



Subject: Law of Tort, including MV. Accident and Consumer Protection Laws – LAWLLI1505.

Type of course: Major (Core)

Prerequisite:

The study of Law of Tort, including Motor Vehicle Accident and Consumer Protection, requires a basic understanding of legal rights, duties, and wrongful acts that cause damage to others. It is important to know the principles of negligence, liability, and compensation, especially in cases relating to motor vehicle accidents. A student should also have basic knowledge of consumer rights, unfair trade practices, and the system for redressal of consumer complaints under consumer protection laws.

Rationale:

The subject of Law of Tort, including Motor Vehicle Accident and Consumer Protection, is included to provide students with knowledge of civil wrongs and the remedies available to affected persons. It helps students understand the principles of negligence, liability, compensation, and protection of legal and consumer rights in modern society. The subject also develops practical legal understanding regarding accident claims, consumer disputes, and the role of courts and tribunals in delivering justice professionally and ethically, contributing to balanced and lawful workplace practices.

Teaching and Examination Scheme:

Teaching Scheme			Credits	Examination Marks			Total Marks
CI	T	P	C	Theory Marks		CA	150
				SEE	MSE	ALA	
05	01	00	06	100	30	20	

Legends: CI-Classroom Instructions; T- Tutorial; P- Practical; C- Credit; SEE- Semester End Evaluation; MSE- Mid Semester Examination; CA-Continuous Assessment; ALA- Active Learning Activities.



Course Content:

Sr. No.	Course Content	Hrs.	% Weightage
1	General Principle of Tort • Definition, Nature and Characteristics of Torts. • Distinction between Tort, Crime, Breach of Contract and Quasi-Contract. • Essential Elements of Tort and Relevant Maxims. • Mental Elements in Tortious Liability. • General defenses in Tort - Volenti Non Fit Injuria (consent), Inevitable Accident, Act of God (Vis Major), Necessity, Statutory Authority, Plaintiff as a Wrongdoer and Contributory Negligence, etc. • Extinguishment of liability in Tort.	15	20
2	Vicarious Liability and Specific Torts • Vicarious Liability. • Liability of the State. • Trespass to Person. • Trespass to Land and Goods • Defamation. • Nuisance. • Negligence.	15	20
3	Principles of Liability and Remedies. • Strict Liability – Rylands v. Fletcher Case. • Absolute Liability. • Landmark Precedents- M.C. Mehta v. Union of India (Oleum Gas Leak Case), Bhopal Gas Disaster Case and Shree Ram Food Gas Leakage case, etc. • Judicial Remedies – Damages, Injunction, Specific restitution of property. • Extra legal Remedies – Self-defense, Re-entry on Land, Re-captation of Goods, Distress Damage- Feasant and Abatement of Nuisance.	15	20
	Consumer Protection Act, 2019 • Consumer: Meaning and Definition.		



4	• Consumer Rights. • Goods and Services. • Deficiency in Service and Denial of Services. • Product Liability. • Unfair Trade Practices. • Consumer Protection Councils. • Consumer Disputes Redressal Commissions – District Forums, State Commission & National Commission. • Consumer Complaints and Redressal Mechanism. • Judicial Review under Consumer Protection Law.	15	20
5	Motor Vehicle Act 1988 & its Amendment • Liability without fault in certain cases. • Principle of No-Fault Liability. • Motor Accident Claims. • Compensation for Death and Permanent Disability. • Necessity for Insurance Against Third Party Risk. • Requirement of Policies and Limits of Liability. • Rights of Third Parties Against Insurer. • Insolvency of Insured and Effect on Claims. • Settlement Between Insurer and Insured. • Hit and Run Compensation Scheme. • Motor Accident Claims Tribunal (MACT). • Recent Amendments and Judicial Developments under the Motor Vehicles Act.	15	20



Continuous Assessment:

Sr. No	Active Learning Activities	Marks
1	Case File: Faculty will be providing a general instruction on case laws regarding Law of Tort, MV Act and Consumer Protection Act. Students have to prepare a Case file on 2 Landmark Precedents in the Format which the respective faculty provides. Students have to upload case file on the GMIU web portal.	10
2	Drafting of Legal Notice for Defamation Students have to prepare a legal notice on behalf of a client whose reputation has been harmed through a defamatory publication including facts, legal grounds, and relief sought.	10
Total		20

List of Suggested Tutorials:

Sr. No.	Suggested tutorials	Credits Hrs.
1	Discussion on Nature and General Principles of Tort Law – Students will discuss the nature, definition and essential elements of torts, and distinction between tort, crime and breach of contract in brief and write an essay on any one topic.	1
2	Short Videos on General Defenses in Tort – Students will be shown videos of Volenti non fit injuria, inevitable accident, act of God, necessity, statutory authority, etc. for a better understanding and then discuss the differences of the defenses.	2
3	Case Study on Vicarious Liability and Liability of the State – Students will select a landmark precedent on the principles of vicarious liability, employer's liability, and liability of the State for tortious acts and prepare a Case Note on the case selected.	1
4	Analysis of Specific Torts against Person, Property and Reputation – Students will critically analyze the remedies for Assault, battery, false imprisonment, trespass, defamation, nuisance, negligence and fraud.	1
5	Short Series on Strict Liability and Absolute Liability – Short Series will be shown in the classroom based on Uphar Cinema Case for practically understanding the concept of Strict Liability and Absolute Liability.	2
6	Class Presentation on Legal Remedies in Tort Law – An interactive session based on Injunctions, restitution of property, remoteness of damage, foreseeability, and extra-legal remedies such as re-entry	2



	and recaption which will be presented by the students in the classroom.	
7	Classroom Role Play on Consumer Rights and Consumer Protection Act, 2019 – Students work in groups to perform a role play demonstrating a dispute involving Consumer rights, definition of consumer, goods, services, deficiency in service, and denial of services. They will explain the legal rights and liabilities of each party after the performance.	2
8	Flowchart on Consumer Dispute Redressal Mechanism – Students will prepare a flowchart on the procedure of Redressal mechanism provided under Consumer Protection Councils, District Commission, State Commission, National Commission, and judicial review.	1
9	Debate on the provisions of No-Fault Liability and Motor Accident Compensation – Students will prepare a debate in two groups – one which support the claim and other which is against the claim under the Motor Vehicles Act.	1
10.	Group Seminar – Students will work in groups to conduct a 10-minute seminar on any one topic under Motor Vehicle Insurance and Third-Party Liability. It will end with an interactive session as questions will be asked from the audience at the end of the presentation.	2

Suggested Specification table with Marks (Theory): 100

Distribution of Theory Marks (Revised Bloom's Taxonomy)						
Level	Remembrance (R)	Understanding (U)	Application (A)	Analyze (N)	Evaluate (E)	Create (C)
Weightage	30%	30%	-	20%	20%	--

Note: This specification table shall be treated as a general guideline for students and teachers. The actual distribution of marks in the question paper may vary slightly from above table



Course Outcomes:

After learning the course, the students should be able to:	
CO1	Explain the concept, nature, characteristics, essential elements, principles, maxims, and general defenses of the Law of Torts, and distinguish tortious liability from crime, breach of contract, and quasi-contract.
CO2	Analyze the principles governing specific torts, including negligence, nuisance, trespass, defamation, vicarious liability, and State liability, and apply relevant legal principles to practical situations.
CO3	Evaluate the principles of strict liability, absolute liability, judicial precedents, and the various judicial and extra-judicial remedies available under the Law of Torts.
CO4	Demonstrate an understanding of the provisions of the Consumer Protection Act, 2019, including consumer rights, product liability, unfair trade practices, consumer dispute redressal mechanisms, and judicial review.
CO5	Discuss the provisions of the Motor Vehicles Act, 1988 (as amended), relating to no-fault liability, motor accident claims, third-party insurance, compensation mechanisms, MACT, and recent judicial developments, and apply them to resolve legal issues.

Instructional Method:

The course delivery method will depend upon the requirement of content and the needs of students. The teacher, in addition to conventional teaching methods by black board, may also use any tools such as demonstration, role play, Quiz, brainstorming, MOOCs etc.

From the content 10% topics are suggested for flipped mode instruction. Students will use supplementary resources such as online videos, NPTEL/SWAYAM videos, e-courses. The internal evaluation will be done on the basis of Active Learning Assignment.

Practical/Viva examination will be conducted at the end of semester for evaluation performance of students in the laboratory.

Reference Books:

- [1] Bangia, R. K. (2025). *Law of torts: Including Motor Vehicles Act, 1988, Consumer Protection Act, 2019 and Competition Act, 2002* (27th ed.). Allahabad Law Agency.
- [2] Pithawalla, H. D. (2023). *The law of torts (Jhabvala Law Series)* (12th ed.). C. Jamnadas & Co.
- [3] Jamnadas, C. (2023). *અવકરણના કાયદા (Law of tort)* (18th ed.). C. Jamnadas & Co.
- [4] Kumar, K. K. (2024). *Motor Vehicles Act* (15th ed.). Universal Law Publishing.
- [5] Pillai, P. S. A. (2024). *Law of tort* (9th ed.). Eastern Book Company.
- [6] Singh, A. (2024). *Consumer protection law and practice* (9th ed.). Eastern Book Company.
- [7] Ratanlal, & Dhirajlal. (2024). *The law of torts* (31st ed.). LexisNexis.



- [8] Heuston, R. F. V. (Ed.). (2022). *Salmond and Heuston on the law of torts* (21st ed.). Sweet & Maxwell.
- [9] Singh, A. (2024). *Law of torts* (10th ed.). Eastern Book Company.

