

TKN/KS/16-7271

**Eighth Semester B. A. LL. B. Five Years  
Course (Credit Based System) Examination**

Course Code – 8.5

HEALTH LAW

Paper – V

Time : Three Hours ]

[ Max. Marks : 80

- N. B. : (1) Attempt all sections. Section 'A' consist of 10 marks, section 'B' consists of 30 marks, Section 'C' consists of 40 marks.  
(2) Follow the instructions given in each section.  
(3) Marks are indicated against each questions.

## SECTION A

1. Choose the correct alternatives (any **Ten**) :—

- (i) An organism that is generated through genetic engineering is called as \_\_\_\_\_.  
(a) Genetically manipulated organism.  
(b) Genetically modified organism.  
(c) Genetically maladjusted organism.  
(d) None of the above.
- (ii) Which type of surrogacy is allowed in India ?  
(a) Altruistic surrogacy.  
(b) Gestational Surrogacy.  
(c) Commercial surrogacy.  
(d) All the above.

(iii) When pregnancies may terminated under the 'Medical'. Termination of pregnancies Act 1971 ?

- (a) Unmanned child.  
(b) Victims of Rape.  
(c) Where the length of the pregnancy does not exceed twelve weeks.  
(d) All the above.

(iv) Termination of pregnancy can be done with the consent of woman with mild mental retardation, is held in

- (a) Baby Manjis case.  
(b) Suchita Srivastava V. Chandigarh Administration.  
(c) Suresh Kumar Koushal v. Naz foundation.  
(d) None of the above.

(v) Commercialization of human organs is allowed under the transplantation of Human organs Act., 1994.

- (a) True  
(b) False  
(c) Partially True.

(vi) Right to health under Art.21 of the Constitution of India is well established in following case.

- (a) Paschim Banga Khet Mazdoor Samity v State of W.B.  
(b) Consumer Education and Research Center V.U.O.I.

- (c) Paramand Katara V.U.O.I.
- (d) All the above.
- (vii) The Indian Constitution protects the right to health under article ———
  - (a) Art 39 (e)
  - (b) Art 43
  - (c) Art 47
  - (d) None of the above.
- (viii) Bio-medical waste is governed by the following Act.
  - (a) Clinical Establishment Act
  - (b) Drugs and Cosmetic Act
  - (c) Waste Management Tracking Act.
  - (d) None of the above.
- (ix) The preconception and pre-natal Diagnostic Techniques Act punishes a following person for sex selection.
  - (a) Doctor who assists of sex selection.
  - (b) Woman who wants to undergo sex selection.
  - (c) The person who brings women for sex selection.
  - (d) All the above.
- (x) Intentional spreading of HIV, AIDS in India is governed by
  - (a) Indian penal code
  - (b) Law of HIV/AIDS in India

- (c) Bath (a) and (b)
- (d) None of the above.
- (xi) Medical practitioners are liable for their gross and rash negligence under
  - (a) Law of torts
  - (b) Indian penal code
  - (c) Consumer Protection Act
  - (d) All the above.
- (xii) Advertisement Drug's and Magic remedies Act is enacted in the year.
  - (a) 1940
  - (b) 1968
  - (c) 1954
  - (d) 1949
- (xiii) The term malnutrition denotes
  - (a) Malevolence
  - (b) Undernourishment
  - (c) Unbalanced nutrients
  - (d) All the above
- (xiv) Art ——— of the Convention on the Rights of the child talks about the responsibility of Government for health of a child.
  - (a) Art 14
  - (b) Art 6
  - (c) Art 8
  - (d) Art 12

(xv) UNICEF is working in the field of

- (a) Women deliveries and health
- (b) Post natal care of women and child.
- (c) Nutritional needs of the child
- (d) All the above.

## SECTION B

### (Short Answer Questions)

2. Answer the following (any **Three**) :—

- (i) Right to Health.
- (ii) Medical Ethics
- (iii) WHO and Right to the Health.
- (iv) Genetic Engineering.

5x3=15

3. Answer the following (any **Three**) :—

- (i) Write short note on 'Medical Tourism'.
- (ii) Write a note on the role of Non Governmental Organization for protection of health.
- (iii) Write a note on 'Health Insurance and Law'.
- (iv) Write a note on HIV/AIDS persons right to health.

5x3=15

## SECTION C

### (Long Answer Questions)

Answer the following. (any **Five**) :—

- 4. Write an elaborate note on inter-relationship between Law and Medicine.
- 5. Explain the right to emergency and medical care with the help of case laws.
- 6. Discuss the legal responsibility of doctors for professional negligence in light of relevant case laws.
- 7. There is an imminent need of legislative intervention in Surrogacy. Explain.
- 8. Write down the moral and legal issues involved in 'Stem cell Therapy'.
- 9. Whether equitable access to health care is a 'right' under the law ? Explain.
- 10. Explain the scheme of right to health under the Trans-plantation of Human Organs Act 1994.
- 11. Explain the offences affecting public health under IPC.

8x5=40