

Foundation Course

Semester 3

UNDERSTANDING ISSUES OF RIGHT TO HEALTH

INTRODUCTION

Health is one of the important factors in person's overall development. Health is rightly regarded as wealth. In the absence of good health a person is not able to enjoy the comforts and achievements of life. Another important factor in person's development is Education. Education enriches one's life, helps him/her to solve problems in a more effective manner. It helps in developing one's potentialities and capabilities. If the people living in society are educated then that society is also developed. It has been found that in the developed countries literacy rate is more than 90% whereas in the poor and developing countries literacy rate is very low. Education plays an important role in not only in individual's life but also in the progress of a country.

THE CONCEPT OF HEALTH

The concept of Health is one of the important factors for the development of human being. Every person deserves to have a good health. Living a long and healthy life is everyone's desire. If a person is healthy then only he/she is able to enjoy the life and also able to progress in life.

Health was defined as an absence of disease but this definition is not satisfactory, as insane person may be free from diseases but yet cannot be regarded as healthy person. The World Health Organization (WHO) defines health as —a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity|| . In this definition, three aspects viz, physical, mental and social aspects are considered. Physical aspects includes physical well-being that is all the systems and organs of body should function well. Mental- well being is related to control over man's emotions, thoughts and actions, and social well- beings refers to a persons relation with other fellow beings. Man is a social animal. He/ she cannot live all alone in a society. He/she requires company of others.

THE DETERMINANTS OF HEALTH

Health depends on various factors. If a person does not get good nutritious diet, is working under stressful situation, living in unhygienic environment, then he/ she may suffer due to some disease. Health depends on some of the factors, which are as follows:-

Physical Environment: A person has the right to live in a good environment. If there is air pollution, water pollution then there is also increase in the disease producing organisms. Health depends on the environment in which one is living. In the industrial area where the pollution is more, there people suffer from various health problems.

Education: Education plays an important role in a person's health. With the education person understands the importance of hygiene and cleanliness. Low level education is linked to poor health.

Income and social status: Poverty is one of the important causes of ill health, due to lower income whatever has been earned is spend on fulfilling most basic requirements, many times a poor person does not have sufficient money to spend on health care and medical facilities. Higher income and social status are linked to better health.

Genetics : Genes are the important determinants of health. Some of the children at the time of their birth they receive defective genes as a result they suffer due to health problems.

Social support network: Family and friends provide not only financial support but also emotional support which is linked to better health.

Health services: Easy access and availability of health services is linked to better community health. For the maintenance of community health preventive measures are to be taken in time. The availability of medical staff and health centres are essential for Public Health.

FOOD SECURITY AND ADEQUATE NUTRITION

The World Food Summit of 1996 defined food security as, —When all people at all times have an access to sufficient, safe, nutritious food to maintain a healthy and active life.|| It refers

to both physical and economic access to food that meets people's dietary needs. Food security includes three important factors. They are:

availability of sufficient quantity of food on regular basis, food should be nutritious and there should be sufficient resources to obtain food and proper knowledge and use of food.

People should have knowledge of nutrition, care and sanitation. Many diseases are linked to malnutrition or undernourishment. Food security is linked to health. To live healthy and meaningful life access to well-balanced and nutritious diet is an important factor. When all the members of the household are not living in the fear of hunger and starvation then the household is called as food secured.

Malnutrition – Malnutrition is a broad term which refers to both under nutrition and over nutrition. Under nutrition is the state where individual's diet does not include adequate calories and protein required for maintaining good health and growth of a person. Over nutrition refers to a condition when individual consumes too many calories. Malnutrition can also be defined as the insufficient, excessive or imbalanced consumption of nutrients. Several different nutrition disorders may develop, depending on which nutrients are lacking or consumed in excess. According to the World Health Organisation (WHO), malnutrition is the biggest threat to global public health.

Effects of Malnutrition

Lack of nutrition affects the health of a person; it may cause various nutritional related health problems, e.g Vitamin C deficiency may result in scurvy. Malnutrition during childhood not only affects physical growth but also mental growth of a child. It affects his ability to reason, remember and analysis. Malnutrition during pregnancy may cause to a birth of a child with low weight, the chances of survival of this child is less. Malnourished person is susceptible to infectious diseases.

State of Hunger and Malnutrition in India

International convention recognises the right to freedom from hunger and malnutrition. India has consistently ranked poorly on the Global Hunger Index. Eradicating hunger and malnutrition is the biggest challenge faced by our country. There are more than 200 million people who are food insecure. With over 200million people who are food insecure, India is home to the largest number of hungry people in the world. There is disparity in the hunger index of different states of India. The India State Hunger Index is based on the same underlying variables as the Global Hunger Index.

The proportion of population that does not consume an adequate level of calories The proportion of underweight children under five years of age; and, The mortality rate among children under five years of age, expressed as the percentage of children born alive who die before they reach the age of five. Following is the state of hunger or malnutrition in India: Nearly half of children under three are malnourished A very high percentage (21.5 per cent) of babies are born with low birth weight In rural area child malnutrition is higher as compared to urban areas The prevalence of anaemia among adolescent girls is very high Severely underweight children are more in the states having low per capita income

SAFE DRINKING WATER AND SANITATION

Water is the most important for the life, drinking sufficient and clean and safe water is one of the important factors for the health of an individual. Polluted water causes various waterborne diseases; some of the water borne diseases are Typhoid, Polio, Hepatitis A & E and Diarrhoeal diseases. Access to safe drinking water and sanitation reduces the incidence of waterborne diseases.

Economic loss due to Poor Access to Safe Water and Sanitation

According to the study conducted by Water and Sanitation Programme of World Bank the inadequate sanitation amounts to an economic loss of Rs 2.4 trillion. In rural areas people are not aware of the importance of sanitation for the maintenance of good health hence they suffer due to waterborne and soil borne diseases. In rural India more than 50% of households do not have toilets.

Public health is considerably influenced by Sanitation. It is the science and art of cleanliness, and bringing hygienic conditions. There is a close relation between sanitation and community health. It includes sewage disposal and garbage disposal. It includes air sanitation and water sanitation. Good and unpolluted air is very essential for community health. In the polluted atmosphere the disease producing germs are increased. Due to Air pollution incidences of respiratory disease increases.

HEALTHY ENVIRONMENT `CONDITIONS AND WORKING

Healthy Environment

There is a close relationship between environment and health. There are two types of environment a) physical or natural and b) social environment. To enjoy good health a person must get pure air to breathe, pure water to drink and unadulterated food to eat. The physical environment includes quality and condition of air, water, food, climate, soil etc. Social environment includes food habits, exercise, relaxation, sports etc. if the physical environment is polluted then it may cause serious harm to the health. Poor environment has been found to affect the health of the children more than anyone else. Children easily becomes victims of environmental health problems like Diarrhea, dehydration, acute respiratory infections etc. Pollution causes various health hazards.

In many cities world over air pollution is increasing. It's because many industries are concentrated in cities, use of automobiles is also increasing as a result there is increase in pollutants. According to one of the report of the United Nations on Air Pollution, about 13 to 15 percent cities which are worst polluted are in Asia. The number of T.B patients is increasing in Mumbai city. Air Pollution leads to respiratory problems. Changes in the climate due to air pollution has lead to adverse effects on human health.

Water pollution is another cause for the health hazards. Contaminated water is the breeding ground for disease producing germs. Sewage, domestic waste, release of industrial waste are some of the important causes of water pollution. Contaminated water leads to many waterborne dehydration, diarrhoea etc.

A happy, comfortable and healthy work environment is essential for growth of a person and for his job satisfaction which will help in enhancing the productivity of the individual. People who enjoy their work are more productive and if the employees of a particular organisation are not happy then their productivity will be reduced and they may think of leaving that organisation. Legally it is binding on the organisation to provide their employees healthy and safe environment.

Minimum workplace standards include proper sanitation, access to drinking water and sufficient ventilation. People are spending nearly half of their time at their work places, some of them are sitting continuously in front of the computer and hence they require good healthy sitting arrangement. According to one of the survey conducted it has been found that back pain is one of the biggest causes of absenteeism in the UK. Bullying, harassment and favouritism are not acceptable in any organisation. Presence of this unhealthy practises will lead to unhappy employees which will affect the quality of their work. It's very important to keep healthy interpersonal relationship in the office. There are different types of people what motivates one may not motivate others, so the leaders must understand these differences.

During last decades the production methods and working conditions have been changed tremendously. Workers are exposed to new demands due to changes in the market and productive processes. Parallel to these changes problems caused by professional environment are also increasing in all sectors. There is also increase in the psychological problems; stressful work is responsible for a growing number of work related health problems. Difficult working conditions that are detrimental to health reduce the productivity of older workers, increase their absenteeism. Unsafe conditions, work stress and work-related health problems are major causes of mortality in India. Increasing stress, work pressures in many modern jobs pose serious safety, health and environmental risks, those who are working at BPO , call centres also suffer due to some professional hazards. Workers at the unorganised sectors suffer more as they are exposed to toxic chemicals e.g. Bidi worker's exposure to tobacco fumes, construction worker's exposure to cement, worker's in leather tanneries exposure to benzene, chromium etc. Since these workers are from unorganized sectors hence their rights to safety are not protected by careless management. Some of the agricultural workers are exposed to agro-chemicals including pesticides which may cause health problems.

In India in order to reduce the health hazards National Policy on Safety, Health and Environment at workplace was announced in February 2009. It recognises safe and healthy working environment as a fundamental human right. The fundamental purpose of this, is not only to eliminate the incidence of work related injuries, diseases, fatalities, disaster and loss of national assets and ensuring achievement of a high level of occupational safety, health and environment, performance through proactive approaches but also to enhance the well-being of the employee and society, at large.

AVAILABILITY OF MEDICAL SERVICES HEALTH CARE

In India there is disparity in availability of health care and medical services, in urban areas the well –equipped hospitals with all the specialised doctors and modern equipments are available, whereas rural areas have mainly preventive and promotive services like immunisation and family planning. In India due to poverty 70 to 90 per cent of their income is spending on food and related consumption as a result they have inadequate money to spend on one’s health requirement or education. India has one of the largest private health sectors in India however the public health services are inadequate. Whatever the public health services are available they are mostly in cities. Many of the private providers are not able to give modern care as they are trained only in traditional medicine like Ayurveda or Unani.

THE RIGHT TO HEALTH

According to the constitution of World Health Organisation (WHO) — the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being.|| It appeals to all its members to protect this human right, this is essential for maintaining health. WHO emphasises on integrating human right based approach to health. The Right to Health was first articulated in the 1946 Constitution of the World Health Organization (WHO). This right is a fundamental part of human rights without distinction of race, religion, political belief, economic or social condition. The 1948 Universal Declaration of Human Rights also mentioned health as part of the right to an adequate standard of living (art. 25). The right to health was again

recognized as a human right in the 1966 International Covenant on Economic, Social and Cultural Rights.

For every individual being our health is the most primary concern, everyone irrespective of class, caste, gender, economic status wants a good health and are ready to make sacrifices for it. People are concerned about their and their family members' health. If health is good then only one can live life happily. If the person is not well then he/she may not be able to attend school or go to work or to attend any other responsibilities.

Constitutional Provisions

The right to health is to be protected by the state as people themselves are not able to solve their health problems. State has to play an active role in protecting health of the people. Constitutional and legal provision makes it mandatory on the part of state to take necessary steps for protecting the right of health of people. States have committed themselves to protecting this right through international declarations, domestic legislation and policies, and at international conferences.

Directive Principles of State Policy and Health

Article 38 of the Indian Constitution imposes liability on the state for promotion of welfare of people through social order, which cannot be achieved without health. Article 39 refers to the policy towards securing health of workers and health of children. Children are given opportunities and facilities to develop in a health manner. Article 42 provides that —The state shall make provision for securing just and human condition of work and for maternity relief.|| Article 47 considers it the primary duty of the state to improve public health, securing of justice, human condition of works. It directs the state to make provision for raising the level of nutrition and standard of living of people. It is State's duty to prohibit consumption of intoxicating drinking and drugs that are injurious to health. Article 48A ensures that State shall Endeavour to protect and impose the pollution free environment for good health.

Not only the State also Panchayat, Municipalities are liable to improve and protect public health. Article 243G says " that the legislature of a state may endow the panchayats with power and authority in relation to matters listed in the Eleventh Schedule||

Parliament has passed several laws regarding protection of health e.g The Drugs and Cosmetic Act ,1940, The Pharmacy Act, 1948 , The Prevention of Food Adulteration Act 1954 etc.

ISSUES OF ACCESS, AFFORDABILITY, AND AVAILABILITY IN PROMOTING RIGHT TO HEALTH

There is a need to pay attention to the protection of right to health. There are many factors which are damaging health of people, they vary according to different occupations. Access to health care is difficult for many people due to which not only the poor but also the middle classes get severely affected. India has the largest private health sector but it is unregulated and expensive which is not affordable to poor. Public health sector is inadequately resourced. It results in the low health status of masses. The lack of right to healthcare is the main reason why health status of the Indian population is unsatisfactory. The right to health implies that government must take necessary steps to generate conditions in which people will be able to live healthy life. Such conditions from ensuring availability of health services, healthy and safe working conditions, adequate housing and nutritious food. Government must take following steps to protect the Right of Health:

- It should regulate the safe and healthy working conditions, safety rules are to be observed by the organisations which should be checked by the Government.
- The availability of infrastructure related to health sector is to be ensured by Government, there should be sufficient number of primary health centres, qualified personal like doctors, nurses and other technicians.
- To curb the criminal tendencies in health sector, to take strict action against bogus doctors, spurious drug manufacturer etc.
- To make available affordable health services including affordable medicine to poor people
- To provide safe drinking water.

There are various problems related to availability access and affordability of Health care.

In rural areas the scenario with regard to public health is not so good, the doctors are not ready to work there, only primary centres are there, there is absence of well equipped hospitals in rural area. There is concentration of private pharmacies in urban area. Many government health centres do not have sufficient stock of medicines.