



KARNATAKA STATE LAW UNIVERSITY

Navanagar, Hubballi-580025

Accredited with 'A' Grade by NAAC

Phone: 0836-2222392
Fax : 0836-2223392

Website : www.kslu.karnataka.gov.in
Email : kslu.registrar@gmail.com

No. KSLU/BOS/2021-22/0182

Date: 27.04.2021

Circular

Sub: Change of Syllabus of Law of Torts for 3 years, 5 years LL.B. and
5 years LL.B. (Honor's) Courses.

Ref: Hon'ble Vice Chancellor's approval dated 27-4-2021

With reference to the above, all the Principals of Law Colleges of K.S.L.U. are hereby informed that, there is a change in the syllabus of the Law of Torts for 3 years and 5 years LL.B. courses. The changed syllabus of Law of Torts will come into immediate effect i.e. from the Academic Year 2020-21 for the even semesters of 5 year LL.B. Courses and 5 year LL.B. (Honor's) Courses.

And for the 3 year LL.B. Course, the changed syllabus of Law of Torts will come into effect from the Academic Year 2021-22.

The same may be brought to the notice of all the teachers and students.

Encl: as above

To

- 1) The Principals of all Law Colleges affiliated to KSLU, Hubballi.
- 2) The Director, KSLU Law School, Navanagar, Hubballi.

Copy to

- 1) P.S. to Hon'ble Vice Chancellor, KSLU, Hubballi.
- 2) P.S to Registrar, KSLU, Hubballi.
- 3) P.S. to Registrar (Eval.), KSLU, Hubballi.
- 4) Dy. Registrar / Asst. Registrar (Academic & Administration), KSLU, Hubballi.
- 5) File copy

Registrar

LAW OF TORTS

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 connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also the remedies provided under the *Consumer Protection Act, 2019*.

Course contents:

UNIT-I

Evolution of law of torts- Nature and scope of law of torts- Meaning- Torts distinguished from Contract- Crime- Development of *Ubi jus ibi Remedium*- Mental elements-Intention, Motive, Malice in Law and in Fact.

UNIT-II

General Defences, Vicarious Liability.

UNIT-III

Negligence; Nuisance; Absolute and Strict liability.

Legal Remedies-Awards-Remoteness of damage.

UNIT-IV

Torts against person: Torts affecting body- Assault, Battery, Mayhem and False Imprisonment; Torts affecting reputation-Libel and Slander, Torts affecting freedom-Malicious Prosecution, Malicious Civil Action and Abuse of Legal Process; Torts affecting domestic and other rights-Marital Rights, Parental Rights, Rights to Service, Contractual Rights, Intimidation and Conspiracy; Torts against property.

UNIT- V

Salient features of Consumer Protection Act 2019: Preliminary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties

Salient features of MV Act, 1988, Liability without fault in certain cases, Insurance of Motor Vehicles against third party risks, Claims Tribunal, Offences, Penalties and Procedure.

Prescribed Books:

Ratanlal and Dhirajlal, *The Law of Torts*, 26th Edition, (New Delhi: Lexis Nexis, 2013)

Reference Books:

Rogers, W.V.H, *Winfield and Jolowicz on Tort*, 15th Edition, (London: Sweet and Maxwell, 1999).

Howarth, David and Janet O' Sullivan, *Hepple, Howarth and Matthew's Tort: Cases and Materials*, 5th Edition, (New Delhi :Lexis Nexis, 2000)

Baxi Upendra and Danda Amita, *Valiant victims and Lethal Litigation-The Bhopal Case*, Indian Law Institute (Bombay:1990)

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)

Singh, Avtar, *Introduction to the Law of Torts(and Consumer Protection)*, (Lexis Nexis Butterworths: 2009)

SarafD. N, *Law of Consumer Protection in India*, (Bombay: N.M. Tripathi, 1990)

Gurubax, Singh, *Law of Consumer Protection* (Jaipur; Bharat Law Publications, 1992)

**Syllabus for Five Year B.A., LL.B. (Hons.) and B.B.A., LL.B. (Hons.)
Integrated Honor's Degree Course in Law**

4.4 Course – IV, Law of Torts including MV Accidents and Consumer Protection

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 connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also the remedies provided under the *Consumer Protection Act, 2019*.

Course contents:

UNIT-I

Evolution of law of torts- Nature and scope of law of torts- Meaning- Torts distinguished from Contract- Crime- Development of *Ubi jus ibi Remedium*- Mental elements-Intention, Motive, Malice in Law and in Fact.

UNIT-II

General Defences, Vicarious Liability.

UNIT-III

Negligence; Nuisance; Absolute and Strict liability.
Legal Remedies-Awards-Remoteness of damage.

UNIT-IV

Torts against person: Torts affecting body- Assault, Battery, Mayhem and False Imprisonment; Torts affecting reputation-Libel and Slander, Torts affecting freedom-Malicious Prosecution, Malicious Civil Action and Abuse of Legal Process; Torts affecting domestic and other rights-Marital Rights, Parental Rights, Rights to Service, Contractual Rights, Intimidation and Conspiracy; Torts against property.

UNIT- V

Salient features of Consumer Protection Act 2019: Preliminary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties
Salient features of MV Act, Liability without fault in certain cases, Insurance of Motor Vehicles against third party risks, Claims Tribunal, Offences, Penalties and Procedure.

Prescribed Books:

Ratanlal and Dhirajlal - *Law of Torts*.

Reference Books:

Winfield and Jolowicz – Tort

Hepple and Mathews – Tort: Cases and Materials

Baxi Upendra and Danda Amita- Valiant victims and Lethal Litigation-The Bhopal Case, 1990

Salmond – On Torts

Avtar Singh- The law of Torts.

D.N. Saraf – Law of Consumer Protection in India.

Singh Gurubax – Law of Consumer Protection

Proceedings of the Board of Studies (U.G.) meeting held on 24-3-2021 at 11.00 a.m. in the Conference Hall of the Karnataka State Law University, Hubballi.

Members present:

- | | |
|---|-------------------|
| 1) Prof. Ratna R. Bharmagoudar, Director & Dean, KSLU, Hubballi. | Chairperson |
| 2) Dr. Bheemabai S. Mulage, Assistant Professor, KSLU, Hubballi. | Member |
| 3) Dr. S. Chandrashekhar, Principal, Siddartha Law College, Kalaburagi . | Member |
| 4) Sri K. Shivaprasad, Law Professor & Academic Director, Bengaluru Law College, Bengaluru. | Member |
| 5) Dr. B. Jayasimha, Principal, KLES B V Bellad Law College, Belagavi | Member |
| 6) Dr. Shyam Kishore, Principal, Ramaiah College of Law, Bengaluru. (Attended Online) | Member |
| 7) Dr. Shabbir Ali, Principal, V M Salgaocar College of Law, Panaji, Goa. (Attended Online) | Member (External) |

Leave of Absence:

- | | |
|---|--------|
| 1) Dr. Anuprasannan, Assistant Professor, KSLU, Hubballi. | Member |
|---|--------|

The members of the Board deliberated on each Item elaborately and resolved as under:

Item No.1

Proposal from Dr. Rajani Kumari, Academic Council Member (Ref. Item No.5 of the Proceedings of the 85th Syndicate Meeting dated 9-1-2021)

- i) Either to exclude English subject for English medium students in 1st Semester, or
- ii) To exclude Kannada subject for Kannada medium students in 2nd Semester

Resolution:

The Board discussed in detail the proposal (i) and (ii) from Dr.Rajani Kumari, Academic Council Member and it was unanimously resolved that proposal (i) cannot be considered in view of the fact that, under Bar Council of India, Rules of Legal Education 2008, Schedule V Section 1 it is provided that, in any University if the students are allowed to write in examinations in any regional language other than English, the students have to take English as compulsory paper.

Proposal (ii) cannot be considered in view of the Order of Higher Education Department, Govt. of Karnataka on the basis of Dr. Borlingayya Committee Report that, in Professional Courses (Engineering, Medical, Law, etc.) Kannada has to be compulsorily taught.

Item No.2:

Proposal from Prof. G.R. Jagadeesh, Academic Council Member (Ref. Item No.4 of the Proceedings of the 85th Syndicate Meeting dated 9-1-2021)

- i) University Online / Offline platform for teaching using App/ website. (Bilingual – can go for KSLU's App and website or resort to joint venture for content development).**
- ii) Updating of Syllabus & regulations along with curriculum design.**

Resolution:

The Board discussed in detail with regard to proposal (i). It was unanimously resolved that, in view of the fact that only during the pandemic situation the classes were conducted online hence the App may be not be so useful for the students. And also the academic programs conducted for students at the University can be recorded and hosted on KSLU's website or on Youtube.

Item No.3:

In the syllabus of Law of Torts to include Consumer Protection Act 2019 instead of Consumer Protection Act 1986 as it has been repealed.

Resolution:

It was resolved to include Consumer Protection Act 2019 instead of Consumer Protection Act 1986 as it has been repealed. In the syllabus of Law Torts under Unit – V, the following is inserted:

"Salient features of Consumer Protection Act 2019: Preliminary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties"

The following is deleted:

"Salient features of Consumer Protection Act, 1986. Who is consumer, Defect in goods, Deficiency in services, Medical services, Remedies to consumers, Consumer Disputes Redressal Agencies, Limitation for filing complaints, Penalties."

Further, the changed syllabus of Law of Torts will come into immediate effect i.e. from the Academic Year 2020-21 for the even semesters of 5 year LL.B Courses and 5 year LL.B. (Honor's) Courses

And for the 3 year LL.B Course the changed syllabus of Law of Torts will come into effect from the Academic Year 2021-22.

It was resolved to issue Circular to all the Affiliated Colleges regarding the change in syllabus of Law of Torts.