, 2007

- Land:** The land for the old age home should be adequate to comply with the Floor-Area Ratio (FAR) as prescribed by the relevant urban body/ Government, in the case of semi-urban/rural areas , theGovernment shall provide adequate land for setting up of an old age home of requisite capacity such that there is adequate land for recreation, gardening, further expansion, etc.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

- Living Space:** The old age home shall, as far as possible, have minimum area per inmate as per the following norms: (I) area of bedroom/7.5 sq. metres/dormitory per inmate (i) living area or carpet area 12 sq. metres per inmate i.e. including (1) above plus ancillary areas like hale kitchen, dining recreation room, medical room, etc. but excluding corridors, verandahs etc.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

- Facilities:** (1) The old age home shall have the following facilities: (i) residential area comprising rooms/dormitories-separately for men and women; (il) adequate water for drinking and ancillary purposes; () electricity, fans and heating arrangement for inmates (as necessary); (iv) kitchen-cum-store and office; (v) dining hall; (vi) adequate number of toilets and baths, including toilets suitable for disabled persons;

(vii) recreation facilities, television, newspaper and and adequate collection of books; and (viii) first aid, sick bay, and primary healthcare facilities. (2) The old age home should be barrier-free with provision of ramps and handrails, and where necessary, lifts, etc.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

4. Supply of nutritious and wholesome diet as per scale to be fixed by the Government.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

5. Adequate clothing and linen for the inmates, including for the winter season.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

6. Adequate arrangements for sanitation, hygiene, and watch and ward/security.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
Yes	Yes	Yes	Yes	Yes	Yes

7. Arrangements with the nearest Government hospital for emergency medical care, and with the nearest Police Station for security requirements.

Recolhimento de Serra, Altinho	Asylum of Candolim	Victor Da Gama Retirement Home	Asylum of Margao	Asylum of Loutulim	Centre of Cuncolim
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Yes	Yes	Yes	Yes	Yes	Yes
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7. Responses of Provedoria Officer

Sl No	Question	Response
1	How often are applications invited?	Applications are not invited
2	In case the number of eligible applicants on any occasion is more than the number of places available in a home for admission, will the more poor and needy be given preference over the less poor applicants?	Yes
3	Are the day to day affairs of the old age home managed by a Management Committee?	No
4	Who are the current members of the managing committee?	There is no Managing Committee, but visiting committee members of the managing committee are Social welfare, Directorate of Health, Education Department, RDA, and 3 members who are senior citizens appointed by the government.
5	Does the old age home provide separate lodging for men and women inmates?	In some old age homes -Yes , but in some old age homes -NO.

6	Are Illiterate and/or very infirm senior citizens admitted without any formal application if he is not in a position to make a formal application, but is badly in need of shelter ?	Admitted with application and identification proof only
7	In case the number of eligible applicants on any occasion is more than the number of places available in a home for admission, wherein other things being equal, are the older senior citizens given preference over the less old?	Yes
8	While considering applications or cases for admission, is there any discrimination made on the basis of religion or caste?	No
9	<p>According to you, during admission which of the following rules would be given priority?</p> <p>a) The more indigent and needy will be given preference over the less indigent applicants.</p> <p>b) Other things being equal, older senior citizens will be</p>	All the three

	<p>given preference over the less old.</p> <p>c) other things being equal, female applicants will be given preference over male applicants.</p>	
10	When did you last call for application?	Applications are not called
11	Are applications rejected anytime?	Yes. If there is someone who does not have any documents, and if the person is a serious psychiatric patient.
12	On what basis do you accept applications?	Poor and genuine
13	How many inmates were admitted in the last six months?	In 2022-23, it had taken 41 patients (including psychiatric patients.)
14	Is any fee taken during the admission process?	If someone cannot afford it, no fee is taken. But if they are well to do, they can make payment
15	What kind of food contribution is accepted in the old age homes?	Any food except soft drinks and cream biscuits. Cash is not accepted.

8. Observations

- a) All the old age homes had the area of the bedrooms/dormitory 7.5 sq. Meters.
- b) All old age homes had adequate numbers of bathrooms and toilets.
- c) All the necessary items are being provided to the inmates.

9. Conclusion & Suggestions

The members of CROP after visiting the six old age homes run by the Provedoria, found that the old age homes are functioning as per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the Goa Maintenance and Welfare of Parents and Senior Citizens Rules, 2009. The infrastructure requirements under the Goa Rules are fulfilled in all the old age homes. They are well run and maintained.

However, CROP team put forth certain suggestions that would meet the spirit of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and meet the United Nations Principles for Older Persons, namely Independence, Participation, Care, Self-fulfillment and Dignity.

- a) The Goa Rules mandate a Managing Committee to look over the proper functioning of the Old Age Homes which has not yet been set up. There is only a visiting committee is there comprising of The Directorate of Health, Education Department etc. Therefore, a managing Committee is required to be constituted and functional.
- b) After the visiting the old age homes it was seen that there is a need for regular fun activities that should be conducted for them. This is much required to meet the definition of 'welfare' in the MWPSA Act, 2007.
- c) Mental health is as much important as physical wellbeing. Counselling by qualified counselor and mental health experts should be made available for the inmates.
- d) Activities such as yoga/fitness, Gathering/ picnics are needed to be conducted at regular interval.
- e) Educational and skill-oriented courses for the inmates must be provided as per their aptitude and convenience.
- f) Hygiene has to be taken care of in Margao Old Age Home

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- g) Government must provide an ambulance or any other transport to each old age home. The caretaker of the Centre of Cuncolim (old age home), Salcete had asked us for the same.
 - h) It was understood that the old age homes, do not admit inmates who do not have any family to register or to call upon in case of emergency. In fact, they are the ones who need the utmost care. Suitable action may be taken to admit all indigent senior citizens as required under the Act and Rules.
 - i) The building of old age is well maintained. However, there is a need to improve their infrastructure by increasing number of rooms so it is comfortable for the senior inmates.
 - j) An online website should be made available so that people come to know about their institution, and the details of contribution that can be made by the public. A bank account number of the old age home could be provided for easy transfer of funds, and this can be specifically earmarked as exact amount for breakfast, lunch and dinner so that interested persons can contribute. Similarly, contribution towards clothing and other requirements may be specified in the website.
 - k) The old age homes should have air conditioning as it becomes really unbearable during the summer season and this can be done if the donation funds received by the old age homes can utilized for this purpose.
 - l) A person on call, which could be a security guard is required to be posted in order to respond quickly to an emergency and for the security of the premises.