

Comments:

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I thank Srinivasan for his well-researched article.

I however think he has over-interpreted what he calls 'Proposition A'

He writes

“The binary classification of vaccinated and unvaccinated groups of individuals, with respect to risks from virus transmission in Proposition A is too simplistic considering there is a range of possibilities of risk from the status of the vaccinated and unvaccinated, to extent of acquired immunity of a person due to having contracted/not contracted the disease, having been vaccinated/not vaccinated, proximity to persons with viral load shedding in the first few days of contracting the virus, immunity status of persons who have had Covid-19 but asymptotically, status due to single dose/double dose/booster dose, status of comorbid persons, elderly, poor, economically challenged, etc, and there is also the question of efficacy of the vaccine/s after the arrival of newer variants of concern. The Bench has not considered these complexities as classificatory issues...”

As the petitioner, I can state categorically that it was not claimed that the vaccinated and un-vaccinated spread disease 'in exactly the same measure'. It was, however, argued that the vaccine did not prevent the spread from person to person and that vaccinated persons also spread disease. There can be no justification to lock down the un-vaccinated, because he may spread the contagion while letting the vaccinated (often asymptomatic person) do the spreading without any restriction to his movements. This is unfair discrimination.

I hope this clarifies the issue.