



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A.,LL.B (HONS.)FYIC

DETAILS OF COURSE OFFERED

ODD SEMESTER (I) – ACADEMIC YEAR

SL. No	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1	BL106	LAW OF TORTS INCLUDING CONSUMER PROTECT ACT, ELECTRICITY ACTS MOTOR VEHICLE ACT	4 PER WEEK	1 PER WEEK	4	

- A. CODE AND TITLE OF THE COURSE: BL 106, LAW OF TORTS INCLUDING CONSUMER PROTECT ACT, ELECTRICITY ACTS MOTOR VEHICLE ACT**
- B. COURSE CREDIT: 4 (TOTAL MARKS: 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: DR. AMOL DEO CHAVHAN**
- E. COURSE INSTRUCTOR: DR. AMOL DEO CHAVHAN**

1. COURSE OBJECTIVES:

Following are the objectives of the course

- To develop a comprehensive understanding of the principles and concepts of Tort, including its historical development and contemporary applications
- To learn the different types of Torts (intentional, negligent, strict liability) and their essential elements
- To develop the ability to analyze factual situations to determine the existence of tortious liability, including defenses and remedies available
- To enhance critical thinking skills by examining complex legal issues and applying legal reasoning to real-world scenarios
- To explore the ethical implications of tort law and its impact on individuals and society
- To gain in-depth knowledge of the Motor Vehicles Act, including its provisions related to registration, licensing, insurance, and accident claims
- To understand the concept of no-fault liability in motor vehicle accidents and its implications for compensation
- To learn about the procedures for filing and processing motor vehicle accident claims, including the role of claims tribunals
- To analyze how tort law principles are applied in the context of motor vehicle accidents
- To develop practical skills in handling cases relating to consumers rights and motor vehicle accident including drafting pleadings, conducting investigations, and representing clients

2. TEACHING METHODOLOGY:

National Law University and Judicial Academy, Assam has developed its own methodology of teaching which will bring maximum facilitation to the students in legal field. This method focuses on participatory teaching which includes classroom lecture and also inputs from the students. There will be discussion on important concept and judicial decisions relating to Law of Torts and Motor Vehicle Act. The topics will be taught through projected teaching aids like power point presentation.

3. EXPECTED OUTCOMES OF THE COURSE:

At the completion of the course, it is expected that the students shall

- Understand the principles of tortious liability
- Understand the difference between torts, crime and breach of contract
- Be familiarized with different defenses available in torts
- Be acquainted with the extent of liability for negligence in various professions
- Be acquainted with the concept of No-fault liability
- Be able to file a case in court of law for wrong and other torts
- Be able to try cases of motor vehicle

4. COURSE EVALUATION METHOD: COURSE EVALUATION METHOD:

The course shall be evaluated for 200 marks. The evaluation scheme would be as follows: Internal Assessment:70%(140 Marks)

Semester End Examination:30%(60 Marks)

Sl.	Marks Distribution	
1	Project Work	40 marks
2	Project Presentation	20 marks
3	Active Learning	30 marks
4	Mid-Semester Test	40 marks
5	Attendance in class	10 marks
6	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE AND SUB MODULES

MODULE I

General Principles, Nature and Scope And Theories Of Law Of Tort

- Nature of Law of Torts
- Definition of Tort
- Elements of Tort
- Development of Law of Torts in England and India
- Wrongful Act and Legal Damage – Damnum Sine Injuria and Injuria Sine Damon
- Tort distinguished from Crime and Breach of Contract
- General Principles of Liability in Torts.

MODULE II

Specific Torts

- Negligence- Indian scenario,
- Nuisance
- BNS, BNSS and Law of Torts a comparative analysis relating to Nuisance and negligence
- Res ipsa loquitor
- Strict and Absolute Liability (*Ryland's Vs Fletcher & MC Mehta vs. Union of India*)
- Definition of Vicarious Liability, Respondent superior, Principal and Agent, Partners, Master and Servant,
- Qui Facit per alium facit per se
- Doctrine of Common Employment

MODULE III

Intentional and Unintentional Torts

- Defamation - Libel S Slander, Malicious Prosecution
- Battery, Assault and False Imprisonment
- Remedies - Judicial and Extra-judicial
- Damages – Kinds of Damages – Assessment of Damages- Remoteness of Damages
- Injunctions
- Death in relation to Tort - Actio personalis moritur cum persona.
- Trespass to Person, Land, and Goods

MODULE IV

Special Laws

- Consumer Laws: Common Law and the Consumer - Duty to take care and liability - Salient features of the CP Act 2019 - Definition of Consumer - Rights of Consumers - Defects in goods and deficiency in services – Unfair trade practices- Redressal Machinery under the Consumer Protection Act - Liability of the Service Providers, Manufacturers and Traders under the Act – Remedies.
- Over view of Electricity Act-2003, Offences and punishment Under Electricity Act-2003, Regulatory commission and appellate Tribunal,

- Liability arising out of accidents (*Relevant provisions of the Motor Vehicles Act*)

6. PRESCRIBED READINGS:

- Ratanlal and Dhirajlal's, The Law of Torts, Lexis Nexis
- Salmond John William, Heuston R.F.V., Salmond on the Law of Torts,
- Baxi, Upendra and AmitaDhanda, Valiant Victims and Lethal Litigation, the Bhopal Case
- Best, Arthur, Basic Tort Law: Cases, Statutes, and Problems
- Chaturvedi, R.G., Law of Motor Accident Claims and Compensation
- Farnworth, Ward, Torts Cases and Questions
- Gandhi, B.M., Law of Torts
- John Oberdiek, Philosophical Foundations of Law of Torts, Goldberg and Sebok, Tort Law: Responsibility and Redress
- Heuston, R.F.V., Salmond on the Law of Torts
- Iyer's, Ramaswami, Law of Torts
- S.R. Desai ,R.K. Bangia, Law of Torts
- James, Philip S. and D.J.L. Brown, General Principles of the Law of Torts

7 JUDICIAL DECISIONS

- Doneghue vs. Stevenson (1932) All ER Rep. 1
- Jacob Mathew vs. State of Panjab, (2005) 6 SCC 1
- Hedley Byrne S Co. Ltd vs. Heller SPartners Ltd. (1964)
- AC Municipal Corpn of Delhi vs. Subhagwati, AIR 1966 SC 1750
- Home Office vs. Dorset Yacht Co. Ltd. (1970) All ER 294
- BhanwarKanwarVs R.K. Gupta; (2013) 4 SCC 252
- V. KishanRaovs Nikhil Super Specialty Hospital, (2010) SLP(C) No.15084/2009)
- AnuradhaSaha case CIVIL APPEAL NO.2867 OF 2012
- ShriUttamSarkarvs The Management of Tura Christian (2014) Complaint Case No. CC/1/2006
- White v. John WarrickS Co. Ltd., (1953) 2 All ER 1021
- Town Area Committee v. PrabhuDayal, AIR 1975 All 132
- Ashby v. White (1703) 2 Lord Raym 938
- Noor Mohd. V MohdJiauddin AIR 1992 MP 244

- Quen v Holbrook (1874) 4 QBD 42
- Bell v Stone (1798) 1 B 331
- Hayward v Thompson (1981) 3 ER 450
- Stephens v Myers (1830) 4 C 349
- Bird v Jones (1845) 7QB 742
- Derry v Peek (1889) LR 14 App Cas 337 etc.