



# drishti

## News Analysis (14 Dec, 2018)

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### Lack of Basic Rights For the Aged a Concern: SC

In response to a public interest litigation, the Supreme Court has ordered the central government to take steps to provide care and rights to the elderly.

- The Supreme Court has ordered that state and central governments must strictly implement the provisions of **Maintenance and Welfare of Parents and Senior Citizens act 2007 (MWP Act)**.
- SC has said that **right to dignity, health, and shelter** are statutory rights of elderly. All the three are components of the right to life **under Article 21**.
- United Nations Population Division has estimated that approximately 19% of Indians will be elderly (aged 60 years and above) by 2050, marking a dramatic jump from the present 8% level.
- **Challenges** faced by the elderly in India include **abandonment by their families, destitution, and homelessness, inability to access quality health care, low levels of institutional support, and the loneliness and depression associated with separation from their families.**

### Judgment

- The Supreme court has issued the following important directives in response to a writ petition, seeking enforcement of the rights of elderly persons under Article 21 of the Constitution:
- The central government must obtain the necessary information about the number of old age homes, medical facilities available in each district.
- Making senior citizens aware of their constitutional and statutory right.
- MWP Act should be publicized and implemented effectively.
- The Government should relook at schemes related to senior-citizen and overhaul them to bring convergence and avoid multiplicity.
- The grant pension to the elderly should be more realistic.

- There is a need to continuously monitor progress in the implementation of rights of the elderly.

## Major Steps taken by the Government

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- **Maintenance and Welfare of Parents and Senior Citizens Act of 2007**
  - The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 made **it a legal obligation for children and heirs to provide maintenance to senior citizens**. It also permits state governments to establish old age homes in every district.
  - Senior citizens who are unable to maintain themselves shall have the **right to apply to a maintenance** tribunal seeking a monthly allowance from their children or heirs.
  - State governments may set up maintenance tribunals in every sub-division to decide the level of maintenance. Appellate tribunals may be established at the district level.
  - State governments shall **set the maximum monthly maintenance allowance**. The Act caps the maximum monthly allowance at Rs 10,000 per month.
  - Punishment for not paying the required monthly allowance shall be Rs 5,000 or up to three months imprisonment or both.
- **Indira Gandhi National Old Age Pension Scheme**
  - The **scheme IGNOAPS was launched in the year 1995 by the Ministry of Rural Development**. The scheme is a major part of National Social Assistance Programme.
  - Under this scheme senior citizens i.e. people who are 60 years or above receive Rs. 200 as a pension on monthly basis. People who have crossed 80 years receive Rs. 500 instead of Rs. 200 on monthly basis.
  - In this scheme, **the pension type is the non-contribution pension**. It means the employee does not have to contribute anything to get the pension from the government.
- **Pradhan Mantri Vaya Vandana Yojana (PMVVY)**

The government has launched the '**Pradhan Mantri Vaya Vandana Yojana (PMVVY)**' to provide social security during old age and to protect elderly persons aged 60 and above against a future fall in their interest income due to uncertain market conditions.
- The state should secure a social order for the promotion of the welfare of the people under **Article 38 in The Constitution Of India**.

- **Madrid International Plan of Action on Ageing (MIPAA):** The plan is a resource for policy-makers, suggesting ways for governments, non-governmental organizations and other stakeholders to reorient the ways in which their societies perceive, interact with and care for their older citizens, as two billion people will be aged 60 and above by 2050.
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## Fee to Promote Conservation of Groundwater

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In a bid to promote conservation of groundwater, the Central Ground Water Authority (CGWA) has notified a **Water Conservation Fee (WCF)** that industries will need to pay on groundwater extraction starting from June, 2019.

- Apart from industrial units, all business establishments and infrastructure projects, such as residential complexes, office buildings, hotels and hospitals, will have to **pay WCF** and **also apply for a no-objection certificate (NOC)** from the government.
  - However, the **agriculture sector — the largest consumer of groundwater in the country** — will be **exempt** from the fees. **Defence establishments** and **users who don't use electricity** to extract water have also been **granted exemption** from the requirement of obtaining NOCs and having to pay the WCF.
  - The entire process of grant of NOC will be done **online through a web based** application system of CGWA.
  - The rates would be levied depending on the **location of the groundwater** extraction point and the **amount of water being extracted. E.g.**
    - 20 cubic metres a day in a 'safe' block would cost a company ₹3 per cubic metre, while extracting 5,000 or more cubic metres a day, at an 'over exploited' block would invite a daily charge in excess of ₹100 per cubic metre.
  - In India, extracted groundwater is **mainly used for irrigation** and accounts for about 228 BCM (billion cubic metre) — or about 90% of the annual groundwater extraction. The rest, 25 BCM, is drawn for drinking, domestic and industrial uses.
  - India is the **largest user of groundwater in the world**, and accounts for about 25% of the global water extraction.
  - The WCF is meant to **discourage the setting up** of new industries in over-exploited and critical areas, and deter large-scale groundwater extraction by industries.
  - It is also expected to **force industries to take steps to use water efficiently**, and discourage the growth of packaged drinking water units.
  - Other salient features of the revised guidelines include encouraging the use of **recycled and treated sewage water** by industries, provision of **action against polluting industries**, and **mandatory requirement of installing digital flow meters**.
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# Important Facts for Prelims (14th December 2018)

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## Boe Declaration

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- Pacific countries vulnerable to climate change have urged Australia to abandon coal power generation within 12 years, and to prohibit new coal plants or expansion of existing plants.
- Recently, Tuvalu has urged Australia to avoid opening of new mines such as **Adani project for the Carmichael mine in Queensland**. It cited the Boe Declaration which Australia signed in September.
- The **“Boe Declaration”** of the **“Pacific Islands Forum”** reaffirmed that **climate change** remains the **single greatest threat** to the livelihoods, security and wellbeing of the peoples of the Pacific.
- Boe declaration recognises and reaffirms the commitments and principles of **Biketawa Declaration of the year 2000**.

## Biketawa Declaration

- It is a declaration agreed to by all the leaders of the **Pacific Islands Forum** constituting a framework for **coordinating response to regional crises**.
- The declaration was agreed to at the **31<sup>st</sup> Summit of Pacific Islands Forum Leaders, held at Kiribati in October 2000**.
- It's principles are: commitment to good governance, belief in the liberty of the individual under the law, upholding democratic processes and institutions and recognising **the vulnerability of member countries to threats to their security**.

## Pacific Islands Forum

- The Pacific Islands Forum is the region's premier **political and economic policy organization which was founded in 1971**.
- It comprises **18 members**: Australia, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.
- The Pacific Islands Forum aims to foster cooperation between governments, collaboration with international agencies, by representing the interests of its members for a region of peace, harmony, security, social inclusion, and prosperity, so that all Pacific people can lead-free, healthy, and productive lives.

## India-Myanmar-Thailand Trilateral Highway

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- Thailand's envoy has said that **India, Myanmar, and Thailand** should expedite negotiations on a **motor vehicles pact**.
- The nearly **1,400-km trilateral highway** is aimed at giving a massive boost to trade in Southeast Asia and is an integral part of **India's "Act East" policy**.
- The project is scheduled to be **completed by 2021**.
- The **National Highways Authority of India** has been appointed as the technical executing agency and project management consultant for implementing this project.

## Virgin Galactic's SpaceShipTwo

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- Sir Richard Branson's **Virgin Galactic test flight SpaceShipTwo** has successfully reached to a height of more than 50 miles in **California's the Mojave Desert**.
  - It is the first time a plane has reached the **boundary of space** and earth before making its descent back to earth.
  - This flight success is a step closer towards **making commercial space tourism into reality**.
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