

(3 Hours)

[Total Marks : 100]

1. Answer in not more than two sentences :- 20
- Define "Drug".
 - What is Contributory negligence?
 - Who is a neonatologist?
 - What does the Electrocardiogram record?
 - What is meant by amniocentesis?
 - What does the case of Poonam Varma *vis* Dr. Ashwin Shah deal with?
 - What is the right of self determination?
 - Who can give consent for the donation of human organ?
 - What is the definition of Advertisement under the D.M.R. Act?
 - What is Therapeutic privilege?
2. Answer any four :- 20
- Salient features of the PNDT Act.
 - Near Relative.
 - Rights of a registered medical practitioner.
 - Mens rea in medical negligence.
 - Brain stem death.
 - Define Rape.
3. Answer any two :- 12
- A newspaper reported that a doctor negligently left a towel in the abdomen of a poor patient while operating on him. A social worker who read that news item filed a PIL in the High Court. The poor man, *however*, did not file any complaint.
 - Is a PIL maintainable in this case?
 - Can the accused plead that the PIL should be dismissed as the *victim* has not filed any complainant ?
 - "A", the complainant was diagnosed as suffering from AIDS. The pathologist who knew the fiancée of "A" told her that "A" was suffering from AIDS. As a result the wedding was called off. The complainant sued the pathologist for damages.
 - Is the pathologist liable for action?
 - What is the defense *available* to the pathologist?
 - A 25 year old married woman complained to the police that her husband raped her. The husband took the defense of his right to consummate the marriage.
 - Will the complaint *survive*? What will be the first action to be taken by the police ?
 - What Will be the legal position if the wife is 14 years of age ?
4. Answer any four :- 48
- Discuss the medico-legal aspects of sexual assault.
 - State and describe the varieties of medical practice in India.
 - Discuss the international Regulation for human experimentation with respect to the Nuremberg Code.
 - Explain the responsibility of the state in disaster management with respect to The Disaster management Plan.
 - Explain the reasons for including the patient as a consumer and for bringing the medical profession within the umbrella of the CPA.
 - Explain the patient's right to self determination with respect to consent.