UNIT-I
Introductory
1. The main features of the Indian Evidence Act 1861
2. CPC,GGPC deal with evidence
3. Problem of applicability of Evidence Act
4. Administrative Tribunals
5. Industrial Tribunals
6. Commissions of enquiry
7. Court material

Central Conceptions in Law of Evidence
1. Facts: section 3 definition; distinction – relevant facts /facts in issue
2. Evidence: oral and documentary
3. Circumstantial evidence and direct evidence
4. Presumption (Section 4)
5. “Proving” “not proving” and disproving
6. Witness
7. Appreciation of evidence

UNIT-II
acts: relevancy
1. The Doctrine of res gestae (section 6,7,8,10)
2. The problems of relevancy of “otherwise” irrelevant facts (section11)
3. Facts concerning bodily and mental state (section14,15)

Admission and Confessions
1. General principles concerning admission (section 17, 23)
2. Differences between “admission” and “confession”
3. The problems of non – admissibility of confessions caused by “any inducement, threat or promise” (section 24)
4. Inadmissibility of confession made before a police officer (section 25)
UNIT – III

Dying Declarations
1. The justification for relevance on dying declarations (section 32)
2. The judicial standards for appreciation of evidentiary value of dying declarations

Relevance of judgments
1. Admissibility of judgments in civil and criminal matters (section 43)
2. “Fraud” and “Collusion” (section 44)

Expert Testimony
1. Who is an expert? ; types of expert evidence
2. Opinion on relationship especially proof of marriage (section 50)
3. The problem of judicial defence to expert testimony

UNIT IV

Oral Documentary Evidence
1. General principles concerning oral evidence (sections 59- 60)
2. General principles concerning documentary evidence (section 67-90)
3. General principles regarding exclusion of oral by documentary evidence
4. Special problems: re-hearing evidence
5. Issue estoppel
6. Tenancy estoppel (section 116)

Witness Examination and cross Examinations
1. Competency to testify (section 118)
2. State privilege (section 123)
3. Professional privilege (section 126, 127,128)
4. Approval testimony (section 133)
5. General principles of examination and cross examination (section 135- 166)
6. Leading questions (section 141- 143)
7. Lawful questions in cross – examination (section 146)
8. Compulsion to answer questions put to witness
9. Hostile witness (section 154)
urden of Proof
1. General principles conception of onus probandi (section 101)
2. General and special exceptions to onus probandi
3. The justification of presumption and of the doctrine of judicial notice
4. Justification as to presumption as to certain offences (section 111A)
5. Presumption as to dowry (section 115)
6. The scope of the doctrine of judicial notice (section 114)

Estoppel
1. Why estoppel? The rationale (section 115)
2. Estoppel, res-judicial and waiver and presumption
3. Question of corroboration (section 156-157)
4. Improper admission and of witness in civil and criminal cases

Selected Bibliography
2. Indian Evidence Act, (Amendment up to date)
4. Polein Murphy, Evidence (5th Reprint 2000), Universal Delhi
5. Albert S. Osborn, The Problem Proof (First Indian Reprint 1998), Universal Delhi
B.A. LL.B. (Hon’s) Five Years Course

SESSION MAY/JUNE - 2013
Semester – VIII

PAPER - II Equity, Trust And Fiduciary Relations

Note:- This Paper shall be of 100 marks. Students are required to answer five questions out of 36.

Contents:-

Equity :- Meaning and definition of Equity, Origin and development of Equity in England India, Relation of Equity with Common Law, Jurisdiction of Equity, Judicature Acts. Maxim Equity.

Trust:- The Indian Trust Act, 1882 (Full)
Charitable and Religions Trust.

Recommended Readings:-
R.E. Megarry and P.V. Baker – Snell’s Principles of Equity (1964)
Dr. G.P. Singh – Equity and Trust.
B.A. LL.B. (Hon's) Five Years Course

SESSION May/June - 2013

Semester – VIII

PAPER: - III PROFESSIONAL ETHICS, ACCOUNTABILITY FOR LAWYERS & BAR BENCH RELATION (CLINICAL COURSE)

Recommended Material

1. Mr. Krishnan Murty Iyer: Advocate
2. The Contempt Law and Practice (Contempt of Courts Act 1971)
3. The Bar Council Code of ethics
4. Advocate Act
5. Pleadings, Drafting & Conveyancing – Jhabvala
6. 50 selected opinion of Disciplinary Committees of Bar Council and 10 major Supreme Court on the subject

Note:

1. The written exam of this paper will have 80 marks and the viva-voce / research paper for project or participation in Seminar will carry 20 marks
2. Written examination will be conducted by the University
3. Viva-voce will be conducted by the department of the Colleges
6. Male bias
7. Lack of neutrality in law

UNIT-V
Criminal Law
1. Adultery
2. Rape
3. Dowry death
4. Cruelty to married women
5. Bigamy
6. Dowry prohibition
7. Amniocentesis

Suggested readings
1. Sivaramya B. Matrimonial property law in India (1998), Oxford
2. Ratna Kapoor and Brinda Gossman. Subversive Sites: Feminist Engagements with law in India (1996), Sage
4. 42nd Report Law Commission Dissenting Note Anna Chandy on provisions of adultery
5. Towards Equality – Report of the Committee on the status of women (Govt. of India), Ch. IV and section IV: General Concusions and recommendations
7. Sathe, S.P. Towards Gender justice (19930, Research Centre for Women’s studies
B.A. LL.B. (Hons.) Semester – VIII

PAPER V  PENOLOGY & VICTIMOLOGY (OPTIONAL)

UNIT-I
Criminology

1. The concept of Crime
2. Nature and scope of criminology
3. Schools of criminology

UNIT-II

1. Theories of crime demagogical theory, free wills theory, organic deficiency, mental deficiency theory, psycho- analytical theory, heredity theory, ecological theory

UNIT-III

1. Organized crimes- meaning, kinds
2. White collar Crime- Volha committee
3. Alcoholism and crime report
4. Drug addiction and crime
5. Crime statistics

Penology

UNIT-IV

1. Theories of punishments- deterrent, preventive, retributive, reformative and expiatory theory
2. Founds of punishment and judicial sentencing
3. Capital punishment
4. The police system
5. Criminal laws Courts protection to the accused strict construction of penal statues penal law not to be retrospective in operation

UNIT-V
1. Probation
2. Parole
3. Recidivism
4. Juvenile delinquency prohibition against double ..... prohibition against in crimination
   presumption of innocence of the aid accused speedy trial

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