

ILAHIA LAW COLLEGE , MUVATTUPUZHA

INTERNAL EXAMINATION

5 YEAR B.A.LL.B 3RD SEMESTER

HEALTH LAW

TIME :1 HOUR 30 MINUTES

MAX MARKS: 30

PART A : SHORT ANSWERS

(ANSWER ANY THREE QUESTIONS . Each question carries 2.5 marks)

(3*2.5 = 7.5)

1. What is the role of state in ensuring health
2. Define health
3. Ayurveda as a medicinal practice
4. Can private participation improve in delivering better health care
5. Discuss the various statutory provisions in health care delivery system in Indian scenario

PART B : PROBLEM BASED QUESTION

(Answer any TWO questions. Each question carries 5 marks)

(2*5=10)

1. A patient undergoing treatment in a hospital is unable to sleep because a loudspeaker is being used at very high volume in a nearby religious function throughout the night. The authorities argue that the organisers have a right to use loudspeakers as part of their freedom of speech and expression. Can the patient claim a right to protection from excessive noise under Article 21?
2. A government hospital refuses to admit an accident victim because it is not the hospital authorised to handle medico-legal cases. The hospital directs the victim to another hospital 15 km away. The victim dies before reaching there. Discuss whether the hospital violated its duty to preserve life under Article 21.
3. A doctor learns that his patient is HIV-positive. Without the patient's consent, he informs the patient's relatives claiming that disclosure is necessary to protect the public. The

patient challenges the disclosure as a breach of medical confidentiality. Is disclosure of confidential medical information always prohibited? Explain the circumstances in which disclosure may be justified.

4. An injured person approaches a government hospital for emergency treatment. The hospital refuses to treat him because of shortage of beds. Can such refusal amount to a violation of Article 21?

PART C : LONG ESSAY QUESTION

(Answer any ONE question. Each question carries 12.5 marks)

(1 × 12.5 = 12.5 marks)

1. Indian judiciary's view on right to health. Discuss with relevant case laws
2. Discuss the public- private participation in providing better health care system in India