SET A

BBA LLB
FIFTH SEMESTER
LAW OF TORTS
BBLB – 504 [REPEAT]

[USE OMR FOR OBJECTIVE PART]

Duration: 3 hrs. **Full Marks: 70**

(Objective)

Time: 30 min. **Marks: 20**

Choose the correct answer from the following: ***1X20=20***

1. The word 'tort' has been derived from the Latin word _____
   a. Delictum b. Tortum
   c. Lex d. None of the above

2. The Gloucester Grammar School case explains:
   a. Respondents superior b. Injuria sine damno
   c. Remoteness of damages d. Damnum sine injuria

3. Tort is an Infringement of -
   a. Right in Personam b. Right in rem
   c. Both a and b d. None of the above

4. Which of the following is not a case related to Injuria sine damno?
   a. Ashby v. White b. Bhim singh v. State of J&K
   c. Tozer v. Child d. Gloucester Grammar School case

5. What is a key condition for a statement to be considered slander per se?
   a. The plaintiff must prove special damage b. The statement must be published in writing
   c. The defendant must retract the statement d. The statement must inherently damage the plaintiff.

6. In an action for battery, the plaintiff must prove:
   a. Threat of harm only b. Actual use of force without lawful justification
   c. Intention to cause fear d. Publication of false statements

7. Detinue is the wrongful:
   a. Taking of goods b. Retention of goods after lawful possession
   c. Entry upon land d. Publication of defamatory material

8. _____ are words, which appear innocent, but have a latent defamatory meaning-
   a. Libel b. Slander
   c. Innuendo d. None of the above

9. The concept of absolute liability has been explained by the Supreme Court of India in the case of _____.

a. Rylands v. Fletcher
b. Narmada Bachao Andolan v. Union of India and others
c. A.P. Pollution Control Board v. Prof. M.V. Nayudu
d. M.C Mehta v. Union of India

10. In the famous case of Haynes v. Harwood the court held that the doctrine of Volenti non fit injuria will not apply in-

a. Rescue cases
b. When there is negligence
c. When there is no harm
d. None of the above

11. The maxim 'Res ipsa loquitur' means-

a. The things speak for itself
b. He who can't act himself cannot act at all
c. He who does an act through another is deemed in Law to do it himself
d. None of the above

12. The consumer protection Act, 2019 was enacted on:

a. 09th August 2019
b. 10th October 2019
c. 1st January 2020
d. 20th July 2020

13. Who is excluded from the definition of a consumer?

a. A person availing services for personal use
b. A person buying goods for resale
c. A user of goods with buyer's permission
d. A beneficiary of hired services

14. What is the fiscal jurisdiction of the District Consumer Dispute Redressal Commission forum under the Consumer Protection Act 2019?

a. Up to 1 crore
b. Up to 5 crore
c. Up to 10 crore
d. None of the above

15. Does the consumer need an advocate to represent his case in the dispute redressal forum ?

a. Yes
b. No
c. Only for appeals
d. Only at National Commission

16. Where is the headquarters of the National Consumer Disputes Redressal Commission located?

a. Chennai
b. Mumbai
c. Kolkata
d. New Delhi

17. How many times in a year shall the State Consumer Protection Council meet as per the Consumer Protection Act, 2019?

a. At least once a year
b. At least twice a year
c. At least thrice a year
d. Four times a year

18. The Motor Accident Claims Tribunal is established under:

a. Section 160
b. Section 165
c. Section 170
d. Section 175

19. The Motor Vehicle(Amendment) Act 2019 emphasized:

a. Reduction of import duties
b. Road safety, stricter penalties, and digitalization of transport services
c. Privatization of roadways
d. Abolition of traffic rules

20. Under the Motor Vehicles Act 2019, the Central Government may develop a National Transportation Policy to:

a. Promote vehicle exports
b. Encourage sustainable transport and improve road safety
c. Subsidize private vehicles
d. Abolish State Transport Authorities

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Descriptive

Time : 2 hrs. 30 min. **Marks : 50**

[Answer question no.1 & any four (4) from the rest]

1. Discuss the meaning, origin, and development of the law of torts. Analyze how the concept has evolved from English common law to its present form in India. **7+3=10**

2. Analyse the different torts included under trespass to person. How do they protect individual liberty and personal safety? **8+2=10**

3. Examine how the principles of strict and absolute liability have evolved through judicial decisions in India. **10**

4. "He who acts through another is deemed in law to do it himself." Explain this maxim in the context of vicarious liability and support your answer with relevant judicial decisions. **10**

5. Who is a consumer under the consumer protection Act 2019? Discuss the rights and duties of the consumer . **6+4=10**

6. Explain the three-tier structure of the Consumer Disputes Redressal Commissions established under the Consumer Protection Act, 2019. Analyze their role in promoting and ensuring consumer justice in India. **6+4=10**

7. Examine the role and powers of the Central Consumer Protection Authority (CCPA) in protecting consumer rights. **10**

8. Discuss the primary objectives and reasons for the enactment of the Motor Vehicles (Amendment) Act, 2019. How do these amendments strengthen road safety and accident compensation mechanisms in India? **5+5=10**

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