

**UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA**

**BRANCH – I: CORPORATE AND SECURITIES LAWS
SYLLABUS (WITH EFFECT FROM 2020-2021)**

**LL.M (Regular) I Year: Semester – I
Paper – I**

LEGAL THEORY AND JURISPRUDENCE – I

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit-I: Meaning, nature and definition of jurisprudence - General and particular jurisprudence - Schools of jurisprudence- Analytical, Historical, Philosophical and Sociological Schools of jurisprudence.

Unit-II: Theories of Law - Kelsen's Pure Theory of law – Hart's Concept of law – Modern Trends in analytical and Normative Jurisprudence – Economic Theory of Law – Views of Karl Marx - American and Scandinavian Realism – Critical Legal Studies Movement.

Unit-III: Meaning and Definition of Law - The Nature and functions of Law - The Purpose of Law- The Classification of Law- History of Natural Law – Greek Origins – Medieval Period – Period of Renaissance – Transcendental idealism – Natural Law and Social Contract Theories.

Unit-IV: Sources of Law-Legal and Historical sources- Custom as Source of Law- Definition of custom- General and Local Custom and Prescriptions - Precedent as Source of Law-Definition of Precedent, Kinds of Precedent- Doctrine of Stare Decisions- Original and Declaratory Precedent- Authoritative and Persuasive Precedents- Legislation as Source of Law- Definition of Legislation - Classification of Legislation – Supreme and Subordinate Legislation – Direct and Indirect Legislation.

Select Bibliography:

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. John Rawls-Theory of justice.

PAPER – II
LAW AND SOCIAL TRANSFORMATION – I

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit-I: The Concept of evolution, Progress, change and social transformation - Social Change: Definition, nature and characteristics of Social change- Planned social change - Un-planned Social Change - Endogenous and Exogenous social change - Direction of Social Change - Theories related to social change - Deterioration theory, Cyclic theory, Linear theory and deterministic theory.

Unit-II: Social Change- Factors of Social Change- Geographical/ Environmental, Biological, technological, cultural, Economic and political - Law and social Change - State, Law and Society, their inter-relationship and interdependence – Law as an Instrument of Social Change - Symbolic and instrumental legislations - Law as a means of Social Control - Legal sanction and extra legal sanctions – Limits of Law in bringing out Social Change.

Unit-III: Identification of Goals of Social Changes in Indian Constitution – Directive principles of State Policy and social changes – Special provisions for Scheduled Caste, and Scheduled Tribes in Indian Constitution – Protective discrimination of SC/STs and OBCs.

Unit-IV: Context of Social Change: Sanskritisation, Westernisation Modernization and Secularization – Modernisation of Social Institutions through law - Economic reforms, Law and Social Change – Technology, Information, Communication and its impact on Law and Social Change.

Select Bibliography :

1. Marc Galanter (ed.), Law and Society in Modern India (1997), Oxford.
2. W. Friedmann : Law in Changing Society.
3. W. Friedmann : Legal Theory.
4. J. Stone : Social Dimensions of Law and Justice.
5. Julius Stone. The Province and Function of Law, Part II, Chs. 1.8-16 (2000), Universal, New Delhi.
6. Vilhelm Aubert : Sociology of Law.
7. C. K. Allen: Law in the Making.
8. A. V. Dicey : Law and Public Opinion in England.
9. Roscoe Pound: (a) Law and Morals, (b) Law, Liberty
10. M.N. Srinivas, Social Change in Modern India.

PAPER – III
GENERAL PRINCIPLES OF CONTRACT

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit-I: Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium – Meaning and Definition of Consideration - Exception to Consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract.

Unit-II: Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - Illegal agreements - Void and Voidable contracts.

Unit-III: Uncertain agreements - Wagering agreements - Contingent contracts - Discharge of Contracts - By performance - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

Unit-IV: Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and unliquidated damages and penalty - Duty to mitigate Damages.

Select Bibliography:

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract, S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S.Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract, Eastern Book Company, Lucknow, 1998.