West Bengal Judicial Service (Mains) 2020

Indian Evidence Act · compulsory paper

Time: 3 hours · Full marks: 100

Group A: answer Question No. 1 and any two from the rest

1. (a) Discuss the object of the law of evidence with reference to the Indian Evidence Act, 1872. (8)

(b) Distinguish between rule of evidence in civil and criminal cases in India. (8)

(c) Explain the maxim 'Falsus in uno Falsus omnibus'. (4)

2. Mention general rules regarding appreciation of oral and documentary evidence with illustrative cases. (15)

3. Describe the terms "may presume", "shall presume" and "conclusive proof" and mention the differences between the terms with reference to the Indian Evidence Act and suitable cases. (15)

4. (a) Describe the forms of evidence with examples. (5)

(b) Distinguish between direct and circumstantial evidence with suitable examples. (10)

Group B: answer Question No. 5 and any two from the rest

5. (a) What do you understand by the term 'Admission'? (5)

(b) Discuss the evidential value of 'Admission' with reference to suitable case laws. (8)

(c) When oral admission as to the contents of documents including e-records are relevant? (7)

6. (a) Discuss the reasons behind the enactment of section 32(1) in the Indian Evidence Act, 1872. (5)

(b) Describe the manner of recording dying declaration. (5)

(c) Who can record dying declaration? (5)

7. (a) Explain admissibility of e-records. (5)

(b) Discuss general rules relating to notice with exception referring the relevant provision of the Indian Evidence Act and related case laws. (10)

8. Discuss the law relating to burden of proof with reference to the Indian Evidence Act and suitable case laws. (15)