



THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES

(Established by Act 27 of 2005 of Kerala Legislature)
HMT Colony P.O., Kalamassery, Kochi 683 503, Kerala
Tel:91-484-2555990, 2555991 Tel. Fax: 91-484-2555992
Email: ccplap@nuals.ac.in Website: www.nuals.ac.in



CENTRE FOR CONSUMER PROTECTION LAW AND POLICY

Papers are invited from students/ teachers of law colleges/law schools and universities in connection with a seminar to be conducted by the Centre for Consumer Protection Law and Policy at The NUALS, Kochi on 14th October 2014. The topic of the seminar is “*Shifting Frontiers of Law of Medical Negligence in Consumer Protection Law*”.

The seminar focuses mainly on the following themes:

1. Medical mishaps in India and the Consumer Protection Act, 1986 and legal and ethical standards of medical care - Issues faced by consumers, medical professionals, hospitals and other stakeholders.

This session focuses on questions such as when does medical service fall under the Consumer Protection Act, Determination of deficiency of service in cases of medical negligence, changing standards of care in medical negligence etc., complex questions of vicarious liability, the various problems that are faced by consumers, medical professionals, hospitals and other stakeholders involved in cases of medical negligence, absence of a specific law in this regard etc.

2. Factors affecting summariness of consumer fora proceedings – Challenges and issues.

This session will focus on the various factors that affect the summary nature of proceedings in consumer cases relating to medical negligence, requirement and availability of expert evidence in cases of medical negligence, technicality of the subject, other challenges and issues, including complicated questions of facts, appreciation of voluminous evidence, presence of insurance companies as opposite parties, delay in execution proceedings etc.

3. Advisability of different standards of proof in consumer, civil and criminal proceedings related to medical negligence.

This session emphasises on the issue of different standards of proof in different kinds of medical negligence proceedings and also seeks to answer the question as to whether it is advisable or not. Possible reasons for different standards of proof being adopted in different proceedings is also intended to be covered within this session as also the aspect of medical negligence resulting in criminal liability.

4. Frivolous and vexatious medical negligence proceedings – Need for safeguards including proposal for a medical tribunal or alternative medical bodies.

The session explores the feasibility of alternative bodies, like medical boards to deal with issues of medical negligence and provisions for compensatory costs or like remedies. The session will also address as to whether frivolous litigations are on the rise and reasons for the same.



THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES

(Established by Act 27 of 2005 of Kerala Legislature)
HMT Colony P.O., Kalamassery, Kochi 683 503, Kerala
Tel:91-484-2555990, 2555991 Tel. Fax: 91-484-2555992
Email: ccplap@nuals.ac.in Website: www.nuals.ac.in



CENTRE FOR CONSUMER PROTECTION LAW AND POLICY

Submission Guidelines:

1. Submissions are to be made in electronic form only and are to be sent to ccplap@nuals.ac.in
2. Each Article is expected to be accompanied by an abstract of not more than 500 words.
3. The word limit for articles is set at 3000 words (inclusive of footnotes).
4. Articles along with abstract must be submitted before **7th October 2014**. Acceptance of articles shall be intimated within two days of receipt.
5. Submission must contain a covering letter indicating name of the author(s), institution, e-mail id & contact number.
6. By submitting an article, the author is presumed to undertake that the article is an original work and has not been submitted, accepted or published elsewhere.
7. **Articles found plagiarized will be summarily rejected.**
8. Co – authorship is allowed (maximum of 2 authors).

Formatting Guidelines:

1. All submissions must follow the Bluebook system of citation.
2. Submissions must be in Times New Roman with font size 12 and line spacing 1.5
3. Footnotes must be in Times New Roman with font size 10 and line spacing 1.
4. Submissions may be made in .doc/.docx/.odt formats only.

For further details or queries, please contact us at ccplap@nuals.ac.in or contact:

Hari S Nayar (Director-in-charge, CCPLaP) – +919447005981

Rohit Nandakumar (Student Coordinator, CCPLaP) – +919497305202