BA LLB
SIXTH SEMESTER
HEALTH LAW
BLB 606 H_4 CL
[USE OMR FOR OBJECTIVE PART]

SET A

Duration: 3 hrs. **Full Marks: 70**

(Objective)

Time: 30 min. **Marks: 20**

Choose the correct answer from the following: ***1×20=20***

1. In which year did Government of India allow passive euthanasia for the first time for an exceptional case?
   a. 2008 b. 2011
   c. 2014 d. 2018

2. The Supreme Court of India recognized passive euthanasia in which landmark case?
   a. Aruna Shanbaug v. Union of India b. K.S. Puttaswamy v. Union of India
   c. Maneka Gandhi v. Union of India d. Vishaka v. State of Rajasthan

3. Which of the following international organizations primarily deals with global health issues?
   a. UNESCO b. WHO
   c. WTO d. ILO

4. In which landmark case did the Supreme Court of India recognize the right to die with dignity under Article 21?
   a. Maneka Gandhi v. Union of India b. Aruna Shanbaug v. Union of India
   c. Common Cause v. Union of India (2018) d. Olga Tellis v. Bombay Municipal Corporation

5. What is the primary objective of the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994?
   a. To promote family planning b. To promote female foeticide
   c. To regulate IVF clinics d. To prohibit sex-selective abortions

6. Under the Indian Medicine Central Council Act, 1970, which of the following systems is NOT covered?
   a. Ayurveda b. Unani
   c. Siddha d. Homeopathy

7. Under Section 9(1) of the Transplantation of Human organs and Tissues Act, 1994, live donation is permitted only if the donor is:

a. A friend of the recipient
b. A minor with consent from parents
c. A near relative of the recipient
d. A mentally ill person

8. According to Section 3(2) of the Transplantation of Human Organs and Tissues Act, 1994, cadaver organ donation is valid only if the donor had authorised it in writing, in the presence of at least-

a. One registered medical practitioner
b. The Appropriate Authority and a member of the Authorisation Committee
c. Two independent witnesses, one of whom must be a near relative of the donor
d. A magistrate and a certified medical officer

9. An "error of judgment" by a doctor is considered negligence when-

a. It is made by an experienced doctor
b. It is a result of a reasonable decision-making process
c. It is so severe that no reasonably competent doctor would have made the same mistake
d. It is based on the patient's insistence

10. Which legislation primarily governs the disposal of biomedical and surgical waste in India?

a. The Medical Termination of Pregnancy Act, 1971
b. The Biomedical Waste Management Rules, 2016
c. The Consumer Protection Act, 2019
d. The Drugs and Cosmetics Act, 1940

11. The International Code of Medical Ethics includes duties of physicians in which of the following contexts?

a. Duties towards patients
b. Duties towards society
c. Duties towards colleagues and the profession
d. All of the above

12. Which of the following statements best defines gross negligence in medical practice?

a. Any unintentional harm caused
b. Minor deviation from standard care
c. A conscious and voluntary disregard for patient safety
d. A mistake by a junior doctor

13. The examination of a dead body taken out of the grave due to suspicion regarding the cause of death is known as-

a. Exhumation
b. Medical examination
c. Post mortem
d. All of above

14. In the context of HIV/AIDS patients, which of the following rights is often considered a critical issue?

a. Right to privacy
b. Right to work without discrimination
c. Right to free medical treatment
d. All of the above

15. Which legislation primarily governs the functioning of blood banks in India?

a. Biomedical Waste Management Rules
b. Drugs and Cosmetics Act, 1940
c. Indian Medical Council Act, 1956
d. Clinical Establishments Act, 2010

16. The liability of a hospital for negligent acts of doctors or staff is termed as-

a. Direct liability
b. Shared liability
c. Vicarious liability
d. Contributory negligence

17. Under which law can criminal liability are imposed on a medical professional for rash or negligent acts?

a. Bharatiya Nyaya Sanhita 2023
b. Drugs and Cosmetics Act, 1940
c. Indian Contract Act, 1872
d. Medical Council Act

18. Which of the following is/are recognized as instances of asphyxial deaths?

a. Suffocation
b. Hanging
c. Strangulation
d. All of the above

19. How many types of Euthanasia are there?

a. Two
b. Three
c. Four
d. Five

20. Pathological waste such as human tissues, organs, and body parts should be disposed of in which colour-coded bin as per Biomedical Waste Management Rules, 2016?

a. Red
b. Blue
c. Yellow
d. White

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(Descriptive)

Time : 2 hrs. 30 min. **Marks : 50**

[Answer question no.1 & any four (4) from the rest]

1. What is Euthanasia? Discuss Euthanasia in the Indian context along with case laws. **3+7=10**

2. What are the major challenges facing the healthcare sector at national and international levels, and how do these issues impact the delivery of equitable and effective healthcare services? **6+4=10**

3. Discuss the salient features of the Transplantation of Human Organs Act, 1994. **10**

4. Discuss the provisions of the Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, and examine its role in preventing sex-selective practices. How does the Act address the misuse of prenatal diagnostic techniques for sex determination, and what are the penalties for violation? **6+4=10**

5. What are the legal liabilities of public and private healthcare units in the disposal and management of surgical waste? **10**

6. What is the role of consent in medical practice? **10**

7. What are the remedies for medical negligence under law of torts, law of crimes and consumer protection law? **10**

8. What is Medical Jurisprudence? Discuss its significance and the benefits it offers in the legal and healthcare fields. **4+6=10**

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