

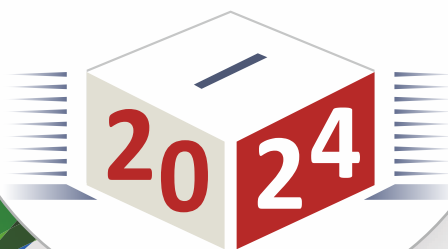
THE AWARE CONSUMER

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Consumers' Manifesto

RESOLUTIONS
FOR



IN FOCUS

What India Needs is
Universal Health Insurance!

THE LAST MILE

Manifesting Legal Sanctity
for Election Manifestos

INTERVIEW



PARVEEN KUMAR
IAS (Retd.)

Former State Information
Commissioner of Punjab

PLUS

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MESSAGE FROM PUBLISHER & EDITOR

An Election Manifesto

BY the
OF the
FOR the



WITH INDIA GEARING up to elect 543 MPs to the Lok Sabha in April-May this year, election fever will soon be upon us. Every political party will be neck deep in drafting their 'politically correct' manifestos. This document will set out the intentions, motives and values of the party along with the plans, policies and programmes it 'promises' to enact once it is voted into power in the general election.

The Indian electorate is used to hollow, illusionary and even impossible promises being thrown at them, which the parties often conveniently forget after being elected. The manifestos are mostly political gimmicks – they peddle magnificent dreams and are filled with mere rhetoric to manipulate the gullible citizens and win votes. Some are too good to be true while some raise hopes of innocent consumers, only to dissipate into thin air....

However, with this edition of The Aware Consumer, we would like to move the electoral narrative away from such empty promises – most of which can never be realised – by presenting a consumer-driven manifesto!

Indeed, this is a 'wish list' of the 945 million odd electorate that will pre-empt the de rigueur 'propaganda' manifestos of the political parties. We are calling for a strategic shift from the longstanding practice of supply-side interventions driven by political party strategists and intensively

lobbied by corporate entities, industrialists, hospitals, educational institutions et al.

We are batting for a holistic and consumer-centric approach that will drive the government policies and programs in the morrow. The manifestos truly have to be rooted in the needs and demands of the consumers.

This is a call to the Manifesto Committees of all political parties vying in the Parliamentary elections to look at our Consumers' Manifesto in earnest and design plans and solutions accordingly. We want to see how many of them will pay heed to the consumer wishes and ground their manifestos in public opinion. Which party will have the courage to even take it up?

To give credit where its due, the BJP did concede to some of our demands which were included in their 2014 manifesto and the elected representatives have been trying their best to achieve them over the last two terms.

Prof. Bejon Kumar Misra

Publisher & Editor
bejonmisra@theawareconsumer.in

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emerge the
winner this
time round?**

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**Raho halke,
jiyo khulke.**

PRAFULL D. SHETH

Chairman, Consumer Online Foundation

THE CONSUMER'S PERSPECTIVE OF ELECTION MANIFESTO



INDIA IS STARING at an election season. The question is: Will the various political parties take the country for a ride by flaunting flowery promises in their election manifestos as usual? Will they get away with making grandiose announcements for gaining the limelight, without any intention of ever implementing them?

Mere promises of Roti, Kapda, Makan will not help!

The Indian consumer will no longer listen to meaningless platitudes like eliminating poverty, eradicating unemployment, wiping out corruption, providing social security, fostering economic development and ensuring social welfare - that are touted before every election. We do not want to hear the customary – yet empty – rhetoric about lower taxes, primary healthcare, job creation, education for all, safe drinking water, administrative reforms and financial upliftment that find a place in every manifesto. Nor do we wish to have political freebies such as free healthcare, electricity, houses, loan waivers, food



subsidies, gas stoves, laptops or even cash flung at us.

The consumers are at the end of their tether with policymakers never paying heed to their needs post the election. Time and again, they are left feeling helpless, voiceless and *powerless* after voting them to *power*!

Yet, the voting *janta* is not asking for much here – all that we want is basic rights like access to quality and affordable healthcare, education, adequate insurance coverage which will shield us in catastrophic times, senior citizen welfare and above all transparency in governance delivered to the last mile. More importantly, the consumers want the winning party to be held accountable for fulfilling the 'promises' that secured them the desired votes. Enough of playing politics - this is what will truly resonate with the public at large!

In fact, we can never actually become a vibrant democracy unless the consumers' voice is reflected in the manifestos and followed in both letter and spirit. The last word is that the parties that will incorporate the consumer demands will shape the will of the electorate.

Today's consumer is not gullible but educated and will be watching what is said and done – so, watch out and if you want the consumers to vote for you, please be ready to hear their voice!

We are waiting to see who will create a roadmap to meet the consumer's unmet requirements, and honestly follow it once elected to office! ■

Why don't you, as an aware consumer, propose innovative ideas to be included in the manifestos of political parties in the forthcoming Parliamentary elections. Write to us at bejonmisra@theawareconsumer.in – your views will be shared with all the registered political parties.

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RESEARCH FEATURE

A COMPARISON OF THE POLITICS OF ELECTION MANIFESTOS



Elections are supposed to be about freedom of choice for the citizens. However, do we have even a modicum of real, substantial choice when party manifestos appear to be largely interchangeable – merely peddling 'dole outs' for garnering votes without any scope of fulfilment.

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A VOCIFEROUS CALL FOR HEALTHCARE FOR ALL!



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OUT OF THE BOX

ONE NATION – ONE ELECTION!



The central government has been considering and even exhorting the concept on 'One Nation – One Election' over the last few years.

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THE LAST MILE

MANIFESTING LEGAL SANCTITY FOR ELECTION MANIFESTOS



No elected government today – be it at the state or national level – stands by the promises made to the citizens in its manifesto.

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HORIZON

SUPREME COURT TO DELIBERATE WHETHER PRE-POLL FREEBIES ARE A 'CORRUPT PRACTICE'



Freebies may create a situation wherein the State government cannot provide basic amenities due to lack of funds ...

EDITORIAL CONSULTANTS

Prafull D. Sheth
B P Acharya, IAS (Retd.)
Bina Jain
Suman Misra
Prof. (Dr.) Abhijit Chatteraj
Dr. A. Raj
Himadri Sarkar
Pyush Misra
Payal Agarwal
Animesh Upadhyay

DESIGNER: Galaxy; Yellow Palette
DESIGN CONSULTANT: Maanav Khaitan

WEB DESIGNER:
Ebrahim Bhanpurawala

MANAGER CIRCULATION
S. K. Venkatraman

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bejonmisra@theawareconsumer.in
Phone: 9311044424

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Consumers, Beware



We want manifestos that reflect the voice of the consumers, but will you use it as a guidebook when deciding who deserves your vote?

The Manifesto is For You

– Are You Game for It?

Every political party worth its name drafts an election manifesto to win the vote of the electorate on polling day. But how many of us actually read this document, let alone let it drive our choice at the ballot box? While we call on the contesting candidates to root their manifestos in consumer needs, we also exhort the citizens to pay attention to the promises made to them!

ELECTIONS ARE ROUND the corner! It will be raining manifestos very soon! Dreams and promises will become the flavour of the season with every political party trying to outdo the other in terms of tall promises and frivolous commitments.

An election manifesto presents the vision and stance of the political party. It is a compendium of the policies it promises to enact if it is voted into power.

Releasing an election manifesto is an old political tradition. However, this ritualised practice has been dubbed as an 'intellectual and ideological exercise'. And there's good reason for it - Manifestos over the past many decades have been filled with the same meaningless rhetoric, **that the parties and candidates themselves don't believe in**, let alone plan to deliver. In fact, most of them appear to be replicas of each other – there are more similarities than differences to the point that they can even be interchanged! There will be minor variations at best, based on the political ideology or priorities of the party.

For the 2014 elections, the BJP tried to swing votes by promising 'millions of jobs' while the Congress party dangled the lure of '100 million' jobs in their respective manifestos. Can you make out any significant difference here?

What Are We Doing?

The point to ponder is - How many of the voters actually read the election manifestos? More than three-fourth of our population is literate, but hardly any of them take out the time to even glance at the manifestos that are easily accessible through newspapers, television, internet and social media.

Given this scenario of sheer lack of interest, manifestos become a formality, a mere photo-op in the campaign of political parties. After this, they end up as just fresh fodder for prime time debates on the innumerable news channels, to be dissected no end by political scientists, commentators and other pundits!

To add to this, the last decade has witnessed jingoistic titles and dramatic promises creeping into election manifestos that immediately grab newspaper headlines and trend on social media in the run-up to the elections.

Making Manifestos Matter

India is a democratic country and the election manifesto should play a critical role in the elections. The manifesto should seriously be considered as a formal, official and written statement by the political party which sets its electoral agenda in black and white as opposed to the vague, impossible and even ridiculous poll promises that



This is why it is so easy to be glib in a manifesto, promise the Milky Way, and throw in the moon too. It does not make a difference on the ground.

– Dipankar Gupta, a prominent sociologist

the candidates literally scream from the tops of their rally vehicles and our TV screens during the campaigning.

We are quick to accuse parties of dangling juicy carrots in their manifestos to attract voters with the sole aim of winning elections, but are we really bothered about checking the malpractices that infest the system?

You are an educated and aware citizen. How can you let the political parties take you for a ride once again? Is it not your duty to read the manifestos prior to going to the polling booth? While at it, why not use the documents that are at hand to make the right choice amongst the contesting candidates?

As a voter and as a consumer, it is our duty to check the manifestos and cast our ballot on the basis of their content. Make an attempt to understand the ideology of the party and the bigger issues that are at stake. Do not let yourself be swayed by attractive temptations that you very well know are almost impossible to fulfil.

Once the consumers start using the election manifestos as a reference document and holding the parties accountable for their political promises, the latter will be forced to become realistic and pragmatic while preparing the manifestos. They will have to focus on issues of importance to the country with more detail and nuance.

It is easy to talk in general terms like 'provide universal and quality healthcare for all Indians', 'vision of an educated India', 'taxes will be lowered for the middle class', 'minimum income will be guaranteed', 'pension

scheme/medical cover for special categories', etc. The manifesto should also chalk out a structured roadmap for actually achieving the promises of education, healthcare, employment, infrastructure, development et al.

For instance, each and every manifesto employs the emotive valence of women empowerment; does any party even mention 'equal pay for equal work'?

Rather than simply going by what is mentioned in the manifesto, take the parties to task about the rationale for the promises and raise questions about the financial requirements for meeting the same.

The most naïve of citizens will not consider the much-touted NYAY scheme of giving Rs 72,000 cash per year to 20% (roughly 5 crore) of the poorest families in the country plausible at all. So why don't we talk about how the proposed Rs 3.6 lakh crore for NYAY will eat up around a fifth of the centre's tax revenues every year? Will this not impact our economic growth, increase inflation and even require raising of taxes? Rather than such a ludicrous scheme, why not announce

utilisation of surplus public monies lying in government's coffers for citizen's welfare?

This kind of discourse will pave the way for healthy and, more importantly, actionable promises that weigh in the harsh realities of implementation, rather than the empty and unrealistic rhetoric which has been the norm till date.

Election manifestos run into hundreds of pages which is a huge dampener for even the most committed of consumers. How many of us can even understand the complex issues that are being outlined in the manifesto? Why don't the parties make them sharp and crisp, rather than letting them go unread?

It is only when political parties choose to be credible and trustworthy rather than just swaying voters, will we become a vibrant democracy!

Are you ready to make an informed choice in this election? ▶

Before the 2019 national elections, Congress president Rahul Gandhi announced that he would provide 500-square-foot homes to slum dwellers in Mumbai within ten days if voted to power. Did anyone bother to ask where he will get the land to construct these homes?



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A Comparison of the Politics of Election Manifestos

Elections are supposed to be about freedom of choice for the citizens. However, do we have even a modicum of real, substantial choice when party manifestos appear to be largely interchangeable – merely peddling 'dole outs' for garnering votes without any scope of fulfilment. Comparatively, many countries around the world take their election manifestos seriously!



Will the election manifesto ever serve as a true common denominator for a party's policies?

WE ARE THE world's largest democracy with 'free and fair' elections. In our parliamentary system of government, the election manifesto is supposed to play a crucial role by presenting the party's ideological vision, stance on key issues and future course of action to the voters. It embodies the collective internal consensus of the political party which should provide inputs in the policy process and be used as a yardstick to assess performance vis-à-vis the promises.

In reality, this powerful symbol of the electoral vision is reduced to mere symbolism, as it is simply crammed with populist measures targeted at specific 'vote bank' groups without any fiscal, rational and ethical considerations.

Point to Ponder

Manifestos have remained largely under-researched in the study of comparative politics in India. Looking back, one thing is evident that a manifesto was more of a discursive process earlier, wherein the political party only set out its broad principles – at times, in just around 150 words or so. This has transitioned to an era of thick documents packed with detailed promises of policymaking developed by a panel of experts.



In India, it is customary for major political parties to release their manifestos in the



public domain before an election. However, it is not mandatory. The Bahujan Samaj Party (BSP) famously won the Assembly elections in Uttar Pradesh without a manifesto, which it dubbed as "hollow promises which are never realised"!

The Centre for Policy Research (CPR) - one of India's leading public policy think tanks - devised a study protocol to map out the Lok Sabha election manifestos of the Indian National Congress (INC), the Bharatiya Janta Party (BJP - earlier BSP) and the Communist Party of India-Marxist (CPI-M) from 1952 to 2019. This first-of-its-kind comprehensive study delves into the trajectory of ideological preferences of the leading spectrum of actors in Indian politics.

The research paper (published in September 2022) reveals that the trioka of Economic Planning, Welfare, and Development & Infrastructure always garner the lion's share of attention in all manifestos – together these domains account for 55% of the total words written in the manifestos.

Another eye-opener that has come to light is that though political parties beat the rhetoric drum of being committed to rural India, the percentage of words devoted to rural development fell precipitously from 42% in 1952 to 5.6% in 2019. Terrorism, urban development, environment and sustainability have gained mileage in the manifesto discourse since the 1980s. (see Figure 1)

Welfare remains most popular across manifestos with the major parties laying maximum emphasis on health, education and agriculture followed by women empowerment, labour rights, underprivileged minorities, welfare state expansion and so on. (Figure 2)

It was noted that while all parties talk loftily about economic goals, there is seldom any mention of inflation! (see Figure 3)

Digging Deeper into the 2014 and 2019 Manifestos

We further delve into the key aspects of the manifestos for the last two national elections along with inter-party comparisons on pan-national topics – from jobs, healthcare and social welfare to entrepreneurship, women empowerment and more – to decipher how they stack up against each other.

Released within a week of each other (and just before the 2019 polls), the BJP's Sankalp Patra manifesto was riding on the slogan, 'Sankalp Bharat Sashakt Bharat' (Determined India, Empowered India), while the INC manifesto mantra was 'Congress will Deliver'. Both the parties announced a slew of welfare measures, with the BJP prioritising national security and the Congress focusing on economic reforms.

As has been the norm, terms like health, education and development were bandied liberally in the manifestos.

The Congress promised to enact the Right to Healthcare Act and guarantee every citizen free diagnostics, out-patient care, free medicines and hospitalisation, through a network of public hospitals and enlisted private hospitals. It also avowed to achieve universal health coverage and double the healthcare expenditure to 3% of GDP by 2023-24. Meanwhile, the BJP continued to champion Healthcare for All through 1.5 lakh health and wellness centres and doubling the number of MBBS and specialist doctors by 2024.

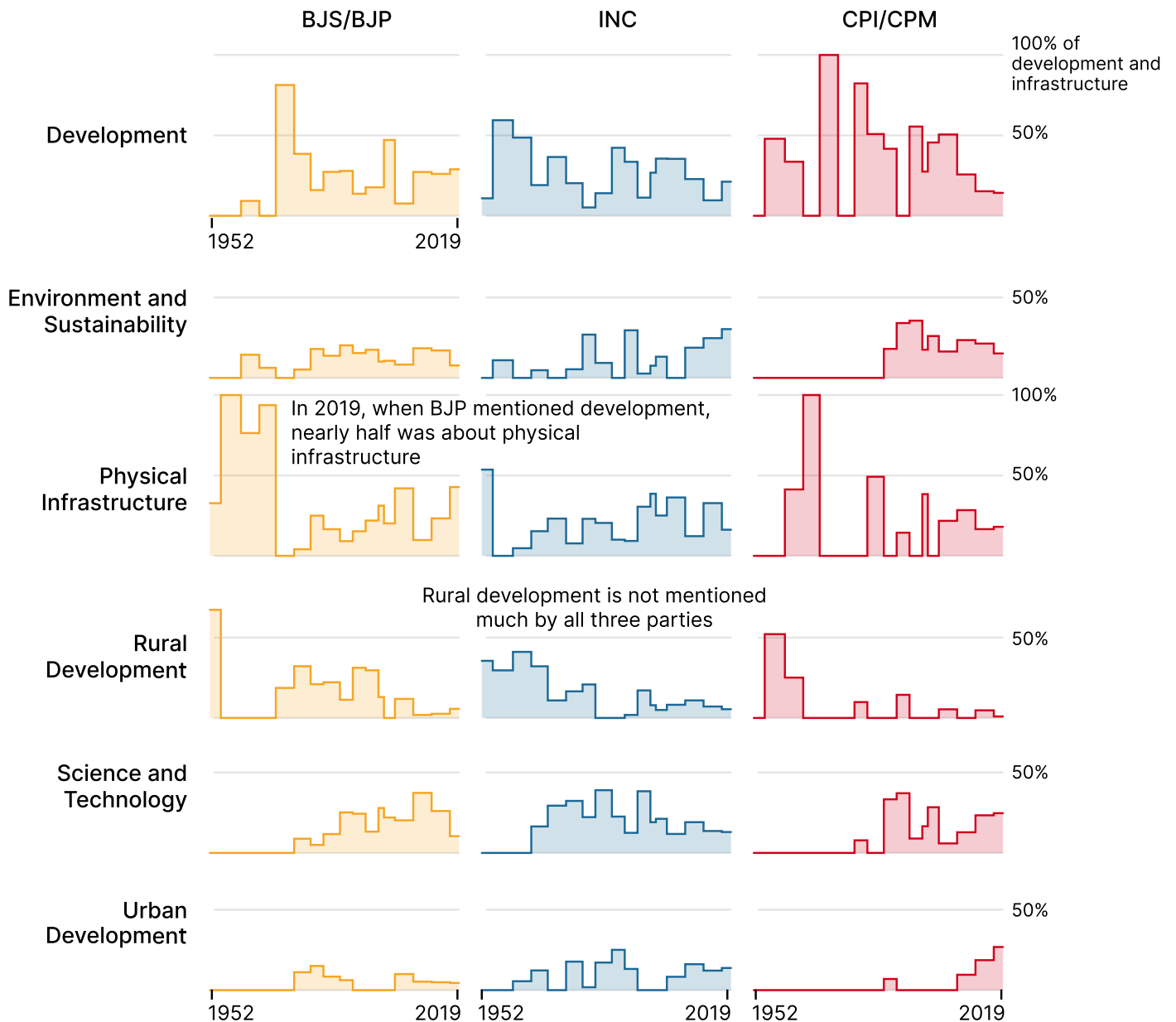
The Congress manifesto promised to reserve 6% of the annual budget for education and make education from class 1 to 12 compulsory and free in public schools. The BJP proposed five key reforms for improving the quality of education, including teacher education reforms, allocating resources for talented children and increasing educational institutions in the country.

Congress wooed the farmers with a one-of-its-kind separate Kisan (farmer) budget and waive farm loans while the BJP manifesto once again promised to double farmer income by 2022, interest-free loans upto a lakh and pension schemes for small and marginal farmers.

The Congress touted that it will bring in a 'Job Revolution' in the country with 34 lakh jobs in the public sector and a new ministry for employment to not only provide more scope of employment but also to store accurate data on employment in the country. The BJP's plans centred on entrepreneurial opportunities - extending additional support to 22 major 'Champion Sectors' identified as the main drivers of the Indian economy.

FIGURE 1

Percentage of Development and Infrastructure Content in Lok Sabha Election Manifestos (1952-2019)



Source: India Manifesto Project, 2022

Eliminating poverty remained a top priority for both parties – the BJP manifesto stated that it is committed to bringing down the percentage of below poverty line families to a single digit. On the other hand, the Congress party planned to 'abject poverty' by 2030 with Minimum Income Guarantee by way of transferring Rs 6,000 a month to the account of a woman member of 20% of the poorest families in the country (NYAY).

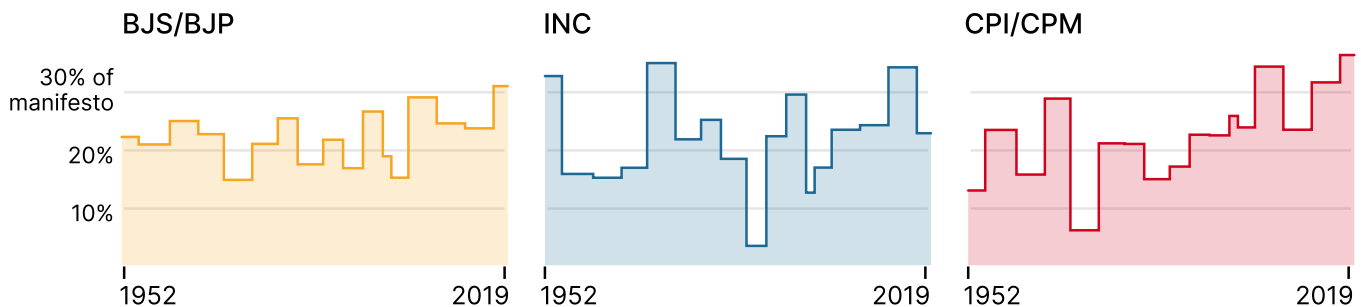
While BJP promised to lower GST, Congress planned to enact the Direct Taxes Code (DTC).

The BJP further plugged that it will make India the third largest economy of the world by 2030 and achieve a target of \$5 trillion economy by 2025.

Furthermore, though the political outlook of both the leading national parties is diametrically opposite from each other, there are remarkable similarities in their economic

FIGURE 2

Percentage of Lok Sabha Election Manifestos dedicated to Welfare (1952-2019)

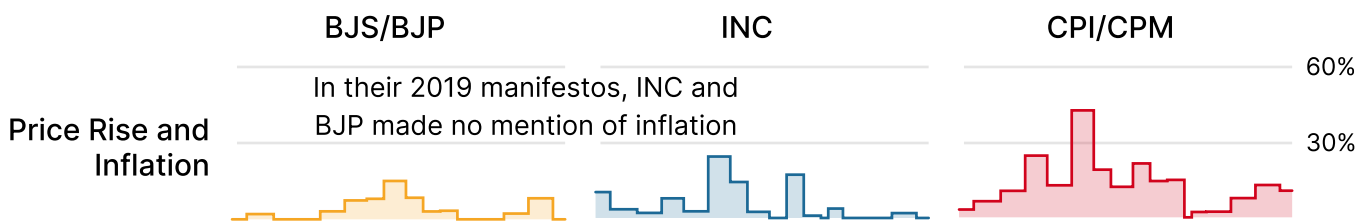


The share of welfare in manifestos has been consistently increasing across parties

Source: India Manifesto Project, 2022

FIGURE 3

Percentage of Price Rise and Inflation Content in Lok Sabha Election Manifestos (1952-2019)



Source: India Manifesto Project, 2022

agendas related to exports, imports, manufacturing, taxation, trade and labour issues. Both of them favoured a free-market economy with minimum government regulations, opposed black money, committed to fight against corruption, supported 33% reservation for women in Parliament and State Assemblies and vowed to end cross-border terrorism.

The key variance is rooted in the 'cultural' stance, with the BJP reiterating its promises of constructing a Ram Temple at Ayodhya, abrogating Article 370 in Kashmir and implementing Uniform Civil Code across the country. Meanwhile, the Congress focused on creating specific laws against hate crimes and mob lynchings, protecting the status of minority educational institutions, etc.

The most disappointing aspect was that the ruling party's manifesto had a self-congratulatory tone rather than showcasing an honest assessment of how much it actually delivered on the promises made in 2014.

In many cases, manifestos are released very close to the election date, leaving no time for voters to even go through them. The BJP actually released its 2014 manifesto after the first phase of voting! Even the 2019 manifesto showed up just days before the general election.

Comparing manifestos of these parties, one is struck by their similarities.

The differences among them are minor and more in modalities and degrees, less so in the substance of politics.



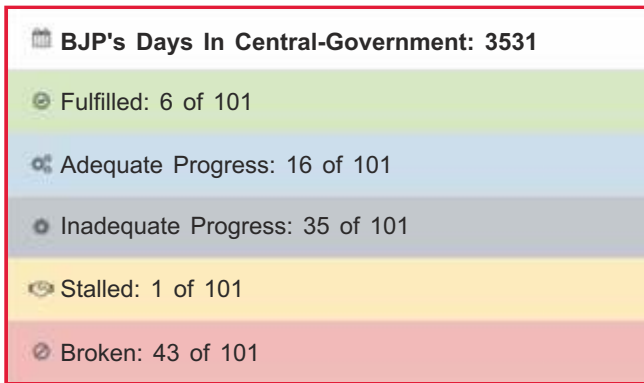
– IRFAN AHMAD

Associate Professor of Political Anthropology, Australian Catholic University, Melbourne.

Circa the 2014 elections, the INC's manifesto was titled 'Your Voice Our Pledge for 2014-19' while BJP's was 'Ek Bharat Shreshtha Bharat: Agenda for Development, Good Governance and Peace'.

As expected, the word 'quality healthcare' was repeatedly used in both the manifestos. The Congress stated that 'primary healthcare infrastructure will be strengthened' while BJP avowed 'increased focus on rural healthcare delivery'.

As on 25-01-2024



<https://www.electionpromisetracker.in/governments/central-government/>

Then again, Congress promised a 'more flexible labour policy' and the BJP manifesto stated that 'administrative reforms will be a priority for the government'.

Alas, the difference is merely in semantics. Then again, while both political parties had very similar policy approaches towards socio-economic issues, it is noteworthy that the manifestos are vague on long-term goals. This shows that the contents are mere lip service for the sake of political expediency and not much more.

International Practices

The case is very different in major democracies across the world where both the political parties and the voters take the proposed policy documents of the contesting political parties very seriously. Some have to comply with specific guidelines (related to content, time of issue, etc.), some are subject to legal provisions while some even have a regulatory mechanism in place. These manifestos not only serve as a basis for deciding the electoral franchise, but are routinely used to statistically document the performance of governments.

United States of America - The election manifesto is mandated to be issued two months before election day. It outlines plans and policies that will benefit large groups of population - like economic policy, foreign policy, healthcare, governance reform, environmental issues and immigration - without naming specific benefits for any segments of the population. Grilling debates between Presidential candidates on TV further amplify their views. Voters also question the candidates on their manifestos as a matter of course.

United Kingdom - The election manifestos have to focus on concrete policy choices and their budgetary implications. The parties must add a financial paragraph which will be audited to determine whether the promises are realistic or not. The issues committed to in the manifestoes cannot be contested in the Upper House. Furthermore, the electoral authority issues guidelines for campaign materials (which applies to manifestos also).

Similarly, even in Netherlands, the legal provisions applicable to offensive campaign materials apply to content of manifestos as well.

Mexico - The political parties have to submit their election manifesto to the Federal Electoral Institute (IFE) for registration and validation before they can nominate candidates for the election. The IFE vets the election manifestos to ensure that they are in line with the basic beliefs of the parties and has the power to get any content removed from the document. The election manifesto should be released five months before election day and uphold basic features of politics, economy and society.

Bhutan - Political parties have to submit their election manifestos to the Election Commission - comprising policies, development plans and programmes which they will implement, if elected. The body thoroughly scrutinises and filters out matters that can potentially undermine the security and stability of the nation. Moreover, manifestos cannot contain anything that seeks electoral gains on the grounds of religion, ethnicity, region, national identity, etc. The manifesto can be issued to the public only after it has been approved by the commission (minimum three weeks before election day).

It should be noted that unlike the Election Commission of India, the electoral authorities in major democracies such as the United States, Sweden, Canada, the Netherlands and Austria do not have any role in relation to manifestos.

The Comparative Manifesto Project (CMP) is a collaborative global exercise that converts promises made by rival parties in various countries of the world into statistically measurable and comparable parameters. Unfortunately, Asian and African countries are largely missing from this exercise.

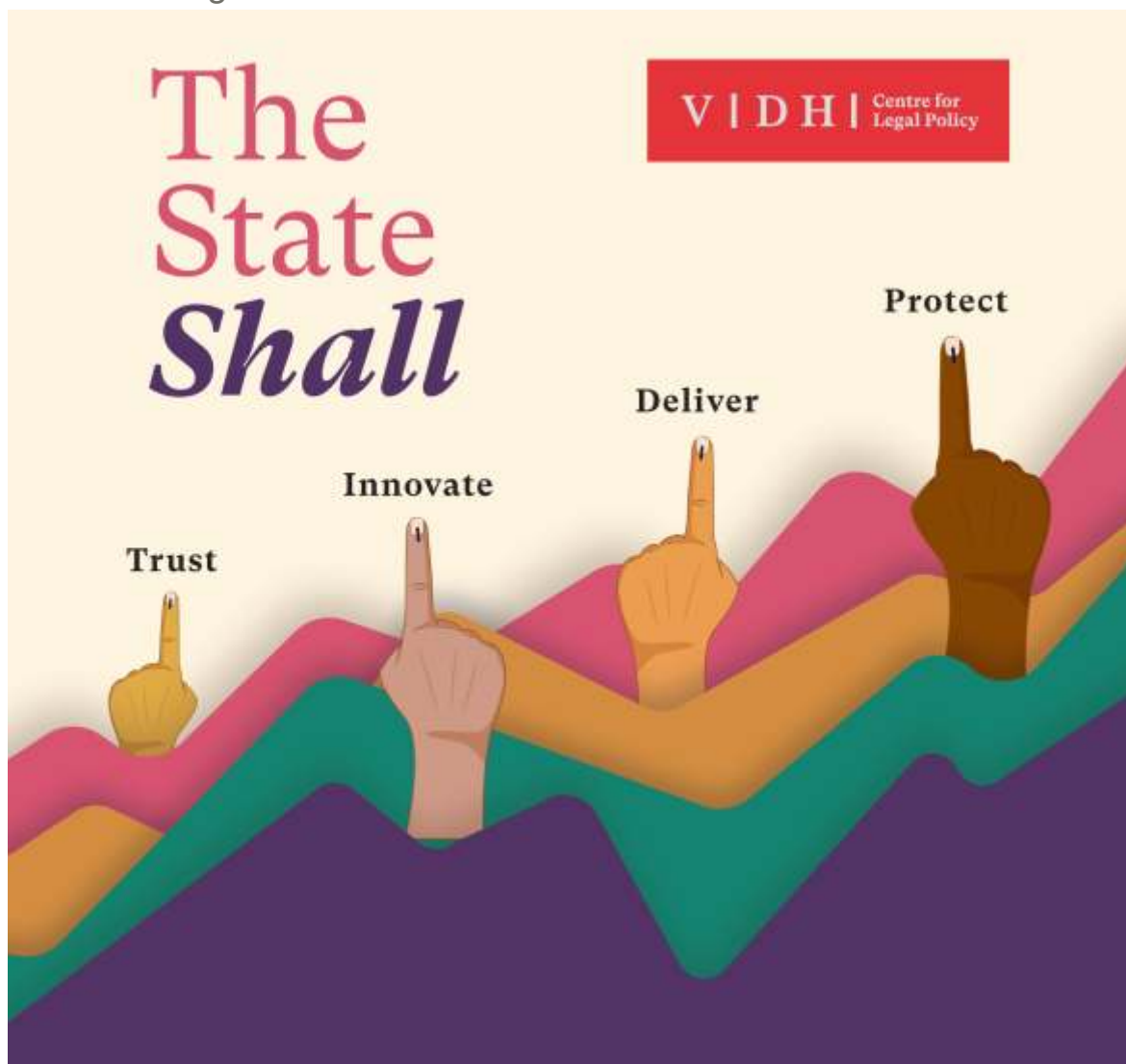
– RAHUL VERMA
Fellow at the Centre for Policy Research (CPR), New Delhi

Manifesting the Manifesto

Let us hope that India will see the day when election manifestos are not based on caste, religion or social engineering? They should morph into a true indicator of the commitments made by a party to the public. That is the democracy we deserve! ▶

Election Manifestos Should Make Laws That Matter

Vidhi Centre for Legal Policy's 'The State Shall' report presents legal reform ideas for the Indian political parties to take up in the election manifestos. It will truly be beneficial for all citizens if the new government takes them into consideration.



ELECTION MANIFESTOS OF political parties are mostly restricted to government schemes, welfare measures and anti-corruption crusades. Hardly ever do they speak about laws or making them matter to the ordinary citizens.

In the run-up to the 2024 General Elections to constitute the 18th Lok Sabha, the Vidhi Centre for Legal Policy recently released a Briefing Book proposing 25 pioneering legal reforms that should be incorporated by all political parties in their manifestos.

Vidhi Centre for Legal Policy is an independent think-tank doing legal research to make better laws and improve governance for the public good

Consider this - What if there were a law that provided basic social security to caregivers of persons with disability? Or, what if a law were to abolish the Court Fees Act, 1870 making justice truly free? How about fintech companies having a unified licence to offer fintech services like banks? Given the pace of urbanisation of the country, is it not time for an urban right to work programme on the lines of MGNREGA?

Laws are powerful tools that can vastly improve our lives, our society and our nation!

Let us take a look at some of the suggested legislations:

- **Shift Towards Principle-Based Criminal Law-Making** – Despite the recent overhauling of the criminal justice system, a staggering 6,000 offences across more than 400 central laws are evidence of the continued colonial over-dependence on criminal law in matters of daily governance. What's more, there is a noticeable lack of rationale and consistency in the punishments prescribed for many of the offences. What we need is to conceptualise a comprehensive set of principles that will guide criminalisation and prescription of punishments.
- **Abolish Court Fees in Civil Suits** – Why is a fee charged for administration of justice? It is recommended that court fees be abolished across the country as this will make the courts much more accessible to the poor.
- **Develop Human-Centric, Responsible Artificial Intelligence (AI) for All** – Despite all the talk around the responsible deployment of AI systems in the country, there is a conspicuous lack of robust AI governance. Clear directions are lacking in terms of how responsible AI governance will occur, what high-risk systems will be regulated, and how the government aims to bolster India as a hub of responsible AI innovation. The incoming government needs to enact the Digital India Act and institute a regulatory body for the industry as well.
- **Develop a Multi-Level Grievance Redressal Mechanism for Healthcare Facilities** – Patients do not have access to an effective and time-efficient grievance redressal mechanism for issues like overcharging, poor hygiene and lack of healthcare workers. It is critical to establish an overarching multi-level grievance redressal framework for government and private healthcare facilities.
- **Create a Body to Coordinate Across Digital Public Infrastructure (DPI) Ecosystems** – We do not have a central facilitative body with a sector-agnostic mandate to ensure the integration of digital public infrastructure with the wider digital economy. This can lead to lack of interoperability and other inefficiencies. A DPI Coordination Council should be set up with the primary objective of aiding regular information exchange amongst key governance institutions across DPI ecosystems.
- **Enact a Model Family Law Code** – Most of the personal laws in India are gender-discriminatory, outdated and run counter to the constitutional guarantee of equality. We need a comprehensive, non-discriminatory and inclusive model code on family law that aligns with modern social realities.
- **Enact a Comprehensive Equality and Anti-Discrimination Legislation** – India is riddled with socio-political

conflicts on the basis of gender, caste, religion, sexual orientation, etc. Given that the existing laws on discrimination have inconsistent and incomplete coverage and are enforced by institutions with low capacity, a comprehensive anti-discrimination law will be uniquely suited to meeting the challenge.

- **Develop a Framework for Equal Opportunity and Non-Discrimination at Workplaces** – There is a dearth of equal opportunities and persistent discrimination against persons with disabilities in employment. Fostering inclusion and accommodation requires a two-pronged approach -: implementation of preventive measures and establishment of a post facto redressal mechanism.
- **Develop a Framework for Caregivers of Persons with Disabilities** – Caregiving in India is primarily performed by informal caregivers who face multiple challenges like rising financial costs, caregiver burnout, loss of employment and social isolation, which are compounded by limited protections. A Standardised, Empathetic, Viable and Accessible (SEVA) caregiving framework should be formulated to introduce meaningful protections for informal caregivers.
- **Regulate Ed-Tech Companies and Ban Predatory Practices** – As education technology (ed-tech) continues to permeate classrooms and post-classroom learning experiences, regulation is crucial for ensuring that these innovations are harnessed responsibly.
- **Ensure Efficient Administrative Adjudication by Financial Sector Regulatory Authorities** – Administrative adjudication is becoming increasingly crucial in regulating financial markets because it affects the rights of regulated subjects and third parties. However, the regulatory authorities are riddled with incompetence, uncertainty and lack of transparency. Measures are needed to improve their efficiency.
- **Redraw the Boundaries of India's Electoral Constituencies** – While the current status of the electoral

constituencies makes the value of a vote in North India much lower than in South India, delimitation – based on the population of the states – may equalise vote value, but will also increase the number of constituencies in the northern states and their presence in Parliament disproportionately. Readjusting the boundaries of electoral constituencies should be a time-intensive, deliberative exercise, with technical inputs from politicians and subject-matter experts.

The proposals for reform in this Briefing Book are ambitious but viable, brief but to-the-point. They chart out a ready roadmap for the new government which will assume charge at the centre. I hope that this book generates discussion in the public domain and that the proposals are duly considered by the concerned stakeholders.

– RAM SEVAK SHARMA
Former CEO, National Health Authority



The list of issues proposed to be explored in this Briefing Book are likely to add significant value to public discussions around governance in the lead-up to the 2024 General Elections. Laws matter and I hope that the reforms presented in this book are part of the manifesto promises of all major political parties. Good governance, after all, is the business of all.

– DR. ASHOK S. GANGULY
Former Rajya Sabha Member



- **Develop an Integrated Health Emergency Response in India** – 112 is the emergency number for emergencies requiring ambulance services, fire emergency services, police support and women and child safety measures. However, the system suffers from limited functionality, lack of inter-departmental integration and missing links. A revamped and integrated helpline is essential for creating a forward-looking and meaningful health emergency response system. This should also offer support for basic first-aid and counselling, provide crucial information regarding available resources, connect users to relevant state or allied response systems, deploy teams to address the emergency and ensure follow-ups where necessary.
- **Expand Social Security Net for Unorganised Workers** – Unorganised workers constitute

around 90% of the Indian workforce and largely fall outside the scope of labour protections, including social security. Social security coverage is crucial to mitigate the precarious status of unorganised workers. At a policy level, this requires two things - universalisation of social security to ensure workers across all sectors are covered by social security guarantees, and a rights-based approach towards social security to ensure it is an enforceable entitlement.

- **Enact an Urban Right to Work Programme** – Not only do urban unemployment rates exceed those in rural areas, but the urban poor grapple with higher inflation due to the elevated cost of city living. Yet, they don't have an employment guarantee programme like the Mahatma Gandhi National Rural Employment Guarantee

(MGNREGA). Implementing a Right to Work guarantee in non-metro cities will ensure a wage guarantee while also reducing the unevenness of urbanisation in India.

Apart from the regulations detailed above, we also need the following:

- A unified non-bank fintech company license
- Updating the Indian insolvency regime to encompass crypto-related bankruptcies
- Law to protect foreign investments
- Legal framework to host data embassies
- Integrating biodiversity offsetting principles in afforestation policies
- New law to enhance reproductive autonomy
- Legislation to protect conflict-induced internally displaced persons
- Reimagining the rescue, rehabilitation and reintegration of sex workers
- Following of due processes in cases of demolitions
- Strengthening the para-legal volunteers framework

The above proposals are based on a detailed study of best practices in various countries like Australia, Canada, China, South Africa, Philippines, Croatia, UK, USA, etc.

In sum, it is such laws that contain the seeds for a new India! We hope that the party that will come to power will act on these reform ideas that will give citizens the laws they deserve! ▶

TIGHTENING THE SCREWS OF THE NEW **CONSUMER** PROTECTION ACT

There was much to rejoice in the new Consumer Protection Act, 2019. However, most of the changes either remain on paper or are not implemented properly. Consumers are still calling for the day when they don't have to beware and will get their due of actually being treated like a King!



Are the consumer protection laws really upholding consumer interests?

THE CONSUMER PROTECTION Act, 1986 was a landmark legislation that empowered the consumers by instituting effective safeguards against exploitation in the form of defective goods, deficient services and unfair trade practices. It also established a three-tier quasi-judicial machinery for redressal of complaints and settlement of disputes along with financial compensations for violations.

This consumer protection regime lost its relevance with the passage of time and the emergence of globalisation, advanced technologies and e-commerce. Replacing it with the Consumer Protection Act, 2019 gave a new lease of life to consumer rights in the form of a modernised framework which broadened the definition of the consumer to encompass e-commerce transactions. In addition to e-commerce portals and online sellers, other non-traditional marketplaces like direct selling and multi-level marketing are also covered.

The new regulation introduced the revolutionary concept of product liability along with penal consequences for defective products. It also instituted strict penalties for misleading advertisements, especially celebrity endorsements.

Unfair, unilateral and unreasonable contracts have been brought into the fold with recourse available for the very first time. The definition of unfair trade practices has also been widened to include sharing of personal information given by the consumer in confidence, unless such disclosure is made in accordance with the provisions of any other existing law.

The pecuniary jurisdiction of the consumer commissions was enhanced even as convenience was embraced in the form of e-filing of complaints. It even provides for mediation as an Alternate Dispute Resolution mechanism to make the process of dispute adjudication simpler and quicker.

The key highlight of the new law is the establishment of the Central Consumer Protection Authority (CCPA) as a regulatory authority with wide powers to investigate consumer law violations and order reimbursement of the price of goods/services, cancel licenses, impose penalties, etc. It can also take suo moto actions, recall products and file class action suits.

The law further provides for the establishment of a Central Consumer Protection Council to act as an advisory body on consumer issues.

This kind of broadening of the ambit of the consumer protection legislation was expected to go a long way in protecting and strengthening the interests of the consumers.

Changes on the Ground

The new Consumer Protection Act, 2019 has ushered in an array of new protective measures.

What has benefitted the consumers the most is the inclusion of all e-commerce entities. The government further outlined the responsibilities of both marketplace and inventory e-commerce platforms, specified their

liabilities, mandated displaying of certain information and made provisions for customer grievance redressal.

Furthermore, due diligence is required for endorsement of advertisements and measures are underway to curb unfair practices.

The enhanced pecuniary jurisdiction, statutory recognition to mediation processes and hearing parties through video-conferencing has increased accessibility to judicial forums and afforded crucial protection to the consumers. Even the old systems for complaints and redressal have got a facelift with e-filing and filing of complaints from any jurisdiction which has made the mechanisms simple, quick and user-friendly. The centre and states have also instituted various regulatory and executive bodies to implement the Act.

Much More To Be Done

The CCPA has been conferred with superpowers to protect, promote and enforce the rights of consumers and regulate cases related to unfair trade practices, misleading advertisements and violation of consumer rights. However, it continues to be plagued by a lack of clarity over the implementation mechanism and other fine details of investigations and inquiries which are major roadblocks in the actual working of this executive authority.

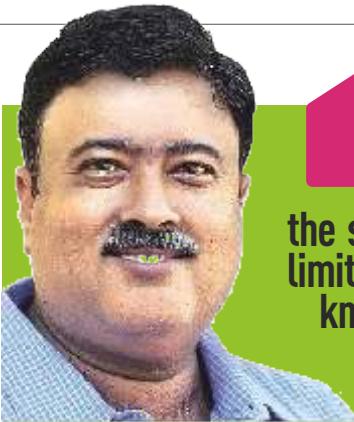
Moreover, the CCPA was supposed to be driven by senior and retired officials who have in-depth knowledge about consumer protection. The

As many as 5.45 lakh consumer complaints were pending in consumer commissions in September 2023 – Ministry of Consumer Affairs, Food & Public Distribution, Government of India

shaming reality is that the key positions have been captured by bureaucrats from the Department of Consumer Affairs and other government organisations, even though the law expressly stated that the authority would be set apart from the government. Alas, none of the officers of the CCPA even possess expertise in law or are competent to discharge judicial functions.

The consumers are asking for the winning party in the next elections to design a CCPA which can actually function like the leading consumer





Considering the practical aspects of the capability of the members sitting in adjudication, the space constraints, the lack of manpower and other limitations, the new Consumer Protection Act will spell the death knell of the consumer movement and result in consumers abdicating their rights rather than go through with litigation for years together for grievances relating to small claims in respect of consumer durables and services. If the Act is to be implemented in its true letter and spirit, the government must set up more than one consumer disputes redressal tribunal in each district, depending upon the workload, so that cases get decided within the time-frame stipulated under the Act. Moreover, the government must also appoint competent persons for adjudicating consumer disputes, provide adequate space and accommodation, and sufficient staff and manpower to cope with the increased workload. Unless this is done, the consumer movement will be doomed to a disastrous failure.

- Mr. Jahangir Gai, noted lawyer and consumer activist

protection enforcement agencies in developed countries (example: Federal Trade Commission, USA) and upgrade Indian consumer protection to match global standards.

Then again, the new law aims to provide speedy and effective settlement of consumer disputes. It has instituted a simplified and time-bound grievance redressal mechanism to ensure that the consumer complaints are resolved within the specified time periods. However, the inconvenience and harassment of consumers continues unabated as a huge number of consumer complaints continue to remain pending in the various consumer commissions.

What we want is easy exchange and refund of defective products without the need for litigation. Why are the consumers forced to go to the court every time they face a problem with something they have purchased? If the law is implemented properly, it will bring much solace to the harried consumers!

A major implementational challenge is the existing vacancies in various consumer commissions which undermines the efficacy of the Act.

Experts have further emphasised that the new law has again failed to include medical and educational services in its purview. Even civil services like water supply and sanitation are not covered in the ambit of the legislation.

Summary

The Consumer Protection Act, 2019 has initiated a seismic shift in the responsibility and accountability for consumer protection by expanding coverage for the harmful practices prevailing in the marketplace that exploit or inconvenience the consumers. However, there are gaps and uncertainties which need to be ironed out before it can truly translate into a path-breaking legislation that protects the interests of the consumers at large.

The political parties have to wake up and take cognizance that India has changed, and the young consumers know what they want. The fight to protect consumer rights will remain ongoing! ▶

Central Consumer Protection Authority (CCPA) is empowered to
protect, promote and enforce the rights
 of consumers as a class, and prevent
 violation of consumers rights under
 Consumer Protection Act, 2019.

INTERVIEW



Mr. PARVEEN KUMAR

IAS (Retd.)

Former State Information Commissioner of Punjab

He has served as Additional Principal Secretary to Chief Minister, Deputy Commissioner of Mohali district and was also an arbitrator on the National Highways Authority of India (NHAI) panel. He is currently engaged as a volunteer with an educational society for north India.

Q This being the election year, we have crafted a 'Consumer Manifesto'. How best do you think this consumer's perspective can be conveyed to the policymakers?

The objective and rationale of the manifesto should form the basis for any policy. Quality and reasonable value of money being the essence of a policy, its framers should protect the interest of consumers.

Consumer perspective should be conveyed to the policymakers who draft superficial economic freebies in election manifestos without reference to the financial resources to meet the expenditure. The one upmanship in politics of freebies in the long run will culminate in dwarf progress.

Ironically, all political parties have been allowed, without any embargo, by ECI to mislead consumers through wage and non-feasible allurements. The policymakers must follow the spirit behind the theory of trickle-down economics where everyone is benefitted.

Q What is your opinion on the importance of the election manifesto and how can it play a crucial role in the elections?

Election manifesto is basically a documented plan where programme and policies of a political party contesting elections is published for electorates to indicate as to what the former shall pursue if elected to power. The manifesto is the plank on the strength of which a political party organises rallies to convince and impress the voters for winning the political slugfest. At times, manifesto draws the blue print for a specific region, weaker sections, rural segments projecting inclination to bring citizens on equal pedestal. In essence, manifesto is the publication of list of motives and policies of the issuer.

Manifesto is like a mirror, use of which is employed by the contesting political party, reflecting intentions to influence the electorates while voting. As such, manifesto has potential to play a decisive role in elections to swing the voting pattern.

Q How do you think election freebies can be differentiated from the welfare measures for the public? What should be done in this regard?

Though the line between freebies and welfare measures is wafer-thin, yet the magnified productive essence of either is easy to discern. A simple reading between the lines is apt to sift the chaff from the grain.

The election freebies are expenditure in guise of burden on government exchequer. Free electricity, cash doles, free water, free public transport, waiver of farm loans and alike fall in the freebies group. Welfare measures are spending on infrastructure, required facilitations in shape of enhancing skills, education and health facilities. A marked indicator is that freebies are non-productive liabilities while welfare measures are result-oriented assets.

The debt-GDP ratio determines the budgetary provisions of a government. More the freebies, higher the debt. A debt-ridden government pursuing an appeasement stance of freebies is sure to fall in the muddle as grotesque creation.

The remedy lies in churning the mindset of political parties only. Let no political party remain oblivious to the growing discontent amongst the electorates that skill to earn is better than alms. Let political parties formulate special think-tank to mitigate the genuine difficulties of public when in power. The foremost task is identification of such problems. Measures for supplying drinking water in water-deficit region, road connectivity, electricity to every household, bridges or motor-boats to cross rivers, industrial policies for investors in underdeveloped areas, education and health facilities, employment avenues, women emancipation schemes, water conservation to check floods, promotion of indigenous crafts are a few among numerous issues which need serious attention. Solution to such problems faced by public should be projected in the election manifesto in the light of revenue available or to be generated. Ultimate commitment to alleviation of general public lies in putting screeching stop to freebies by political parties.

Q What is your advice to the general populace who get enticed and misled by the alluring freebies announced by the political parties?

The electorates should gauge the offer of political parties in terms of alluring freebies and understand that they are being weakened and not strengthened. The role of civil society, educationists and apolitical personalities is quite

important in bringing awareness among the citizens that freebies shall prove to be a Frankenstein monster not only to the voters' aspiration, but for the nation as well. This path leads to dependency on doles followed by economic bankruptcy.

The debt-ridden government offering freebies cannot prosper, shall perpetually look forward for more financial aid and ultimately result in economic disasters. The key solution to this whole gamut of alluring

doles is, detest the enticing freebies. The general public should look forward for enhancing their skills to be employable and economically self-dependent.

Q The freebies announced by political parties are actually footed by the consumers in the form of tax payers' money. Is this justified, when the free TV, periodical cash guarantees, free public transport, debt waiver or free electricity adds to the debt burden of the government?

At the expense of taxpayers' money, alluring the voters with freebies is not only unjustified but increases the debt

Let no political party remain oblivious to the growing discontent amongst the electorates that skill to earn is better than alms!
— Mr. PARVEEN KUMAR

burden of the government as well. Freebies distribution is in-fact a mode of enticing voters. Representation of People Act 1951 does prohibit not to indulge in corrupt practices of bribery as stipulated in Section 123(1)(b).

A number of states are reeling under enormous debt burden, with Punjab leading the debt-GSDP ratio at 53.3%. Here, the power subsidy for the month of December 2023 is Rs. 540.90 crore. It has been estimated that the total electricity subsidy shall be whopping Rs. 22,000 crore during 2024-25. Government has granted 300 units of free electricity to each household. Many households have got separate electricity meters to show as independent unit to avail this. Such debt-burdened states are bound to experience economic crisis. Freebies are a competitive compulsion for political parties and public becomes addicted. Cash guarantees are another gateway adding to debt burden of government.

The political party in power shows scant realisation that announcing freebies is going to benefit neither the recipient nor the government in the long run. The debt-ridden government gets paralysed in financial strides, and growth thereof is hit. Consequently, the burgeoning debt will be a tumbling block to development.

Q What do you think can be done to institute accountability for the winning party to fulfill promises made in the election manifesto?

All political parties make numerous promises in their election manifesto to win elections. To fulfill these promises, expenditure is incurred through government exchequer and not through the funds of the winning party. The government treasury earns revenue through taxpayers' money or charge on the services rendered. The winning party is only a fiscal manager or caretaker for a limited tenure. It is natural corollary that the income generated by other sources cannot be allowed to be squandered or utilised by the political party heading the government without being accountable. Accountability factor missing, the political parties are free to call shots at the expense of State exchequer.

To institute such accountability, it is proposed to frame a mechanism by creating a Manifesto Monitoring Wing (MMW) of ECI Article 324 of the Indian Constitution empowered to do that for conducting the elections on the line of democratic norms. The proposed MMW wing comprised of financial experts, should be empowered to securitise the elections manifesto in view of revenue generation and estimated expenditure incurred before it is published. The debt-GDP ratio should not be allowed to surpass permissible norms. MMW should have strong teeth to recommend de-recognition of the party or pay reparations to the concerned government on other thoughtful punitive action(s). The proceedings body should



be made public for awareness. The final decision should, however, vest with ECI.

Q Do you think election manifestos will get legal sanctity in India?

Government can ensure development and growth if the political party at helm is adhering to financial discipline. The irresponsible one must be tamed. To bring order in political parties, it is imperative to add legal sanctity to their respective elections manifesto.

Article 324 of our Constitution stipulates the provisions of EC for conducting of various elections in India. The ECI has already laid down the provisions in Model Code of Conduct, having legal sanctity, for elections. The ECI is well within its jurisdictional ambit to propose the necessity of having a Manifesto Monitor Wing (MMW) as autonomous unit of ECI as suggested above. This wing should scrutinise the manifesto of each political party before allowing it to be published for the voters.

Q What are your views on the proposal for 'One Nation-One Election'?

Article 85 for Parliament and Article 174 for State Legislature provide that intervening period between sittings of the house is mandated to be within six months, meaning thereby that house must meet once in every six months. A crisis erupts when a party is threatened by defection or coalition parties part ways, on any account, the government falls. It is the fall of government which necessitates conduct of general elections. As of now, we have elected legislature in Parliament and 28 states.

Even if, let us assume, One Nation-One Election pattern is adopted, it is absolutely uncertain that the elected governments will last full tenure of five years. The interruption in their tenure will bring the status to same station where we are standing now.

I think, this will entail not only constitutional amendments but will also cause crisis in Indian democratic setup springing up the issues of retaining the basic structure of the Constitution.

Q What is your message to the electorate that will cast their votes for the 2024 Parliamentary elections?

Go through the reading material and electronic media and discuss with your peer group and then make up your mind independently. Do not get swayed with the doles promised by political parties. Before deciding to cast a vote, the voter should go by the development plank as projected by contesting political parties in the field of education, health, skill promotion, employment opportunities, environment and industrialisation in the first place. Individual criticism, religious or caste bias and cash or material offerings should not be instrumental to influence voting. ▶

AFTERWORD



Pyush Misra
Trustee,
Consumer Online Foundation



“The government makes laws and enacts policies for the benefit of its people. The legislations are focused on upholding the ideals of our constitution, maintaining peace and order and establishing justice for everyone. On paper, it is compulsory for everyone to obey the laws. But actual effectiveness is missing on the ground due to lack of proper enforcement!”

– Pyush Misra

BRIDGE THE POLICY – IMPLEMENTATION GAP



Doing the right thing also calls for doing things right!

A HEALTHY DEMOCRACY has a good number of laws in place to protect the rights of the citizens and provide for their welfare. The rules and regulations will safeguard the weak and vulnerable sections of the society, avoid unfair practices, develop the economy, ensure national security and more. These laws are supposed to define our social and economic existence as they touch upon our life at home, work, leisure and everywhere else.

Over the 75 years of independence, India has enacted a series of laws, acts, statutes, regulatory measures, standards and other courses of action at various levels of the government. The public policies also have broadly defined provisions apart from specific rules to address the various problems, maladies and other drawbacks faced by society.

For instance, we have individual laws to prevent child labour, child marriages, dowry, inequality, discrimination of any kind, hunger, violence and other unsafe behaviour. Then there are regulations that mandate free education in public schools, cost-free primary healthcare in public hospitals, minimum insurance and pension provisions for the marginalised sections of the population, etc. Specific acts have been crafted to control fake and substandard drugs, tobacco consumption, contaminated and harmful foods, environmental pollution, monopolistic practices and so on. Additionally, there are policies to regulate the manufacturers, retailers, financial industry, insurance sector, real estate, advertisers, etc.

International experience shows that laws, once adopted, are not always implemented as envisioned, and do not necessarily achieve intended results



everything – from women's rights and anti-casteism to regulating hospitals, pharmacies and even cosmetics. However, child labour, dowry deaths and discrimination is still rampant; patient safety remains questionable; insurance misrepresentation, frauds and claim denials continue unfettered.

Meanwhile, we are demanding new laws for medical devices, repairing of products and more. The government is also in the process of overhauling archaic acts for drugs, pharmacies and other sectors.

Do we pause to think if anyone is actually being pulled up for failing to abide by the requirements under the Food Safety and Standards Act? Are the manufacturers brought to task for lack of compliance with Good Manufacturing Practices? How do adulterated and banned medicines find their way into our healthcare system despite the pecuniary

There are regulations like the Clinical Establishment Act where the state governments themselves are dragging their feet on implementing the law since over a decade! Only 13 states and all union territories (except Delhi) have adopted the legislation till date. What's more, the centre itself is yet to notify the minimum standards for hospitals and Ayush centres and they remain in the draft stage.



Proof of the Pudding is in the Eating

Policymakers can continue to enact legislations right, left and centre. However, the fact remains that any policy is only as good as its implementation!

Indeed, developing a policy is just the first step; it must be put into action, administered and enforced to bring about the change sought by the government. Therefore, the policymakers have to not only engage in shaping policy agendas and setting standards, but also focus on the implementation end of things. A robust monitoring machinery has to be put into place and the penalties and punishments have to be strictly enforced – be it monetary fine, seizure of goods, suspension of license, revoking permissions or even jail term.

Think about it – we have promulgated legislations for

punishment imposed by the Drugs and Cosmetics Act? How are cigarettes sold to minors and in the vicinity of educational establishments despite being expressly barred under the tobacco laws? For that matter, how do medical stores continue to operate without having a qualified pharmacist on the premises?

Many of the leading brands in the country easily get away with misleading promotions that blatantly flout the advertising regulations. Third-party insurance is compulsory for all vehicles; yet, people drive their uninsured two- and four-wheelers with gay abandon; most don't even bother to fasten their seat belts, let alone carry a valid license!

The list – as you can see – is endless.

Making Public Policies Matter

The hallmark of fair and sound policymaking rests in the implementation. Indeed, the best framed policies also turn out to be empty and worthless unless they are enforced properly in the public domain.

There are various factors that can cause regulations to derail. The situation often turns chaotic as the tasked ministries or departments don't have adequate resources – money, qualified people and other machinery – to implement the laws on the ground. Apathy tends to set in when there is ambiguity or uncertainty about the operational guidelines, roles and responsibilities for implementation, conflicts with other existing policies, lack of coordination and collaboration between parties responsible for enforcement, etc. Inadequate capacity coupled with incompetence is bound to undermine effectiveness of the legislations. Then there is lack of review and assessments to identify and correct flaws, if any.

Furthermore, the propensity for corruption remains huge in our country. Add political motivations and cognitive biases to the mix and the stage is set for abject failure.

It can be said that policy enforcement is a sum of its parts – right from information and expertise to cooperation, coordination and mobilisation. No wonder things often don't turn out as expected; not unless the varied predicaments are dealt with on a war footing.

What we need is for policymakers to be tasked with incorporating targeted strategies for implementation into the regulations while accounting for the probability of contingencies, factoring in strategic reactions, etc. Concentrated efforts and competence should be the



guiding force for settings things on the right track along with dedicated efforts and political will. Along with a proper institutional framework, well-equipped organisations and capable workforce, there should also be checks and balances on the political entities to ensure accountability. This will pave the way for synergy in the governance with public policies that truly serve the public interest.

Manifesto Ask

Our ask in the Consumers' Manifesto is for the government to shift its focus from mere enactment of laws to encompass the broader discourse of implementation infrastructure. We are calling for aggressively enforcing the application of the norms and adherence to the procedures, in both letter and spirit. We don't need more laws; we need hardline and consistent enforcement rather than sporadic checks and intermittent punitive action. Only then will the laws and regulations actually have value; only then will be the best of intentions actually turn into results..... ▶

Will we see policy decisions translate into action or will they continue to be flouted without any fear of repercussions?





Payal Agarwal
Editorial Consultant

A Vociferous Call for HEALTHCARE F♥R ALL!

“Health should be an explicitly guaranteed fundamental right for all Indians, akin to the right to freedom, equality, speech etc. as enshrined in our Constitution. While successive governments have been vigorously pursuing the goal of delivering universal health, India continues to be plagued with 'underserved healthcare'. The consumers are calling for a coordinated focus on basic healthcare access for everyone!”

– Payal Agarwal



India's healthcare needs a healing touch!

'HEALTH FOR ALL' is the mantra of the twenty-first century – everyone from the World Health Organisation (WHO) to the Indian government have been espousing the cause of achieving universal health coverage for the populace. Even the theme for last year's World Health Day was 'Health for All!' It cannot be denied that accessible, affordable and quality healthcare should be a basic right for every citizen, irrespective of their financial or geographical standing.



Right since independence, successive governments have been committed to protecting and promoting the health of the people. Improving healthcare services is always a governance priority and a slew of public health schemes and policies are initiated to provide effective and affordable healthcare. The achievements under the National Health Policy, National Rural Health Mission and Pradhan Mantri Jan Arogya Yojana have been admirable. We have made substantial progress – both in terms of increase in medical facilities and improvement in health indicators. Life expectancy has increased, several communicable diseases including polio, cholera, malaria, HIV/AIDS and tuberculosis have been restrained and maternal foetal, neonatal and fertility parameters have improved to a great extent.

The fact remains that the healthcare infrastructure development has not kept pace with economic growth. Our performance on healthcare equity, access and quality indices has been far from satisfactory. We

have barely scratched the surface here as we continue to struggle with a number of diseases, malnutrition and more. The incidence of non-communicable and critical illnesses – like cancer, diabetes, hypertension and cardiovascular ailments – is on the rise even as we are being burdened by new diseases. People are living longer, but the population is becoming more susceptible to developing lifelong ailments at an early age.

India ranks 112 out of 191 countries on the WHO's ranking of global healthcare systems

Fragmented Healthcare System

India has a mixed healthcare system comprising both public and private service providers. In theory, it is a multi-payer universal healthcare model wherein public healthcare is essentially free for everyone in government hospitals while the private services are payable.

Public healthcare facilities are huge and widespread; yet, it is the private sector – even though it is mostly concentrated in urban areas and provides secondary and tertiary healthcare services – that is actually catering to majority of the healthcare needs (around 70%) of the people. This is because the publicly-funded system is so flawed, deficient and unreliable that even the poorest people would rather pay to access private, specialised healthcare!

Moreover, most of the healthcare expenses are paid directly out of pocket by patients and their families. Affordability is under question here – as only the wealthy can pay for regular, high quality care, a large percentage

Healthcare is one of the largest and most rapidly expanding sectors of the Indian economy, both in terms of revenue and employment. According to a report, the Indian healthcare industry was worth Rs 17.62 trillion in 2020 and is expected to scale Rs 81.30 trillion by 2026. Alas, this superlative growth has failed to translate into better quality services and improved outcomes for the patients!



Indian healthcare is a spectrum of contrasting landscapes - glitzy steel and glass structures offering state-of-the-art medical facilities and world-class treatments in the cities at one end and ramshackle outposts that are barely capable of delivering health and wellness in the remote areas on the other!

of the population is left underserved by the Indian health system.

Challenges Galore

The Indian healthcare system is plagued by numerous challenges, primarily inadequate infrastructure and scarcity of healthcare professionals. Public hospitals are especially defined by dilapidated structures, non-functional equipment, inadequate supply of medicines, absence of ambulances and lack of doctors/medical staff, not to mention overcrowding, dirty and unhygienic conditions. Inadequate patient care is bound to follow.

To add to this, the substantial urban-rural disparities lead to massive variances in availability, accessibility and quality of healthcare facilities from region to region. The imbalance is clear - while the majority of the population resides in rural areas, most of the government-run primary health centres and sub-centres there lack resources - sometimes even utilities like water and electricity - to provide basic healthcare services. Access to advanced healthcare is extremely limited. The shortage of doctors, nurses and paramedical staff is compounded by the fact that most of them hesitate to relocate to small towns and villages due to the lower salaries and poor living conditions.

Need to Increase Government Expenditure on Health

The key drawback of India's healthcare system is insufficient public healthcare funding. Our healthcare

system is sorely underfunded - in fact, India ranks one of the lowest in the world in terms of public expenditure on healthcare - which contributes to the inadequacy of public healthcare facilities and the high reliance on private healthcare services.

Successive governments have been focussing on augmenting the availability of human resources, physical infrastructure, program management, vaccination drives, special training packages, community participation and use of information technology (especially in the rural areas), however, they are limited by inadequate funding.

Indeed, government spending on healthcare has been historically low - ranging between 1% to 1.4% of our

We aspire for a healthcare system in which most people do not pay out-of-pocket for most healthcare needs. The last thing a sick person needs is to have their care calibrated by how much they can afford to pay or to be impoverished by their medical bills.

- VIKRAM PATEL,
*Pershing Square Professor of Global Health,
Harvard Medical School*

GDP over the past two decades, lower than even most of the low-income countries. To add to this, private health expenditure exceeds government expenditure in India. The National Health Policy 2017 proposed to increase this figure to 2.5% by 2025 and the government declared that it managed to achieve 2.1% public healthcare

The biggest paradox is that India has emerged as a preferred destination for medical tourism riding on the affordability, availability and high quality of medical care, while basic healthcare still remains inaccessible for the masses in the country!



Mr. K. MADAN GOPAL emphasises that while coverage and quality might seem like a trade-off, an effective amalgamation of the two is imperative. He states that quality is an invisible thread that ties all the healthcare elements together and needs constant focus. This can be achieved only by simultaneous and synergistic implementation of strategies, continuous learnings from the field, and most importantly, a receptiveness by all stakeholders to change for a healthier country.



Mr. K. MADAN GOPAL
Health Vertical
NITI Aayog

spending in 2022-23. This is still extremely low as compared to other countries such as the USA (18.9%), Germany (17.3%), Japan (17.2%), the UK (15.9%) and China (10.1%).

We need to emulate these developed countries that have successfully implemented universal health coverage by focusing on maximum coverage of healthcare costs by the public sector and fortifying the primary healthcare system. Take USA for instance – the higher spending per capita on healthcare empowers the government to play a prominent role in healthcare, outpatient care and appropriateness of care.

Given that India aims to attain universal healthcare as part of the UN's Sustainable Development Goals, there is a pressing need to increase government spending on healthcare.

There is precedent for it - Increased budgetary allocations for the National Rural Health Mission led to significantly improved health outcomes and reduced health inequalities!

The Way Forward - Consumer-Centricity in Healthcare

Ensuring health of the people is a prerequisite for any country to move toward growth and prosperity. A healthy nation contributes to economic development.

Our manifesto calls for a healthcare policy that will reform the current system to achieve universal healthcare. The first priority is definitely to allocate more funds to healthcare in the union budget. With more funds at their disposal, the authorities can attract manpower with higher wages, build capacity of existing human resources, acquire medicines and supplies, etc. They can also institute new medical and nursing colleges and technical training centres in different locations which will

raise the availability of skilled healthcare professionals.

Enhancing the finance allocation will not only help overcome limitations in the workforce and infrastructure, but also reduce the burden of out-of-pocket health expenses for the citizens.

However, the fund flow needs to be regular and adequate. The healthcare development projects should have clearly defined targets and funds should be matched accordingly. The funding mechanism should be transparent without unnecessary red tape and minimum scope for corruption.

Additionally, the focus should be on attaining the key dimensions of high quality healthcare – consistency, equity, positive health outcomes, patient-centeredness and trustable service delivery.

Equity remains critical here as regional and income disparities should not hinder access to quality healthcare. The authorities need to gain a deeper understanding of the ground challenges (from region to region) to ensure efficient and adequate delivery of health services everywhere.

Furthermore, quality assurance should be the bedrock of every health strategy. The government needs to tighten the healthcare regulations to ensure quality and efficiency. An institutionalised monitoring mechanism should be put in place to control the incidence of fake doctors, quacks and spurious drugs.

The regulations should encompass price control as well. From the swankiest hospital to the smallest clinic or diagnostic centre should provide minimum assured quality of service at affordable prices. This also calls for coordination among the different stakeholders involved in delivery of healthcare services.

In sum, there is a huge gap between our public healthcare aspirations and the ground reality. But, with the right government initiatives leading the way, there is a strong opportunity for India to put its best foot forward and prescribe the right dose of quality, accessible and affordable healthcare to all Indians! ■

INTEGRATIVE HEALTHCARE

Despite the government's focus on promoting Ayush, traditional medicine is getting lost in the hullabaloo of modern healthcare. The question is why should allopathy, ayurveda, homeopathy and other recognised systems of medicine work in silos when there are avenues for amalgamating them to attain best results. Ayush is a valuable source of healthcare and the consumers demand a seamless integration of the traditional practices, products and practitioners into our mainstream healthcare systems so that they can get the best of both worlds!

TRADITIONAL MEDICINE HAS a strong proponent in the form of the World Health Organisation (WHO) which has always honoured its long history as well as contributions to conventional medicine. The WHO further upholds that Ayurveda, Homeopathy and other recognised systems of medicine hold great promise in the modern world.

Nobody can argue the fact that for centuries, people across countries have turned to traditional healers, home remedies and ancient medicinal knowledge to address their health needs. Around 80% of the world's



During the COVID-19 pandemic, it was established that the Ayush system could help fight diseases. New approaches to conventional medicine are required to combat illnesses more successfully. There is also a need to reinvent the use of the traditional Ayush system. Interdisciplinary studies can establish more effective treatment to fight diseases.

– Munjpara Mahendrabhai Kalubhai, Union Minister of State for Ministry of Ayush

population is estimated to use traditional medicine today. A whopping 170 of the 194 WHO Member States have reported the use of traditional medicine by their populations.

Ancient cultures always tapped natural resources for health and well-being, that too, with immense success. Leveraging these traditional and indigenous healing practices has the potential to address chronic health issues, improve mental health conditions and even support palliative care.

One of the driving forces for the growing popularity of traditional medicine is that it promotes overall health and well-being while modern medicine is limited to merely treating diseases as and when they manifest!

Calling for Integrative Medicine

Traditional medicine has become a global phenomenon with more and more people embracing these recognised medicinal systems for their safe, effective, gentle, compassionate and personalised nature. Even the developed countries are working on integrating traditional medicine into their healthcare systems.

The WHO has consistently advocated that appropriately integrated medicine can improve health outcomes by increasing the availability of services,

especially at the level of primary healthcare. Its Traditional, Complementary and Integrative Medicine Unit is working with countries to develop standards and benchmarks for the training and practice of different systems of traditional medicine, and for their evidence-based integration in the International Classification of Diseases (ICD).

Where Does India Stand?

India has a rich history of traditional medicine and practitioners providing effective health services to the population. Ayurveda, Homeopathy, Unani, Siddha and other recognised systems of medicine continue to be the first choice for those living in remote and rural areas, offering care that is available and affordable.

Recognising the immense potential, the government is leveraging the engagement of Ayush in healthcare by increasing investment in infrastructure, workforce and farming of herbal plants. While there are focused efforts on developing a combined allopathic and Ayush health delivery model in the country, the strategy continues to be underplayed on the ground. Alas, much more needs to be done and integrative healthcare remains a 'work in progress'!

IS THE NEED OF THE HOUR

What We Need?

The consumers are calling on the political parties to recognise that modern medicine is harsh and mottled with side effects. The substantial risk of developing iatrogenic diseases due to the deleterious effects of conventional therapeutic and diagnostic procedures and adverse drug reactions from the multitude of allopathic drugs prescribed to patients needs to be taken into account.

We recognise that the government wants to mainstream Ayush, but it has failed to understand how it can actually be done. Why don't we focus on the solutions offered by these recognised systems of medicine for managing non-communicable diseases? Why doesn't anyone speak about how traditional medicine is more beneficial for the senior citizens who suffer from the harsh effects of allopathy? Why don't we look at making Ayush an integral part of all the Ayushman Bharat Health and Wellness Centres for meeting the objectives of the National Health Policy 2017? For that matter, why is there no talk about making Ayush a part of the health insurance policies?

Various countries around the world – from China and Japan to France and Switzerland have developed an effective model for promoting traditional medicine in their national healthcare systems. A modern and developed country like France boasts of a parallel healthcare system of complementary and alternative medicine. A survey revealed that 58% of French people turned to acupuncture and hypnosis in 2017. Even the healthcare providers there have integrated some of the recognised systems of medicine to supplement their mainstream therapy. Japan has institutionalised the Kampo medicine which is enabling its majorly senior population to lead an active and healthy life.

China stands as a shining example of proactive promotion of its traditional systems of medicine. Both the ancient therapies and herbal products are given maximum mileage and expanded across healthcare paradigms. In

fact, China is the only country in the world where both modern and traditional medicine are practised alongside each other at every level of the healthcare system.

That's not all. Traditional Chinese medicine is recognised by several developing and developed nations – including the National Institutes of Health in the USA – as an effective complementary and alternative medicine modality. It is widely used by the population with leading healthcare centres – like the Mayo Clinic, Cleveland Clinic, and Johns Hopkins – offering traditional Chinese practices such as acupuncture and herbal treatments.

What's more, several complementary health treatments – like acupuncture, homeopathy and herbal medicine – are covered by the mandatory basic health insurance in Switzerland when they are performed by a certified physician. Even treatments by non-medical therapists are partially covered by a supplemental and optional health insurance. In 2009, 67% of Swiss citizens voted for accepting Chinese Medicine as a complementary medicine to be covered by the health insurance.

Will we see the dawn of such a day in India vis-à-vis Ayurveda, Yoga, Unani, Siddha, Sowa Rigpa, Homeopathy and other recognised systems of medicine?

We want the political parties to study the healthcare facilities, products, policies and reimbursements for traditional medicine offered by other countries and undertake the development of suitable protocols in their election manifesto. We look forward to the use of advanced technology – like artificial intelligence, machine learning and other communication tools – for powering an integrative model of healthcare that will deliver efficient healthcare to the masses.

The Last Word

The road to integrative medicine is tricky, especially as we need proof that amalgamating traditional therapies will be safe and work well in all scenarios. However, powered by a strong resolve and strategies, nothing is unattainable! ▶



VAIBHAV JAIN, Founder and CEO of Aayush Bharat, an integrated online platform for Ayush doctors and products points out, “We have to choose where to put modern medicine and when to use Ayush. This conflict or confusion needs to be resolved in a productive way.”

He further states, “We must evaluate how to use traditional treatment practices and create sustainable, healthy products. Ayush is an area where clinical trials can be done with the right principles and fundamentals, and regulations must be set up accordingly.”

In his words, “Today, we have modern types of equipment and diagnostic practices aided by technology that can be combined with Ayurveda and made to develop effective solutions. This can open many international opportunities where comprehensive and personalised care can be delivered.”



AAYUSH BHARAT



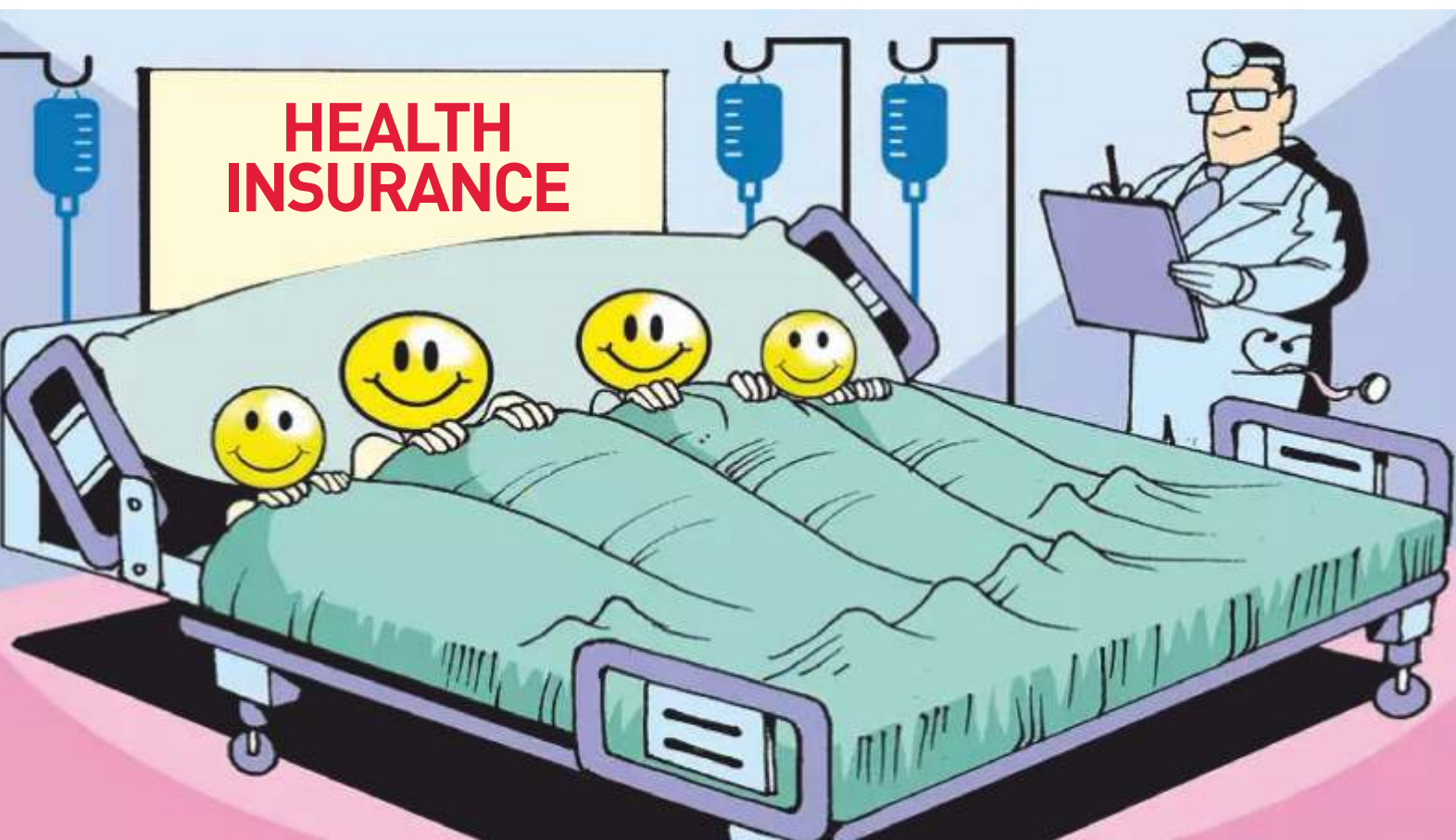
Bina Jain

- Former President, All India Women's Conference (AIWC)
- Chairperson, Healthy You Foundation, New Delhi

What India Needs is Universal Health Insurance!

Insurance plays a vital role in providing basic health coverage to the citizens. This sector needs serious consideration across varied parameters – from bridging the trust deficit of the consumers to encompassing other aspects like out-patient coverage, geriatric care and preventive care.

– Ms. Bina Jain



GIVEN THE EXTREMELY poor quality of public health systems in India, majority of the population is forced to turn to private health facilities for healthcare treatment. It goes without saying that the private sector operates for profit and cashes in on the demand-supply gap in healthcare with elevated prices of medical treatments.

Private healthcare costs have to be either covered by insurance or footed by the patients. Given the low health insurance penetration in the country (survey data shows that barely 37.2% of the total population had health insurance in 2023), most of the healthcare expenses are paid directly out of pocket by the people.

According to a recent report by the National Insurance Agency, over 400 million individuals, or about a third of the population, lack health insurance!

Out of Shape
TOTAL LIVES COVERED
UNDER HEALTH INSURANCE
18,01,30,152



Total 5 States	Total No. of Lives Covered (retail)
Maharashtra	4,64,79,752
Karnataka	1,83,43,043
Tamil Nadu	1,58,04,666
Delhi	96,99,674
Telangana	95,41,120

As on December 11, 2023

Alas, the lower income groups have to take on significant debt to meet emergency and advanced healthcare needs; a significant proportion of the population is pushed below the poverty threshold annually due to the healthcare burden!

The high out-of-pocket expenses for healthcare services can lead to delayed or avoided treatments, causing further complications and even death.

It is not as if provision of insurance for healthcare has not been a priority for the national political parties in India. Various governments



The Scenario in Developed Nations

Health insurance is more extensive in most parts of the world. The United Kingdom is renowned for its National Health Service (NHS) which provides access to healthcare without discrimination - it covers all residents and is nearly free. USA's Medicare and Medicaid extend enhanced availability of health insurance with high length and breadth of insurance coverage.

France deems healthcare a national responsibility with the Statutory Health Insurance providing universal and compulsory coverage for all residents. Spain also provides universal coverage for its residents. Moreover, countries like the USA, UK, Sweden, Australia and Spain have implemented other policies for constant health monitoring. It is not as if these countries do not face issues, but they are constantly working on improving the quality of services and coverage!

have launched a range of government-sponsored health insurance schemes – like the Central Government Health Scheme (CGHS), Employees State Insurance Scheme (ESIS) and the most recent Ayushman Bharat - Pradhan Mantri Jan Arogya Yojna (AB-PMJAY). However, most of them target the most marginalised populace, not to mention that the coverage is limited in many aspects.

Hardly a miniscule portion of the population can afford private medical insurance. What's more, despite the hefty premiums, it fails to cover considerable expenditures such as medical tests, medications, out-patient care and more.

The union Ministry of Health and Ministry of Finance are exploring setting up a health sector regulator as a watchdog that will also facilitate affordable health insurance coverage for all citizens.

A Demand for Expanding the Scope of Health Insurance

What India needs is well-established, widespread and all-encompassing health insurance which becomes the primary financing option for healthcare needs across the masses.

The consumers are calling on the political parties to make health insurance mandatory for everyone across all levels and ages. *When our vehicles are not permitted to operate on the roads without a third-party insurance, why can't the same courtesy and care be extended to the people as well?*

Health insurance for all – in the form of increased penetration, density and coverage – will ensure that all citizens can avail the best quality healthcare without it becoming a financial constraint. Experts opine that this calls for innovations in funding mechanisms apart from introduction

of health savings accounts, co-payments, etc.

A lot of variables have to be put into motion here.

Who will consider the miseries of health insurance policyholders? –

Insurance in India is plagued by a huge trust deficit, as insurance companies try their level best to deny the claims of policyholders. The policies are beset with complicated terms and conditions that put consumers at the mercy of the insurance companies. They are made to run from pillar to post during times of need and get minimum payouts in most cases. Both the regulator and the insurance providers need to look at making the processes consumer-friendly, ensure that genuine claims are not denied and that grievances are resolved expediently.

Why is insurance linked to hospitalisation? –

The consumers across strata are raising the pertinent question – why does insurance hinge on hospitalisation? Does the fundamental requirement of minimum 24-hour hospital stay to trigger insurance coverage even make sense? Given that the entire health insurance ecosystem is centred on hospitalisation, the private hospitals are dictating terms to insurance companies and get away with capitalising on their dominant position in the insurance game. This is a troublesome area for sure, and the loser is the hapless consumer in the end.

Do any of the stakeholders consider the carbon footprint of hospitalisation, which is mandatory for availing health insurance coverage?

Indeed, medical procedures have advanced significantly and treatments and surgeries are being completed within a few hours itself. The patient is sent home before the day is over. However, insurance companies continue to deny medical claims if a policyholder is not hospitalised for a minimum of 24 hours.

What about the fact that older people have lower immunity and can actually develop new diseases in the hospital setting? Indeed, healthcare

Certain common day-care treatments like chemotherapy, radiotherapy, haemodialysis, cataract surgery, coronary angiography, sinusitis, liver aspiration, appendectomy and some dental treatments are being covered by various health plans. However, out-patient expenses for doctor consultations, tests and investigations are generally excluded.

associated infections (the most common being pneumonia, blood infection and urinary tract infection) are an increasing burden which can extend both the hospital stay and recovery time for the patients. Therefore, we need to not just move away from this focus on hospitalisation, but reverse the trend with new options in insurance.

This germane consideration came into the limelight when the National Consumer Commission chief, Justice



Amreshwar Prasap Sahi raised pressing concerns about the irrelevance of the hospitalisation clause during the National Consumer Day celebrations in December last year. In response, the union Ministry of Consumer Affairs stated that it will take up the matter with the Insurance Regulatory and Development Authority of India (IRDAI) and the Department of Financial Services (DFS) to reevaluate this prerequisite and find a suitable solution. However, it is questionable whether appropriate changes will actually emanate in the future.

What about outpatient coverage? –

Extending the above argument, health insurance cannot truly be comprehensive unless it covers the costs of outpatient care as well. Indeed, most of us avail outpatient consultations with healthcare providers and have to pay through the nose for general practitioner fees, specialist consultation costs, prescription medications, diagnostic and investigative tests, etc. for both scheduled health check-ups and unexpected/minor ailments. Something as basic as a viral fever can pack up a huge expense in terms of doctor fees, antibiotics and other medicines and even saline treatment on occasion. Other health issues can require nutrition and diet counselling, physiotherapy, rehabilitation, etc.

Outpatient expenses account for around 65% of healthcare spending in India

Outpatient costs can weigh heavily for people with chronic conditions and autoimmune disorders like asthma, diabetes, arthritis, thyroid, allergies, etc. which require regular hospital visits. The COVID-19 pandemic exposed the serious shortcomings of health insurance as almost everyone had to avail outpatient consultations and diagnostic testing.

As of now, outpatient coverage is offered as an add-on benefit that can be added to the policy for an extra charge which can become quite expensive. Not only is it beset with exclusions, but the claims process is also quite cumbersome.

Why does outpatient care get the short end of the stick in insurance? Why can't we avail all-round coverage as a rule?

Who will consider the needs of the older population? –

Geriatric care needs serious attention by both the healthcare and insurance stakeholders. While government regulations have caused public and private medical insurers to extend their policies to senior citizens and create some speci-

fic products as well, they fail to address the specific long-term care and nursing needs of the aging populace.

For instance, chronic diseases – like musculoskeletal disorders, hypertension, chronic kidney disease, Alzheimer's, dementia, etc. – are technically not covered by regular insurance policies as the ongoing and long-term nature calls for different care management, usually without hospitalisation. This is not clearly expressed in the policy and many claims by senior citizens are denied, much to their bewilderment. Therefore, insurance providers need to specially design coverage for the needs of the aged people which covers chronic degenerative conditions and not just acute ones!

physiotherapy in the outpatient setting, when the treatment can alleviate many of their ailments, even to the extent of actually reducing the chances of expensive hospitalisation in the future? We want to empower the older generation to age gracefully without the limitations of access to healthcare.

Can we talk about home care? –

There are situations where a person – especially a frail or elderly one – does not want to or just cannot be shifted to a hospital (due to paralysis, fracture or age), even though he/she may require institutionalised care. In such cases, the hospital has to literally come home for the patient. Unfortunately, domiciliary care is yet to get the

emphasis on preventive care in India even though it can control chronic diseases, detect life-threatening diseases at an early stage, prevent ailments from turning chronic, ensure prompt medical action and reduce the mortality rate. It will help people save money and ease the strain on the healthcare system too. Above all, preventive check-ups can help us live a healthier and happier life!

Why don't we talk about annual health check-ups for diabetes, blood pressure, cholesterol, not to mention anaemia screening, cancer screening, HIV and genetic testing and more? Why wait until it may become too late?

Alas, cost becomes a prohibitive factor here. While almost all diagnostic centres and hospitals offer a range of health checkup packages, the charges can be quite steep. And hardly any health insurance plans include routine wellness exams and testing.

To institute a habit of preventive check-ups, health insurance packages need to offer them free of cost or at a discounted price. This is a win-win for both policyholders and insurers as not only does it safeguard people's health and reduce the incidence of medical treatments, it will also translate into a decrease in claims on the insurance companies.



No child should be born without insurance! We need to cultivate the culture of insuring every child's health and life right from birth. Paying a small amount from day one can provide longer and better coverage. The political parties should consider working on this kind of birth-to-death insurance as a social security measure for the welfare of the population.

Then comes the crucial aspect of physiotherapy – it is not only required for recovering from a surgery, but can also reduce the impacts of aging. Regular sessions with a trained professional can improve strength, flexibility and stability in the body, thus helping manage pain, reduce muscle stiffness, ease inflammation and even restore range of motion. It can also reduce falls and injuries and empower the older people to live an active and independent life. What's more, it has mental health benefits too. However, the treatment is long-term and can work out to be quite expensive.

Alas, physiotherapy expenses are not covered under regular health insurance, not unless it can be classified as a post-hospitalisation expense. Some policies provide limited coverage under the outpatient rider; while some entail paying an extra premium to cover physiotherapy expenses. This may involve an initial waiting period as well.

Why don't senior citizen policies have specific provisions for

requisite traction in health insurance in India. This is despite the medical advancements which have made it possible to monitor and treat chronic and even serious illnesses within the confines of one's own home.

Indeed, many providers offer complete home care setups today. However, insurance coverage is missing, conditional or limited in duration/treatments/expenses unless the insured specifically opts for a health insurance policy with the domiciliary hospitalisation benefit. The premium will be significant again.

Why don't we have easy access to home care coverage when this can actually reduce the burden on hospitals? In fact, even palliative care has failed to get the attention it deserves!

Proactive health management

anyone? – Our healthcare is fixated on curing diseases, illnesses and other ailments. How about we shift the focus to preventing such conditions in the first place. Sadly, there is hardly any

Some insurers do offer regular preventive screening as an add-on; however, it again comes with a set of terms and conditions.

Summing Up

The consumers need both variety and innovation in health insurance products – like combining hospitalisation and non-hospitalisation benefits, additional insurance for essential treatments, etc. – that can address the needs of various segments of the society. Developing and implementing pragmatic solutions will take time, but we need to make a beginning now so that holistic and patient-centred care becomes accessible and affordable for every Indian – from a newborn to senior citizens – in the coming years!

Especially with India targeting 'Insurance for All by 2047', certain insurance products should be made mandatory, accessible and affordable. ▶

ONE NATION – ONE ELECTION!

The central government has been considering and even exhorting the concept on 'One Nation – One Election' over the last few years. There are many hurdles in attempting single elections across the central and state governments, but the citizens want the authorities to iron out the issues and legislate this mandate.



The tradition of simultaneous elections needs to be revived in the country!

INDIA IS A country that is perennially in election mode. It has often been said that there is an election in some or the other state (or the centre) every three months! The 'One Nation – One Election' proposal aims to synchronise elections for the Lok Sabha and all the state assemblies to reduce the frequency of polls throughout the country.

According to government policy thinktank, NITI Aayog, "In the last 30 years, there has not been a single year without an election to either a State Assembly or Lok Sabha or both!"



Prime Minister Modi has time and again spoken emphatically about having single elections across the country, with voting taking place concurrently on a single day or within a specific time frame. Former President of India, Ram Nath Kovind has been an ardent supporter as well. In his 2018 address to the Parliament, he stated that

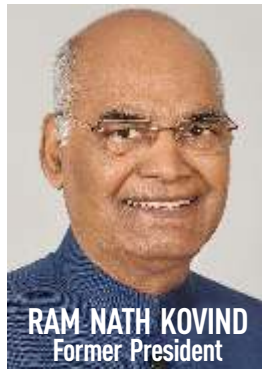
citizens are concerned about frequent elections in one part of the country or another, which adversely impact the economy and development. The notion has garnered support from various other quarters too - the Election Commission of India, Law Commission of India, NITI Aayog and even a Parliamentary Committee.

Initiating Action

On 1st September 2023, the central government constituted a High Level Committee - headed by former President Ram Nath Kovind - to study the feasibility of synchronous elections for the Parliament and the state assemblies. The Terms of Reference state, 'examine and make recommendations for holding simultaneous elections to the House of the People (Lok Sabha), state legislative assemblies, municipalities and panchayats, keeping in view the existing framework under the Constitution of India and other statutory provisions, and for that purpose, examine and recommend specific amendments to the Constitution, the Representation of the People Act, 1950, the Representation of the People Act, 1951, and the rules made thereunder and any other laws or rules which would require amendments for the purpose of holding simultaneous elections'.

As Chairman, Kovind urged all political parties to support the idea by ardently stating, "I am requesting all the political parties to cooperate as this is in the national interest. No political party has got anything to do with it."

The committee conducted two meetings last year wherein it reached out to 6 national and 33 state parties,



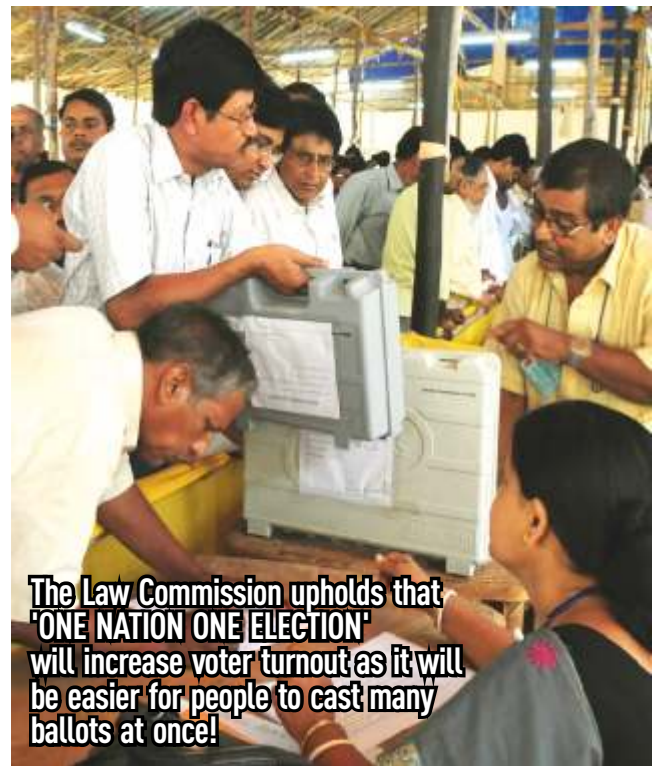
along with 7 unrecognised parties, seeking their perspectives and discussions on a 'mutually agreed date' on the idea of holding simultaneous polls. A reminder was also sent to them later, but to no avail. The Law Commission made a presentation to the committee elaborating their suggestions and viewpoints based on in-depth studies over the years.

A website www.onoe.gov.in has also been developed for 'One Nation One Election' to serve as a repository of all relevant information on the subject apart from being a platform for interactions with all stakeholders. Last month, the committee invited suggestions from the public for making appropriate changes in the existing legal administrative framework to enable simultaneous elections in the country.

Background

It is noteworthy that simultaneous elections have been debated for over four decades in the country. The Indira Gandhi-led government advocated it during the 1970s. In 1983, the Election Commission recommended going back to the exercise of simultaneous elections which was the norm from independence till 1967. However, right now, only polls in four states - Andhra Pradesh, Odisha, Arunachal Pradesh and Sikkim - are held alongside the Lok Sabha elections.

The primary rationale is the huge drain on financial resources in conducting separate elections. According to an estimate deliberated in a parliamentary panel discussion, elections to the Lok Sabha and legislative assemblies cost the Election Commission (EC) of India more than Rs 4,500 crore.



The Law Commission upholds that 'ONE NATION ONE ELECTION' will increase voter turnout as it will be easier for people to cast many ballots at once!



The frequency with which freebies are announced by political parties will also be reduced!

According to a report, the EC spent Rs. 4000 crore during the 2019 Lok Sabha Elections. The total expenses amounted to a staggering Rs 60,000 crores.

One election will not just save public money but also ease the burden on the administrative and security forces that are engaged in election duties again and again. Even the same electoral rolls can be used for all the elections, saving time and money.

To add to this, the Model Code of Conduct is in place prior to every election which bars the government from announcing any new project, development work or policy decision. This leads to a 'policy paralysis' with the state machinery at a complete standstill; even implementation of ongoing projects gets derailed. Not to mention that everyone from the administrative officials and Panchayat members to the MLAs, MPs and union ministers to the chief ministers and Prime Minister is engaged in electioneering. If the entire country goes to the polls only once every five years, the governments will be able to better focus on governance and policy implementation.

There are roadblocks for sure. A major obstacle is the fact that the current election cycles have a large gap

between them. The tenure of the incumbent state governments will have to be cut short or extended to synchronise them with the Lok Sabha. And what if a state assembly or Parliament gets dissolved mid-tenure for some reason - How will the mid-term polls be conducted?

Logistical challenges are also bound to surface. The existing resources and infrastructure need to be scaled up sizably – we will need a lot more electronic voting machines (EVMs) and voter-verifiable paper audit trail (VVPAT) units, not to mention polling booths and security personnel.

Getting the support of all political parties is a major hurdle as well. Regional parties have vociferously argued that simultaneous elections will hamper their prospects as local issues will get overshadowed by the national issues.

Building consensus on the need and feasibility calls for immersive dialogue and deep deliberations. Further studies, consultations and evaluation are required as well. However, all political parties should at least cooperate in debating the issue.

We are asking the political parties to work around the existing issues and initiate the framework for simultaneous elections. Can we look forward to changes that will reshape India's electoral landscape for the better? ▀



Hard-Earned Money of Consumers Lies Dormant in Unclaimed Accounts

Bank accounts are classified as 'unclaimed' when they have remained inoperative for at least 10 years; these are then transferred to the Depositor Education and Awareness Fund (DEAF) of the Reserve Bank of India (RBI)



THE MINISTRY OF Finance, Government of India announced that the total unclaimed funds in the banking system at the end of March 2023 totalled to Rs 42,272 crore, of which the public sector banks account for Rs 36,185 crore. This marks a 28% increase in unclaimed deposits from Rs 32,934 crore during 2021-22.

It should be noted that bank accounts that have remained inoperative for 10 years are classified as 'unclaimed' and are transferred to the Depositor Education and Awareness Fund (DEAF) of the Reserve Bank of India (RBI). Furthermore, if a bank account is not operated for two years, it is termed 'inoperative'. While the data about inoperative accounts is not publicly available, an RTI application by a concerned individual managed to unearth that a stupendous sum of nearly Rs 1 lakh crore (by conservative estimates) is lying with the public sector banks in 'inoperative accounts'.

The RBI recently issued some new rules for inoperative accounts. Banks are required to inform customers through SMS, letters or email of their accounts turning inoperative. They have also been asked to reach out to the person who introduced the account holder or the account holder's nominees in case the owner of an inoperative account does not respond.

Furthermore, the RBI stated that banks cannot impose a penalty for not maintaining minimum balance on accounts that are inoperative. No charges shall be levied for activation of inoperative accounts either.

As On 31-Mar-2023

	Inoperative Amount (in Cr.)	Inoperative Accounts	Unclaimed Amount (in Cr.)	Unclaimed Accounts
Uco Bank	5,433.24	1,52,43,993	594.97	15,12,757
Bank of Baroda	18,055.03	5,64,51,296	3,435.96	75,86,351
Central Bank of India	7,247.52	1,59,16,432	1,180.21	27,75,059
Punjab & Sind Bank	1,823.78	48,15,817	500.25	12,86,825
Indian Bank	9,698.56	2,63,65,623	292.65	10,81,217
Canara Bank	12,451.00	2,64,34,102	4,035.76	1,40,05,013
Bank of Maharashtra	2,811.01	56,44,495	48.11	4,29,829
Punjab National Bank	14,606.62	4,37,56,230	4,504.99	1,24,53,134
Bank of India	12,261.37	5,43,00,000	2,459.06	92,01,000
Union Bank of India	18,842.00	7,25,88,128	3,198.83	
Total	1,03,230.14	32,15,16,116.14	20,250.79	5,03,31,185

As On 31-Mar-2022

	Inoperative Amount (in Cr.)	Inoperative Accounts	Unclaimed Amount (in Cr.)	Unclaimed Accounts
Uco Bank	5,136.28	1,33,38,648	499.94	12,45,442
Bank of Baroda	17,456.71	4,83,09,109	3,017.07	65,43,392
Central Bank of India	8,205.11	1,85,71,988	1,019.47	21,97,562
Punjab & Sind Bank	1,410.94	40,21,968	430.03	10,58,488
Indian Bank	8,023.98	2,25,93,423	222.11	8,19,157
Canara Bank	10,780.00	2,33,47,900	3,315.40	1,21,51,827
Bank of Maharashtra	2,809.80	66,54,665	13.74	66,327
Punjab National Bank	14,698.57	4,15,10,381	4,318.71	1,10,05,384
Bank of India	9,977.34	4,56,00,000	1,709.80	66,96,000
Union Bank of India	18,079.00	7,99,22,602	2,877.09	
Total	96,577.73	30,38,70,684	17,423.37	4,17,83,579

(Source: <https://www.moneylife.in/>)

Add the amounts lying forgotten with the State Bank of India and other private banks to the above figures, not to mention the Public Provident Fund, post-office savings schemes, unclaimed policies of insurance companies, shares and dividends with companies, inactive mutual funds, etc. and the numbers will be mind-boggling.

Several PILs have been filed to draw attention to these unclaimed funds. The RBI launched the '100 days 100 pays' campaign to refund money to the rightful owners and its centralised UDGM (Unclaimed Deposits - Gateway to Access Information) portal for searching unclaimed deposits across 30 banks at one location is operative since August 2023. However, there has been little success as the unclaimed amounts continue to soar even in the times of technology advancements, artificial intelligence

tools and more. To add to this, there is no sight of the integrated IT portal for investors to reclaim their unclaimed shares and unpaid dividends that was supposed to be set by the Investor Education and Protection Fund Authority (IEPFA).

Meanwhile, the government continues to sit on a treasure trove of money that represents the earnings of the ordinary consumers. The sheer lack of sincere efforts to return them to the legal owners is truly bewildering!

Will any political party take on the challenge of accounting for people's hard-earned money and vow to return it to their rightful owners in the election manifesto?

For that matter, why can't the unclaimed funds be used for the betterment of the society and people at large? ▶



Crack the Whip on Dark Patterns and Other Misleading Online Advertising

Navigating the intricacies of the online world is trickier than what you believe. Your favourite social media app or online shopping platform may sheath a slew of dark patterns that take the form of deceptive communications to manipulate your decisions. Can we expect proper censorship of misleading promotions to protect the vulnerable consumer?



We need strict laws and consistent enforcement to safeguard our data, money and time online!

IT'S TOUGH TO stay away from the internet these days. We are using scores of apps on our mobile phones, browsing the web on our laptops and streaming shows on our tablets. Even as you hop on to the latest viral trend, download an app or sign up for an online service, little do you realise that the people behind the scenes are subtly manipulating you to do things that you don't even realise or wouldn't really want to do.

Before you dismiss this as the underhand tactics of shady websites and apps, be warned; your favourite and omnipresent Google, Microsoft, Facebook, Instagram, YouTube, X (Twitter), Skype, LinkedIn, Amazon, Flipkart, etc. are purposely luring you into taking certain actions by using a deceptive design pattern (popularly known as dark pattern).

A 'dark pattern' refers to a design or user interface technique that is intentionally crafted to manipulate or deceive users into making certain choices (that they otherwise would not) or discourage specific behaviours. It is a deceptive practice employed to influence user behaviour in a way that benefits the company implementing it.

The next time you book a flight ticket, buy some clothes or even watch reels on social media, the interface design, social engineering or some other tricks can make you agree to certain conditions, click other links or even buy something that violates your intentions or best interests.

No matter how internet-savvy you may be, you will fall prey to these deceptive strategies at one time or the other. It could be cause you are in a hurry and 'Accept' the long-drawn-out terms and conditions without reading them or mistakenly click on an advertisement as it blends in with the website content!

Consider the following carefully crafted misleading tactics that we have come to accept as the norm across search engines, social media, online shopping and more:

- It is easy to sign up or create an account, but the unsubscribe or cancellation button is difficult to find, too



A 2019 study investigated practices on 11,000 shopping websites and identified 1818 dark patterns and grouped them into 15 categories.

In 2022, a report by the European Commission found that 97% of the most popular websites and apps used by EU consumers deployed at least one dark pattern.

small to notice, low contrast as compared to the other details or buried in link after link. There are many other speed bumps that can discourage you from disabling certain options.

- Similarly, the option that the website wants you to select is always more prominent, attractive or even auto-selected than the one it wants you to avoid.
- A trial package will automatically charge you once the free period expires, often without any notice.
- Online retailers sneak extra products into your shopping cart when you are purchasing something else, or may automatically tack on hidden charges with a pre-ticked warranty, insurance, subscription or even payment to charity. You have to expressly find the opt-out/deselect button and cancel it to avoid the extra payment.
- Some websites advertise products at throw-away prices and once you are tempted to purchase, it is replaced with a lower value or higher cost item while stating that the other is sold out.
- The website may guilt trip you, like showing a sad/condescending image when you try to leave or passive-aggressive messages marking the link - 'No, I don't like to SAVE money!' or 'No, I don't want to stay informed!'
- The cross (X) on the top of the ad may be too faint to see or so small that you accidentally click on the ad itself and are redirected to the ad's website.
- There are repetitive interruptions on websites/apps in the form of pop-up ads, call to action, auto-playing videos and more that nag you into doing something else. At times, ads may appear as news items or celebrity endorsements too.
- Even worse, you may be tricked with misleading or confusing language into granting consent to being tracked, or having your data used in ways you don't understand.
- Other examples are mandating the requirement to create an account or submit an email address, using dull colours to hide information, creating a sense of false scarcity or urgency, and using fake reviews or activity messages to amplify trustworthiness.

Apps use terms like 'activity' and 'personalised' instead of 'tracking' and 'targeting', so you don't realise what you are actually giving them permission to do!

Dark patterns are frustrating for sure, but we have silently accepted them as part and parcel of the online game! What's more, as Chris Nodder, a UX consultant and author of 'Evil by Design' highlights, "Once users become aware of a certain kind of trick, the sites start changing it out slightly so users don't notice any more."



Legislation in Sight

A growing number of advocates, regulators, consumer protection authorities and lawmakers across the globe are pushing for legislation to ban these dark patterns so that consumers can use the internet without constantly being stage-managed by unethical UI/UX (user interface/user experience) interactions into spending money, signing up for services they don't need or giving up their data.

Many types of deceptive patterns are already illegal in the EU and USA.

In March 2023, the United States Federal Trade Commission fined Fortnite developer, Epic Games a whopping \$245 million for use of dark patterns to trick users into making purchases.

In India, the Central Consumer Protection Authority notified the 'Guidelines for Prevention and Regulation of Dark Patterns, 2023' on 30th November, 2023. They expressly prohibit engagement in 13 types of dark patterns and are applicable to all platforms offering goods or services in India, and even advertisers and sellers.

Resorting to dark patterns will be construed as misleading advertisement, unfair trade practice or violation of consumer rights and penalised as per the provisions of the Consumer Protection Act, 2019.

This ban is definitely a positive step towards fostering fair e-commerce practices. It calls for technical changes in the user interface and e-commerce companies will have to modify their marketing strategies. However, actual implementation will be an uphill battle given the mammoth size of the online sector. Monitoring their

actions and acting on complaints calls for sizable manpower and resources.

The consumers call for further finetuning of the guidelines as they are not precise at present and can be interpreted in multiple ways. The focus should be on getting the online operators to actually make large scale structural changes in their operations to ensure a safe and user-friendly online experience for the consumers.

Come to think of it, why is the regulation limited to e-commerce players only? What about the scores of other websites and apps that employ dark patterns as a matter of course? *I encountered a number of them while researching for this article alone!*

It should be noted that the union Ministry of Consumer Affairs had earlier notified the guidelines on 'Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022' for the print, television and online medium. The move was designed to protect consumers from being exploited or affected by misleading advertisements/endorsements like free claims, fake discount offers, false descriptions, misleading guarantees and even surrogate ads. Despite the clear and mandatory conditions for valid and legal advertising, brands continue to blatantly violate the norms as they wish.

What we need is a comprehensive law and not just mere guidelines to regulate dark patterns. What we need is stringent actions, along with robust penalties, to address the widespread use of deceptive advertising practices. Only then can we get transparent user experiences that are practical and intuitive. Only then will there be user-friendly platforms that respect our right to choice and privacy. Only then will consumers truly have the power to make their own decisions! ▶



Som Mittal
Chairman,
Patients for Patient Safety Foundation



MAKE MEDICATION



A STRICT NO-NO

A LARGE NUMBER of pharmaceutical companies produce a wide range of medicines and formulations that are prescribed by doctors or are available over-the-counter. These medicines form an important part of treatment protocols. Given its critical nature and importance, the pharmaceutical sector is fairly regulated.

However, from a patient's perspective, they still struggle to manage their medications and ensure that these medicines are administered safely. As is well-researched, medication errors contribute to 50% of all avoidable harm. While the healthcare sector is trying to do its best to reduce the incidence of avoidable harm, there is still a lot that needs to be done.

The consumers are calling for patient-centricity – in both drug regulations and pharmaceutical companies- to reduce the incidence of medication errors. Here are some examples:

Information Printed on Medicines: A lot of important information is printed on medicine strips and packaging. Most times, the brand name and composition are only printed at one place on the strip, along with details of batch number and expiry date. Once patients start consuming the tablets/capsules, it becomes difficult to read the medicine name or the expiry date.

Also, when we buy part of the strip, the pharmacy cuts the strip and gives us the quantity required. The cut part may not have either the name of the medicine or the expiry date, creating problems for patients as they are unable to identify the medicines. Proper printing at several places should be made a standard across the industry.



Number of Pills per Strip: There is a large variation in the quantity of pills per strip, ranging from 10, 12, 15, 20 to 30 tablets per strip. Pharmacies insist on patients buying a full strip even if they need a lesser quantity. This results in unused medicines going waste and thrown away. It may appear as a commercial strategy to compel patients to purchase more than necessary.

The strip sizes should be standardised to 10, except for specific medicines with a prescribed course of fewer

than 10 tablets. This will also assist patients who take multiple medications in ordering sets of 10, thus avoiding mismatched quantities. This shift does not create any issues for the pharmaceutical industry and should be implemented immediately for increased efficiency.

Illegible Printing: In several cases, the printing on the medications is illegible – it is either moulded on the dispenser, crimped on the edge or the print contrast is so poor that one can easily make a mistake.



Look-Alike Sound-Alike Medicines: Look-alike sound-alike (LASA) medicines refer to medications whose names or packaging are similar, leading to a risk of confusion. This similarity results in medication errors in prescribing, dispensing or administering the wrong drug. Such errors can have serious consequences for patient safety. Some pharma companies have taken measures to minimise the risk of LASA errors, like distinct packaging, labelling and increasing awareness of risks. With some sensitivity and creative naming, we can ensure that the names do not get mixed up.

Furthermore, many brands often have very similar names. If existing brands have been well-established, at least for all new medicines, sound-alike brand names should not be allowed. For existing brands, there can be a caution label on the medicines (as shown below).



nurses are often overburdened, and due to look-alike packaging, disastrous errors can occur. Clear differentiation in appearance and labelling is crucial to avoid confusion – package



Similar-Looking Packaging and Labelling: Similarities in the packaging and labelling of different medications can contribute to major dispensing errors. Pharmacists and



size, colours and shapes of packaging can be easily made differently to ensure errors do not happen.

Medicines Not Yet Banned in India: There are several medicines and formulations that are banned in developed countries based on side effects observed over a long period. However, there are times when the Indian drug regulator may not have banned these medicines, and there may be a time lag which can be even several years. How can this be allowed? Patients are often unaware of these situations and continue to consume medicines that have been found harmful elsewhere. Meanwhile, the healthcare community should use their own judgment and avoid prescribing such medications or at least alert the patients. Pharma companies too should voluntarily withdraw drugs banned in other developed countries from the market.

Storage of Medicines: In a country like India, which has a hot climate, if the end-to-end cold chain is not maintained, we could be administering poor-quality,

degraded or harmful medicines. While the cold chain may work up to the distributor level, it's not always maintained at the last mile and at the patient's end. If a medicine needs to be kept refrigerated at home, it should be boldly written on the package and not in fine print, as it is today.

To sum up, drugs are meant to save lives, not cause death or harm. Both the drug regulators and the pharmaceutical companies are responsible and should make patient safety a primary goal. A little more attention and care - taking the patient's perspective and engaging patients in their own safe care - can help prevent avoidable harm! ▶



OBTUSE ANGLE by B P Acharya





An Election Manifesto for India

An entrepreneur and writer under the pseudonym Wijay000 on the blogging platform, www.medium.com raised the crucial point of election manifestos needing to reflect realistic goals, just prior to the last general elections in the country. He is a normal consumer like you and me apart from having other credentials like Edison award winning innovation, Daytime Emmy nominated animation, Author of a book on Net Zero, WEF Davos, Cannes Lions, TEDx.





IT IS THE election season again in India. It is that time of the year when politicians will suddenly become very nice and most importantly, will start to care for poor people. Farm loans will be waived, taxes will be lowered for the middle class, subsidies will be promised, a minimum guarantee of income will be announced and what not? Opposition parties, who were ru(i)ning the government five years back, will take the moral high ground and oppose everything. They oppose everything, even helicopter landings.

But the ones who are responsible for all the Tamasha are the PEOPLE. They give POWER to these people and feel POWERLESS for five long years. They get the POWER back again to give it to some other person and feel POWERLESS again. This has been the case for the last 70 years since independence except for the first 20–25 years. What are you, the people, doing to get POWER? What is your ASK?

All political parties make an election manifesto. They make tall promises which they don't even believe in and obviously, have never delivered anything. Let's not get into who made what poll promise as 99.99% of these poll promises and election manifestos are rotten.

You may ask, 'They are so disempowered. What can they do?'. They can do a lot. Here's what they can do. People can all have a common election manifesto. Let the one with the best solution for people's manifesto come to power. How would a people's manifesto look like?

1. Keep the air clean
2. Give us pure drinking water
3. Give equal education to all kids free of cost

4. Ensure that everyone follows the rule of law
5. Ensure that everyone behaves responsibly and plays the role of a citizen

If these five things happen, the country is a developed country. It will be developed because the environment is developed by keeping air and water clean. People's minds will be developed to follow rule of law and behave responsibly. Our future is also secure because our kids get equal education and understand equality from a young age.

Are there any issues more urgent than the above five issues in India? Aren't these the real issues? Just by solving these five issues, every problem in the country can be solved. It is easy to give clean air and clean water to only rich people because they can afford to BUY it through water purifiers and air conditioners/purifiers. What about the millions who cannot afford it? What does the government have to do to generate enough revenues to cover the cost of clean air, clean water and free education? Isn't that what leaders need to be thinking?

How does one make every citizen behave responsibly? How do they make people follow the rule of law? How much of policing is required? What can be done to empower citizens to take responsible action? Isn't that what leaders need to be thinking? If they reduce the cost of many things by empowering citizens to take up responsibility, wouldn't that cost be used elsewhere?

Can any political party deliver this manifesto? Do they have the courage to take it up? ▀

The article is sourced from <https://vgthinks.medium.com/an-election-manifesto-for-india-30015312f8d6>

Manifesting Legal Sanctity for Election Manifestos

No elected government today – be it at the state or national level – stands by the promises made to the citizens in its manifesto. Political parties can literally get away with blue murder as the election manifestos are not legally enforceable. Obliging legislative implementation is what will bring the much needed accountability into the picture, thus making politics more transparent and credible!



ELECTION

How can we call ourselves a democratic country when the government is not liable to fulfil the promises made to the public in the manifesto?

IT IS THE norm after every election – electoral promises lie shattered like broken glass!

What do you think will happen after the battle for 2024 draws to a close? Will the winning party live up to all the dramatic promises made in the election manifesto?

The Machiavellian practice of impractical narratives in election manifestos has become so ingrained in India that even the 'dejected' consumers forget them a few months after the party has come into power. And even if you remember a promise that has been not fulfilled, you actually cannot do anything.....

Is this not a blatant case of misleading the public with outlandish hyperbole? Don't you feel cheated when the party you voted for cannot be bothered about working on its poll promises? Why can't you take them to court to seek fulfilment of an electoral promise?

"Political parties set out their ideology, intentions, views, policies, programmes and other governance plans in their election manifestos. I voted based on the manifesto that aligned with my expectations and aspirations. But what can I do when the party wins and yet, fails to keep its promises?" – a disgruntled voter

The Stark Reality

Alas, election manifestos do not have any legal implications on the political parties in India. The promises made in the manifesto are not considered legally binding – therefore, the ruling party is not under any obligation to implement the commitments they have made to the public. Given this, they are not even bothered about taking the feasibility into consideration, let alone any repercussions!

In the absence of legal consequences and even proper regulation, election manifestos simply serve as a rhetoric instrument to manipulate and hoodwink the gullible citizens. There is no mention about whether a party even has the capacity to implement the proposed measures – like, where the money will come from,

No political party has delivered 100% of the promises it made in the manifesto after being elected to power!



how the necessary permissions will be taken, who will be involved in translating the projects into reality and so on.

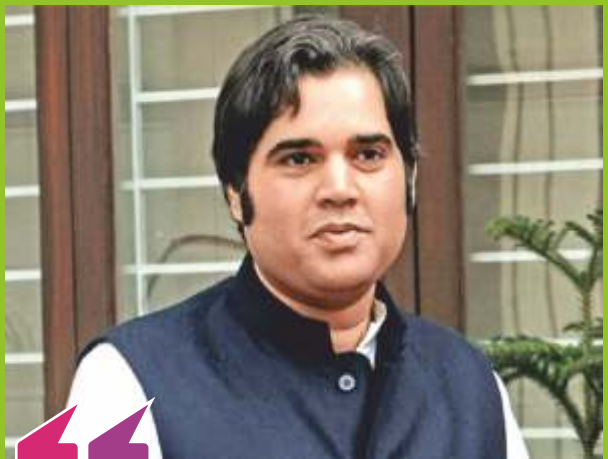
Moreover, what does a commitment like improved healthcare even signify? Is it defined by increasing the number of doctors, providing more hospital beds, building more hospitals or something else. Similarly, promises related to education, employment, law and order, sanitation, etc. are open to interpretation.

Beneath this lies a darker picture – By making a mockery of the manifesto, the political parties are abusing the very Constitution of India and ravaging the democratic fabric of the country!

How can we be expected to pay heed to the election manifestos before exercising our franchise when the documents lack both credibility and accountability? Where is the legitimacy factor?

Lack of Legislative Support

Without any constitutional provision for election manifestos, there are no checks and balances for ensuring that a political party that is elected to power delivers the commitments made to the voters at the time of election. The lack of legal enforceability is the missing link between idea and intervention, which brings the very sanctity of manifestos into question.



If democracy is a social contract between those elected and ordinary citizens, then manifestos should be considered as a legal contract enshrining a country's purported development agenda. For the health of India's democracy, ensuring accountability for manifestos remains a key reform to be pushed.

**– Mr. Varun Gandhi,
Member of Parliament, Lok Sabha**



The foreword of the 2019 Congress Manifesto ended with the proclamation, “We will present a report to the people of India, every year, on the status of implementation of our manifesto. We will also set up an independent social audit group, which will make its own assessment of how and to what extent we have fulfilled our promises.” Whether it would actually act upon this promise if it had come to power is a moot point!

Even an erstwhile Chief Justice of India noted, ‘manifestoes have become a mere piece of paper’ and political parties need to be held accountable for them.

Lawyers, ordinary consumers and even some Parliamentarians on their part have tried to invoke judicial compliance for election manifestos by challenging the legitimacy of the promises made during elections. All they want is for the parties to outline what their lofty goals will actually entail and how the proposed outcomes will be attained. However, most of the PILs get rejected on the grounds that ‘it is not the court’s job to consider a matter of unfulfilled promises’.

It was in the case of *S. Subramaniam Balaji v. Government of Tamil Nadu* in 2013 (which challenged the DMK party’s announcement that it will distribute free colour TVs to every household in the state that did not



possess one already, if voted to power in the 2006 Tamil Nadu Assembly elections) that the Supreme Court upheld that although the promises in the election manifestos cannot be construed as a ‘corrupt practice’, distribution of freebies does influence the people and shakes the root of free and fair elections to a large degree. However, it was stated that it was beyond the court’s domain to legislate what promises can or cannot be made in a manifesto.

Yet, recognising the post-election plight of helpless voters, the Apex Court directed the Election Commission of India to frame guidelines with regards to the contents of election manifestos (to be included as part of the Model Code of Conduct) after consultation with all recognised political parties.

Following this exercise, the Election Commission guidelines were formulated related to the content of election manifestos – such as, the promises should not be repugnant or repulsive to the principles and ideals

enshrined in the Indian Constitution; political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise, etc.

Furthermore, it was even expressly provided that “in the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.”

The Election Commission even issued show cause notices in some cases of blatant violation by some political parties. However, sans strong legal support, the guidelines remain a toothless weapon.

Other petitions in various High Courts and even the Supreme Court to enforce election promises have been turned down repeatedly with the judgment that poll manifestos do not have statutory backing and, hence, their enforceability is not within the purview of the courts.



Making Manifestos the Holy Grail

It is high time that a legal obligation is placed on the political parties to adhere to their election manifestos. We need to bring in a system of accountability and liability. Failure to abide by the commitments must invoke legal consequences - like restrictions on contesting elections or other punitive punishment.

This may sound like an idealistic ask – but why does the role of election manifestos come to an end with the elections? Why is bonafide implementation lacking? Why is the manifesto not used to analyse the government’s performance while it is in power? Shouldn’t it serve as a reference document for the authorities to guide their governance – aka a business plan? Shouldn’t citizens consider it a benchmark to evaluate the performance of the government at the end of its five-year tenure? Why doesn’t the achievement of goals outlined in the manifesto become the basis for whether the party will be able to garner votes in the next election or not?



When political promises are disjoint from reality, history and/or their institutional context, their veracity is questioned, often resulting in fractious interaction between citizens and politicians, and within organs of government.



PRAKHAR MISRA



KADAMBARI SHAH

**Associates at IDFC Institute
- an independent public-policy think tank**

India should take inspiration from other countries around the world and make election manifestos legally binding on the political parties. This calls for both constant supervision and control. This calls for having a comparative chart of how the party in power performed as against its promises in the previous manifesto. This calls for providing a platform for the consumers to bring the government to task about its policy pledges and other promises.

Without such changes, election manifestos will continue to be riddled with unprofessionalism, malpractices and wilful fooling of the illiterate, ignorant and credulous sections of the population in one honeytrap election after another. Disinterest and disaffection in the entire election process will continue to rise....

Even this Consumers' Manifesto will not be worth the paper it is printed on, unless the implementation clause is brought to the table!

It is only the possibility of long-term fallouts that will compel the political parties to spend serious time and effort in redesigning their election manifestos – from

merely a vibrant-looking document filled with attractive promises to realistic, rational, actionable and economically wise ones. With their integrity in question, they will avoid implausible promises and devise a concrete plan that they actually intend to follow on being elected to power. Ideally, it should also include fiscal roadmaps to achieve the promised targets along with the potential impact on the financial reserves. This is what will secure both the interest and trust of the consumers.

Indeed, only when the elected government starts considering the election manifesto a solemn promise, will it work towards achieving the promises and goals made in the manifesto. This will pave the way for optimal legislations, ensure sustainable economic growth and become the blueprint for true development. And we will get a decorum of democracy as well!

Can any political party deliver such a binding manifesto that will bridge the yawning gap between electoral promises and their fulfilment? Or, will the manifesto remain a 'photo-op' in the political campaigns? ▶

Supreme Court to Deliberate Whether Pre-Poll Freebies are a 'Corrupt Practice'



THE SUPREME COURT of India had ruled in a petition hearing in 2013 that promises of benefits made by political parties in election manifestos - or freebies - are not bribery or corruption. However, in 2022, a bench of the apex court - headed by the Chief Justice of India, N.V. Ramana - agreed to constitute a bench to take a relook at its 2013 judgment.

The Honourable Court was hearing a public interest litigation (PIL) filed by Bharatiya Janata Party (BJP) leader Ashwini Kumar Upadhyay raising questions on the constitutionality of 'freebies' promised

Freebies may create a situation wherein the State government cannot provide basic amenities due to lack of funds and the State is pushed towards imminent bankruptcy.

– Supreme Court of India

by political parties during election campaigns.

The PIL was submitted on the grounds that distribution of freebies from the public fund influences voters, disturbs the level playing field, impacts 'free and fair elections' and vitiates the purity of the process.

Stating that the freebies violate various constitutional provisions and are akin to bribery and undue influence, the petition sought a bar on such pre-poll promises. It even suggested that the apex court can direct the Election Commission to invoke its powers to freeze the

election symbols of such parties and cancel their registration.

Senior Advocate Vikas Singh further argued for the petitioner that the freebies' issue was about the fiscal responsibility of the political parties as well and called for a judicial direction that political parties who make 'wild' promises of largesse should also reveal in their poll manifestos where they will get the money to pay for them.

Terming the promise of freebies to be a 'serious' issue that requires extensive debate, the apex court

during elections and deprive them of the ability to make an informed decision. The government openly stated that schemes such as 'free electricity' affect the economy.

The writ petition has emerged as a major point of controversy between political parties. In fact, the Chief Justice urged the union government to constitute a committee and call for an 'all-party' meeting to discuss the freebies issue. However, Mr. Mehta responded that some political parties believe that it is their fundamental right to offer freebies, as it was their

debate whether an 'enforceable' judicial order can be passed to stop political parties from promising and distributing 'irrational freebies', completely divorced from actual welfare schemes, using public money in order to merely 'capture vote banks'. It should also deliberate if an expert body can be formed to independently study and make recommendations against the distribution of largesse at the cost of the national economy and public welfare; it can also prepare a 'White Paper' suggesting the way forward.

It is notable that another petition was filed last year in the Supreme Court seeking a direction not to misuse the consolidated fund or grant in the name of public purpose on the verge of elections. The petitioner, Bhattulal Jain pleaded for framing comprehensive guidelines on such announcements before elections. Following this, the Justice Chandrachud bench issued notices in October 2023 to the Union of India, states of Rajasthan and Madhya Pradesh and the Election Commission of India seeking responses about public funds being misused to offer outlandish freebies ahead of the Assembly elections in the said states.

A month later, the bench began hearing petitions seeking a judicial declaration that irrational freebies offered by political parties to lure voters during election time should be considered a 'corrupt practice'.

What's more, in December last year, four retired Indian Army personnel moved another PIL before the Karnataka High Court seeking a ban on election freebies. The plea asserts that the practice of offering freebies misleads voters and also leads to the misuse of funds from the State exchequer to secure government office and wield power.

Our Prime Minister, Mr. Narendra Modi has often warned the citizens against falling for the 'revadi (freebie) culture' during polls, calling it 'dangerous' for the development of the country. Other experts have also sounded that the drain on resources caused by such practices can cause a Sri Lanka-like crisis to emerge in some of the states! ■

We have to see what is freebie and what is welfare. For example, some state gives cycles to the poor and women. It is reported that by giving bicycles, (it) has improved lifestyle. The problem is which is freebie, and which can be said (to be) beneficiary for the upliftment of a person.

– N.V. RAMANA
Chief Justice of India



Justice D.Y. Chandrachud

referred the case to a three-judge bench headed by Justice D.Y. Chandrachud and comprising Justices J.B. Pardiwala and

Manoj Misra to

reexamine the earlier judgment.

The central government backed the petition, with solicitor general Tushar Mehta representing the Centre and claiming in court, "We are heading towards an economic disaster. Let the Election Commission (EC) of India apply its mind and we can give our suggestions to your lordships. Please do something about it". He further argued that freebies were being used to 'lure' voters

primary method to acquire power. In fact, several political parties argued in the court that 'not all promises are freebies' and welfare measures rolled out for public good cannot be equated with 'freebies' causing a stalemate in the debate!

It should be noted that the judiciary usually does not interfere in matters of fiscal policy. However, the Supreme Court was concerned about the use of the taxpayers' money for increasing the popularity of the party and its electoral prospects. It also anticipated that freebies can create a situation wherein the state government is unable to provide basic amenities due to lack of funds and is pushed towards imminent bankruptcy.

The three-judge bench was directed to institute a transparent

JAGO GRAHAK JAGO!



Bournvita Reduces Sugar Content After Social Media Backlash

A ONE-MINUTE INSTAGRAM reel by an influencer literally brought a multinational giant to its knees!

It all started in April last year, when a certified nutritionist, social media activist and influencer Revant Himatsingka – aka Food Pharmer – highlighted the extremely high level of sugar content in Bournvita and questioned how the popular chocolate-flavoured powder can claim to be a 'health drink'.

The post quickly went viral with 12 million views and was widely shared by people across social media platforms, including actor-politician Paresh Rawal and former cricketer and MP Kirti Azad. The video called out Cadbury India, the manufacturer of Bournvita, for miscommunicating the nutritional value of its product and revealed that it contains sugar, cocoa solids and a cancer-causing colorant. The influencer criticised the false claims of 'Boosting the immune system' on

This section will feature success stories of consumer activists who are relentlessly battling for consumer rights. We will highlight decisions and awards in favour of the consumers. This should motivate other youngsters to take up the cause of the consumer - not only for social benefit, but their own good too! Jai Ho Grahak!

the packaging and even cautioned against the risk of diabetes.

The brand soon issued a statement denying the accusations and Himatsingka's Twitter (now X) account was suspended. Slapped with a legal notice for the

'unscientific' video, the content creator issued an apology and took down the video citing that he did not have the interest or resources to fight a court case.

However, worried parents had already started raising questions on the contents of Bournvita, which is consumed by millions of children. The issue gained traction in the national media as well. Many people supported the influencer, some pledged not to buy Bournvita again and one person even posted, "In India, selling poison is not a crime but exposing it is!"

The controversy caught the attention of the National Commission for Protection of Child Rights (NCPCR) which issued a legal notice to the brand demanding a review and withdrawal of all 'misleading' advertisements/ packaging while asking it to provide a detailed explanation for the drink's high sugar content. It even requested the Food

Safety and Standards Authority of India (FSSAI) and the Central Consumer Protection Authority (CCPA) to take action against companies not complying with food safety and advertising guidelines.

Eight months after the row, Cadbury India actually slashed Bournvita's sugar content by around 15%. Previously, Bournvita contained 37.4 grams of added sugar per 100 grams of powder; the revised formula reduced it to 32.2 grams per 100 grams.

What happened to the brand's claims that food scientists and nutritionists had carefully crafted Bournvita's formulation to provide the best possible taste and health? It is notable that Cadbury entered India way back in 1948 and it was forced to mend its ways after seven long decades!

This is a huge win for consumer advocacy! Big companies can no longer get away with misleading marketing tactics. It's high time they are mindful or face stringent action, if not from the authorities, then from the consumers themselves!

Indeed, we need to remain vigilant and take action where needed. As Himatsingka wrote on X, "This is probably the FIRST time in HISTORY that a social media video has led to a food giant reducing their sugar content! If one video can result in a 15% reduction in added sugar, imagine what we can achieve if all of us start reading food labels before we buy anything. Companies wouldn't dare falsely market themselves!"

His words can shake the roots of companies indulging in misleading marketing, "If you send me a legal notice, I am going to get you publicly noticed!"



Where was Himatsingka wrong? He was just trying to educate the consumers and make them aware of the unhealthy effects without any person gain for himself.

Advertisements and Promotions – How Can Misleading Claims Be Allowed?



DR. ASHISH ANAND TRIPATHI is actively working on Consumer Rights and Consumer Protection in India. He writes to The Aware Consumer about the hazards of false medical claims in marketing campaigns. He is a Post-Doctoral Fellow of Indian Council of Social Science Research (2023-25), at Institute of Management Studies (FMS), Banaras Hindu University, Varanasi.

SCABIES IS A dermatological problem that attains favourable situation with bacteria and humidity, which is common in human beings. It is a common phenomenon in India and other countries having similar geographical climate, living conditions and is well known to the local population. People living in humid areas face it on regular intervals and it cures naturally without any pharmaceutical interference. Only knowledge and awareness of sanitation works perfectly in this particular bacterial issue.

Medical experts and scholars are advising immunity development plans worldwide; the COVID-19 pandemic highlighted space for new researches and policy changes.

Use of any kind of pharmaceutical chemical in case of scabies will result in threat to life and other adverse effects. Research papers, 'Drug Today' or publications from Pharmacopoeia Commission of India can be consulted for further details on impact of any pharmaceutical chemical to human beings, animals and the environment. Pharmaceutical companies and marketing agencies in India should not promote their products (made to treat scabies) as they are selling soft drinks. It is a moral duty and ethical responsibility of any marketer that they should draw a visible deviation between a pharmaceutical product and an FMCG one.

Monosulfiram (also known as Sulfiram) is normally used in the topical treatment of scabies. When Sulfiram is mixed with alcohol, it becomes Tetmosol. A few medical journals have some publications defining the adverse effects of Sulfiram with alcohol. The journals and authors of the research papers are domain experts¹. Normally, pharmaceutical composition-based products have to complete various stages (in terms of animal and human testing and trials, which is further published for further scientific researches) before its launch in the regulated market.

However, a pharmaceutical giant in India launched a Tetmosol-based product and ran a television campaign by an Indian actor of repute, who may have recently witnessed a social boycott for endorsing another product which is a threat to human beings, animals and the environment. This brings forth the scope for Censor Board and reforms for advertisements in India.

Medical regulations in India don't allow any medical practitioner (including pharmacists) to advise anyone anything on a regular or daily basis, whose result will threaten their life. Any pharmaceutical product can be used only in case of medical need - it might or might not be purchased from any pharmacy on showing valid legal prescription by a Registered Medical Practitioner in the state. (This may vary due to different regulations and different jurisdictions of different nations). Not only this, the practitioner's registration from the Medical Council can be nullified for this kind of behaviour in their consultancy practices and from the associations.

Only a few pharmaceutical products in India are free to trade under a Schedule of Government of India. An

actor (who is not a medical professional) saying, advising, suggesting or recommending 'use this product daily' (in medical terms) over national media through a video commercial advertisement raises various questions of ethics and law for this pharmaceutical giant and its administrative and marketing officials, who self-praise their marketing practices worldwide. The website of the organisation in its mission, vision statement and objectives is projecting itself as devoted to society and mankind.

Another similar incident has been witnessed by the Indian consumers recently – a leading actor alleged that he had been inappropriately charged more than Rs 6 lakhs by the Censor Board officials only to view his movie for certification. Further, CBI made some arrests in this regard. This projects the gap and requires reforms and campaigns by the stakeholders in major areas.

Cinema is treated as an expression of art; it cannot defy the nation anyhow. Consumer Rights' stakeholders compare it with purchase and satisfaction in return. Cinema is a piece of video production by an individual or group of artists and a consumer, as viewer, pays legitimate charges for that product considering all government and other charges/taxes. So, policy and procedure in this matter has to be made more transparent and user-convincing.

Vice versa, if you receive any open platform to express, you as a celebrity must mind your words and its impact to stakeholders. If you are endorsing any pharmaceutical product, it is your moral responsibility as a consumer, later on as celebrity, to know its long time impact to you and other human beings.



Right to Information (RTI) Act, 2005

The Consumer Protection Act (CPA), 1986 of India provides six basic rights to consumers - one of them is Right to Information which was further drafted and enacted in the Indian Constitution as the Right to Information (RTI) Act, 2005. The law is so powerful in its nature that recently the history of India has witnessed some major reveals and upheavals from special and classified documents of security forces and organisations of Government of India - such as, Netaji Subhash Chandra Bose actually died in 1983 in central Uttar Pradesh's Lucknow region (*Anuj Dhar and Chandrachur Ghose*).

Contrary to this, the Right to Information means nothing and has become useless in commercial organisations in their policies and practices in general. ■

¹ <https://www.sciencedirect.com/science/article/abs/pii/S0006295294905908>
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UPDATE ...

Update on the December edition



Moving a Step Ahead

WEBINAR ON

'Evolving Consumer-Centric Pharmacy Practices'

THE DECEMBER MAGAZINE

edition was a starting point for creating awareness about the need for consumer-centric pharmacy practices. We followed up on this by organising a national webinar - in association with RJS Positive Media - on 10th December, Sunday at 11 am. This coincided with the 75th International Human Rights Day.

The webinar was well-attended by notable national and international personalities like Dr. Ramaiah, Dr. D B A Narayana, Dr. Brijesh Regal, Dr. D R Rai, Dr. P Rama Rao, Dr. Jagashetty, Mr. Suresh Saravdekar, Mr. Ishaq Khan, Mr. Ashish Ranjan, Mr. Sudeep Sahu and more.

Our editor and publisher, Prof. Bejon Misra chaired the session with his usual aplomb. While



abuse of medications. He called for pharmacies to adopt a more patient-oriented clinical role while pointing out some diligent pharmacists that rise above merely dispensing medicines and are quietly rendering value-added services like consultation, health check-ups, medication management and other kinds of patient care. Mr. Vaidya is keen on creating a positive movement in the country based on Good Pharmacy Practices (GPP).

As Chief Guest, Ms. Manjiri Gharat - Vice-President, International Pharmaceutical Federation (FIP) and Principal K.M. Kundnani Pharmacy Polytechnic, Institute Of Chemical Technology, Thane - spoke about how the role of the pharmacist has expanded globally and evolved beyond our

RJS Positive Media organises regular webinars every Sunday morning on topical themes. They have conducted around 175 webinars till date.

rendering the welcome address, Mr. Prafull D Sheth, Chairman, Consumer Online Foundation (COF), pointed out that certain observations by Ms. Bina Jain about substandard drugs and poor pharmacy practices that harm the health of the consumers triggered this theme for the magazine and webinar.

Mr. Raj Vaidya (M. Pharm, Fellow of IPA) - a practising Community Pharmacist at Hindu Pharmacy, Goa and ex-co member of International Pharmaceutical Federation (FIP), Community Pharmacy Section - was the keynote speaker on the panel.

Through an interesting PowerPoint presentation, he highlighted that even though there are over 13 lakh pharmacists in India, due to poor implementation of the laws the consumers are not aware that every medical store should have a pharmacist present on the premises and that they should not sell medicines without a valid prescription. People are used to getting literally any medicine they want easily and do not realise the repercussions like antimicrobial resistance, misuse and

imagination. This had particularly come to the fore during the COVID-19 pandemic. She stressed that the entire system is at fault in India and there is a pressing need to revamp the pharmacist's role in the face of the rising incidence of non-communicable diseases and longevity of life of the consumers. Ms. Manjiri further highlighted that consumers need to be sensitised at all levels and through various channels to demand an ecosystem of good pharmacy practices.

The attendees raised pertinent questions that sparked a healthy debate across stakeholders and generated interesting opinions and insights. For instance, Dr P Rama Rao pointed out that pharmacists can play a pivotal role as an intermediary between the doctor and patient if there is more awareness about their responsibilities. Dr. Ramaiah highlighted that pharmacy is actually a very noble profession, but the role of pharmacists has not been recorded anywhere. He also pointed out that compounding has become a dead art and no colleges teach this essential skill today.



Former President,
All India Women's
Conference (AIWC)



Raj Vaidya
M. Pharm,
Fellow of IPA



Manjiri Gharat
Vice-President,
International
Pharmaceutical Federation



Prof. Bejon Misra
Editor & Publisher,
The Aware
Consumer



Prafull D. Sheth
Chairman,
Consumer Online
Foundation

Dr. DBA Narayana said that the pharmacist is trusted next to the doctor and people regularly approach them for minor ailments. He stressed that regulations should be the last approach and we need to initiate a social change instead. He floated the idea of conducting a survey to gauge what is required by consumers and called on pharmaceutical companies to use some of their CSR funds to focus on raising awareness among the consumers.

Mr. Sudeep Sahu inquired whether GPP is applicable to ayurvedic and homeopathy medicines, Mr. Suresh Saravdekar asked if it is legal to substitute the drugs prescribed in the prescription with equivalents and Mr. Gunjan raised the query about generic drugs being sold at higher prices than the MRP. These were answered by the panellists.

Mr. Ishaaq Khan questioned if the 'jhola chaap' doctors are being trained to diagnose and provide suitable treatment in limited areas. This sparked an animated

discussion about the appropriateness of this approach and what is being done currently to ensure safe treatments. Dr. Rai – former Secretary General of IMA – even pointed that the IMA constantly pushes the government to tackle the menace of quackery as their fallible actions give a bad name to doctors in general. He stressed that the Drugs and Cosmetics law is not really followed by the stakeholders and the DCGI lacks the resources to take action against spurious medicines, misleading advertisements of medications, etc.

The attendees appreciated the eye-opening information shared in the webinar. Ms. Bina Jain, Chairperson, Healthy You Foundation and Former President, All India Women's Conference (AIWC) mentioned in her Vote of Thanks that she was glad to note the points and issues raised in the webinar and looked forward to better implementation of pharmacy practices in the future. Mr. Uday Manna closed the webinar. ▶

Delhi High Court Grants Last Opportunity to Centre to Frame Policy on Online Sale of Medicines

Our December edition had raised concerns related to the online sale of drugs and medical devices that can not only render the treatment unsafe and ineffective, but also compromise public health at large.

We are glad to note that in the middle of November 2023, the Delhi High Court directed the Centre to frame policies for online pharmacies within eight weeks. A Division Bench of Acting Chief Justice Manmohan and Justice Mini Pushkarna cautioned that if the policies are not framed within the stipulated time period, the concerned Joint Secretary will have to be personally present in the court during the next hearing on 4th March, 2024.

The court noted that the issue has been lingering on for long and the government must expedite the process. It further stated that, "This court is of the view that as more than five years have lapsed, the Union of India has had sufficient time to frame the policy".



YOUR OPINION MATTERS

We are truly humbled by the praise and acknowledgment that is flowing in from varied sources. Please feel free to send in your comments, views or feedback on The Aware Consumer magazine at bejonmisra@theawareconsumer.in – we will publish your opinions and implement your feedback while ensuring that your voice is heard on the right platforms.

letters to the

editor

(December issue: Evolving Consumer-Centric Pharmacy Practices – National Consumer Day, 24th December, 2023)



The articles in The Aware Consumer are a very relevant topic today. I live in the USA, but make several trips to India every year and the experience at the pharmacy in both countries is very different. The lack of experience and formal education of pharmacists in India is a serious concern. They are unable to guide me on which medicines to buy and in many cases end up giving poor quality substitutes for the required drug. In the USA, the pharmacists take the time to ask your symptoms, consult with their co-workers and recommend medication accordingly. I am waiting to see this in India.....

– **Dhruv Jain, New York, USA**
dhruvjain807@gmail.com



I was happy to have a quick reading of The Aware Consumer magazine. A few observations of what is required:

- Easy availability and promotion of quality generic medicines.
- In many medicines, there is a huge price difference in MRP and wholesaler price to retailers. Patients are in big loss.
- Patients in a hospital must have the choice to purchase medicines from the hospital attached shop or from outside.
- Pharma companies must believe that –'First Patient Life then Profit!'

– **Shekhar Agarwal, Past President, FTCCI, Hyderabad**
shekharsuccess@yahoo.com



Rich content and excellent coverage of different dimensions of the issue subject. Sincere compliments to the entire team!

– **Rajiv Vasudevan**
Founder and CEO, AyurVAID Hospitals
rajiv_vasudevan@ayurvaid.com



I had a chance to read the articles on pharmacy practices in The Aware Consumer, December 2023 issue. It is a very important topic - many people are unable to do their own research on medications and need to be able to trust their healthcare providers when buying medications. If there is a no properly trained pharmacist at the pharmacy, then customers may receive the wrong medication and it can be very bad for their health. It is vital that these businesses are regulated.

– **Seyjal Jain, Washington DC, USA**
seyjaljain@gmail.com



From the first glance this is the best magazine. The Pharmacy industry has to undergo herculean change. The ethics and Good Manufacturing Practices have to be enforced strongly by all government and nodal agencies. The penalisation has to be strict for all practitioners. The role of doctors/medicos cannot be excluded; they become default co-accused.

Human life has to be given top priority – government hospitals have to be severely penalised and punished for frauds, malpractice, etc.

The industry must have the fear of punishments in their nerves. I am bit strong on these as - For one, I am always the voice that the pharma/medico + the packaged food industries are the real devils of human race. They both killed the true values of our best practices and technologies.

– **Raghu Ramsunder, Gurugram**
raghuramsunder13@gmail.com

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WATCH OUT

Watch out for the next issue in March dedicated to
**World Consumer Rights Day 2024 –
'Fair and Responsible AI for Consumers'**

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Bejon Kumar Misra • 9311044424 • bejonmisra@theawareconsumer.in



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