

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 - 2025
SECOND/SIXTH SEMESTER
Sub.: Health Care Law (LW-205/6005)

Date : 20/05/2025	Total Marks : 60	Time: 10.00 am to 12.30 pm
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Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

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

A) What are the major global challenges in ensuring equitable access to healthcare? What legal measures are being taken to address these issues?

OR

B) Discuss the constitutional provisions related to healthcare in India, with special reference to Directive Principles of State Policy (DPSP) and Fundamental Rights. How has the judiciary expanded the scope of the right to health?

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

A) Explain the International Code of Medical Ethics and analyze its role in defining the ethical duties of doctors on a global scale.

OR

B) Discuss the concept of informed consent in medical practice and examine its various types along with their legal implications under healthcare law

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

- a) Differentiate between an error of judgment and gross negligence
- b) Access to Medical Records
- c) Professional obligations of doctors under the Transplantation of Human Organs Act, 1994
- d) Remedies for medical negligence under the Law of Crimes
- e) Civil remedies for medical negligence
- f) Medical Negligence in the Indian Legal Framework

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

A) Analyse the decision in Indian Medical Association v. V.P. Shantha (1995) and its impact on medical negligence cases under the Consumer Protection Act.

OR

B) A doctor fails to diagnose a serious heart condition despite clear symptoms, leading to the patient's sudden death. Analyze whether this amounts to medical negligence. What are the essential ingredients of medical negligence in this case?