

Power crisis

- Power shortages are likely to continue in the short to medium term on rising demand in the peak season and the persisting supply-demand mismatch
- Thermal power accounts for about 75% of India's total power generation.
- The mismatch had been due to multiple stressed projects and the focus on renewable energy.
- Power shortages and coal demand spikes in the peak season could continue.

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Debate on Surrogacy act

What is the Surrogacy Act?

- The Surrogacy (Regulation) Bill was introduced in Parliament in November 2016, and passed in the winter session of Parliament in 2021.
- The Act sought to regulate the surrogacy part of a rather flourishing infertility industry in the country.
- Defining 'surrogacy' as a practice where a woman undertakes to give birth to a child for another couple and agrees to hand over the child to them after birth, it allows 'altruistic surrogacy' wherein only the medical

expenses and insurance coverage is provided by the couple to the surrogate mother during pregnancy. No other monetary consideration will be permitted.

Why is there a need for a Surrogacy Act in India?

- India has emerged as a hub for infertility treatment, attracting people from the world over with its state of the art technology and competitive prices to treat infertility.
- Soon enough, due to prevailing socio-economic inequities, underprivileged women found an option to 'rent their wombs' and thereby make money to take care of their expenses often to facilitate a marriage, enable children to get an education, or to provide for hospitalisation or surgery for someone in the family.
- Once information of the availability of such wombs got out, the demand also picked up. Unscrupulous middle men inveigled themselves into the scene and exploitation of these women began.

Who all are allowed to make use of the services of a surrogate mother?

- Any couple that has 'proven infertility' are candidates.
- The 'intending couple' as the Act calls them, will be eligible if they

have a 'certificate of essentiality' and a 'certificate of eligibility' issued by the appropriate authority.

- The former will be issued if the couple fulfils three conditions:
- One, a certificate of infertility of one or both from a district medical board;
- Two, an order of parentage and custody of the surrogate child passed by a Magistrate's court; thirdly, insurance cover for the surrogate mother.
- An eligibility certificate mandates that the couple fulfil the following conditions:
- They should be Indian citizens who have been married for at least five years; the female must be between 23 to 50 years and the male, 26 to 55 years;
- They cannot have any surviving children (biological, adopted or surrogate);
- However, this would not include a 'child who is mentally or physically challenged or suffers who can become a surrogate mother?
- Only a close relative of the couple can be a surrogate mother, one who is able to provide a medical fitness certificate.
- She should have been married, with a child of her own, and must be

between 25 and 35 years, but can be a surrogate mother only once.

What are the controversies behind the Act?

- Even at the Bill stage, while there was a general murmur of appreciation, and some strident approval from infertility experts, there was some apprehension about the too restrictive regulations.
- For instance, it does not allow single women, or men, or gay couples to go in for surrogacy.

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Draft social media regulation

- On June 2, the Ministry of Electronics and Information Technology put out a draft proposal, seeking comments from the general public on a set of proposed amendments to the IT Rules, 2021.
- The draft document was however withdrawn the same day with a revised version expected to be made available this week.

What is the law?

- Broadly, the IT Rules (2021) mandate social media platforms to exercise greater diligence with respect to the content on their platforms.

- They are required to establish a grievance redressal mechanism, and remove unlawful and unfitting content within stipulated time frames.
- The grievance officer of the platform's redressal mechanism is responsible for receiving and resolving complaints of the users. She/he is expected to acknowledge receipt of the complaint within 24 hours and dispose the same in an appropriate manner within 15 days.
- Content portraying an individual in full or partial nudity, in a sexual act or impersonating some other individual in the act (using morphed photos) are required to be removed within 24 hours of receiving the complaint.
- Its access and spread by any other means on the platform should also be disabled.
- Other than this, the privacy policies of the social media platforms must ensure that users are educated about not circulating copyrighted material and anything that can be construed as defamatory, racially or ethnically objectionable, paedophilic, threatening the unity, integrity, defence, security or sovereignty of India or friendly relations with foreign states, or violative of any contemporary law.

What changes were proposed in the withdrawn draft?

- The draft proposed an additional level of oversight, namely, the 'Grievance Appellate Committee', functioning over and above the intermediary's grievance redressal officer.
- Broadly, in case a user is not satisfied with the resolution provided by the intermediary, she/he can appeal against the decision at the appellate rather than going directly to court.
- However, this did not take away the user's right to appeal in any other court.
- The draft stipulated that all orders of this appellate must be complied with.
- The suggested question on 'oversight' stemmed from the fact that the appellate was to be constituted by the Central Govt empowered to appoint the Chairperson and other members.
- Additionally, the draft put forth the obligation that all social media intermediaries resolve all complaints within 72 hours of reporting.
- Intermediaries are known to invest sizeable time in thoroughly scrutinising and determining the content and user accounts they are called to censor.

- What needs to be remembered is that all social media platforms deal with a sizeable user base and an even more massive content flow.
- A sub-clause suggested the appellate dispose such cases within thirty days furthering the probability for hasty decisions.

Have there been any legal challenges?

- Both Bombay and Madras High Courts stayed the imposition of sub-clauses 1 and 3 of Rule 9 of the legislative guidelines in August and September of the previous year, respectively.
 - The two sub-clauses dealt with the 'Code of Ethics' for online publishers dealing with news and current affairs content and/or curated content.
 - The sub-clauses had stated that the entities subscribe to a three-tier mechanism in dealing with grievances (relevant to their platform) so as to adhere to their code.
 - This entails self-regulation by the publishers (level I), by self-regulating bodies of the publishers (level II) and finally, an oversight mechanism by the Central Govt (level III).
- June 6 marked the completion of 25 years since the 1997 Bangkok Declaration launched a modest grouping (of Bangladesh, India, Sri Lanka and Thailand), with the acronym, BIST-EC.
 - Three countries (Nepal, Bhutan and Myanmar) joined it later to make it the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC).
 - This unique set of five countries from South Asia and two from Southeast Asia are parents to an institution with an unwieldy name but lofty ambitions.
 - Now in the third decade of the 21st century, the strategic contestation between the United States and China defines the region's geopolitics and geo-economics, creating new tensions and opportunities.
 - The grouping has succeeded in rejuvenating itself. Since its Kathmandu summit in 2018, it is viewed as an instrument of regional cooperation and integration, not just of sub-regional cooperation. It is good going so far, but the challenging tasks begin now.
 - Key achievements BIMSTEC has several achievements to its credit.
 - It has crafted a new Charter for itself, spelling out the grouping's vision,

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BIMSTEC

functions of its constituent parts, and has secured a legal personality.

- It has prioritised the sectors of cooperation, reducing them from the unwieldy 14 to the more manageable seven, with each member-state serving as the lead country for the assigned sector.
- It has, finally, taken measures to strengthen the Secretariat, although some members are yet to extend adequate personnel support to it.
- Above all, its success lies in its survival through the turns and twists of internal tensions.
- The BIMSTEC region witnessed the influx of over a million Rohingyas refugees into Bangladesh, the result of oppression by the Myanmar military;
- The coup in Myanmar that led to its virtual boycott by a large segment of the international community; and the grave political and economic crisis afflicting Sri Lanka. Unlike the South Asian Association for Regional Cooperation, post-2014, BIMSTEC has continued to hold its summits and meetings of Foreign Ministers.
- Unlike the Indian Ocean Rim Association (IORA) which held only one summit since its establishment in 1997, BIMSTEC has succeeded in holding five summits so far; it has now resolved to hold regular summits once in two years.
- The grouping has also registered progress in combating terrorism, forging security cooperation, and creating mechanisms and practices for the better management of humanitarian assistance and disaster relief.
- A whole basket of memoranda of understanding, agreements and legal instruments provide the foundation for developing functional cooperation in select areas such as agriculture, trade, sustainable development and connectivity.
- Institutions such as an Energy Centre and the Centre on Weather and Climate are in place to push sectoral cooperation forward.

The fault lines

- A major failure relates to the continuing inability to produce a comprehensive Free Trade Agreement (FTA) 18 years after the signing of the Framework Agreement.
- The other disappointment is connectivity in infrastructure (roads, railways, air, river, and coastal shipping links), energy, the digital and financial domain, and institutions that bring people closer together for trade, tourism and cultural exchanges.

- Only limited progress has been achieved so far, despite the adoption of the Master Plan for Connectivity supported by the Asian Development Bank (ADB).
- For greater regional connectivity, more financial resources are needed.
- The movement towards establishing the BIMSTEC Development Fund is minimal.
- The grouping has talked about the Blue Economy but is yet to begin any work on it

And, prospects

- An objective evaluation may award an A- to BIMSTEC@25, with the remark that it must do better
- An exciting destiny awaits it as it works to realise the vision of the Bay of Bengal Community (BOBC).
- In this Indo-Pacific century, the BOBC has the potential to play a pivotal role, deepening linkages between South Asia and Southeast Asia.
- It should accelerate the region's economic development by collaborating with the newly minted Indo-Pacific Economic Framework for Prosperity (IPEF).
- New synergy should be created between BIMSTEC and the IPEF. Finally, while all member-states are equal, three have a special

responsibility: Bangladesh as the host of the BIMSTEC Secretariat;

- Thailand as the representative of Southeast Asia; and India as the largest state in South Asia. This trio must be the engine to pull the BIMSTEC train with imagination and determination.

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