

2031  
LL.M. First Semester  
(Dept. of Laws– One Year Course)  
Group - I: Constitutional and Administrative Law  
Paper – III [Opt. (ii)]: Health Laws

Time allowed: 3 Hours

Max. Marks: 75

*NOTE: Attempt five questions in all, including Question No. 1 (Unit-I) which is compulsory and selecting two questions each from Unit II-III.*

x-x-x

**UNIT – I**

I. Write short notes on the following:-

- a) Elaborate the offences affecting public health under IPC
- b) Confidentiality and Medical Profession
- c) Under what circumstances can a registered medical practitioner terminate pregnancy of a woman
- d) Write a short note on Medical Council of India.
- e) Write a note on reproductive rights of women (5x5)

**UNIT – II**

- II. There is no explicit recognition of the right to health or healthcare under the Constitution, the Supreme Court of India in *Bandhua Mukti Morcha v Union of India & Ors* interpreted the right to health under Article 21 which guarantees the right to life. Comment. (12½)
- III. The Supreme Court has explicitly recognised surrogacy as a method of reproduction, thus clearly bringing it within the reproductive aspect of privacy rights in a celebrated judgement. Discuss the Judgement in present scenario of medical tourism? (12½)
- IV. *Suchita Srivastava v. Chandigarh Administration* was referred in the *Justice K S Puttaswamy v. Union of India* while explaining the right to privacy in context with reproductive autonomy. Comment. (12½)
- V. Critically examine the relevance of Transplantation of Human Organs Act, 1994. Can you suggest that the suggestions to plug the loopholes? (12½)

P.T.O.

(2)

**UNIT – III**

- VI. Critically examine the modes of admission of mentally ill person in the psychiatric hospital or nursing home as per The Mental Health Act, 2017. (12½)
- VII. Explain the patient self-determination act elaborately and examine the various proof of patient *consent*. Define consent and explain the legal reporting requirements in filing cases. (12½)
- VIII. Whether the surrogate advertisement of tobacco products has been affected by the Cigarettes and other Tobacco products (Prohibition of Advertisements & Regulation of Trade & Commerce, Production, Supply & Distribution) Act, 2003? (12½)
- IX. One of the main objectives behind the enactment of Food Safety and Standards, Act 2006 is to remove the confusion in the mind of consumers regarding the multiple food laws. Analyse how far the FSSAI Act, 2006 is successful in achieving this objective? (12½)

x-x-x