

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : MAY - 2024
SIXTH / SECOND SEMESTER
Sub.: Health Care Law (LW-6005/205)

Date : 16/05/2024

Total Marks : 60

Time: 10.00 am to 12.30 pm

Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) What remedies are available for medical negligence under the Consumer Protection Act and the law of crime? Refer to appropriate case laws on the subject.

OR

B) What are the different Constitutional provisions deal with right to health?

Q. 2. Answer the following question. (15)

A) What are the major issues in healthcare system at the national and international level?

OR

B) What are the professional obligations of doctors and other medical professionals under the Transplantation of Human Organs Act, 1994, and the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994?

Q. 3. Write Short Notes. (any four) (20)

- a) Remedies for medical negligence under Law of Tort
- b) Error of judgement and gross negligence
- c) Access to medical records
- d) International Code of Medical Ethics
- e) Res ipsa Loquitur in medical negligence
- f) Wrongful diagnosis and negligent diagnosis

Q. 4. Answer the following questions. (10)

A) "Consent is a legal requirement of medical practice and not a procedural formality." Substantiate your answer with the meaning and role of consent in medical practice.

OR

B) "The right to medical confidentiality is not absolute and must be balanced with competing interests, such as public safety and the administration of justice." Substantiate your answer in light of the Constitution of India with appropriate case law.