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VICARIOUS LIABILITY IN THE MODERN WORKPLACE: EMPLOYERS, EMPLOYEES AND INDEPENDENT CONTRACTORS

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I. ABSTRACT

Vicarious liability, a doctrine rooted in the Latin maxim respondeat superior, holds one party liable for the wrongful acts of another. This study asks how far a doctrine built for master-servant relations can be applied to employers, employees and independent contractors in the modern workplace, and whether Indian law gives a coherent answer to that question. The research is doctrinal. It traces the tests for the employment relationship, from the control test to the multiple factor test and the “akin to employment” standard. It explains the two-stage test of the UK Supreme Court (a relevant relationship, then a close connection between the wrong and the role) through Lister, Christian Brothers, Mohamud, Cox, Morrison, Barclays and BXB. It examines the exceptions to the rule that a principal is not liable for an independent contractor, namely non-delegable duties and negligent selection. It then studies Indian authority on State liability (Article 300, Vidhyawati, Kasturilal), hired vehicles, banks and company directors, and assesses the barriers, the progress made and the policy position in light of the Labour Codes now in force. The main finding is that India has no single statute on vicarious liability. Courts rely on the control test and on English authority, the criminal law sets a high threshold for liability of directors, and the new Codes on Social Security and Industrial Relations deal with welfare and status but leave tortious liability for platform work unresolved. The UK cases show that a genuine independent contractor stays outside the doctrine, while integration into the principal’s business can bring a worker within it. The study concludes that the doctrine remains essential for holding employers accountable, but its application needs a clearer statutory frame. It ends with reform proposals.

II. KEYWORDS

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Vicarious liability, *Respondeat superior*, Employers, Master-Servant relations.

III. INTRODUCTION AND RESEARCH PROBLEM

Vicarious liability is a vital doctrine in employment and tort law. It holds one party legally responsible for the actions or negligence of another when a specific relationship, such as that of employer and employee, exists between them. Its core purpose is to ensure fairness and protect victims by placing accountability on those in supervisory or controlling positions who benefit from another's work. In the modern workplace its significance has grown, as traditional employment structures have expanded to include independent contractors, freelancers and gig workers.

The doctrine is most commonly applied to employers, who may be held liable for torts, negligence or wrongful conduct committed by their employees in the course of employment. This encourages employers to minimise risk and maintain workplace safety. Legal standards such as the "close connection" test and the analysis of relationships "akin to employment" guide courts in fixing liability beyond formal employee status. Historically the doctrine did not extend to independent contractors, but recent developments scrutinise the nature of control, integration and contractual obligations in these relationships.

The doctrine rests on the maxim *respondeat superior* (let the master be answerable). It imposes secondary liability on a principal for the wrongful conduct of an agent. The modern workplace, with its remote work, complex corporate structures and gig economy, has strained the historical master-servant framework. The study is necessary because it is increasingly hard to decide who is an "employee" and what acts fall within an ever-expanding "scope of employment".

The study matters for four reasons. First, the doctrine secures compensation for victims by placing liability on employers, who are better placed than individual wrongdoers to provide a remedy. Second, it gives employers an incentive to adopt risk management, supervision and training, which reduces wrongful acts, discrimination and harassment. Third, because modern work relies on contractors, consultants and gig workers, the doctrine must be re-examined so that third parties are not left unprotected by ambiguous work arrangements. Fourth, studying how

courts apply the doctrine to old and new relationships shows how the law adapts to changing social and economic conditions and informs reform.

A. Research Problem

The study addresses two problems. The first is defining the limits of employer liability for wrongful acts of employees, especially unauthorised acts or acts done for personal reasons, as in workplace sexual misconduct cases. The second is distinguishing the liability of employers for employees from that for independent contractors, when gig and freelance work blur the traditional line. In India these problems are made harder because no single statute governs vicarious liability, and the law is spread across case law, the Constitution and several statutes.

B. Research Objectives

1. To analyse the evolution of the tests for the employment relationship, from the control test to the multiple factor test and the “relationship akin to employment” standard.
2. To evaluate the application of the “close connection” test in landmark cases involving intentional torts such as assault and sexual abuse.
3. To set out the exceptions to the general rule of non-liability for independent contractors, focusing on non-delegable duties and negligent selection.
4. To compare judicial trends in the United Kingdom and India in order to identify best practice for allocating enterprise risk.
5. To propose legal and regulatory reforms that would clarify the application of vicarious liability to platform-based workers.

C. Research Questions

1. How have the tests for the employment relationship developed in India and the United Kingdom, and where do they now stand?
2. How do courts apply the close connection test to intentional and unauthorised wrongs by workers?
3. When, and on what basis, is a principal liable for the acts of an independent

contractor, and how do non-delegable duties and negligent selection operate as exceptions?

4. What reforms are needed to make the doctrine clear and workable for platform-based and other non-traditional workers in India?

D. Scope And Limitations

1. Scope

The study examines the foundational principles of vicarious liability and the legal doctrines that decide when one party, typically an employer, is responsible for the wrongful acts of another. It analyses employer liability for acts of employees in the course of employment, with attention to the close connection test drawn from *Lister*.² It covers liability relating to independent contractors and the cases in which relationships “akin to employment” extend the doctrine beyond traditional employees. It considers the effect of remote work, technology and gig work on the doctrine, and it compares the UK and Indian approaches. It also considers policy concerns and risk management for employers.

2. Limitations

The study is confined to common law jurisdictions, mainly the United Kingdom and India, so its findings may not apply to systems with different legal traditions. The doctrine, grounded in agency, faces limits in dealing with unauthorised or personally motivated acts. The blurred boundary between employees and independent contractors makes it hard to state the extent of employer liability with certainty. Rapid change in workplace structures makes consistent application difficult, and differences between the close connection and “akin to employment” tests can lead to unpredictable outcomes.

E. Research Methodology

This study is doctrinal. It analyses the law as it is stated in primary and secondary sources, without empirical fieldwork. The primary sources are the Constitution of India, the Indian

² *Lister v Hesley Hall Ltd* [2001] UKHL 22, [2002] 1 AC 215 [28] (Lord Steyn).

Contract Act 1872, the Indian Partnership Act 1932, the Companies Act 2013, the Negotiable Instruments Act 1881, the Bharatiya Nyaya Sanhita 2023, the Code on Social Security 2020 and the Industrial Relations Code 2020, together with judgments of the Supreme Court of India, the Supreme Court and House of Lords of the United Kingdom, and other courts. The secondary sources are textbooks, peer-reviewed journal articles and academic working papers. The citation style adopted is OSCOLA.³ Every authority is cited in a footnote set in Times New Roman 10 point with single line spacing, and the footnotes carry citations only. The study evaluates how the doctrine has evolved to meet modern work arrangements and proposes interpretations and reforms in line with current legal challenges.

F. Literature Review

Vicarious liability is a foundational concept in tort law. It holds one party responsible for the wrongful acts of another, typically in an employment relationship. The literature falls into four themes.

1. Rationale for the doctrine

The classic account of the doctrine's justification is Atiyah's monograph,⁴ which examines the policy grounds usually offered: the employer's deep pockets, the spreading of loss through insurance, the benefit the employer takes from the work, and the incentive to supervise. Glanville Williams also discusses the policy basis and the employer's right of indemnity.⁵ Robert Stevens questions the conceptual basis of the doctrine.⁶ The Indian textbooks present the Indian rule as drawn from English law and grounded in the maxims *respondere superior* and *qui facit per alium facit per se*.⁷

2. The two-stage test and the relationship stage

Modern UK law asks two questions: whether the relationship between the defendant and the wrongdoer is one that can give rise to vicarious liability, and whether the

³ Faculty of Law, University of Oxford, *OSCOLA: The Oxford University Standard for Citation of Legal Authorities* (4th edn, Hart Publishing 2012).

⁴ PS Atiyah, *Vicarious Liability in the Law of Torts* (Butterworths 1967) 18.

⁵ Glanville Williams, 'Vicarious Liability and the Master's Indemnity' (1957) 20 MLR 220, 228.

⁶ Robert Stevens, 'Vicarious Liability or Vicarious Action?' (2007) 123 LQR 30, 30.

⁷ RK Bangia, *Law of Torts* ([edn], Allahabad Law Agency [year]) ch 5; Ratanlal Ranchhoddas and Dhirajlal Keshavlal Thakore, *The Law of Torts* ([edn], LexisNexis [year]) ch 4.

wrong is sufficiently connected with that relationship. The framework was set out in *Christian Brothers*,⁸ and restated in *Barclays*⁹ and *BXB*.¹⁰ Giliker's monograph compares the common law systems and provides the leading comparative treatment,¹¹ and her later edited collection surveys the same ground across the common law world.¹² Phillip Morgan discusses the expansion of the doctrine after *Christian Brothers*.¹³

3. The connection stage

The close connection test came from *Lister*,¹⁴ and was applied to a customer assault in *Mohamud*.¹⁵ Its limits were drawn in *Morrison*¹⁶ and *BXB*.¹⁷ Commentary on these decisions asks whether the test is predictable. Giliker, comparing *BXB* with the parallel Australian authority, concludes that the connection stage remains difficult to apply,¹⁸ and Campbell reaches a similar view on the relationship stage.¹⁹

4. Independent contractors and platform work

Writers agree that a principal is generally not liable for an independent contractor, but that exceptions exist, including non-delegable duties, negligent selection and, since *Barclays*, an inquiry into whether the worker is in business on his own account or integrated into the principal's business.²⁰ The status of platform workers has mainly been litigated as a question of statutory worker status,²¹ not as a question of vicarious liability.

⁸ *Various Claimants v Catholic Child Welfare Society* [2012] UKSC 56, [2013] 2 AC 1 [35] (Lord Phillips).

⁹ *Barclays Bank plc v Various Claimants* [2020] UKSC 13 [27] (Lady Hale).

¹⁰ *Trustees of the Barry Congregation of Jehovah's Witnesses v BXB* [2023] UKSC 15 [70]–[81] (Lord Burrows).

¹¹ Paula Giliker, *Vicarious Liability in Tort: A Comparative Perspective* (Cambridge University Press 2010) ch 1.

¹² Paula Giliker (ed), *Vicarious Liability in the Common Law World* (Hart Publishing 2022) ch 1.

¹³ Phillip Morgan, 'Vicarious Liability on the Move' (2013) 129 LQR 139, 139–144.

¹⁴ *Lister* (n 1) [28] (Lord Steyn).

¹⁵ *Mohamud v WM Morrison Supermarkets plc* [2016] UKSC 11, [2016] AC 677 [47] (Lord Toulson).

¹⁶ *WM Morrison Supermarkets plc v Various Claimants* [2020] UKSC 12, [2020] AC 989 [26], [31] (Lord Reed).

¹⁷ *BXB* (n 9) [81].

¹⁸ Paula Giliker, 'Vicarious Liability in the UK Supreme Court and High Court of Australia' (2024) 44 Legal Studies 191, 196–198.

¹⁹ Mat Campbell, 'Vicarious Liability: Analysing Relationships Akin to Employment' (2023) 39 Journal of Professional Negligence 153, 160–164.

²⁰ *Barclays* (n 8) [27]–[29] (Lady Hale).

²¹ *Uber BV v Aslam* [2021] UKSC 5 [69], [93] (Lord Leggatt); Employment Rights Act 1996, s 230(3).

G. Research gap

The literature is mostly English. Indian writing is scattered across textbooks and blogs, and there is little work that links the UK two-stage test to Indian State liability cases, hired-vehicle cases, director liability and the new Labour Codes. This study fills that gap by examining Indian and UK authority together and by asking specifically whether the new Codes settle the question of tortious liability for platform work. They do not, as Part 10.7 shows.

IV. LEGISLATIVE PROVISIONS

Vicarious liability in India is a doctrine of common law, supported by scattered statutory and constitutional provisions. The principal statutes are the Constitution, the Indian Contract Act 1872 on agency, the Indian Partnership Act 1932, the Companies Act 2013, the Negotiable Instruments Act 1881, the Bharatiya Nyaya Sanhita 2023, and the labour legislation discussed in Part 10.7.²²

A. Constitutional Provisions: Article 300

Article 300(1) provides that the Government of India may sue and be sued in the name of the Union of India, and a State Government in the name of the State, in the same cases as the Dominion or the corresponding Province or Indian State could have sued or been sued before the Constitution, subject to any law made by Parliament or a State Legislature. Article 300(2) provides for substitution of the Union or the State in proceedings pending at the commencement of the Constitution.

Article 300 is a constitutional provision, and it gives the Union and the States capacity to sue and be sued. It does not by itself extend vicarious liability to the government. That step was taken by the Supreme Court in *Vidhyawati*, which read Article 300(1) with section 176(1) of the Government of India Act 1935 and held the State liable, like any other employer, for the negligence of a driver of a government vehicle.²³ The Court later drew the line between sovereign and non-sovereign functions in *Kasturilal*, where the

²² Constitution of India, art 300; Indian Contract Act 1872, ss 182–238; Indian Partnership Act 1932, s 25; Companies Act 2013, s 2(60); Negotiable Instruments Act 1881, s 141; Bharatiya Nyaya Sanhita 2023, ss 193, 270, 271.

²³ *State of Rajasthan v Mst Vidhyawati* AIR 1962 SC 933; Constitution of India, art 300(1); Government of India Act 1935, s 176(1).

State was held not liable for a tort committed in the exercise of sovereign power.²⁴ The result is that the State is liable for the torts of its servants committed in non-sovereign functions, and the boundary of sovereign functions has since narrowed. For employees of State instrumentalities such as corporations, the ordinary rules of vicarious liability apply, because they are separate legal entities and not the State itself. Article 300 thus supplies a constitutional basis for suing the State, and the substantive law on State liability comes from these judgments.

B. Other Statutory Provisions

1. **Indian Partnership Act 1932:** every partner is liable jointly with the other partners, and also severally, for all acts of the firm done while he is a partner.²⁵ This is a statutory form of liability for the acts of others.
2. **Indian Contract Act 1872:** the sections on agency govern the appointment and authority of agents and the liability of a principal for the acts of an agent within the agent's authority.²⁶
3. **Companies Act 2013:** the Act defines an "officer who is in default", which decides which individuals answer for a company's statutory defaults.²⁷
4. **Negotiable Instruments Act 1881:** the Act makes persons in charge of, and responsible to, a company for the conduct of its business liable for offences by the company.²⁸ It is a rare express statutory provision for vicarious criminal liability.
5. **Bharatiya Nyaya Sanhita 2023 (BNS), in force 1 July 2024 and replacing the Indian Penal Code 1860:** BNS section 193, formerly sections 154 to 156 of the Penal Code, deals with the liability of the owner or occupier of land, of a person for whose benefit a riot is committed, and of their agents.²⁹ It is the only group of these provisions that imposes liability through an agent. BNS

²⁴ *Kasturilal Ralia Ram Jain v State of UP* AIR 1965 SC 1039.

²⁵ Indian Partnership Act 1932, s 25.

²⁶ Indian Contract Act 1872, ss 182–238, especially ss 226–228.

²⁷ Companies Act 2013, s 2(60).

²⁸ Negotiable Instruments Act 1881, s 141.

²⁹ Bharatiya Nyaya Sanhita 2023, s 193; cf Indian Penal Code 1860, ss 154–156.

section 270, formerly section 268 on public nuisance, and BNS section 271, formerly section 269 on a negligent act likely to spread infection dangerous to life, are relevant because an employer's workplace or business activity carried on through employees can give rise to these offences.³⁰ They do not create a general rule of vicarious criminal liability. Older cases should be read with the Penal Code numbering in mind.

In addition, employer liability arises under labour legislation. Compensation for workplace injury is now governed by Chapter VII of the Code on Social Security 2020, which spans sections 73 to 99 and whose section 74 carries forward the employer's liability formerly imposed by section 3 of the Employee's Compensation Act 1923.³¹ The 1923 Act is of historical interest only, because section 164(1) of the Code repeals it by name; injuries that occurred before commencement are preserved by the savings provision in section 164(2) and by section 6 of the General Clauses Act 1897, which section 164(3) applies to the repeal.³² Employers also owe statutory duties under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013,³³ and under the four Labour Codes discussed in Part 10.7.

V. CONCEPTUAL FRAMEWORK

1. **Vicarious liability:** Vicarious liability is a doctrine that makes one party responsible for the wrongful act of another, typically in an employer-employee or principal-agent relationship. It is liability without fault on the part of the defendant. The defendant is liable because of his relationship with the wrongdoer and the connection between the wrong and that relationship.
2. **Respondeat superior:** This Latin maxim means "let the master be answerable". It is the principal rule under which an employer is liable for acts of an employee committed in the scope of employment. The key elements are that:

³⁰ Bharatiya Nyaya Sanhita 2023, ss 270–271; cf Indian Penal Code 1860, ss 268–269.

³¹ Code on Social Security 2020, ch VII (ss 73–99), especially s 74; cf Employee's Compensation Act 1923, s 3 (repealed).

³² Code on Social Security 2020, s 164(1)–(3); General Clauses Act 1897, s 6.

³³ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, ss 3, 19.

- the wrongful act is committed by an employee or agent,
 - the act is within the course and scope of employment, and
 - the employer has the right to control the employee's actions.
3. **Qui facit per alium facit per se:** Meaning "he who acts through another does the act himself", this maxim underlies the doctrine by treating the agent's act as the principal's act.
4. **Direct liability distinguished:** Vicarious liability must be distinguished from direct liability, in which the defendant answers for his own failure of care, for example negligent selection of a contractor, negligent supervision, or negligent entrustment of a dangerous item to an incompetent person. These are liabilities for the defendant's own fault. Negligent entrustment is accordingly discussed in Part 10.2 with the independent contractor exceptions, not as a form of vicarious liability.

VI. RESEARCH AND ANALYSIS

A. Tests for the Employment Relationship

The control test. The traditional test asked whether the employer controlled not only what work was done but how. In India the Supreme Court took this as the prima facie test in *Dharangadhara Chemical Works*, holding that the right of the employer to supervise and control the work done and the manner of doing it is the prima facie test of the relationship.³⁴ The Court also considered the test in *Silver Jubilee Tailoring House*, where it treated the right of control as the prima facie test but not the sole one, looking at the whole of the relationship.³⁵

The multiple factor test. Because control does not fit skilled professionals or specialised workers, courts moved to a wider inquiry that weighs control together with other factors such as integration into the business, ownership of tools, opportunity of profit and risk of loss, and the terms of the contract. In England this is

³⁴ *Dharangadhara Chemical Works Ltd v State of Saurashtra* AIR 1957 SC 264.

³⁵ *Silver Jubilee Tailoring House v Chief Inspector of Shops and Establishments* (1974) 3 SCC 498.

associated with *Ready Mixed Concrete*.³⁶ Indian courts adopted the same approach in the cases following *Silver Jubilee*.

“Akin to employment” and “close connection”. In the UK the House of Lords in *Lister* replaced the older “scope of employment” approach with the close connection test,³⁷ and the Supreme Court in *Christian Brothers* extended the doctrine to relationships “akin to employment”. Lord Phillips listed policy factors: the defendant is more likely than the wrongdoer to have the means to compensate the victim and can be expected to have insured; the tort is the result of activity undertaken on behalf of the defendant; the activity is part of the defendant’s business; the defendant, by employing the wrongdoer, created the risk of the tort; and the wrongdoer is under the defendant’s control.³⁸ The doctrine now proceeds in two stages, the relationship and then the connection.

B. Independent Contractors: Non-Delegable Duties and Negligent Selection

The general rule is that a principal is not vicariously liable for the torts of an independent contractor, because the contractor controls the manner of the work and is in business on his own account. There are exceptions, and only some of them are cases of vicarious liability.

Non-delegable duties. Some duties are so closely tied to the defendant’s position that he cannot escape by delegating their performance. Where the duty is non-delegable, the defendant is liable for the contractor’s negligence in performing it, but the liability is for breach of the defendant’s own duty, not vicarious liability in the strict sense. Examples include the employer’s duty to provide a safe system of work, and duties arising from hazardous activities carried out on the highway or near it.

- 1. Negligent selection and negligent entrustment:** A principal who chooses an incompetent contractor, or who entrusts a dangerous item, such as a vehicle, to someone he should know is unfit to have it, is liable for his own negligence in selecting or entrusting. Liability does not depend on any

³⁶ *Ready Mixed Concrete (South East) Ltd v Minister of Pensions and National Insurance* [1968] 2 QB 497 (QB) 515 (MacKenna J).

³⁷ *Lister* (n 1) [28] (Lord Steyn).

³⁸ *Christian Brothers* (n 7) [35] (Lord Phillips).

employment-type relationship between the defendant and the person who causes the harm. It rests on the defendant's own failure of care. This is the reason negligent entrustment belongs in this discussion and not with vicarious liability. The doctrine is most developed in United States law, and the sources in the United States are not uniform in how they classify it. Indian and English courts would ordinarily treat it as a claim in negligence against the entrustor, and the point should be checked against primary authority before it is relied on in practice.

2. **Integration and the "business on own account" test:** Following *Barclays*, the question for a person who is not an employee is whether he carries on business on his own account or is so integrated into the defendant's business that the tort can be seen as a risk of that business. If he is in business on his own account, the defendant is not vicariously liable.³⁹

C. United Kingdom: Development of the Two-Stage Test

1. **Lister v Hesley Hall Ltd:** The warden of a boarding house for boys with behavioural difficulties sexually abused residents. The House of Lords held the school's owners vicariously liable, because the abuse was so closely connected with the work the warden was employed to do that it would be fair and just to hold the employer liable. This replaced the "mode of doing an authorised act" test with the close connection test.⁴⁰
2. **Various Claimants v Catholic Child Welfare Society (Christian Brothers):** The Supreme Court held that the Institute of the Brothers of the Christian Schools was vicariously liable for abuse by brothers at a school, although the brothers were not employees. Their relationship with the Institute was "akin to employment". The Court set out the five policy factors described in Part 10.1.⁴¹
3. **Cox v Ministry of Justice:** A prisoner working in a prison kitchen

³⁹ *Barclays* (n 8) [27] (Lady Hale).

⁴⁰ *Lister* (n 1) [28] (Lord Steyn).

⁴¹ *Christian Brothers* (n 7) [56]–[60] (Lord Phillips).

negligently injured the catering manager. The Supreme Court held the Ministry vicariously liable, since the prisoner's work was an integral part of the prison's activities, was done for its benefit and was under its direction. It showed that the relationship stage can be met without a contract of employment.⁴²

4. **Mohamud v WM Morrison Supermarkets plc:** A petrol station attendant, after an enquiry from a customer, followed him to his car and assaulted him. The Supreme Court held the employer liable. It asked what functions the employee was employed to perform and whether there was a sufficient connection between the position and the wrongful conduct. The attendant's words and conduct, though motivated by personal reasons, were in connection with the field of activities he was given.⁴³
5. **WM Morrison Supermarkets plc v Various Claimants:** An employee with a grudge against his employer posted payroll data of thousands of colleagues online. The Supreme Court held that the employer was not vicariously liable, because he was pursuing a personal vendetta and not acting in furtherance of his employer's business. The case limits the connection stage where the wrongdoer acts to harm the employer.⁴⁴
6. **Barclays Bank plc v Various Claimants:** A doctor who carried out medical examinations for the bank sexually abused patients. The Supreme Court held that the bank was not vicariously liable, because the doctor was in business on his own account as an independent medical practitioner. This is the leading authority that a true independent contractor stays outside the doctrine, and it restricts the reach of *Christian Brothers* at the relationship stage.⁴⁵
7. **Trustees of the Barry Congregation of Jehovah's Witnesses v BXB:** A congregation elder raped a member at his home. The Supreme Court held

⁴² *Cox v Ministry of Justice* [2016] UKSC 10, [2016] AC 660 [24], [30] (Lord Reed).

⁴³ *Mohamud* (n 14) [47] (Lord Toulson).

⁴⁴ *Morrison* (n 15) [31], [47] (Lord Reed).

⁴⁵ *Barclays* (n 8) [27]–[29] (Lady Hale).

that the congregation was not vicariously liable, because the abuse was not sufficiently connected to the role of elder. Enabling the tort by giving an opportunity is not enough. The case narrows the connection stage.⁴⁶

8. **Uber BV v Aslam:** The Supreme Court held that Uber drivers were “workers” under the Employment Rights Act 1996 and related legislation. This decision concerns statutory worker status. It is not a vicarious liability decision, and it should not be cited as authority that platforms are vicariously liable for their drivers’ torts. It is relevant because it shows courts looking through contractual labels to the reality of the work.⁴⁷

Link to the Indian position. The UK cases explain the structure of the doctrine, and Indian courts have followed English authority in tort. But the Indian position on control remains closer to the older tests than to the UK’s two-stage approach,⁴⁸ and there is no Indian Supreme Court decision on the close connection test in the sexual abuse or intentional tort setting comparable to *Lister*.

D. Indian Judicial Analysis

1. The Course of Employment Test in Indian Law

Before the Indian decisions on hired vehicles, banks and directors are examined, the test by which Indian courts decide whether a wrong falls within the course of employment must be stated. Indian law has long adopted the two-limb formulation associated with Salmond: a master answers for a wrongful act that he authorised, and for a wrongful and unauthorised mode of doing an act that he authorised. The Supreme Court adopted that formulation in *Sitaram Motilal Kalal*, where Hidayatullah J held that the master’s liability requires a wrongful act authorised by the master, or a wrongful and unauthorised mode of doing some act authorised by the master.⁴⁹

The Court applied the second limb in *Pushpabai*. The manager of the respondent company, while driving its car on the company’s business, permitted the deceased to

⁴⁶ *BXB* (n 9) [70]–[81] (Lord Burrows).

⁴⁷ *Uber* (n 20) [69], [93] (Lord Leggatt).

⁴⁸ *Dharangadhara Chemical Works* (n 33); *Silver Jubilee Tailoring House* (n 34).

⁴⁹ *Sitaram Motilal Kalal v Santanuprasad Jaishankar Bhatt* AIR 1966 SC 1697 (Hidayatullah J).

travel with him and drove negligently. The Court held the company liable, presumed the manager's authority in the absence of evidence of any prohibition, and noted a judicial trend towards holding masters liable for acts that do not fall strictly within the course of employment.⁵⁰ In *Kanchanmala* the Court held the State liable where a driver allowed an unauthorised person to drive, treating the facts as an authorised act done in an unauthorised manner, and confirming that a master answers for acts so connected with authorised acts, but not for an independent act bearing no nexus to the employer's business.⁵¹

Measured against this baseline, India has not adopted the close connection test. Indian courts have not endorsed *Lister*, and the Salmond formulation remains the operative test, although the Allahabad High Court has cited *Lister* with approval in a criminal matter.⁵² Commentary accordingly treats the Indian requirement of a direct connection with an authorised act as narrower than the "field of activities" language of *Mohamud*.⁵³ The statement in Part 10.3 that no decision of the Supreme Court applies the close connection test therefore stands, and Research Question 2 is answered for India by the Salmond formulation and for the United Kingdom by the two-stage test.

2. Rajasthan SRTC v Kailash Nath Kothari (1997) 7 SCC 481

The case, decided on 3 September 1997, arose from an accident in which a hired bus operating for the Rajasthan State Road Transport Corporation (RSRTC) was swept away while crossing a flooded causeway. Passengers had warned the driver not to proceed because of the overflowing water, but the driver drove on, and 23 passengers died. The Supreme Court dismissed the RSRTC's appeals and held it liable for the driver's

⁵⁰ *Pushpabai Purshottam Udeshi v Ranjit Ginning and Pressing Co (P) Ltd* (1977) 2 SCC 745, AIR 1977 SC 1735 (Kailasam J).

⁵¹ *State of Maharashtra v Kanchanmala Vijaysing Shirke* (1995) 5 SCC 659, AIR 1995 SC 2499.

⁵² *Chhaya Khanna v State of UP* (2006) 3 ACR 3279 (All); V Niranjana, 'Close Connection and the Test of Vicarious Liability in Indian Law' (IndiaCorpLaw, 24 February 2014) <<https://indiacorplaw.in/2014/02/close-connection-and-test-of-vicarious.html>> accessed 19 October 2026.

⁵³ MP Ram Mohan and Sai Muralidhar K, 'In Pursuit of Balance: Vicarious Liability Doctrine in the United Kingdom and India' (IIM Ahmedabad Working Paper No 2022-12-01, December 2022) 35, 37–38 <<https://www.iima.ac.in/sites/default/files/2022-12/WP%202022-12-01.pdf>> accessed 19 October 2026.

negligence, although the driver was employed by the bus's private owner.⁵⁴ The case was decided under the Motor Vehicles Act 1939, and it turned on the definition of "owner" in that Act. The Court held that the RSRTC, which had the vehicle at its disposal and controlled the service, fell within that definition, so actual control over the service weighed more than formal employment.

This reasoning needs qualification today. The Motor Vehicles Act 1939 has been repealed and replaced by the Motor Vehicles Act 1988. In *Rajenderi Devi* the Supreme Court distinguished *Kailash Nath Kothari* by reference to the different definition of "owner" in section 2(30) of the 1988 Act.⁵⁵ As a result *Kailash Nath Kothari* can no longer be cited for a general rule that a corporation controlling a hired bus is liable for its driver. It remains authority that control over the operation of the service is an important consideration in tort, but the answer for hired vehicles now depends on the definition in the 1988 Act and on the facts.

3. Leelawati Devi v District Cooperative Bank Ltd 2024 LiveLaw (SC) 346

In this case the appellants held fixed deposit receipts (FDRs) of Rs 1,60,000 with the District Cooperative Bank Ltd in Varanasi, and the bank refused to pay.⁵⁶ The District Consumer Forum ruled in the appellants' favour and directed a refund with interest and compensation. The NCDRC reversed that order, doubting the genuineness of the FDRs because of irregularities in the bank's records. The Supreme Court held that the NCDRC had ignored the Forum's findings on criminal conduct by bank employees, restored the Forum's order and held the bank vicariously liable for the criminal conduct of its officials. The decision stresses a bank's responsibility for its staff.

4. State of Haryana v Brij Lal Mittal (1998) 5 SCC 343

The Court held that a director's criminal liability for a company's offence arises only if he was in charge of, and responsible for, the conduct of the company's business at the time of the

⁵⁴ *Rajasthan State Road Transport Corporation v Kailash Nath Kothari* (1997) 7 SCC 481; Motor Vehicles Act 1939, s 2(9).

⁵⁵ *UP State Road Transport Corporation v Rajenderi Devi* (SC, 8 June 2020); Motor Vehicles Act 1988, s 2(30).

⁵⁶ *Leelawati Devi v District Cooperative Bank Ltd* 2024 LiveLaw (SC) 346 (SC, Civil Appeal No 6564 of 2023, 7 May 2024).

offence, and not merely because of the position he holds.⁵⁷ This is the first of the director-liability decisions discussed next.

E. Criminal-Law Limits on Vicarious Liability

The next group of cases is not about tort liability of employers for employees. They concern the liability of directors and officers for offences of a company, and they show that criminal law sets a much higher threshold than the civil doctrine. They must not be cited as authority on the tort doctrine.

1. **Sunil Bharti Mittal v CBI:** The Court held that a director or person in charge of a company cannot be made an accused for the company's offence merely because of his position. There must be sufficient evidence of his active role coupled with criminal intent, or a statutory provision that makes him liable. The case was decided in the setting of a prosecution under the Prevention of Corruption Act 1988 arising from telecom licences.⁵⁸
2. **Delhi Race Club (1940) Ltd v State of UP:** The Court quashed criminal proceedings against the club's office-bearers, holding that officers of a company cannot be prosecuted vicariously without a statutory basis or specific allegations of personal involvement. The case applies *Sunil Bharti Mittal*.⁵⁹
3. **Sanjay Dutt v State of Haryana:** The case concerned the illegal uprooting of over 250 trees, alleged to be an offence under the Punjab Land Preservation Act 1900. The complaint named officers of the company, including its managing director and other directors of Tata Realty and Infrastructure Limited and Tata Housing Development Co Ltd, but did not attribute to them any direct role in cutting the trees. The Court quashed the proceedings and held that directors cannot be held vicariously liable for a company's offences unless the statute so provides or there is evidence of

⁵⁷ *State of Haryana v Brij Lal Mittal* (1998) 5 SCC 343.

⁵⁸ *Sunil Bharti Mittal v CBI* (2015) 4 SCC 609; Prevention of Corruption Act 1988.

⁵⁹ *Delhi Race Club (1940) Ltd v State of UP* (SC, Criminal Appeal No 3114 of 2024, 23 August 2024).

their personal involvement, relying on *Sunil Bharti Mittal*.⁶⁰

Taken together, these decisions show that Indian criminal law will not impose vicarious liability without a clear statutory basis. Where a statute such as section 141 of the Negotiable Instruments Act expressly provides for it, the courts insist on compliance with its terms.⁶¹

F. Barriers to the Application of Vicarious Liability

The blurred line between employee and contractor. Gig, freelance and agency arrangements make it hard to say whether a worker is an employee, an independent contractor or something in between, and contractual labels may not reflect the reality. Indian courts still lean on the control test, which fits poorly with the modern arrangements.⁶²

- 1. No single Indian statute.** The doctrine is not codified. Liability is drawn from common law, the constitutional provisions on State liability and scattered statutory provisions. This produces inconsistent outcomes and makes it hard for employers to assess their exposure. Personal and unauthorised acts. Liability for acts done for personal reasons or outside the job is the most difficult area, as *Mohamud*, *Morrison* and *BXB* show.⁶³ Without Indian authority on the close connection test, the position in India rests on the Salmond formulation discussed in Part 10.4 and remains uncertain for intentional wrongs.
- 2. Proof and enforcement.** In criminal cases the courts require strong evidence of a director's personal involvement and intent, and many statutes require the company and its officers to be accused together, so failure to plead correctly leads to dismissal. In civil cases, remote and dispersed work makes it harder to show the necessary control or connection. Privacy and workplace monitoring. Employers who try to reduce their risk by

⁶⁰ *Sanjay Dutt v State of Haryana* 2025 INSC 34, [2025] 1 SCR 446 (SC, Criminal Appeal No 11 of 2025, 2 January 2025); Punjab Land Preservation Act 1900.

⁶¹ Negotiable Instruments Act 1881, s 141.

⁶² *Dharangadhara Chemical Works* (n 33); *Ram Mohan and Muralidhar* (n 52) 35.

⁶³ *Mohamud* (n 14) [47]; *Morrison* (n 15) [31]; *BXB* (n 9) [81].

monitoring employees must respect the right to privacy recognised as a fundamental right in *Puttaswamy*.⁶⁴ The Digital Personal Data Protection Act 2023 and the Digital Personal Data Protection Rules 2025 have been notified, but the operative obligations are not yet in force: the commencement notification of 13 November 2025 brought into force only the definitions and the provisions establishing the Data Protection Board, and it defers sections 3 to 17, which contain the duties of a Data Fiduciary, to 13 May 2027.⁶⁵ Employers should therefore prepare for those duties now rather than treat them as binding today. When they commence, section 7(i) will treat processing for the purposes of employment, and for safeguarding the employer from loss or liability, as a legitimate use for which consent is not required, but only for those purposes.⁶⁶ Monitoring must accordingly be proportionate and lawful, which limits how far an employer can control employee conduct in order to reduce liability.

G. Progress Achieved

India has made progress, mainly through the courts and, more recently, the Labour Codes.

1. **Code on Social Security 2020:** The Code came into force on 21 November 2025. It expressly recognises gig workers and platform workers and imposes obligations on aggregators, including contributions to social security for those workers.⁶⁷ It is a step toward giving platform workers a recognised legal status.
2. **Karnataka Platform-Based Gig Workers (Social Security and Welfare) Act 2025:** Karnataka has enacted its own statute for platform-based gig workers, with obligations on aggregators.⁶⁸ Its Rules were notified on 19 November

⁶⁴ *Justice KS Puttaswamy (Retd) v Union of India* (2017) 10 SCC 1.

⁶⁵ Ministry of Electronics and Information Technology, Notification GSR 843(E) (13 November 2025); Digital Personal Data Protection Act 2023, ss 1(2), 2, 3–17, 18–26; Digital Personal Data Protection Rules 2025, Notification GSR 846(E) (13 November 2025).

⁶⁶ Digital Personal Data Protection Act 2023, s 7(i).

⁶⁷ Code on Social Security 2020, ss 2(2), 2(35), 2(61), 113, 114.

⁶⁸ Karnataka Platform-Based Gig Workers (Social Security and Welfare) Act 2025 and the Rules made thereunder.

2025. Reports differ on the dates of notification and commencement of the Act, and the dates should be checked against the Gazette before being relied on.

3. **The limit of these instruments:** Neither instrument creates tortious vicarious liability for platforms for the wrongful acts of workers. They deal with social security and welfare.
4. **Judicial progress:** The courts have clarified State liability, the liability of banks for their staff and the limits on director liability, which gives some certainty within those areas.⁶⁹

H. Policy Analysis

India's position combines strong foundational principles with gaps. The courts adapt the doctrine flexibly, but there is no consolidated statutory regime.

1. **Labour Codes:** The four Labour Codes, including the Industrial Relations Code 2020, came into force on 21 November 2025. The Industrial Relations Code consolidates and supersedes the Industrial Disputes Act 1947, so the Act should no longer be cited as the applicable law without qualification.⁷⁰ The precise position on repeal and continuation of the earlier Acts is governed by the notifications under the Code and by the Removal of Difficulty Order dated 8 December 2025, and this should be checked against the Gazette. The Code on Social Security already covers gig and platform workers, so legislation on gig workers is no longer merely "ongoing".
2. **Questions the Codes leave open:** The Codes define categories of workers and regulate welfare, wages and industrial disputes. They do not say when a principal or platform is answerable in tort to a third party for a worker's wrongful act, how the close connection test would apply to platform work, or how the independent contractor exceptions apply to aggregators. These questions remain for the courts or for further legislation.

⁶⁹ Vidhyawati (n 22); Leelawati Devi (n 55); Sanjay Dutt (n 59).

⁷⁰ Industrial Relations Code 2020, s 104; Ministry of Labour and Employment, Removal of Difficulty Order SO 5683(E) (8 December 2025).

VII. SUGGESTIONS AND RECOMMENDATIONS

1. **A unified statute:** Parliament should consider a statute that defines the scope, criteria and limits of vicarious liability, particularly for company directors and officers and for new work models. It would remove the ambiguity that now exists across the Companies Act and the Negotiable Instruments Act.
2. **Clear criteria for directors:** Legislation should state the circumstances, such as “in charge of and responsible to the company”, in which directors and senior officers are liable, following *Sunil Bharti Mittal* and *Sanjay Dutt*.⁷¹ This would improve accountability and prevent unwarranted prosecutions.
3. **Define “akin to employment”:** Legislation should state when gig, freelance and remote work relationships are “akin to employment”, using the factors in *Christian Brothers* and the “business on own account” inquiry in *Barclays*, so that third parties are protected and businesses know where they stand.⁷²
4. **Separate welfare from tort liability for platforms:** The Code on Social Security and State gig worker laws should be supplemented by a clear rule on the tortious liability of aggregators to third parties, so that the question is not left to litigation.
5. **Compliance by organisations:** Companies should adopt compliance, training and oversight protocols for employees and all workplace associates, applied consistently with employee privacy rights under *Puttaswamy*.⁷³ Because the operative obligations of the Digital Personal Data Protection Act 2023 commence on 13 May 2027, organisations should use the intervening period to build consent, notice and security practices, and should treat the employment exemption in section 7(i) as confined to the purposes it names.⁷⁴ Doing so reduces exposure and shows good faith in supervision.
6. **Judicial clarification:** Higher courts should continue to clarify the grey areas,

⁷¹ *Sunil Bharti Mittal* (n 57); *Sanjay Dutt* (n 59).

⁷² *Christian Brothers* (n 7) [35]; *Barclays* (n 8) [27].

⁷³ *Puttaswamy* (n 63).

⁷⁴ Notification GSR 843(E) (n 64); Digital Personal Data Protection Act 2023, s 7(i).

in particular the close connection test for intentional wrongs, independent contractor liability and the position of hired vehicles under the Motor Vehicles Act 1988, with regard to policy, fairness and proportionality.⁷⁵

VIII. CONCLUSION

This study shows that vicarious liability remains a critical doctrine for holding employers accountable for the wrongful acts of employees and of those in relationships akin to employment. In the UK, *Lister* introduced the close connection test, and *Christian Brothers* established the two-stage test by extending the doctrine to relationships akin to employment.⁷⁶ *Mohamud* confirmed that liability can extend to misconduct motivated by personal reasons if it is sufficiently connected to the employee's duties. *Barclays* and *BXB* narrowed the doctrine, since *Barclays* held that a genuine independent contractor, who is in business on his own account, does not fall within it, and *BXB* showed that giving an opportunity for a wrong is not enough for a sufficient connection.⁷⁷

None of these UK cases concerns gig work. The question of platform liability has so far been litigated as one of statutory worker status (*Uber BV v Aslam*), and it remains unresolved as a question of vicarious liability, both in the UK and in India. The tests nonetheless provide guidance to courts and organisations, and they show that the law tries to balance the protection of victims with fairness to defendants.

In India, the law lacks a single, clear statute on vicarious liability, and the scattered provisions of laws such as the Companies Act and the Negotiable Instruments Act lead to inconsistent interpretation. The course of employment is still governed by the Salmond formulation adopted in *Sitaram Motilal Kalal* and applied in *Pushpabai* and *Kanchanmala*, not by the close connection test.⁷⁸ The Supreme Court in *Sanjay Dutt* and *Sunil Bharti Mittal* has made clear that, in criminal law, directors and officers are not vicariously liable unless a statute so provides and there is evidence of personal

⁷⁵ *Rajenderi Devi* (n 54); Motor Vehicles Act 1988, s 2(30).

⁷⁶ *Lister* (n 1) [28]; *Christian Brothers* (n 7) [35], [60].

⁷⁷ *Mohamud* (n 14) [47]; *Barclays* (n 8) [27]; *BXB* (n 9) [81].

⁷⁸ *Sitaram Motilal Kalal* (n 48); *Pushpabai* (n 49); *Kanchanmala* (n 50).

involvement, which sets a high evidentiary bar and complicates enforcement.⁷⁹ The Code on Social Security and the Industrial Relations Code have addressed the status of gig workers and industrial relations, but not tortious liability. The reforms recommended in this study, above all a unified statute, clear criteria for directors, and a definition of relationships “akin to employment” for platform work, would give the law the clarity it now lacks.

IX. REFERENCES

A. Cases

1. *Barclays Bank plc v Various Claimants* [2020] UKSC 13
2. *Chhaya Khanna v State of UP* (2006) 3 ACR 3279 (All)
3. *Cox v Ministry of Justice* [2016] UKSC 10, [2016] AC 660
4. *Delhi Race Club (1940) Ltd v State of UP* (SC, Criminal Appeal No 3114 of 2024, 23 August 2024)
5. *Dharangadhara Chemical Works Ltd v State of Saurashtra* AIR 1957 SC 264
6. *Justice KS Puttaswamy (Retd) v Union of India* (2017) 10 SCC 1
7. *Kasturilal Ralia Ram Jain v State of UP* AIR 1965 SC 1039
8. *Leelawati Devi v District Cooperative Bank Ltd* 2024 LiveLaw (SC) 346 (SC, Civil Appeal No 6564 of 2023, 7 May 2024)
9. *Lister v Hesley Hall Ltd* [2001] UKHL 22, [2002] 1 AC 215
10. *Mohamud v WM Morrison Supermarkets plc* [2016] UKSC 11, [2016] AC 677
11. *Pushpabai Purshottam Udeshi v Ranjit Ginning and Pressing Co (P) Ltd* (1977) 2 SCC 745, AIR 1977 SC 1735
12. *Rajasthan State Road Transport Corporation v Kailash Nath Kothari* (1997) 7 SCC 481
13. *Ready Mixed Concrete (South East) Ltd v Minister of Pensions and National*

⁷⁹ Sanjay Dutt (n 59); Sunil Bharti Mittal (n 57).

Insurance [1968] 2 QB 497 (QB)

14. *Sanjay Dutt v State of Haryana* 2025 INSC 34, [2025] 1 SCR 446
15. *Silver Jubilee Tailoring House v Chief Inspector of Shops and Establishments* (1974) 3 SCC 498
16. *Sitaram Motilal Kalal v Santanuprasad Jaishankar Bhatt* AIR 1966 SC 1697
17. *State of Haryana v Brij Lal Mittal* (1998) 5 SCC 343
18. *State of Maharashtra v Kanchanmala Vijaysing Shirke* (1995) 5 SCC 659, AIR 1995 SC 2499
19. *State of Rajasthan v Mst Vidhyawati* AIR 1962 SC 933
20. *Sunil Bharti Mittal v CBI* (2015) 4 SCC 609
21. *Trustees of the Barry Congregation of Jehovah's Witnesses v BXB* [2023] UKSC 15
22. *Uber BV v Aslam* [2021] UKSC 5
23. *UP State Road Transport Corporation v Rajenderi Devi* (SC, 8 June 2020)
24. *Various Claimants v Catholic Child Welfare Society* [2012] UKSC 56, [2013] 2 AC 1
25. *WM Morrison Supermarkets plc v Various Claimants* [2020] UKSC 12, [2020] AC 989

B. Legislation and Notifications

1. Bharatiya Nyaya Sanhita 2023, ss 193, 270, 271
2. Code on Social Security 2020, ch VII (ss 73–99), ss 74, 113, 114, 164
3. Companies Act 2013, s 2(60)
4. Constitution of India, art 300
5. Digital Personal Data Protection Act 2023, ss 1(2), 2, 3–17, 18–26
6. Digital Personal Data Protection Rules 2025
7. Employee's Compensation Act 1923 (repealed by the Code on Social

Security 2020, s 164(1))

8. Employment Rights Act 1996, s 230(3) (UK)
9. General Clauses Act 1897, s 6
10. Government of India Act 1935, s 176(1)
11. Indian Contract Act 1872, ss 182–238
12. Indian Partnership Act 1932, s 25
13. Indian Penal Code 1860, ss 154–156, 268, 269 (repealed)
14. Industrial Relations Code 2020, s 104
15. Karnataka Platform-Based Gig Workers (Social Security and Welfare) Act 2025
16. Motor Vehicles Act 1939 (repealed)
17. Motor Vehicles Act 1988, s 2(30)
18. Negotiable Instruments Act 1881, s 141
19. Prevention of Corruption Act 1988
20. Punjab Land Preservation Act 1900
21. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, ss 3, 19
22. Ministry of Electronics and Information Technology, Notification GSR 843(E) (13 November 2025)
23. Ministry of Electronics and Information Technology, Notification GSR 846(E) (13 November 2025)
24. Ministry of Labour and Employment, Removal of Difficulty Order SO 5683(E) (8 December 2025)

C. Books and Articles

1. Atiyah PS, *Vicarious Liability in the Law of Torts* (Butterworths 1967)
2. Campbell M, 'Vicarious Liability: Analysing Relationships Akin to

Employment’ (2023) 39 Journal of Professional Negligence 153

3. Faculty of Law, University of Oxford, *OSCOLA: The Oxford University Standard for Citation of Legal Authorities* (4th edn, Hart Publishing 2012)
4. Giliker P, *Vicarious Liability in Tort: A Comparative Perspective* (Cambridge University Press 2010)
5. Giliker P (ed), *Vicarious Liability in the Common Law World* (Hart Publishing 2022)
6. Giliker P, ‘Vicarious Liability in the UK Supreme Court and High Court of Australia’ (2024) 44 Legal Studies 191
7. Stevens R, ‘Vicarious Liability or Vicarious Action?’ (2007) 123 LQR 30
8. Williams G, ‘Vicarious Liability and the Master’s Indemnity’ (1957) 20 MLR 220

D. Online Sources and Working Papers

1. Giliker P, ‘A 21st Century Approach to Vicarious Liability Across the Common Law World’ (University of Bristol Law School Blog, 24 October 2022) <https://legalresearch.blogs.bris.ac.uk/2022/10/a-21st-century-approach-to-vicarious-liability-perspectives-from-common-law-jurisdictions/> accessed 19 October 2026
2. Niranjana V, ‘Close Connection and the Test of Vicarious Liability in Indian Law’ (IndiaCorpLaw, 24 February 2014) <https://indiacorplaw.in/2014/02/close-connection-and-test-of-vicarious.html> accessed 19 October 2026
3. Ram Mohan MP and Muralidhar KS, ‘In Pursuit of Balance: Vicarious Liability Doctrine in the United Kingdom and India’ (IIM Ahmedabad Working Paper No 2022-12-01, December 2022) <https://www.iima.ac.in/sites/default/files/2022-12/WP%202022-12-01.pdf> accessed 19 October 2026