

(3 Hours)

[Total Marks : 100

1. Answer in **two** sentences :—

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- (a) What is 'Magic Remedy' under DMR (OA) Act ?
- (b) Give examples of 'Contributory Negligence'.
- (c) What is Similia similibus curantur ?
- (d) Define 'Service' under C.P. Act.
- (e) What do you mean by 'Human experimentation' ?
- (f) What is 'Brainstem death' under THO Act ?
- (g) What is EEG and Electrocardiogram (ECG) ?
- (h) Difference between : Neurologist and Nephrologists.
- (i) What is 'Command Nucleus' ?
- (j) Define Transplantation.

2. Answer any **four** :—

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- (a) 'Consumer' under Consumer Protection Act, 1986.
- (b) Disaster management plan.
- (c) Medico-legal examination in sexual assault.
- (d) 'Objectionable Advertisements' under DMR (OA) Act.
- (e) Feticide and Legal Provisions.
- (f) 'Amniocentesis' under PCPNDT Act.

3. Answer any **two** :—

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- (a) 60 years old man was operated for cataract operation. On that day in that Hospital ten other patients also were operated for Cataract Surgery. One of them later on developed infection of the Eye and he lost his vision. Patient sued the doctor and the hospital for negligence :
 - (i) Is doctor and/or Hospital liable for action ?
 - (ii) What will be the defense of the Doctor ?
- (b) "For any type of cold rely on Vicks vapo rub". This advertisement was published in a local newspaper. Many patients applied vicks vapo rub. Some got the relief. The unsatisfied ones filed a case for compensation :
 - (i) Is the advertisement liable for action ? If yes, Under what act action can be taken ?
 - (ii) Can this advertisement escape the liability due to right to speak under the Article 19 of the Constitution of India ?
- (c) Father of a 14 year old married girl complained to the Police that her husband has raped her causing bleeding of the private parts of the girl. The defendant took the defense of his right of consummation of marriage :
 - (i) Will the complaint and the defense survive ?
 - (ii) What will be the legal position if the girl was 20 years of age ?

4. Answer any **four** :—

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- (a) Explain the reasons for considering the patient as a Consumer and including the Medical profession in the ambit of Consumer Protection Act.
- (b) 'Constitutional right to health' has changed the health care system in India. Support your answer with case law and the constitutional provisions.
- (c) What can be the defense of Registered Medical Practitioner in a case of medical negligence ? Explain with at least one case law.
- (d) Do you think that the Drugs and Magic Remedy (Objectionable Advertisement) Act, conflicts with any of the Constitutional right of a person ? Explain with the case law.
- (e) What is contract under the Indian contract Act ? And how it is applicable to the Doctor-Patient relationship ?
- (f) Explain the principles of Informed consent, doctrine of confidentiality, and privilege communication in relation to Doctor-Patient relationship.

[TURN OVER