



## The Competition Commission of India (CCI)

### Relevancy

- ✓ G.S. Paper 2
- ✓ CCI imposed fine on google for 'search bias'
- ✓ Key issue and complaint allege discrimination
- ✓ About CCI and notable cases handled by CCI so far

### Recently:

- ❖ The Competition Commission of India (CCI) has imposed a 136-crore fine on Google for "search bias" and abusing its "dominant position".
- ❖ The Indian competition regulator's ruling comes after similar setbacks in the European Union and Russia for the world's most popular search engine.

### What is the issue?

- In a 190-page order, the Competition Commission of India (CCI) said Google abused its dominant position on three counts that largely relate to search, while no foul play was seen in case of advertising.
- CCI imposed a penalty amounting to 5% of the average revenue generated from India over the three years to FY15, an amount of rupees 135.85 crore, which has to be deposited within 60 days.
- A maximum penalty of 10% can be imposed under the Act. Google was found to be indulging in practices of search bias and by doing so, it causes harm to its competitors as well as to users.
- Google was leveraging its dominance in the market for online general web search, to strengthen its position in the market for online syndicate search services.
- The ruling follows complaints filed by Matrimony.com and Consumer Unity & Trust Society (CUTS) in 2012 against Google LLC, Google India Pvt Ltd and Google Ireland Ltd.

### Key Complaint Alleges Discrimination

- The key complaint against Google is that it operates its search and its advertising services AdWords in a discriminatory manner, causing harm to advertisers and indirectly to consumers.
- It is also alleged to be creating an uneven playing field by favoring Google's own services and partners, through manually manipulating its search results to the advantage of its vertical partners.
- Last year in a similar case the European Union's anti-trust arm fined Google \$2.7 billion for promoting its own products over others in what should have been a "universal" search.
- Google also settled an anti-trust matter in Russia out of court.
- At the time the Indian commission was the first in the world to take this stance even as globally cases were ongoing.
- The Competition Commission had come to a preliminary conclusion that Google was promoting its own services in generic search results in a report in 2015.
- The report was based on inputs or complaints from Flipkart, Facebook, Nokia's maps division, MakeMyTrip and several other companies.

### What is CCI?

- Competition Commission of India is a statutory body of the Government of India responsible for enforcing The Competition Act, 2002 throughout India and to prevent activities that have an appreciable adverse effect on competition in India.
- It was established on 14 October 2003.
- It became fully functional in May 2009 with Dhanendra Kumar as its first Chairman.
- It is headquartered in New Delhi.

### The notable cases handled by CCI so far are:-

- In December 2010, CCI instituted a probe to examine if there was any cartelisation among traders when onion prices touched 80 rupees, but did not find sufficient evidence of market manipulation.
- In June 2012, CCI imposed a fine of 63.07 billion (US\$980 million) 11 cement companies for cartelisation.



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- CCI claimed that cement companies met regularly to fix prices, control market share and hold back supply which earned them illegal profits.
- In January 2013, CCI modified clauses in agreements between real estate company DLF Limited and apartment buyers. Some of the important modifications were:-
  - a) The Builder can not undertake any additional construction beyond the approved building plan given to the buyers.
  - b) The builder will not have complete ownership of open spaces within the residential project area not sold.
  - c) Not just the buyer but the builder will be liable for any defaults.
  - d) All payments made by the buyers must be based on construction milestones and not "on demand".
  - e) The builder will not have the sole power to form the owner's association.
- 2015, CCI imposed a fine of 258 crores upon Three Airlines.
- Competition Commission of India (CCI) had penalised the three airlines for cartelisation in determining the On 8 February 2013, CCI imposed a penalty of 522 million (US\$8.1 million) on the Board of Control for Cricket in India (BCCI) for misusing its dominant position.
- The CCI found that IPL team ownership agreements were unfair and discriminatory, and that the terms of the IPL franchise agreements were loaded in favour of BCCI and franchises had no say in the terms of the contract.
- The CCI ordered BCCI to "cease and desist" from any practice in future denying market access to potential competitors and not use its regulatory powers in deciding matters relating to its commercial activities.
- In 2014, CCI imposed a fine of 10 million upon Google for failure to comply with the directions given by the Director General(DG) seeking information and documents.
- On 17 November 2015, CCI imposed a fine of ₹258 crores upon Three Airlines. Competition Commission of India (CCI) had penalised the three airlines for cartelisation in determining the fuel surcharge on air cargo. A penalty of Rs 151.69 crores was imposed on Jet Airways, while that on InterGlobe Aviation Limited (Indigo) and Spicejet are Rs 63.74 crores and Rs 42.48 crores respectively.
- A penalty of Rs 151.69 crores was imposed on Jet Airways, while that on InterGlobe Aviation Limited (Indigo) and SpiceJet are Rs 63.74 crores and Rs 42.48 crores respectively.
- In May 2017, CCI ordered a probe into the functioning of COAI(Cellular Operators Association of India) following a complaint filed by Reliance Jio against the cartelisation by its rivals Bharati Airtel, Vodafone India and Idea cellular.
- Recently on 8 February 2018, it had fined google's parent company alphabet.inc for 135.86 cr rupees for 'search bias'.



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## FRBM Act

### Relevancy

- ✓ G.S. Paper 2
- ✓ Amendment of FRBM act

### Recently:

- ❖ Budget 2018-19 has proposed amending the FRBM Act again, which will shift the target of 3% fiscal deficit-GDP ratio to end-March 2021.
- ❖ No target has been set for revenue deficit.
- ❖ The new statutory anchors relate to the general and Central government debt-GDP ratios that are to be reduced to 60% and 40% of GDP, respectively, by 2024-25, based on the recommendations of the report by the FRBM Review Committee.
- ❖ However, only a diluted version of the recommendations has been accepted.

### What is the issue?

- The government has been missing the fiscal deficit targets time and again.
- To understand the fiscal status in the light of the recent budget and the recent review committee's recommendations is important.

### What is the FRBM Act?

- The FRBM Act is a fiscal sector legislation enacted by the government of India in 2003.
- It aims to ensure fiscal discipline for the centre by setting targets including reduction of fiscal deficits and elimination of revenue deficit.
- It is a legal step to ensure fiscal discipline and fiscal consolidation in India.
- It led to the framing of FRBM Rules in 2004.

### What does the FRBM rules do?

FRBM rules set targets:-

- for reduction of fiscal deficit to 3% of the GDP by 2008-09 (with annual reduction target of 0.3% of GDP)
- for complete elimination of revenue deficit by 2008-09 (with annual reduction target of 0.5% of the GDP)

### Brief History of the FRBM Act so far:-

- Amendments - The target of 3% was achieved only once, in 2007-08.
- It was thus first postponed and later suspended in 2009, following the global financial crisis.
- The FRBM Act was later amended twice, in 2012 and 2015.
- In May 2016, the government set up the NK Singh committee to review the FRBM Act.
- In this backdrop, the recent budget has reset the target again.

### What is the current fiscal status?

#### FISCAL DEFICIT

- The current Budget has retained the fiscal deficit at 3.5% of GDP.
- This is a deviation from the budgeted target of 3.2%.
- 3.2% itself is a deviation from the stipulated target of 3% for 2017-18 in the amended FRBM Act.

#### DEBT

- The debt-GDP ratio has increased to 49.1% in 2017-18 from 48.7% in 2016-17.
- The increase in debt-GDP ratio is against a declining trend observed until recently.

#### MTFP

- As per the requirement of the FRBM Act, a medium-term fiscal policy (MTFP) statement is presented in each Budget.
- The statement pertains to fiscal, revenue, and effective revenue deficits, and outstanding debt of the Central government.
- A review of the statements highlights missing the targets for all four variables often by big margins.

### What are the recent changes in targets?

#### FISCAL DEFICIT

- Budget 2018-19 has proposed the amendment of the FRBM Act again.



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- This will shift the target of 3% fiscal deficit-GDP ratio to end-March 2021.

## DEBT

- The general debt-GDP ratio is slated to be reduced to 60% of the GDP by 2024-25.
- The Central government debt-GDP ratio is to be reduced to 40% of the GDP by 2024-25.
- These targets are based on the recommendations of the FRBM Review Committee.
- However, the committee's target of 2022-23 is shifted to 2024-25.

## What are the deviations from the recommendations?

### FISCAL DEFICIT

- The FRBM review committee proposed the fiscal deficit to GDP ratio to be stabilised at 2.5%.
- This target is derived in reference to the annual estimate of available investible resources at 10% of GDP.
- It comprises of surplus savings of the household sector and sustainable net capital inflows.
- Apparently, the government did not accept this and continued with the 3% target.
- If 3% target is the case, the government would have continued with the present FRBM Act.

### REVENUE DEFICIT

- The committee had specified a revenue deficit glide path, reaching 0.8% by 2022-23.
- However no target has been set by the government for revenue deficit in the present budget.
- The target of revenue account balance is significant to a country.
- It is favorable if a country borrows as long as the entire borrowing is spent on capital spending.
- However, in the Indian context, the revenue deficit with some adjustments reflects government dis-savings.
- Unless government dis-savings are eliminated, it will be difficult to reverse the trend of a falling savings rate.

### FISCAL COUNCIL

- The Committee recommended the setting up of a fiscal council.
- This is to independently examine the economic case and justification for deviating from the specified targets.
- This is to keep a check on unconstrained fiscal flexibility and to prevent the possibly avoidable fiscal risks.
- The Central government however did not accept this recommendation as well.

## What are the concerns?

### FISCAL DISCIPLINE

- A slippage margin of 50 basis points implies a delay in reaching the fiscal deficit target by two and a half years.
- The government has been missing the fiscal responsibility targets year after year and changing the statutory framework repeatedly.
- This questions the credibility of the government's commitment to fiscal discipline.

### EXTRA-BUDGETARY RESOURCES

- In the recent budget, government's total outlay for 3 focus areas is 11.6% of GDP.
- The focus areas are agriculture and rural livelihoods, infrastructure and education, and health and social sectors.
- Notably, budgetary resources constitute only 16.4% of the total outlay.
- The remaining 83.6% is to be raised as an extra-budgetary resource.
- This will be through the public sector enterprises concerned, special purpose vehicles and other similar institutions.
- However, a substantial part of this may only be based on borrowing.
- This is because the relevant bodies may have only limited surpluses.
- This will be an added borrowing dependence for extra-budgetary resources along with States' borrowing requirements.
- Given the already falling savings rate, increased borrowing can put considerable pressure on interest rates.



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## What could be done?

- The fiscal deficit rule in India has been honoured more in breach than in observance.
- Another year of fiscal slippage can be fatal for the economy.
- The fiscal deficit target needs continued vigilance to ensure sustainability for larger fiscal benefits.



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## National Health Protection Scheme

### Relevancy

- ✓ G.S. Paper 2
- ✓ About national health protection scheme and aims
- ✓ Scheme work plans and NSSO data points

### Recently:

- ❖ While presenting the last full Budget of the NDA government, Finance Minister Arun Jaitley announced that the government will launch flagship National Health Protection scheme.
- ❖ The Finance Minister stated that the government was slowly but steadily progressing towards the universal health coverage.

### What is The National Health Protection Scheme about?

- The scheme intends to cover 10 crore poor and vulnerable families and 50 crore beneficiaries.
- Under the scheme, 10 crore families will be provided Rs 5 lakh cover per family annually for treatment.
- The programme is being touted as the world's largest health protection scheme.
- The proposal is lying with the Union Cabinet since November 2016.

### What does the Scheme aims to do?

- The National Health Protection Scheme is promising but sketchy.
- The National Health Protection Scheme (NHPS), which promises to provide a cover of ₹5 lakh each to 10 crore households (50 crore people, or about 40 per cent of the population), marks a big step forward to make secondary and tertiary healthcare affordable to the poor.
- The initiative is likely to reduce "catastrophic" out-of-pocket expenses, which are estimated to drive a staggering 63 million (a Health Ministry estimate) into poverty each year.
- The budget doesn't spell out the required outlay, but a NITI Aayog member has pointed out that the premium would work out to 1,200 per family, or a sum of 12,000 crore.

### How the scheme plans to work?

- Raising the required amount is not a tall order; according to the budget speech, the new 4 per cent health and education cess (as against the 3 per cent education cess) is expected to raise an additional 11,000 crore.
- Experts have pointed out that with the Centre and States already spending 3,000 crore under the Rashtriya Swasthya Bima Yojana (RSBY), which provides a family cover of ₹ 30,000 to a population of over 33 crore, an additional 9,000 crore would be needed.
- The NHPS will have to cover about 16 crore people so far out of the RSBY net.
- Besides, the Southern States have their own health insurance schemes, which have been effective.
- In keeping with the spirit of 'cooperative federalism', the Centre should leave these schemes intact, and improve coverage in the northern States.

### Where must the central government focus?

- The central government must focus in the northern states where health systems and outcomes have been abysmal.
- For example barely half the BPL population has been covered by RSBY in Assam and Bihar, whereas it is just 40 % in Uttarakhand.

### What does the NSSO data points?

- The NHPS should learn from the shortcomings of the RSBY, begun in 2008.
- Despite RSBY, NSSO data points out that out-of-pocket (OOP) expenses have been on the rise in recent years among the poorer sections.
- This is because 65 per cent of OOP expenses are on account of outpatient treatment, which is outside the scope of RSBY.
- Regulation, through the proposed National Medical Commission, should seek to ensure that insurance does not lead to overcharging and medical malpractices — rendering the cover ineffective.



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- The experience of the southern States tells us that insurance works best when public health infrastructure is well developed.
- RSBY seems to have been less effective where most of the hospitals empanelled are private ones, as in Bihar.

## **What needs to be done?**

Health insurance can supplement, and not substitute, efforts to improve public health infrastructure — the present level of 1.2 per cent of government spending on GDP needs to be doubled.



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## NITI Aayog's Health Index report

### Relevancy

- ✓ G.S. Paper 2
- ✓ NITI Aayog's health index report highlights
- ✓ Suggestions and challenges

### Recently:

- ❖ NITI Aayog released a comprehensive Health Index report titled "Healthy States, Progressive India".

### What does the report states?

- The report ranks all states and Union territories based on their year-on-year incremental change and overall performance in health.
- All States and UTs have been ranked in three categories to ensure comparison among similar entities.
- They are accordingly Larger States, Smaller States, and Union Territories (UTs).
- The report has been developed by NITI Aayog with technical assistance from the World Bank.
- Ministry of Health and Family Welfare (MoHFW) was also consulted in the process.
- The report is the first attempt to establish an annual systematic tool to measure and understand the nation's health performance.

### What are the highlights?

- The Health Index is a weighted composite Index, which for **the larger States**, is based on indicators in three domains.
- These domains are Health Outcomes (70%), Governance and Information (12%) and Key Inputs and Processes (18%).
- Among the Larger States, Kerala, Punjab and Tamil Nadu ranked on top in terms of overall performance.
- Jharkhand, Jammu & Kashmir, and Uttar Pradesh ranked as top three States in terms of annual incremental performance.

Some of the indicators for incremental performance ranking include:

- Neonatal Mortality Rate (NMR)
- Under-five Mortality Rate (U5MR)
- Full immunization coverage
- Institutional deliveries
- People Living with HIV (PLHIV) on Anti-Retroviral Therapy (ART)
- Uttar Pradesh, Rajasthan, Bihar, Odisha and Madhya Pradesh occupied the bottom ranks.
- Odisha is estimated to have the highest neonatal mortality rate at 35 per thousand live births.

Among **Smaller States**, Mizoram ranked first followed by Manipur on overall performance.

- In terms of annual incremental performance Manipur ranked top followed by Goa.
- Manipur registered maximum incremental progress on indicators such as:
- PLHIV on ART
- First trimester antenatal care (ANC) registration
- Grading quality parameters of Community Health Centres (CHCs)
- Average occupancy of key State-level officers
- Good reporting on Integrated Disease Surveillance Programme (IDSP)

**Among UTs**, Lakshadweep showed best overall performance as well as the highest annual incremental performance.

- It showed the highest improvement in indicators such as:
- institutional deliveries
- tuberculosis (TB) treatment success rate
- transfer of National Health Mission (NHM) funds from State Treasury to implementation agency

### What does the report suggest?

- States with a record of investment in literacy, nutrition and primary health care have achieved high scores.





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- States and UTs that start at lower levels of development are generally at an advantage in notching up incremental progress.
- Whereas for States with high Health Index scores, it is a challenge to even maintain their performance levels.
- E.g. Kerala ranks on top in terms of overall performance but sees the least incremental change.
- However, the incremental measurement reveals that about one-third of States have registered a decline in their performance in 2016 as compared to 2015.
- Health-care delivery is the responsibility of States, with Centre providing the financial and policy support.
- States' performance in health is crucial for meeting the Sustainable Development Goals over the coming decade.
- The Index hopes to make a difference by leveraging co-operative and competitive federalism for potentially better health outcomes.

## What does the report call for?

- Intra-State inequalities in health performance have to be addressed.
- Both the Centre and the States have to scale up their investment on health as a percentage of their budgets.
- The findings stress the need for pursuing domain-specific, targeted interventions.

Common challenges for most States and UTs include the need to focus on:

- addressing vacancies in key staff
- establishment of functional district Cardiac Care Units (CCUs)
- quality accreditation of public health facilities
- institutionalization of Human Resources Management Information System (HRMIS)
- Additionally, almost all Larger States need to focus on improving the Sex Ratio at Birth (SRB).
- The index could be linked to incentives offered under the National Health Mission by the Ministry of Health and Family Welfare.



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## The Fuss About Fiscal Deficit

### Relevancy

- ✓ G.S. Paper 2
- ✓ How did the estimated deficits for FY-18 perform?
- ✓ Why deficits are bad and recent budget allocation patterns
- ✓ How has the fiscal consolidation performed after the NDA regime was voted into power?

### Recently:

- ❖ The fragile nature of the Centre's finances and its level of control over interest, pension and subsidy expenses have become a cause of concern along with the burden of mounting government debt and multiple facets and consequences felt due to budget deficits.

### How did the estimated deficits for FY-18 perform?

- The estimated income for the FY18 fiscal from tax, non-tax revenues and capital items is Rs. 16.23 lakh crores.
- But the expected expenditure is Rs. 22.17 lakh crores, which overshoots income by as much as 36.5%, and leaves a shortfall of Rs.5.94 lakh crores.
- This shortfall when expressed as a percentage of GDP (which is around 167 lakh crores) is called fiscal deficit, which only displays a modest number.
- Further, fiscal deficit counts both recurring revenue income and capital receipts (which are a one-time thing) as part of the government's income.
- Even if revenue items alone are counted, the Centre is still spending more than it earns, with revenue deficit of Rs. 4.39 lakh crore (FY18 estimate).

### Why are the deficits bad?

- When the Centre ends up spending more than it earns, it takes recourse to market borrowings to bridge the gap.
- The borrowing target is closely watched by the bond market because the government's appetite for money might crowd out other borrowers.
- Hence, companies, small businesses, and individuals would find it difficult to raise funds from India's relatively shallow financial/bond market.
- Many years of such extravagant spending has resulted in the mounting of government's debt, which currently hit 82.32 lakh crores (49.3% of GDP).
- Notably, this has grown from Rs. 57 lakh crore five years ago.
- The only positive is that the bulk of those loans are from domestic sources, with just Rs. 2.4 lakh crore owed to foreign lenders.

### Why the recent budget allocation patterns are worrying?

- While various schemes are highlighted in the budget speech, the bulk of the expenditure each year goes to - interest payments, pensions and subsidies.
- In the FY18, interest payments (largest header) was expected to absorb Rs. 5.3 lakh crore, pensions Rs. 1.5 lakh crore and subsidies Rs. 2.3 lakh crore.
- In short, servicing interest payouts alone will take up 32% of the Centre's earnings this year, while pensions and subsidies absorb another 23%.
- With 23% allocated to State grants and 16% to defence expenditure, these repetitive expenses will effectively mop up 95% of the total Budget receipts.
- These trends hold good across years and for all long-standing fiscal issues, leaving little room in the annual Budget for new schemes.
- Another long-time issue is that the bulk of the Budget spending goes into maintenance expenses, and little remains for creation of new assets.
- In FY18, just 12% of the budget was defrayed in capital spending.

### What's needed?

- Fiscal Responsibility and Budget Management (FRBM) Act mandates the government to steadily tighten its fiscal and revenue deficits over the years.
- It also envisions reining in its debt-GDP ratio by establishing a targeted outlay.



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- For the government to be really able to launch bold new schemes, it needs to clean up its finances first — pare down debt, save on interest payouts.
- Reducing pensions and subsidies and raising asset creation are also important.
- It is also important to ensure that receipts grow at a far faster pace than expenses in future, so that the debt can be paid down.
- Therefore, the success or failure of the annual Budget exercise really has to be measured on the progress in these parameters over the years.

### **How has the fiscal consolidation performed after the NDA regime was voted into power?**

- Since 2014, Centre's receipts have grown at a faster pace than its expenditure, which has helped the centre avoid a big bloat in the fiscal deficit.
- While total receipts (excluding borrowings) have shot up by 50% in the last 4 years, the expenditure in the same period registered a slower 39% increase.
- Further, spending on interest, pensions and subsidies rose by a much lower 30%, thus freeing up room for other expenditure.
- Over the years, fiscal deficit as a percentage of GDP has come down from 4.5% to 3.5% in the current fiscal.
- But all this thrift has made only a mild dent in the Centre's stockpile of debt, which has dipped merely from 50.4% to 49.3% of GDP over four years.
- The progress achieved so far is hence miniscule and the government needs to persist ahead with fiscal prudence and resist populist temptations.



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## Traditional and Scientific Medical Systems

### Relevancy

- ✓ G.S. Paper 2,3
- ✓ Integration of traditional and scientific medical system- issues
- ✓ Doctrine of homeopathy, Chinese system, Ayurveda, scientific medicine,
- ✓ Accountability in traditional medical practices and scientific medical practices

### Why traditional and scientific medical systems cannot be integrated?

- Traditional and scientific medical systems cannot be integrated.
- Desiring the integration of all medical systems is naive and unrealistic.

### What is the Doctrine of traditional way?

- All cultures wanted explanations on why some fell ill while others did not, and, what remedies cure different illnesses.
- All had come up with concepts, dogmas and beliefs, as well as many treatment modalities.
- Three examples that have survived the test of time are the ancient Indian and Chinese traditional systems and the more recent homoeopathy.
- All of them are together called 'traditional medicine'.

### What is the Doctrine of homeopathy?

- In homoeopathy, the basic doctrine is that molecules of chemicals that simulate symptoms similar to those in illnesses, given in minute and non-toxic quantities, are the remedies.
- The principle "similia similibus curentur" (likes cure likes) is implied in the name homoeopathy, in contrast to allopathy (synonym of scientific medicine), in which antidotes counter the causes of diseases.

### What is the Doctrine of Chinese system?

- The major doctrine in the Chinese system is that Qi, life's vital energy, flows via 'meridians' that connect all organs and tissues.
- If any gets blocked, illnesses result.
- Acupuncture, acupressure, massages, specific exercises and special diets and herbal medicines are applied as remedies.

### What is the Doctrine of Ayurveda?

- Ayurveda has the Tridosha doctrine.
- Imbalances between three hypothetical doshas cause illnesses; remedies are herbal concoctions, oils, oil massages, special diets, purgation, deworming, etc.

### What is the Doctrine of Scientific medicine?

- Scientific medicine developed and grew in Germany, Austria, France, Britain and the U.S. during the 18th and 19th centuries through an iterative and cumulative process.
- Natural sciences (physical and biologic, including microbiology, biochemistry and genetics) with their methods of inquiry and emphasis on objective evidence heavily influenced its growth, which continued in the 20th century and is still continuing.
- Scientific medicine can and must question and revise dogmas, concepts, explanations and therapeutics through research inquiries.

### What comprises the Question of accountability in the scientific system?

- Since the scientific system is open to verification, physicians have accountability to make evidence-based diagnosis and formally recommended remedies.
- Any two independent physicians are required to make the same diagnosis and the same guidelines of therapy.
- All diseases have been named, numbered and classified into a compendium.
- The International Classification of Diseases, the 10th edition being in current use and 11th edition in the making.
- If one physician makes a diagnosis and treats as such, the patient has the right to ask if both are based on evidences available in books and periodicals.



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- In case the physician had not followed such norms, he/she is liable to be tried for medical negligence and the patient compensated, if so proven.
- In other words, scientific medicine demands ‘accountability’ on the part of the physician — for ‘correct’ diagnosis and treatment.

## **What comprises the Question of accountability in the traditional system?**

- There are no verifications and detailed classifications in traditional system unlike the scientific system, a physician diagnoses and treats as best as he/she could, but without verifiability or accountability.
- Fortunately, therapies in traditional medicines are generally harmless — hence patients do not face much risk.

Thus Traditional and scientific medical systems cannot be integrated.



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