

A FATAL WAR ON TRANSPARENCY

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

Prime Minister Narendra Modi. File | Photo Credit: [PTI](#)

In August 2020, the Modi government constituted the National Expert Group on Vaccine Administration for COVID-19 (NEGVAC) as a nodal agency on all matters related to vaccine administration and rollout. Asked under the Right to Information (RTI) Act for details of the NEGVAC's meetings, the Health Ministry, which anchors the expert group, replied that it does not know where the concerned documents are. Asked for the dates and minutes of meetings of other task forces constituted to deal with the pandemic, Dr. Nivedita Gupta of the Indian Council of Medical Research (ICMR) denied the request with this bizarre logic: "The information is not in the public domain". Asked for the Memorandum of Understanding (MoU) between the ICMR and Bharat Biotech for the rollout of Covaxin, she gave the same response.

Through seven years in power, the Modi government has systematically hobbled the RTI Act. In the face of the pandemic, its war on transparency brings fatal consequences. Brazen denials mark its responses to RTI requests filed over the past year. Such secrecy runs through the full spectrum of COVID-19-related matters — from vaccine manufacturing and pricing decisions, to last year's lockdown planning and the establishment and running of the 10,000 crore-plus PM CARES fund. Opacity serves as a cover for large-scale over-centralisation and misgovernance.

Despite thousands of daily deaths, the government continues to withhold information on critical life-saving policies and decisions. Take, for example, India's botched up vaccination programme. On January 3, the Drugs Controller General of India (DCGI) approved Covaxin. Until today, Bharat Biotech has not published peer-reviewed interim efficacy analyses from Phase 3 clinical trials. The DCGI has denied RTI requests about its decision to grant emergency approval to Covaxin and Covishield, claiming that information about efficacy and safety constitutes confidential commercial information. But such data are routinely published in peer-reviewed journals and disclosed to the public by regulators. Effectively, the DCGI is keeping secret decision-making on what it called a "110% safe vaccine". But people being administered Covaxin had to consent to a declaration that in case of serious adverse impacts, compensation will be awarded only if a causal link to the vaccine is established.

Second, the rollout of vaccines is badly hit by shortages. Against the target of 30 crore Indians being vaccinated by July, only over 4 crore have been fully vaccinated so far. Covaxin is developed with the help of the ICMR's National Institute of Virology (NIV) and the Council of Scientific and Industrial Research-Indian Institute of Chemical Technology (IICT), and co-owned by the ICMR. Its production is the easiest for the government to ramp up, and massive vaccine production capacity in the public sector is lying idle. So, what explains the government-enabled scarcity of vaccines?

Like the ICMR, the NIV too refuses to disclose the MoU with Bharat Biotech, and the full extent of public investment into Covaxin's research and development. Similarly, asked for details of the research collaboration with Bharat Biotech, and investment of public funds in Covaxin, the IICT too denies information, calling the request "an unwarranted invasion of privacy". Meanwhile, Covaxin has reached private hospitals as among the most expensive vaccines in the world, at over 1,200 a dose. And the ICMR is earning 5% royalties on the vaccine. This and other scraps of information are public only thanks to the Supreme Court hearing a suo motu PIL on the pandemic. The government's summary dismissals not just violate citizens' fundamental right to

information but also push RTI requests into an appeal process that can take over two years. Time and resources go waste as citizens have to approach Information Commissions and High Courts to access basic information.

Effective planning and administration cannot occur in the dark, and experts attribute the death toll and suffering to mismanagement and lack of preparation as much as the virus itself. Official secrecy is undermining the capacity of scientists, public health and policy experts to provide timely feedback and suggestions to the government. Such is the information blackhole that over 900 scientists have appealed to the Prime Minister for access to information and data. But little has changed.

The Supreme Court should order the government to suo motu disclose information related to COVID-19 policies, in line with Sections 4 and 7 of the RTI Act, which deal with proactive and urgent disclosures with consequences for life and liberty. Writing about famines in colonial India, Amartya Sen argued that mass hunger and death do not occur where information flows freely. Ditto for pandemic management.

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To reassure Indian Muslims, the PM needs to state that the govt. will not conduct an exercise like NRC

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