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The Medical Boundaries for AYUSH Practitioners

Context

- There has been a recent online debate between a hepatologist and an Indian chess Grand Master regarding **whether practitioners of traditional medicine can call themselves doctors.**
- It has **reignited a longstanding and multifaceted discourse on the status, legal boundaries,** and societal role of practitioners of India's traditional medical systems, particularly Ayurveda and Unani.
- The **controversy goes well beyond titles, touching the very core of public health,** legislative policy, and cultural identity in modern India.

Historical Framing: Committees and Government Policy

- The genesis of this debate can be traced back nearly 80 years.
- The **Bhore Committee** in 1946 advocated firmly for modern, evidence-based medicine, citing global trends where countries were moving away from traditional medical practices in favour of scientific medicine.
- Nevertheless, **this stance met significant resistance among traditional medicine practitioners, who framed the issue in terms of cultural identity,** arguing for the preservation of systems such as Ayurveda on the grounds of their ancient Indian roots.
- In response to public outcry, the government established the **Committee on Indigenous Systems of Medicine,** whose 1948 report wrapped the legitimacy of traditional medicine in a narrative of Hindu nationalism.
- While **India's first Prime Minister Jawaharlal Nehru refrained from granting official recognition to these systems,** the political tide shifted under Indira Gandhi in 1970.
- It led to the creation of the **Indian Medicine Central Council Act,** which **formally recognised and regulated practitioners of Ayurveda, Siddha, and Unani.**
- This legislative framework was updated in 2020 by the **National Commission for Indian System of Medicine Act.**

Divergent Philosophies and the Challenge of Integrative Medicine

- A crucial point of contention is the **fundamental incompatibility between the underlying philosophies** of traditional and modern medicine.
- The **curriculum for Ayurvedic practitioners merges ancient concepts like doshas, prakriti, and metaphysical ideas** about the soul with select subjects from modern biomedicine, such as anatomy and

cell physiology.

- These **frameworks are inherently irreconcilable: Ayurveda attributes illness to imbalances of doshas**, while modern medicine explains diseases such as infections through germ theory and pathophysiology.
- This **makes the concept of integrative medicine, a blending of the two approaches**, highly problematic at a conceptual and scientific level.

Legal Scope and the Right to Prescribe

- **Rule 2(ee) of the Drugs and Cosmetics Rules, 1945**

- It **allows State governments to declare certain practitioners eligible** to prescribe modern medicine, even if they are not MBBS graduates.
- **Many states have used this provision to empower traditional medicine practitioners**, resulting in friction with the allopathic community and periodic judicial challenge.

- **Mukhtiar Chand vs The State of Punjab**

- The Supreme Court, in the case of **Mukhtiar Chand vs The State of Punjab & Ors**(1998), clarified that the right to prescribe a system's drugs is inseparable from the claim to practice that system, effectively barring Ayurvedic practitioners from dispensing allopathic medicines.
- Despite this, **state governments have continued issuing orders under Rule 2(ee), occasionally in defiance of judicial rulings**, leading to repeated litigation, spearheaded by bodies like the Indian Medical Association.
- At the same time, **patients themselves often sue for being misled about the practitioners' qualifications**, especially where the prescription or treatment involved modern medications.

Procedural Boundaries and Recent Developments

- The **boundaries extend beyond writing prescriptions** to procedural rights.
- Notably, a **2020 government notification** permitted post-graduate **Ayurvedic doctors to perform 58 types of surgeries, including operations like gallbladder** or appendix removal.
- This **policy is currently under judicial scrutiny**. If upheld, it opens unresolved questions, can Ayurvedic practitioners then also use modern anaesthesia and antibiotics for such surgeries?
- **The tension is heightened by the fact that, to cut costs, many hospitals reportedly staff Ayurvedic graduates** in positions traditionally held by MBBS doctors.

Conclusion

- At its core, this **controversy is not simply about professional titles, but about the standard of care** delivered to the public and the integrity of India's health system.
- The **blurred boundaries, inconsistent legal interpretations, and political appropriations risk undermining evidence-based medicine** and patient trust, diverting taxpayer resources into avenues with

questionable benefits for public health.

- **As debates ranging from social media to the Supreme Court play out**, the most important consideration remains the safety, well-being, and **informed consent of Indian citizens, issues that transcend the headlines and demand ongoing scrutiny.**

The Medical Boundaries for AYUSH Practitioners FAQs

Q1. What sparked the recent debate about traditional medicine practitioners in India?

Ans. The debate was sparked by an online controversy between a hepatologist and an Indian chess Grand Master over whether practitioners of traditional medicine can call themselves doctors.

Q2. What is a key philosophical difference between Ayurveda and modern medicine?

Ans. Ayurveda attributes disease to imbalances of doshas, while modern medicine explains disease through scientific concepts like germ theory.

Q3. What did the Supreme Court decide in the Dr. Mukhtiar Chand case?

Ans. The Supreme Court ruled that Ayurvedic practitioners do not have the right to prescribe modern (allopathic) medicines.

Q4. How has politics influenced the status of traditional medicine in India?

Ans. Political parties have promoted traditional medicine as a matter of cultural pride, supporting it regardless of its scientific basis.

Q5. What is a public health concern raised by the current status of traditional medicine practitioners?

Ans. The main concern is that allowing traditional medicine practitioners to perform modern medical procedures or prescribe modern drugs could compromise patient safety and public health.

Source: [The Hindu](#)

Why Antitrust Regulations Are Pertinent

Context

- In 1890, Senator John Sherman famously declared, **'If we will not endure a king as a political power, we should not endure a king over the production, transportation, and sale of any of the necessities of life.'**
- **With these words, the Sherman Antitrust Act was born**, laying the foundation for modern competition law in the United States and inspiring similar legislative frameworks across the globe, including in India.
- Although **the nature of what constitutes a necessity of life has evolved**, Sherman's warning against monopolistic dominance remains chillingly relevant in the 21st-century digital economy.
- **India, with its booming tech landscape and ambitious economic goals, now finds itself grappling with monopolistic practices** by global digital giants, especially in how they shape access, discovery, and monetization for domestic start-ups.

The Digital Economy and India's Ambitions

- India's digital economy contributed **74% to the nation's GDP in 2022-23**, marking it as a central pillar of national development.
- The **explosion of start-ups, from 2,000 in 2014 to over 31,000 in 2023**, signals a thriving entrepreneurial spirit.
- The government envisions these start-ups as **engines of growth for its ambitious \$35 trillion 'Viksit Bharat' vision by 2047**.
- However, **while technological infrastructure enables innovation, the pathways of digital commerce and discovery are often dominated by foreign tech giants**, resulting in distorted market dynamics that can stifle homegrown potential.

Gatekeeping and Market Power in the Digital Age

- One of the most glaring manifestations of this **gatekeeping is Google's overwhelming dominance in the digital distribution ecosystem**.
- With Android capturing around 95% of India's mobile OS market, **Google essentially controls how Indian consumers discover and interact with digital products**.
- **Indian start-ups are therefore compelled to operate within Google's ecosystem**, paying high commissions on in-app transactions and competing under discriminatory terms that tilt the market in favour of select players.
- **A recent complaint to the Competition Commission of India (CCI)** by a major Indian gaming start-up **underscores this imbalance**.
- The **complaint centres on Google's Real Money Gaming (RMG) Pilot Program**, which selectively allowed only two gaming formats, Daily Fantasy Sports (DFS) and rummy, on its Play Store, effectively excluding other legitimate gaming formats.
- This **discriminatory policy granted unfair advantages to a handful of operators**, with one DFS company reportedly acquiring 55 million users in just one year through the program.
- Meanwhile, **advertising policy changes cut off vital promotional avenues for other gaming businesses**, despite their prior reliance on Google's ad network for over two-thirds of app downloads.

Antitrust and the Broader Economic Impact

- Such market distortions have **far-reaching economic implications**.
- When dominant players favour select partners, **it reduces competition, which in turn limits innovation, consumer choice, and product quality**.
- Over-reliance on a few digital gatekeepers **weakens the resilience of the digital ecosystem and jeopardizes long-term economic goals**.
- This **is particularly dangerous for a developing economy like India**, which depends heavily on inclusive growth driven by new ideas and start-ups.
- The **United States offers a cautionary tale**: the unchecked rise of monopolies has led to a significant decline in Initial Public Offerings and increased entry barriers for new businesses.

- **If similar monopolistic trends continue unchecked in India, the cost will be borne not just by start-ups**, but also by consumers and the economy at large.

The Way Forward: Towards a Fairer Digital Market

- It is clear that global tech giants like Google play a foundational role in the digital ecosystem.
- However, **their responsibilities must match their power.**
- The **Indian government and institutions like the CCI must work to ensure that the digital economy is a level playing field**, where innovation is not stifled by exclusionary practices or market manipulation.
- **The case filed by the Indian gaming company is more than a corporate dispute**, it is emblematic of a broader push for fair competition and market access.
- **It echoes Sherman's call to resist economic kingship and promotes a digital future** where distribution and monetization are democratized, not monopolised.

Conclusion

- **Senator Sherman's 19th-century concerns** find startling **resonance in 21st-century India.**
- As the country charges ahead in its digital revolution, **it must remain vigilant against monopolistic forces that can derail its aspirations.**
- With the right regulatory interventions, **India can ensure that its start-up ecosystem remains dynamic, competitive, and fair, delivering on the promise of Viksit Bharat** and carrying forward Sherman's legacy into the digital age.

Why Antitrust Regulations Are Pertinent FAQs

Q1. What did Senator Sherman warn against in 1890?

Ans. Senator Sherman warned against allowing monopolies to control essential aspects of the economy, comparing such economic power to the rule of a king.

Q2. Why is Google's dominance in India's digital space a concern?

Ans. Google's dominance is a concern because it limits fair access for Indian start-ups, allowing it to set discriminatory terms that hinder competition and innovation.

Q3. What issue did the Indian gaming company raise against Google?

Ans. The Indian gaming company accused Google of unfairly excluding certain gaming formats from its Play Store and restricting advertising opportunities, which hurt their business.

Q4. How can monopolies harm India's digital economy?

Ans. Monopolies can harm India's digital economy by reducing competition, stifling innovation, and limiting choices for consumers and entrepreneurs.

Q5. What role should regulators like the CCI play?

Ans. Regulators like the CCI should ensure a level playing field by preventing monopolistic practices and promoting fair competition in the digital marketplace.

The Yarlung Tsangpo Project - Strategic, Ecological, and Geopolitical Implications for India

Context:

- Recently, Chinese Premier Li Qiang **launched construction of a massive hydropower project** on the **Yarlung Tsangpo River in Tibet**, close to the **Indian border**.
- The Yarlung Tsangpo project's scale, lack of transparency, ecological threats, and strategic ramifications have **raised serious concerns for India**, especially as no prior consultation was conducted with lower riparian states like India and Bangladesh.

Project Overview and Strategic Location:

- **Project cost and scale:**
 - Estimated at 1.2 trillion yuan (US\$167.8 billion), it involves five cascade hydropower plants in Medog County, approximately 30 km from India's Arunachal Pradesh border.
 - **Expected annual generation** will be 300 billion kWh, more than thrice the designed capacity (88.2 billion kWh) of the Three Gorges Dam in China, currently the largest in the world.
- **Engineering features:**
 - It would involve drilling 4-6 tunnels of 20 km each, diverting up to 50% of the river's flow.
 - It is located in a **high seismic zone** (Zone V) - Eastern Himalayan Syntaxis.

Environmental and Hydrological Concerns:

- **Disruption of Brahmaputra flow:**
 - The project would **alter natural hydrology and seasonal flow**, especially in the lean season.
 - It will **impact aquatic biodiversity**, fisheries, sediment load, and ecosystem services.
 - The construction of five massive hydropower plants in cascade is likely to involve **reservoir-like structures**, even though it is claimed to be a run-of-the-river project.
- **Flood risk:** Sudden or unannounced water release during heavy rainfall or earthquakes could lead to catastrophic downstream flooding.
- **Seismic vulnerability:**
 - Project area prone to earthquakes due to Himalayan Frontal Thrust and Medog Fault.
 - **Past Chinese engineering failures** (e.g., Neelum-Jhelum in PoK) raise safety concerns.

Diplomatic and Legal Dimensions:

- **Lack of riparian cooperation:**

- China has consistently **withheld data and transparency**.
- **Past behavior** on the Mekong River affected Laos, Cambodia, Vietnam, setting a worrying precedent.
- No operationalization of three MoUs signed with India in 2013.

- **International water laws:**

- Neither India nor China are signatories to the **UN Convention (1997) on international watercourses**.
- However, principles like “**equitable utilization**” and “**no significant harm**” are part of customary international law.

- **Geopolitical double standards:**

- China likely would not tolerate similar behavior from upstream states.
- **India’s quiet diplomacy** is seen as ineffective; stronger public and diplomatic messaging is needed.

Strategic and Policy Recommendations for India:

- **Diplomatic pushback:**

- **Demand full project disclosure**, seismic safety reports, and environmental impact assessments.
- **Seek project suspension** until legitimate Indian concerns are addressed.

- **Domestic response:**

- **Build flood moderation infrastructure** in Arunachal and Assam.
- **Use remote sensing** and geospatial tools for independent hydrological assessments.
- **Reduce dependence on China for hydrological data.**

- **Internationalizing the issue:**

- **Promote NGO engagement** and international discourse.
- **Elevate the issue in bilateral talks** and in multilateral platforms to signal assertiveness.

Conclusion:

- The Yarlung Tsangpo project is not just an ecological and hydrological threat but a strategic challenge.
- India must **shift from passive diplomacy to proactive engagement**, emphasizing transboundary water governance, sovereign rights, and ecological security.
- The time has come for India to **build pressure** through diplomatic, technical, and international legal instruments while enhancing domestic preparedness.

The Yarlung Tsangpo Project FAQs

Q1. What are the environmental impacts of China's Yarlung project on India?

Ans. It may disrupt Brahmaputra's flow, harm ecosystems, and reduce lean-season water availability.

Q2. How does China behave as an upper riparian state?

Ans. China often acts unilaterally, withholding data and neglecting downstream concerns of neighbors like India.

Q3. Is India's current diplomatic response effective?

Ans. No, India's quiet diplomacy has failed to ensure transparency or safeguard its riparian interests.

Q4. What can India do to counter China's actions?

Ans. India can invoke international law, demand project transparency, build domestic safeguards, and raise global awareness.

Q5. Why is the Yarlung project geopolitically sensitive?

Ans. It increases seismic and ecological risks while intensifying strategic tensions in the Himalayan region.

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