

### Course Plan

Course Title: Law of Torts	Course Code:21LBLC102
Programme: BBA.,LL.B	Semester: I
Credits:4	L-T-P: 3-1-0
ISA Marks:50	ESA Marks:50
Course Teacher:Ms. Rashmi, Ms Zeenia	Date of Preparation: 4 <sup>th</sup> Sep 2021
Course Plan Reviewer: Dr. S.G. Goudappanavar	Date of Review:6 <sup>th</sup> Sep 2021

#### Course Objective:

This course is designed to introduce students to 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.

#### Course Outcomes (COs)

At the end of the course students will be able to:

1. Identify the key legal principles of Law of Torts
2. Students will be able to apply tort law to complex problems using appropriate legal problem-solving techniques.
3. Create persuasive and well-structured legal arguments on issues and problems relating to the law of torts.
4. Critically analyse the development of the law of torts under the common law system.

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### Mapping of Course Outcomes (COs) with Program Outcomes

Course Outcomes (COs)	Relevant Program Outcomes (POs)
1. Identify the key legal principles of Law of Torts	1,8
2. Students will be able to apply tort law to complex problems using appropriate legal problem-solving techniques.	1, 4
3. Create persuasive and well-structured legal arguments on issues and problems relating to the law of torts.	3,4
4. Critically analyse the development of the law of torts under the common law system.	6,8

### Course Content

Unit Contents	Number of Sessions
Unit I: Evolution of Law of Torts, Writ of Forms, Writ of Trespass, ubi jus ibi remedium, Meaning and Definition, Nature and Scope of Law of Torts, Law of Tort and Law of Torts, Torts Distinguished from Contract and Crime, Mental Elements: Intention, Motive, Malice in Law and in Fact.	15
Unit II: Capacity to Sue and be Sued, General Defences, Remoteness of Damage.	13
Unit III: Nuisance, Negligence: Doctrine of	15

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Foreseeability, Mental Shock, Contributory Negligence, Composite Negligence, Strict and Absolute Liability.	
Unit IV: Torts Against Person: Assault, Battery, Mayhem, False Imprisonment, Defamation: Libel and Slander, Defences, Abuse of Legal Process: Malicious Civil Action and Malicious Prosecution, Torts Against Property: Trespass to Goods, Trespass to Land, Safety of Premises, Liability for Chattels and Liability for Animals.	15
Unit V: Intimidation and Conspiracy, Tort of Misrepresentation, Joint Tortfeasors, Several Tortfeasors, Composite Tortfeasors, Vicarious Liability: Principles of Vicarious Liability, Developments in Sexual Offences, Recent Developments, Legal Remedies.	12
Total	70

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## Prescribed Text Books

1. Ratanlal and Dhirajlal, The Law of Torts, 26th Edition, New Delhi: LexisNexis, 2013.
2. P.S.Achuthen Pillai, Law of Tort ( Eastern Book Company, 2011).

## References:

1. Rogers, W.V.H, Winfield and Jolowicz on Tort, 15th Edition, London: Sweet and Maxwell, 1999.
2. Heuston R.F.V and R. A. Buckley, Salmond and Heuston on the Law of Torts, 26th Edition, U.K: Sweet and Maxwell Ltd, 1996.
3. Howarth, David and Janet O' Sullivan, Hepple, Howarth and Matthew's Tort: Cases and Materials, 5th Edition, New Delhi: LexisNexis, 2000.
4. Baxi Upendra and Danda Amita, Valiant victims and Lethal Litigation-The Bhopal Case, Indian Law Institute Bombay: 1990.
5. Tony Weir, A Casebook on Tort, 4th Edition, London Sweet & Maxwell, 1974.
6. Kirsty Horsey and Erika Rackley, CaseBook on Tort Law, 16th Edition Oxford University Press, 2021
7. Martin Matthews, Jonathan Morgan, Colm O'Conneide, Tort Cases and Materials 6th Edition, Oxford University Press, 2008.

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### Unit Wise Plan

Unit Number: I	Planned Sessions:15
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
1 They will be able to distinguish torts from crimes and breaches of contract.	1	4
2. Students would be able to outline the developments and principles of tortious liability.	4	1,2
3. Students will be able to classify and compare different mental elements. 4. The students would be able to classify, compare and apply the various defences available to the defendant in a suit for torts.	2	4
5. Students can demonstrate the principle of liability of master and servant relation and when one can be held liable for tort.	2	3

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Evolution of Law of Torts	2	Lecture, discussion
2	Writ of Forms	1	Lecture, discussion
3	Writ of Trespass	1	Lecture, discussion

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4	ubi jus ibi remedium	1	Case analysis
5	Meaning and Definition, Nature and Scope of Law of Torts	2	Lecture, discussion
6	Law of Tort and Law of Torts	1	Lecture, discussion
7	Torts Distinguished from Contract and Crime	1	Lecture, discussion
8	Mental Elements: Intention, Motive	3	Problem solving method
9	Malice in Law and in Fact	3	Lecture, discussion

#### Prescribed Reading(s) / Learning Resource(s)

1. Foundations of the Law of Tort by L Glanville William
2. The Law of Torts by Dhirajlal & Ratanlal [Edition 2021-2022]
3. P.S.Achuthen Pillai, Law of Tort ( Eastern Book Company, 2011).

#### Additional Reading(s) / Learning Resource(s)

1. Rogers, W.V.H, Winfield and Jolowicz on Tort, 15th Edition, London: Sweet and Maxwell, 1999.
2. Heuston R.F.V and R. A. Buckley, Salmond and Heuston on the Law of Torts, 26th Edition, U.K: Sweet and Maxwell Ltd,1996.

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### Unit Wise Plan

Unit Number: II	Planned Sessions:13
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
1. Students will be able to describe and demonstrate various defences available to the defendant	4	3
2. pen down nuances of remoteness of damages in a suit for torts.	1	4
3. In a given set of facts they would be able to decide which defences would be available.	4	3

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Capacity to Sue and be Sued	2	Group discussion
2	General Defenses-	5	Lecture, discussion, case analysis, role play
3	Remoteness of Damage	6	Lecture, discussion, story telling

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### Unit Wise Plan

Unit Number: III	Planned Sessions: 15
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
1. Students will be able to describe the mental elements involved in a tort, especially negligence.	2, 4	2, 4
2. They will be able to explain the liability of different professionals for negligence.	4	2

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### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Nuisance- its kinds, cases	2	Q&A, socrates method
2	Negligence: meaning, definition, essentials,	2	Lecture & discussion
3	Doctrine of Foreseeability, Mental Shock	5	Group discussion, Lecture
4	Contributory Negligence, Composite Negligence,	1	Story telling, case analysis
5	Strict liability and cases	2	Lecture & discussion
6	Absolute Liability and Bhopal gas tragedy case	2	Storytelling and discussion
7	Difference between strict liability and absolute liability	1	Lecture & discussion

### Prescribed Reading(s) / Learning Resource(s)

1. Foundations of the Law of Tort by L Glanville William
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3. P.S. Achuthen Pillai, Law of Tort ( Eastern Book Company, 2011).

### Additional Reading(s) / Learning Resource(s)

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### Unit Wise Plan

Unit Number: IV	Planned Sessions:15
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
1. Students will be able to understand different torts against persons and body relationships and the circumstances	1	2
2 They will be able to decide in which instances a person is liable for committing such torts. Able to state essentials of Assault,battery, defamation	2,4	2,4

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Torts against person : Assault, Battery, Mayhem, False Imprisonment	4	Lecture & discussion
2	Defamation: Libel and Slander, Defenses	2	Lecture and Group discussion
3	Abuse of Legal Process: Malicious Civil Action and Malicious Prosecution	3	Lecture & discussion
4	Torts Against Property:	2	Lecture & discussion

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	Trespass to Goods,		
5	Trespass to Land	2	Lecture & discussion
6	Safety of Premises	1	Students presentation
7	Liability for Chattels and Liability for Animals	1	Students presentation

Prescribed Reading(s) / Learning Resource(s)

Foundations of the Law of Tort by L Glanville William

THE LAW OF TORTS by Dhirajlal & Ratanlal [Edition 2021-2022]

P.S.Achuthen Pillai, Law of Tort ( Eastern Book Company, 2011).

Additional Reading(s) / Learning Resource(s)

1.W. D. Rollison, Torts: Assault, Battery, 17 Notre Dame L. Rev. 1 (1941).

Available at: <http://scholarship.law.nd.edu/ndlr/vol17/iss1/1>

2. Heuston R.F.V and R. A. Buckley, Salmond and Heuston on the Law of Torts, 26th Edition, U.K: Sweet and Maxwell Ltd,1996.

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### Unit Wise Plan

Unit Number: V	Planned Sessions:12
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
1. Students will understand the differentiate between intentional torts and unintentional torts	1	1
2. The students will be acquainted with the concept of no fault liability and the different remedies available to the victim of a tort and the circumstances in which they are available.	2	3
3. State essentials of fraud and misrepresentation.	4	2,4
4. Explain and pen done concept of joint tortfeasors, several tortfeasors	4	2

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Intimidation and Conspiracy	2	Lecture & discussion
2	Tort of Fraud and Misrepresentation	2	Story telling, Quiz
3	Joint Tortfeasors, Several Tortfeasors, Composite Tortfeasors	3	Lecture and group discussion

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4	Vicarious Liability: Principles of Vicarious Liability	4	Lecture & discussion
5	Developments in Sexual Offences, Recent Developments, Legal Remedies	1	Socrates method

Prescribed Reading(s) / Learning Resource(s)

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3. P.S. Achuthan Pillai, Law of Tort ( Eastern Book Company, 2011).

Additional Reading(s) / Learning Resource(s)

1. Rogers, W.V.H, Winfield and Jolowicz on Tort, 15th Edition, London: Sweet and Maxwell, 1999.
2. Alan Bloom, William Ginsburg, Mark A. Kadzielski & Kandy Waldie, Vicarious Liability: How Vicarious and How Liable, 15 WHITTIER L. REV. 151 (1994)

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### Industry/Professional Skills, Human Values, Service Learning

Industry/Professional Skills	Analytical and critical skills
Human Values	Respect one another rights
Service Learning (if any)	Advice and create legal awareness of principles of tort law

### Evaluation Scheme for ISA

Assessment	Weightage in Marks
Two test	40
Teacher Chosen Assessment	10
Total	50

### Teacher Chosen Assessment Method

Component	Details	Weightage
Newspaper Article Review	Students have to select two articles from specified newspapers, identify and explain the relevant tort and apply the principles of tortious liability to the facts of the article and suggest the liabilities of concerned parties. Word limit: 250 per article Mode of Submission: typed and submitted on google classroom. Post submission, the same has to be presented on a date as scheduled by the course teacher.	05

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Newspaper Article Review Presentation	Recognising specific tort in any article published in newspaper or current news	05
Minor 1 Exam	Written exam	20
Minor 2 Exam	Written exam	20

### Weightage of Course Outcomes

Course Outcomes (COs)	Weightage in Assessment
1. Identify the key legal principles of Law of Torts	30
2. Apply tort law to complex problems using appropriate legal problem-solving techniques.	30
3. Create persuasive and well-structured legal arguments on issues and problems relating to the law of torts.	20
4. Critically analyse the development of the law of torts under the common law system.	20
Total	100

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