	<b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>	
	<b>SYLLABUS</b>	<b>FOL FORM 1</b>

PROGRAMME	TRIMESTER	COURSE NAME	COURSE CODE
BBA.LLB (Hons.)	I	Law of Tort	08030103

### **Law of Tort**

**Course Objective:** At the conclusion of this course, having completed the various learning activities and assessments, student should be able to

1. Explain the most important and commonly litigated torts, their constituent elements and the function they perform within the legal system.
2. Explain basic tort theory and criticism, the functions of tort law, what it is that tort law seeks to achieve in the context of society and its institutions, including the economic system, and be able to assess it against possible alternatives.
3. Conduct basic legal research, analysis and argument such that, when presented with a legal fact problem, possibly involving a tort that a student have never studied, can, independently and without supervision, provide a legal opinion based on appropriate and cogent legal analysis.
4. See the relevance of tort law in daily life such that, on reading or hearing of current events in the popular media that have tort law relevance, you can identify and explain the tort law implications in simple and clear terms.

#### **Module – I Scope of the Law of Tort**

1. Introduction to the Law of Tort
2. Meaning and definition of Tort
3. Characteristics of the Tort concept
4. Foundation of Tortious liability-the two competing theories

#### **Module – II General Principles of Liability**

1. Damnum sine injuria
2. Injuria sine damno

#### **Module – III General Elements of Tort**

1. Act and Omission
2. Voluntary and Involuntary Act

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3. Relevance of Malice, Motive, Intention and Fault in Law of Tort

**Module – IV Classification of Tort**

1. Wrongs to Person: - Wrongs affecting safety and freedom of the person, wrongs affecting person's relations in the family, wrong affecting reputation-slander and Libel, malicious prosecution.
2. Wrongs to property: - Trespass to land, Trespass to goods.
3. Wrongs to person/property-generally: - Negligence, Nuisance, Nervous Shock, Contributory Negligence

**Module – V Vicarious Liability**

1. Liability of Ratification
2. Liability by Relation
3. Liability by abetment,
4. Vicarious Liability of State

**Module – VI Strict Liability and Absolute Liability**

1. Rule in Rylands v Fletcher
2. Rule of absolute liability in India
3. The polluter pays principle.

**Module – VII General Defences**

1. Volenti non fit injuria
2. Act of God
3. Inevitable Accident, Private Defense, Necessity.

**Module – VIII Law of Consumer Protection**

1. Evolution of law of consumer protection
2. Aims and objects of the Consumer Protection Act, 1986



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3. Who is a Consumer? What are his rights? What is the remedy available when it is violated?
4. Consumer Disputes Redressal Agencies

**Module – IX Introduction to Law relating to Motor Vehicles in India**

**Module – X Modern Tort**

1. Tort of sexual harassment
2. Stalking and cyber stalking
3. Domestic violence: a crime and tort,
4. Environmental tort


**Course Outcome:**

1. A student who successfully completes this subject will have a general understanding of the law of tort and specific familiarity with the topics outlined below, and will:
2. Understand and be able to apply common law and legislative systems pertaining to the tort of negligence, including the elements of that tort—duty of care, standard of care, causation, and remoteness—and the associated issues of third party intervention, damages for personal injury, omissions and nervous shock, and defences and vicarious liability, intentional tort of trespass to the person, including assault, battery and false imprisonment.
3. Demonstrate awareness of the place of tort law within law generally, and in a broader context;
4. Navigate and apply the various sources of tort law within the common law and statute;

**Books Recommended**

1. Salmond &Heuston-On the Law of Torts (2000), Universal, Delhi
2. D.D.Basu, The Law of Torts (1982) Kamal, Calcutta.
3. Winfield &Jolowiz on Tort (1999) Sweet and Maxwell, London
4. Ratan Lal &Dhiraj Law-The Law of Torts (1997) Universal, Delhi

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5. Agarwal V.K. : Consumer Protection Law & Practice
6. Desai, Kumud : Law of Torts (An Outline with Cases)
7. Garg, O.P. : The Consumer Protection Act, 1986
8. Kapoor, S.K. : Law of Torts
9. Pillai, P.S. Atethuthan : Law of Torts
10. Ratan Lal & Dhiraj Lal : Law of Torts
11. Sarraf, D.N. : Law of Consumer Protection in India
12. Singh, Avtar : Law of Consumer Protection