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**Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Semester**: VIII

**Course Code**: LAW314

**Course Name**: Health Law

**Program & Sem**:

**Date**: 01 JULY 2024

**Time**: 9:30AM-12:30PM

**Max Marks**: 100

**Weightage**: 50 %

**Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Analyze the duty of confidentiality that is imposed on the doctor that is under the Indian Medical Council (Professional Conduct, Etiquettes and Ethics) Regulations, 2002.

2. Examine the essential regulatory functions that must be addressed in a law that regulates drugs and cosmetics.

3. Analyze the higher brain formulation of death as proposed by Robert M. Veatch.

4. Elaborate the principle of Res Ipsa Loquitor when applied to cases of medical negligence.

5. Write a note on importance of clinical trials in India.

6. Comment on the importance of community awareness programme in protection of public health.

**Part B**

**Answer any 4 Questions. Each question carries 10 marks. (4Qx10M=40M)**

7. Comment on important legislations governing drugs and cosmetics in India.

8. Termination of pregnancy upholds the right of the mother. Comment on the statement in the light of Roe v. Wade and the Planned Parenthood of the Southern western Pennsylvania v. Casey.

9. Discuss the need of comprehensive legal framework to regulate stem cell research activities in India.

10. Examine the legal framework regulating community health in India.

11. Discuss the role of the judiciary in shaping health law in India with reference to landmark judgments. How have these judgments influenced the rights of patients and the responsibilities of healthcare providers?

12. Examine the legal framework governing patient rights and medical ethics in India.

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

13. Analyze the statutory provision of death as provided in various Indian as well as international instruments.

14. Right to abortion of the mother versus right to life of the unborn. Comment what would be the impact on the liability of the doctor. Support your answer with case laws.

15. Analyze the legal aspects of public health emergencies in India. How does the Epidemic Diseases Act, 1897, and the Disaster Management Act, 2005, empower the government to manage public health crises? Discuss their relevance in the context of the COVID-19 pandemic.