



## The next step is a constitutional right to health

The pandemic has exposed and aggravated the cracks in our healthcare systems, and this is a lesson we cannot afford to ignore and not learn.

### Through the eyes of citizens: Farmers, Women and Children

1. Farmers are the primary protectors of our fundamental right to life. Yet, the majority remain at a loose end when it comes to their own rights and well-being, and that of their families.

2. Without an anchor during times of severe illness or disease, generations of children of small and landless farmers, and unorganised, migrant and seasonal workers are thrown into bondage and debt by having to pay for medical costs from their limited earnings.

3. Employment benefit schemes do not reach them, and the ones that do are mostly on paper. The implementation of the right to health can provide simple, transparent and quality health care to those who are most in need of such care.

4. Women bear a disproportionate burden of the gaps in our healthcare system. The taboos and patriarchal expectations surrounding their health leads to immense avoidable suffering.

5. In addition, social and economic challenges prevent them from freely and openly accessing the little care that is available. A 'Right to Health' would mean that services reach the woman where and when she needs them.

6. Bachpan Bachao organisation has rescued over 1,00,000 such children from child labour, bonded labour, and trafficking. When rescued, these children are ridden with complex health impacts of working — primarily tuberculosis, skin diseases, eyesight impairment, and malnutrition, besides the substantial mental health impact.

7. These children have been denied a safety net of early childhood care and protection, the consequences of which are felt for a lifetime. The 'Right to

## The next step is a constitutional right to health

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K. SRINIVASAN

The liberty of human movement is often a blessing and even necessary for our collective healing from suffering. But the lessons we learn from suffering are possibly even more crucial. As our people continue to live in individual and collective grief as a result of the novel coronavirus pandemic, it is the moral responsibility of our leaders to look ahead and learn the necessary lessons.

**A plea for this right**  
The lesson here is the need for the constitutional 'right to health' for all. The pandemic has exposed and aggravated the cracks in our health care system, and this is a lesson we cannot afford to ignore and not learn.

To have the best, I looked into the Parliament of India to see immediate measures to make necessary amendments to the Constitution to declare health care a funda-

mental right. I was reassured with positive responses from parliamentarians across party lines who have supported this call. Now, the time has come to make this a reality for India so our people never have to undergo the suffering that they did.

**Through the eyes of citizens**  
The primary question asked is what will a constitutional 'right to health' mean for a citizen of India? I will try and explain this through the lens of three categories of citizens: farmers and marginalised workers, women and children.

Farmers are the primary protectors of our fundamental right to life. Yet, the majority remain at a loose end when it comes to their own rights and well-being, and that of their families. Without an anchor during times of severe illness or disease, generations of children of small and landless farmers, and unorganised, migrant and seasonal workers are thrown into bondage and debt by having to pay for medical costs from their limited earnings. Employment benefit schemes do not reach them, and the ones that do are mostly on paper. The implementation of the right to health



can provide simple, transparent and quality health care to those who are most in need of such care. Women bear a disproportionate burden of the gaps in our health care system. The taboos and patriarchal expectations surrounding their health lead to immense avoidable suffering. In addition, social and economic challenges prevent them from freely and openly accessing the little care that is available. A 'right to health' would mean that services reach the woman where and when she needs them.

A large number of children who belong to the poorest and most disadvantaged communities of our country grow up working in hazardous situations in India, raising their health and safety concerns. They are either not enrolled in schools or are too ill to attend due to the pressing financial needs of the fa-

mily — often because of consequent out-of-pocket medical expenses.

**Making it safer for children**  
My organisation has rescued over 1,00,000 such children from child labour, bonded labour, and trafficking. When rescued, these children are ridden with complex health impacts of working — primarily tuberculosis, skin diseases, eyesight impairment, and malnutrition, besides the substantial mental health impact. These children have been denied a safety net of early childhood care and protection, the consequences of which are felt for a lifetime. The 'right to health' will help reassure the children in explosive conditions into a safer future.

A constitutional 'right to health' will reassure and safeguard the health and well-being of our people but will act as a loop for the economic and developmental progress of the nation. Presently, any investment in health care fails to translate into a sense of security and sanctuary for the people of India. Instead, the complex and often corrupt means of accessing care, making health care only affordable to the suffering, instead of al-

leviating it, the vision for a post-pandemic Bharat will be strengthened with a constitutional 'right to health'. The immediate financial security that will come with the constitutional 'right to health' will be seen as a remarkable impact on family savings, greater investment, and also creation of the new India, and in the long-term emotional, psychological and social security of people.

**As a legacy**  
The world is taking steps, both big and small, to recovering from the pandemic. Through strength in policy and innovation, India must not lag behind. The right to free and compulsory education was originally one of the most valuable legacies of the earlier Government. The true test of a leader's leadership lies in its focus, commitment and courage to deliver for the greater good. A constitutional amendment to introduce the 'right to health for India' can be the legacy of this Government.

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K. Srinivasan, former Union Minister for Health, Government of India

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Tuesday



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*Health' will help transition the children in exploitative conditions into a safer future.*

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**While the Constitution doesn't explicitly recognise it as a fundamental right, our judiciary and a large majority of people see healthcare as a right**

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### ***Need for a constitutional 'Right to Health'***

- 1. A constitutional 'Right to Health' will transform not only the health and well-being of our people but will act as a leap for the economic and developmental progress of the nation.*
- 2. Presently, any investment in health care fails to translate into a sense of security and sanctuary for the people of India. Instead, the complex and often corrupt means of accessing even existing health care only adds to the suffering instead of alleviating it.*
- 3. The vision for Ayushman Bharat will be strengthened with a constitutional 'Right to Health'. The immediate financial security that will come with the constitutional 'Right to Health' will be seen as a measurable impact on family savings, greater investment, and jobs creation on the one hand, and in the long-term emotional, psychological and social security of people.*

