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(Pages : 2)

Reg. No.....

Name.....

**FIVE YEAR B.A./B.B.A./B.Com./LL.B. (HONOURS) DEGREE
EXAMINATION, FEBRUARY 2026**

Third Semester

FL 7—HEALTH LAW

(2024 Admissions—Regular/2018 to 2023 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following.

Each question carries 3 marks.

1. WHO's Global Strategy on Digital Health.
2. State the ethical duties of a doctor towards a patient.
3. Medical confidentiality.
4. Practice of defensive medicine.
5. 'Bolam' Test.
6. Organ transplantation.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. During a severe pandemic, the Government enacts emergency health measures that include forced quarantines, digital tracking of infected individuals and mandatory vaccinations. A group of citizens challenges these measures as unconstitutional, arguing that they violate their right to privacy, bodily autonomy and freedom of movement. How should the court resolve this conflict between public health and fundamental rights? Substantiate your answer citing relevant judicial decisions.

Turn over



8. A critically injured accident victim is brought to a private hospital. The hospital demands an advance payment of Rs. 50,000 before treatment. Due to the delay, the patient dies. The victim's family files a case for causing death by negligence and for violation of the Right to Emergency Medical Care. Can the hospital be held liable under criminal law for denial of emergency care? Is there an absolute obligation on private hospitals to provide emergency care, irrespective of payment?
9. A terminally ill patient suffering from an incurable disease files a petition seeking passive euthanasia. The hospital opposes it, citing legal and ethical concerns. Analyze the legality of euthanasia in India post the *Common Cause v. UOI* (2018) judgment. Does a patient's right to die with dignity under Article 21 override medical ethics and State interests?
10. 'X' undergoes heart surgery at a private hospital. Six months later, he requests a copy of his medical records for insurance purposes, but the hospital refuses to provide them, citing confidentiality and internal policy. 'X' files a case against the hospital. Examine whether 'X' has a legal right to access his medical records. What legal provisions and case laws govern this issue?

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. "The right to health is a fundamental human right that requires active State intervention." Critically analyze the legal and constitutional framework for the right to health in India. How does it compare with international human rights instruments like the ICESCR and the WHO Constitution? Explain.
12. Critically analyze the regulatory framework governing public and private health care delivery systems in India. How do different statutory bodies contribute to the standardization and governance of these systems?
13. "The doctrine of informed consent is a cornerstone of medical law, yet its application varies widely in practice." Analyze the legal and ethical challenges in ensuring truly 'informed' consent, particularly in cases involving vulnerable patients. Should the law adopt a stricter standard for disclosure of risks? Discuss.

(2 × 15 = 30 marks)