Aarogya Setu

A Felt-Needs Survey

1 May 2020

Aarogya Setu
A Felt-Needs Survey

The use of Aarogya Setu should be made mandatory at workplace and accessing health services. It can become particularly helpful for MSMEs partially opening up during and post-lock down.

Protection of civil liberties and democratic values are important. But the protection of life should take primacy.

It should be transformed as a comprehensive national health app. It can become a single point to access electronic health records of the citizens.

The scope of Aarogya Setu app should be widened to include telemedicine, teleconsultation, video integration, illustrations and health insurance services.

Recommendations

- Aarogya Setu mobile app should be made more comprehensive and stringent.

- The scope of Aarogya Setu app should be widened to include telemedicine, teleconsultation, video integration, illustrations and health insurance services.

- It should be transformed as a comprehensive national health app. It can become a single point to access electronic health records of the citizens.

- The use of Aarogya Setu should be made mandatory at workplace and accessing health services. It can become particularly helpful for MSMEs partially opening up during and post-lock down.

- Protection of civil liberties and democratic values are important. But the protection of life should take primacy.

- Proper safeguards should be put in place to ensure that the data is not being misused.

- App won't be effective if the user base is low. Efforts must be made to ensure that it is being used by maximum number of people.

- This platform must be made inclusive. It should be work also on the basic phones so that maximum number of people being brought on the network.

- It should be available in all scheduled languages to have wide user base.

- It can be used a tool by the government to notify MSMEs of compliances and also help the enterprises in contact tracing.

Aarogya Setu
A Felt-Needs Survey

SKOCH GROUP
www.skoch.in

Aarogya Setu app can play a very significant role in controlling the COVID-19 pandemic and its scope should be widened to include the services like telemedicine, teleconsultation and health insurance, according to a national survey conducted by SKOCH Group amongst three stakeholder groups: MSMEs, Lawyers & Economists, and Doctors & Public Health Professionals. According to the survey, a majority of the respondents favour Aarogya Setu to become a comprehensive national health app.

India is not the first country to have developed a health app. Several countries across geographies have introduced such technological solutions which empower governments to deliver targeted healthcare and prevent disease during this trying time. Countries like Singapore, South Korea, UK, Australia etc already have it. The Aarogya Setu app is one such measure undertaken by the Government of India. There are those who see immense potential in this app, which has gained a user base of 75 mn in a short span since it was formally launched on 3 April 2020. The work on the app started only on 17 March 2020 and within 15-days the app was launched by the Prime Minister.

These voices argue for the expansion of digital public health services such as triage and telemedicine through this application. They see the Aarogya Setu app as a tool in the hands of doctors and frontline workers for strategic and timely medical intervention. A means of potentially alleviating the stress on the public healthcare system and avoiding the spread of the disease thereby saving lives.

There are also those who see this app as a means of state surveillance rather than a tool for fighting COVID-19. These voices argue that the privacy of citizens is at risk through the Aarogya Setu app. They

According to a survey conducted by SKOCH Group majority of the respondents favour Aarogya Setu to become a comprehensive national health app.

Aarogya Setu
A Felt-Needs Survey

"For the app to be mandatory it has to have backing of law and for those who do not have smartphones, it will have massive exclusionary impact."

Ms Devdutta Mukhopadhyay
Internet Freedom Foundation

"I am beginning to see the new cyber world order wherein the states are getting extremely powerful using governance tools for COVID-19 to further strengthening the state power."

Dr Pavan Duggal
Advocate, Supreme Court of India

feel that the app violates certain legal principles. They say that this app will open the door for large scale monitoring of citizen's by the state. They feel that a private sector alternative based on consent may be a better solution to fight the pandemic rather than putting too much power in the hand of the government.

Aarogya Setu app collects information in proximity in order to ensure well-being of every Indian against COVID; enables people to assess themselves the risk; calculates the risk of infection; uses Bluetooth, algorithms and AI; provides for self-assessment; and, prevents spread via contact tracing. The app is privacy-first by design and is currently available in 11 different languages.

Even as the adoption of the app is on the rise, the privacy and data protection focused groups have raised an alarm over its compliance with the global privacy standards and privacy prescriptions for such technology based interventions. Some demand that it has to be implemented through law, some others cite Personal Data Protection law. A few others complain that infringes with the Right to Privacy.

It is important to address these concerns. It is equally important, given the magnitude of the lives, economic costs and public health data at stake to justify what other viable alternatives exist today which will allow nations and public healthcare systems to fight this virus and protect their citizens.

In order to address some of the above issues, SKOCH Group organised a series of national level consultations on Aarogya Setu app and its usefulness. These consultations included the stakeholders like medical practitioners and consultants, economists, academia, lawyers and small and medium enterprises.

Ever since the launch of the Aarogya Setu app,

Aarogya Setu
A Felt-Needs Survey

SKOCH GROUP
www.skoch.in

"Why question a Swadeshi Aarogya Setu app? Just because it is not Chinese or American? In the national interest, we should raise questions on privacy and data protection on all MNC apps."

Dr Ashwani Mahajan
Swadeshi Jagran Manch

"Aarogya Setu is a blessing in disguise for doctors that we will be able to know more on disease and risk management. Community surveillance is the only way to manage communicable diseases."

Dr Vidur Jyoti
Max Hospital

it has attracted attention of legal and cyber experts who claim that the app is not safe, violates privacy norms and has inadequate data protection norms. According to Devdutta Mukhopadhyay, Associate Counsel, Internet Freedom Foundation, during public health emergencies, there is an increasing tendency to corner power in the hands of executive. However, it does not mean that the Parliament and the judiciary do not have any role to play in it, she added saying that for the app to be mandatory it has to have backing of law and for those who do not have smartphones, it will have massive exclusionary impact.

Legal experts concur that the app needs to be beefed up with appropriate compliances so that the confidence of people is on the higher side. Who all are accessing that data is not very clear! We are in it all together to make India a healthy place, said Pawan Duggal, Cyber Lawyer and Supreme Court Advocate, adding that Aarogya Setu has certain chinks in the armour. "The app in its Terms says that the government is not going to be liable for any unauthorised access of your data." It is maintained that the app does not comply with the parameter of existing law be it the Information Act 2000, IT Intermediary Guideline Tool 2011, as also the IT Reasonable Security Practices and Procedures and Sensitive Personal Data and information Rules 2011. He further said, "I am beginning to see the new cyber world order wherein the states are getting extremely powerful using governance tools for COVID-19 to further strengthening the state power. It is still not sure how this particular app complies with reasonable security practices and procedures as are mandated Section 43 A of the Information Technology Act. It is a grey area."

It is clear that this app has been created for a

Aarogya Setu
A Felt-Needs Survey

"Those patients who are Orange or Red, at least if these are notified, we would be prepared. That way preventive measures could be adopted. It would be a great tool for policymakers too."

Dr Anuj Chawla
CK Birla Hospital

"If there could be an integration of Aadhaar data and the app users / patients data, we will be in a better position to avoid mismatches."

Dr Sarita Agarwal
Senior Medical Practitioner

specific purpose. As per Ashwani Mahajan, National Convenor, Swadeshi Jagran Manch (SJM), "So far we have been debating only in relation to the apps developed outside India. For the first time we have a Swadeshi app of national importance. Why are we raising all kinds of questions? Let me ask the naysayers; if it was If it was an app developed Chinese, American, Google or Apple, would we have asked as many questions? We should raise similar questions for all the other apps whether they comply with Indian laws on privacy and data protection? We need to protect our national interest."

Importance of electronic medical health records cannot be wished away. It is important for R&D and for health security of the country. Less than 5 percent of the total data collected is medical records; only 400 out of 62,000 hospitals capture medical records of patients. This leads to improper planning. "Importance of Aarogya Setu is a blessing in disguise for Doctors that we will be able to know more on disease and risk management. Community surveillance is the only way to manage communicable diseases," said an emphatic Vidur Jyoti, Associate Director and Head-General & Minimal Access Surgery, Max Hospital. In the same vain, Anuj Chawla, Consultant at CK Birla Hospital said, "Those patients who are Orange or Red, at least if these are notified, we would be prepared. That way preventive measures could be adopted. It would be a great tool in the hands of medical practitioners and policymakers." While the app could help the medical practitioners in identifying infected from the non-infected person, there is a question on mixing the names and the patient data. "If there could be an integration of Aadhaar data and the app users / patients, we will be in a position to avoid mismatches," said Sarita Agarwal, a Senior Medical Practitioner.

Aarogya Setu
A Felt-Needs Survey

SKOCH GROUP
www.skoch.in

> " *What the app is set out to achieve is very clear – contact tracing. It will be great, if the concerned ministry will know how a potentially infected person is to be detected and go about preventing further infection.*"

Prof Amir Ullah Khan
MCRHRDI

> " *Since we do not have data protection and surveillance law in conjunction with privacy law, the Privacy Policy and Terms of Use are contracts, this is not the legal framework to hold the government accountable.*"

Mr Sidharth Deb
Internet Freedom Foundation

Adding further to the importance of the app, Amir Ullah Khan, Professor of Economics, MCRHRDI, Government of Telangana said, "What the app is set out to achieve is very clear – contact tracing. It is important in economic policy to know why are you initiating a policy intervention. In case of Aarogya Setu, the concerned ministry will know how a potentially infected person is to be detected and go about preventing further contamination. It is a great move."

It is also actively debated that the app does not have adequate checks and balances and that the product is unsafe for use. It is argued that it is a case of legal and institutional deficit. Sidharth Deb, Policy & Parliamentary Counsel, Internet Freedom Foundation questioned the legality of the app and said, "It had to happen under a legal regime, a law to protect people's privacy. Contact tracing solution will be a restriction to Right to Privacy. Since we do not have data protection and surveillance law in conjunction with privacy law, the Privacy Policy and Terms of Use are contracts, this is not the legal framework to hold the government accountable."

A disaster of this nature being faced by the country by the very nature of it is a governance emergency. "When the state is faced with an emergency, the toss-up is between competing rights. The right to privacy is not a standalone right; it is co-located with the Right to Property and Right to Life. At any point in time, a priority has to be fixed on what to do and there is a classic juxtaposition of freedom to and freedom from! You have to interplay and decide what is important to be addressed immediately. For Aarogya Setu, the speed and scale are extremely important," opined S N Pradhan, Director General, National Disaster Relief Force (NDRF). He further added that one should not always see a sinister

Aarogya Setu
A Felt-Needs Survey

"When the state is faced with an emergency, the toss-up is between competing rights. Right to Privacy is not a standalone right. We should not see a sinister design in the government plan."

Mr S N Pradhan
NDRF

"Because government intervened at the right time, we were able to come out with the app quickly. This tech could be produced in India with the help of private sector, I would actually laud the government."

Ms Pratibha Jain
Nishith Desai Associates

design in the government plan.

Anybody who understands the intervention of government in times like these, will understand that an app like this outlines all steps to ensure that the user data is encrypted, data is anonymised and is purged periodically, there is balance of information.

"Because the government has intervened at the right times you are able to come up with an app so quickly, this tech could be produced in India with the help of private sector, I would actually laud the government for that," said Pratibha Jain, Partner, Nishith Desai Associates. "We may not be able to understand the importance of this app right now. Once we are on the verge of lifting the lock down, it is going to make a big difference," added Parveen Bhatia, Medical Director, Bhatia Global Hospital and Senior Surgeon, Sir Ganga Ram Hospital.

India started working on it when countries around the globe were doing manual ways of contact tracing. Given the size of the country, that was impossible task. Cases even from MIT, US were studies and considered, but in India, you need scale. Privacy and protection of personal data had to be ensured. The challenge was to create an inclusive and easy to use product that 400 million smartphones could instantly use it. "The app now is available in 11 languages and will soon cover all 22 scheduled languages. We have minimally used any third party software to prevent exposure and misuse. What you see today is the result of 50 engineers toiling 24*7 building everything ground-up in just about 15-days, without relying on any third party software," said Arnab, Kumar Programme Director, NITI Aayog.

He further said, it is totally secure with no privacy vulnerabilities. We have several layers of

Aarogya Setu
A Felt-Needs Survey

> " We may not be able to understand the importance of this app right now. Once we are on the verge of lifting the lock down, it is going to make a big difference"

Dr Parveen Bhatia
Bhatia Global Hospital

> " We have not relied on any third party software while developing Aarogya Setu. The app is now available in 11 languages, will soon cover all 22. A feature phone version is also on its way."

Mr Arnab Kumar
NITI Aayog

encryption that makes it impossible for anyone to access any personal information. Contact tracing happens only on Bluetooth and not GPS as is commonly believed. The app asks for location, first when registering, second on self-assessment and third location capturing when you meet somebody positive. "We have a kill switch; what is stored on the phone is deleted in 30-days, what is stored on the server is deleted in 45-days and for COVID-19 +ve patients, 60-days after they have been cured. We have complete audit trail of all those people who have been authorised to access the data," clarified Arnab.

Advocate, High Court, Tushar Sannu did not find that the app contravenes with the privacy or violates any statutory framework. He maintained, "The Government of Kerala, in one of the cases recently, directed to anonymise all data. In case of Aarogya Setu, it is already done. It further says, there should be no disclosure to any third party, Aarogya Setu already has it. It injuncts all the app makers from advertising or promoting to the database. This is already implicitly mentioned in the Terms and Conditions of Aarogya Setu. It does not fall afoul of the statutory framework as it exists in India, are sufficient safeguards. I believe it is a potential tool to fight against COVID-19."

Aarogya Setu app may come in handy for the MSMEs as well. As the lock down is eased and more and more enterprises are allowed to open following social distancing norms and other precautions. Accordingly to Anil Bhardwaj, General Secretary, FISME, "I have no doubt that it can be used as a tool or an instrument to help the factories and the MSMEs to comply with the MHA guidelines. This app could be useful in contact tracing amongst employees in the MSMEs sector particularly if

Aarogya Setu
A Felt-Needs Survey

the enterprise is engaged in a factory operation with a shop floor. It can also be used as a tool by the government in informing compliances to the MSMEs. Importantly, if a functionality of creating sub-groups could be introduced in the app, the monitoring within the organisation can also be made possible."

The survey was conducted in the backdrop of questions being raised against this app mostly taking refuge of privacy and data protection issues. Findings of the survey reveal that such questions are raised due to some interests as a majority of the people don't see it as a threat to their privacy.

"Anonymisation of data, no disclosure to third party, no use of data for promotion or advertising, adherence to statutory framework; Aarogya Setu covers it all. A potential tool to fight COVID."

Mr Tushar Sannu
Advocate, Delhi High Court

"No doubt that Aarogya Setu can be used as a tool or an instrument to help the factories and the MSMEs to comply with the MHA guidelines."

Mr Anil Bhardwaj
FISME

Aarogya Setu
A Felt-Needs Survey

SKOCH GROUP
www.skoch.in

What do you think is the purpose of Aarogya Setu?

To plan, provide and strategise health services 70%

To do state surveillance on you 21%

Can't say 9%

Fig 1

Is Aarogya Setu app useful?

Yes 76%

No 8%

Can't say 16%

Fig 2

Do you think that Aarogya Setu can play an important role in epidemic control?

Yes 75%

No 7%

Can't say 18%

Fig 3

SURVEY FINDINGS

Over two-third of the respondents believe that the purpose of Aarogya Setu app is to "plan, provide and strategise health services". Only 21 percent believe that the purpose of the app is to do state surveillance, while 9 percent did not form any opinion and opted for can't say (Fig: 1).
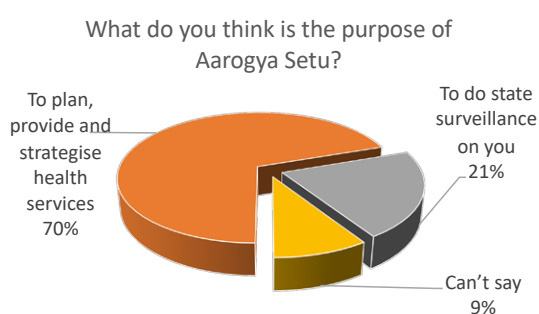
On being asked if Aarogya Setu app will be useful, an overwhelming 76 percent responded in the affirmative while only 8 percent answered in the negative (Fig: 2). Another 75 percent stood in for the app could play an important role in epidemic control with only 7 percent said no (Fig: 3).
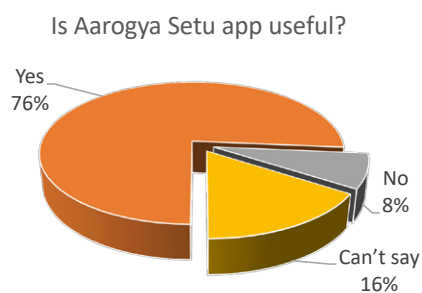
Aarogya Setu mobile app was launched by the government of India on 2 April 2020 with the objective to enable people to assess themselves the risk of their catching COVID infection. The app calculates the risk based on the user's interaction with others, using cutting edge Bluetooth technology, algorithms and artificial intelligence.
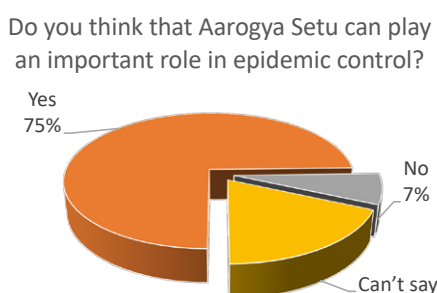
The user, upon installation, has the option to take self-assessment and answer a few questions. In case some of the answers are suggestive of COVID-19 symptoms, the information is sent across to the government server. This helps the government to take timely steps and initiate the isolation procedure if necessary; and, it also alerts if someone comes in close proximity with a person tested +tive. Contact tracing is an important element of the app, which is available on both Google Play (for Android phones) and iOS app

Aarogya Setu
A Felt-Needs Survey

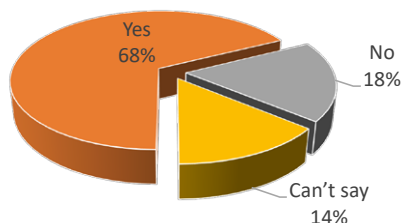Do you think scope of Aarogya Setu should be widened to include Telemedicine?

Yes 68%
No 18%
Can't say 14%

Fig 4

Do you think Aarogya Setu should become a comprehensive national health app?

Yes 73%
No 17%
Can't say 10%
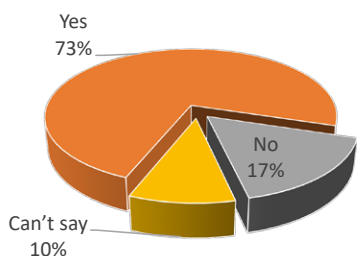
Fig 5

Do you think scope of Aarogya Setu should be widened to include Health Insurance Integration?

Yes 72%
No 18%
Can't say 10%
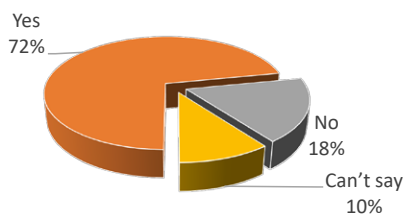
Fig 6

Do you think Aarogya Setu should help you select nearest health service providers?
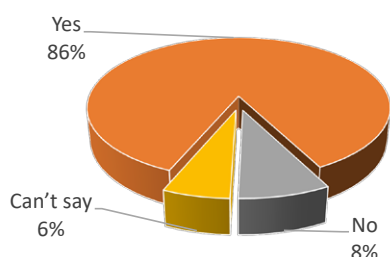
Yes 86%
Can't say 6%
No 8%

Fig 7

store (for iPhones). It is available in 11 languages - 10 Indian languages and English.

This contact tracing feature of the app has been criticised by a section of the people for possible intrusion in privacy. However, the survey data reveal that the majority of the people don't subscribe to the privacy concern and want it to become comprehensive and more stringent.

Over two-third people are in the favour of widening the scope of Aarogya Setu app to include several other health related services (Fig: 4). 73 percent voted in favour of making Aarogya Setu a comprehensive national health app (Fig: 5). A similar number voted in favour of including Health Insurance Integration with the app (Fig: 6). A marginal 18 percent said that it should not be made a comprehensive National Health app while 10 percent were undecided (Fig: 5).

Several additional services can be provided through Aarogya Setu app. 86 percent people feel that the app should help them in selecting nearest health service providers. Only 8 percent disagreed with this idea, while the rest 6 percent remained undecided (Fig: 7).

There are overwhelming support for also including the services like health insurance and telemedicine in Aarogya Set app. 72 percent people feel that the scope of Aarogya Setu should be widened to include health insurance integration. 18 percent didn't agree with this idea while 10 percent remained undecided (Fig: 6). On the question of including telemedicine in Aarogya Setu 68 percent said yes, while 18

Aarogya Setu
A Felt-Needs Survey

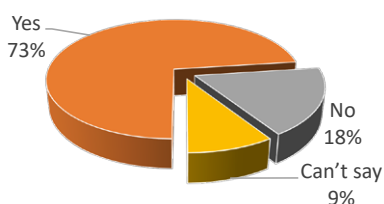**Do you think scope of Aarogya Setu should be widened to include Electronic Health Records?**

Yes 73%
No 18%
Can't say 9%

Fig 8

Do you think government should monitor workplace safety through Aarogya Setu app?

Yes 72%
No 14%
Can't say 14%
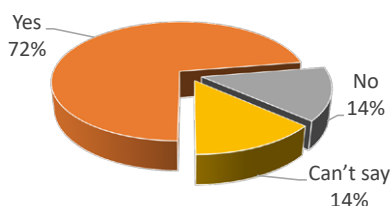
Fig 9

Do you think implementing directives on workplace safety on COVID is challenging?
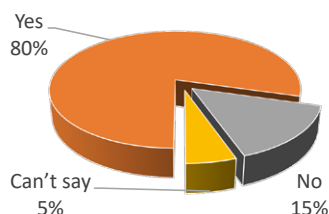

Yes 80%
Can't say 5%
No 15%

Fig 10

percent said no. 14 percent opted for can't say (Fig: 4).

When asked whether the scope of Aarogya Setu should be widened to include Electronic Health Records, 73 percent said yes; 18 percent said no; while 9 percent opted for can't say (Fig: 8).

The app was introduced during the lockdown. It is expected to be very useful in enabling safe opening of the economic activities particularly for MSMEs in semi-urban and rural areas. The government has allowed partial opening of economic activities in selected locations with stringent norms. Aarogya Setu is expected to play a very important role in ensuring safety at the workplace.

72 percent of the respondents said that the government should monitor workplace safety through Aarogya Setu app. 14 percent disagreed with this idea, while the rest 14 percent remained undecided (Fig: 9). Majority 80 percent feel that it would be challenging to implement the directives on workplace safety on COVID-19. Only 15 percent don't find it challenging and 5 percent remained undecided (Fig: 10).

Aarogya Setu
A Felt-Needs Survey

SKOCH Group is India's leading think tank dealing with socio-economic issues with a focus on inclusive growth since 1997. The Group companies include a consulting wing, a media wing and a charitable foundation. SKOCH Group brings an Indian felt-needs context to strategies and engages with Fortune-500 companies, State-Owned Enterprise, Government to SMEs and Community-Based Organisations with equal ease. The repertoire of services includes field interventions, consultancy, research reports, impact assessments, policy briefs, books, journals, workshops and conferences. SKOCH Group has instituted India's highest independent civilian honours in governance, finance, technology, economics and social sector.

SKOCH GROUP
www.skoch.in