



**KLE SOCIETY'S KLE COLLEGE OF LAW, NAVI MUMBAI**

**COURSE PLAN**

**AY 2022 – 2023**

**SECTION-I**

**CLASS: F. Y. LLB**

**SEMESTER: I**

**COURSE NAME: LAW OF TORTS, MOTOR ACCIDENT CLAIMS AND CONSUMER PROTECTION**

**HOURS PER WEEK: 6**

**FACULTY NAME: Miss. Niharika Gayakwad**

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**CREDITS: 4**

**COURSE OBJECTIVES:**

This course is designed to study the principles of Tortious liability, the defences available in an action for torts, the capacity of parties to sue and be sued and matters connected therewith. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, the inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. The objective 43 of the course is to set out the law of private rights and remedies which is unique in nature as it is not covered under any statute. Students will be well acquainted with this

branch of law governing actions for damages for injuries to certain kinds of rights, like the right to personal security, property, and reputation. The students will be able to conceptually understand the standing of a person in tort, justifications of tort, discharge of torts, vicarious liability, strict liability, product and services liability and remedies. Students will be acquainted with the rules for Motor Vehicle Accident Claims and the rights and remedies under Consumer Protection Act, 2019.

### **COURSE OUTCOMES:**

1. Illustrate the concepts of Defamation, Nuisance, Negligence, Fraud and apply them practically.
2. Application of the Concept of Tort as a civil wrong and the remedies available to the aggrieved party.
3. Identification of various concepts of Torts such torts against persons, including Assault, Battery, Mayhem, False imprisonment under the legal system.
4. Apply the concepts in the Consumer Protection Act, the importance of consumer protection law and its implementation through consumer dispute redressal commission.
5. Identify and apply the elements of Motor Accident Claims under the Motor Vehicles Act in a practical sense.
6. Analyze Torts against property and the concept of Trespass and its application under the legal system.
7. Evaluate the principles of vicarious and strict liability and be able to compare and identify the Judicial and extrajudicial remedies.

## SECTION II

Unit Number and Title	Unit Details	Week	Hours per week	Teaching learning (methods used) / activities and or class trips / dates for assessment	Resource / Reference details
Unit: 1 Introduction to Law of Torts	Introduction the Law of Torts – covering various meanings	1	1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
Unit: 2 Definition Nature Scope Objectives	A wrongful act  Right in Rem  Right in Persona	1	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai
	Damnum Sine Injuria  Injuria Sine Damnum  Liquidated Damages		1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
	Changing scope of law of torts  Standard of human conduct  Unlawful conduction by injunction		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai
Unit: 3 Principles of Liability in	Fault	1	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai

Torts					
	Wrongful Intent		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai
	Negligence	2	1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
	Liability without Fault  Statutory Liability  Place of Motive in Torts		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 4  Justice in Torts	Volenti Non Fit Injuria		1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
	Necessity, Private, and Public  Plaintiff's Default		1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
	Act of God  Inevitable Accident  Private Defence		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai
	Statutory Authority  Judicial and Quasi Judicial Act  Parental and Quasi Parental Act		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai
Unit: 5  Extinguishment of Liability	Actio Personalis Moritur Cum Persona  Waiver and Aquiesscence	3	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai

	Release Accord and Satisfaction Limitation		1	Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
Unit: 6 Sovereign Immunity	The Doctrine of Sovereign Immunity and its relevance in India		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 7 Vicarious Liability	Basis Scope and Justification  Express authorization  Ratification  Abetment		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Master and Servant  Independent Contractor  Borrowed Contractor		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Principal and Agent  Cooperation and Principal Offer		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 8 Torts against persons and	Assault  Battery	4	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai

Personal Relations	Mayhem False Imprisonment				Law of Torts – Ratanlal and Dhirajlal
	Defamation: Libel Slander		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Marital Relations: Domestic Relations Parental Relations Master and Servant Relationship		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Malicious Prosecution		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Shortened Expectation of Life  Nervous Shock		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 9 Wrongs Affecting	Trespass Trespass ab initio  Movable Property	5	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai

Property					Law of Torts – Ratanlal and Dhirajlal
Unit: 10 Negligence	Basic Concepts  Theories of Negligence  Standard Care of Duty		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Contributory Negligence  Res Ipsa Loquitor  Limited Liability		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Liability due to negligence  Liability of Common Carrier  Liability of manufacturer – Product Liability		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 11 Nuisance	Definition and Essential  Public Nuisance		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Private Nuisance Interference with light and air		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai

				Presentation Lecture Interactive Learning	Law of Torts – Ratanlal and Dhirajlal
Unit: 12  Absolute / Strict Liability	Ryland v Fletcher	6	1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Liability of harm caused by inherently dangerous industries		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
Unit: 13  Legal Remedies	Award of Damages: Simple, Special, Punitive  Remoteness of Damage		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Injunction  Specific Restitution of Property		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai  Law of Torts – Ratanlal and Dhirajlal
	Extra Legal Remedies		1	Presentation Lecture Interactive Learning	Law of Torts – P.S. Achuthan Pillai



					Law of Torts – Ratanlal and Dhirajlal
Unit: 14  Consumer Movements: Historical Movements	Common Law Protection: Contract and Torts	6	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Consumerism in India	7	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 15  Consumer, the concept	General Perspective  Statutory and Government Services	7	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal

					Commentary on CP Act – J. N. Barowali
	Consumer Protection Act – 1986  Who is a consumer?		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 16  Unfair Trade Practices	Misleading and False Advertising  Unsafe and Hazardous Practices		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Disparaging Competitors  Business Ethics		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act –

					J. N. Barowali
	Business Self-Regulation  Falsification of Trade Marks		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 17  Consumer of Goods	Meaning of Defects  Standard of Purity	8	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 18  Supply of Essential Commodities	Prescribing Standards of Quality – BIS and Ag mark	8	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali

Unit: 19 Consumer Safety	Distribution and handling of unsafe hazardous products	8	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Insecticides and Pesticides		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 20 Service	Deficiency  Professional Services  Medical Services		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	How to determine Negligence		1	Presentation Lecture	The Law of Consumer

	Violation of Statutes			Interactive Learning	Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Denial of Medical Services and a violation of Human Rights	9	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Lawyering Services  Public Utilities  Supply of Electricity		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Telecommunication and Postal Services  Housing		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar

	Banking				Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 21  Commercial Services	Hiring Financing Agency Services	9	1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
Unit: 22 Enforcement of Consumer Rights	Consumer Fora under CPA  Execution of orders		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Judicial Review		1	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh

					<p>The Law of Consumer Protection in India – Saraf Dal</p> <p>Commentary on CP Act – J. N. Barowali</p>
	Public Interest Litigation	10	2	<p>Presentation Lecture Interactive Learning</p>	<p>The Law of Consumer Protection by Avtar Singh</p> <p>The Law of Consumer Protection in India – Saraf Dal</p> <p>Commentary on CP Act – J. N. Barowali</p>
	Class Action		2	<p>Presentation Lecture Interactive Learning</p>	<p>The Law of Consumer Protection by Avtar Singh</p> <p>The Law of Consumer Protection in India – Saraf Dal</p> <p>Commentary on CP Act – J. N. Barowali</p>
	Remedies		2	<p>Presentation Lecture Interactive Learning</p>	<p>The Law of Consumer Protection by Avtar Singh</p> <p>The Law of Consumer</p>

					Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali
	Administrative Treaties	11	2	Presentation Lecture Interactive Learning	The Law of Consumer Protection by Avtar Singh  The Law of Consumer Protection in India – Saraf Dal  Commentary on CP Act – J. N. Barowali



### SECTION-III

#### **Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping**

<b>Course Outcome</b>	<b>Programme Outcome</b>					
	PO1	PO2	PO3	PO4	P05	PO6
CO1	✓	✓		✓	✓	✓
CO2	✓	✓		✓	✓	✓
CO3			✓			
CO4	✓	✓				✓
CO5				✓		
CO6	✓	✓	✓		✓	
CO7	✓		✓	✓	✓	

### SECTION-IV

#### **Course Outcome and Internal Assessment Mapping**

<b>Learning outcomes of the course</b>	<b>Components of Assessment</b>		
	<b>Internal Assessment 1 (Class Test)</b>	<b>Internal Assessment 2 (Research Project)</b>	<b>End Semester Exam</b>
CO1: Remember and Understand	✓		✓
CO2: Apply			✓
CO3: Analyze	✓	✓	
CO4: Evaluate	✓	✓	
CO5: Create		✓	