*IJME* Manuscript evaluation guidelines:

Title: **A critical review of “The Public Health (Prevention, Control and management of Epidemics, Bio-terrorism and Disasters) Bill, 2017”**

Importance of the paper  
  
1.Does it address issues relevant to the fields of medical ethics and bioethics in India and the developing countries?

The article tries to address the links of ethics with law, in this case, the Public Health Bill, 2017. The article describes the relevant portion of the Bill, its key elements and key limitations. The authors should explain the meaning of ‘key’ and why only ‘key’ limitation are explained. A critical review should explain everything about the topic in discussion.

It is acceptable that a discussion of the Bill was held in the context of a submitting comments on the BILL to the Government. A submission of such comments could be addressed as a short report or as correspondence to IJME. The title ‘critical review’ suggests that there should have been a methodology and certain objectives, and this should be explained.

Is it topical?

2.Is the issue discussed from another country's/culture perspective?

The ideas put forth have been mentioned to be from a perspective of human rights and accountability to people. Such governance mechanisms have been introduced through small efforts in the Communitisation component of National Health mission. Within Public health systems, the accountability is judged in resonses by the system (correct or incorrect actions) and definitely in terms of public health response and action and mitigation. The author’s should address how much of the BILL reflects the kind of health systems in the current state of affairs, and then explain how much more changes in concepts, guidelines, health system mechanisms need to be added.

3.Will it influence practice or policy?

The paper by itself has not laid out concrete ideas to influence practice or policy.   
  
4. Is it too specialized for the journal?  
No.   
  
Originality  
  
5. Is the information /comment new?

Commentary on Public health law is new. The aspect of ethics and law has to be explained in more detail.   
  
Conclusions  
6. Is the interpretation warranted, unwarranted, well developed?

The interpretation of the BILL has touched upon the definitions, content and the lack of clarity in many areas. The BILL has kept a broad definition to include many situations of public health impact. As the authors point out, the BILL has not touched upon the existing mechanisms of surveillance. But in many instances, these existing mechanisms do not detect/ are not geared to detect the ‘public health emergency’.

In that sense, there may be merits / demerits to provide specific definitions of what is a public health emergency. Any Bill and the law that arises, should be broad enough and the Rules developed from the law should explain the specifics as encompassed by the Law.

Thus in many instances, the interpretation by authors is warranted, but is not very well developed. For example, comment on ‘lack of evidence based decision making systems’. The authors say that the BILL justifies somebody’s opinion’. It would benefit to explain what are the current evidence based / any systems in place currently, how such a system works, explain the limitations and suggest improvements.

7. Does the article contain loose generalisations?

In the section on ‘Human rights in jeopardy’:

The first sentence is a loose generalization. The bill is so technically deficient in its content, that to suggest ‘enormous powers it grants the authorities of the State to severely restrict the fundamental rights and freedoms of Indian citizens without justifying the restrictions through appeals to established principles, scientific evidence, and specific accountability mechanisms’ is inappropriate.

In the first paragraph, the authors talk about rights and ethical issues related to ‘isolation ‘. The issues are well acknowledged, but what are the guidelines that could be suggested to safeguard such rights. How can the principle of proportionality be explained in the BILL, as suggested by authors.

In the second paragraph, the point that ‘right to dignity’ is affected and the statement by the authors ‘bestowing absolute power on the state to take these actions is not justifiable ethically’ is an overstatement. In the current state of public health systems, we see inaction in many instances. The BILL has stated that there is power / authority for the officials to act. If the public health officials are not provided the mechanism to intervene – for example, offer vaccination, make the necessary arrangements to do so, etc. it shall be disadvantageous for any control activities to be implemented. The authors could reword this paragraph explaining how right to dignity may be affected for individuals/ communities by such public health action and then explain that therefore, the Law should write down the rules to maintain ‘rights of autonomy’ of individuals and public.

           Are there any important omissions?  
  
In the above paragraphs, there is a mix of ethical issues that pertain to individuals and communities with reference to the points of the BILL. These should be explained. It should be also explaining whether a public health law should reflect ethical issues. Is it the norm of laws in our country or in other countries to address such issues and how have they been addressed?

Other comments

The review needs to be focused on:

1. Technical content (as compared to the other state laws in place). a table with elements mapped out will be useful. This will explain what is new and what is repeated from the old. For example, if the previous laws state about ‘penalties, appeal ‘, it will help the reader to understand that Governments only know of such mechanisms to address implementation of the law. For example, COTPA , which also has many aspects of public health prevention and control, has also many aspects of penalties written within it.
2. Ethical aspects that the BILL touches upon: a) content of the bill: utilitarian benefits vs autonomy of communities and individuals

b) Implementation of the bill: ethical issues in the public health action, how can these addressed.

3. Adopt a certain framework for the review of the BILL, especially as the paper has been submitted titled, ‘A critical review’ . Only one example is given in the ‘Way ahead’ section. Accountability of systems and within health systems has to be distinguished. What are country examples of accountability in cases of public health emergency. The conclusion mentions all the ethical principles that could be envisaged.

Recommendation  
  
Accept as is  
  
Accept with modifications (specify) it could be submitted as a short report or as a letter highlighting that these were comments submitted based on the discussion of the Chennai mfc chapter.  
  
**- style :** There has been certain amount of simplification/generalisation of the purpose of the BILL as there is lack of clarity Or the content of the BILL is technically deficient. (as explained in Q 6 and 7). This has to be avoided.   
  
**- substance** The paper could explain on the points on technical content, limitations should be highlighted and suggestions provided. In addition, the ethical issues of a Public health bill can be explained.   
  
  
Separate comments for the author:

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Note: Please maintain confidentiality regarding the submissions you review.

Please let us know whether you would like your name to be published along with the article or

would prefer it not be disclosed.

*Prefer not to be disclosed.*