

B. A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
B.A. LL.B. (5 Year) Sem - VI : SUMMER : 2025
SUBJECT: CONSTITUTIONAL LAW : HEALTH LAW

Day : Friday
Date : 16/05/2025

S-24903-2025

Time : 02:00 PM-04:30 PM
Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
- 2) Each question **CARRIES 12** marks.

Q.1 a) Explain the inclusion of the Right to Health in the Articles of Part III and Part-IV of the Constitution. Explain with the help of judicial pronouncements.

OR

- b)** "The World Health Organization, United Nations agency, consistently monitors and develops new initiatives aimed at enhancing global public health". Explore the organization's structure, powers and functions.

Q.2 a) Examine the provisions outlined in The Transplantation of Human Organs Act, 1994.

OR

- b)** "Acquired Immune Deficiency Syndrome (AIDS), A newly recognized and lethal disease, prompted both national and international responses in India. Discuss the diverse provisions implemented at both levels to address AIDS."

Q.3 a) "Medical Negligence refers to any failure whether through action or inaction, by a health care provider in fulfilling their professional duties". Differentiate between medical negligence and medical malpractice, and elucidate the criminal liability of hospitals in such cases.

OR

- b)** Explore the provisions outlined in the Medical Council Act, 1956 and The Code of Medical ethics, 1972, focusing on the obligations of medical practitioners towards their patients.

Q.4 a) Provide an overview of medical insurance, including its significance and various types of policies available. Discuss the different kinds of medical insurance policies and their importance in health care coverage. Compare and contrast Medi-claim insurance and health insurance.

OR

- b)** Explain "The Environment protection Act, 1986" citing relevant case laws to illustrate its implementation and impact on environmental protection and conservation efforts.

Q.5 a) Write note on :

- i) Euthanasia with the help of Aruna Shanbaug case
- ii) Vicarious Liability under Medical Profession

OR

b) Write note on :

- i) Maternity Benefit Act, 1961 with recent amendments
- ii) Duty to take care and duty to treat
