



ONE LINERS

1. DATE OF ENFORCEMENT – 1ST SEPT, 1872
2. DATE OF ENACTMENT – 15TH MARCH, 1872
3. PARTS = 3
CHAPTER – 11
SECTIONS – 167
4. IT IS AN ADJECTIVE (BOTH PROCEDURAL AND SUBSTANTIVE)
5. EVIDENCE ACT WAS ENACTED ON THE RECOMMENDATION OF 6+9TH LAW REPORT
6. IT IS BASED ON ENGLISH LAW OF EVIDENCE
7. FATHER OF IEA – JAMES STEPHENS
8. OBJECT OF IEA – PREVENTING INDISCIPLINE
9. IEA IS NOT APPLICABLE ON AFFIDAVITS, NOR
10. TO PROCEEDINGS BEFORE AN ARBITRATOR
11. IEA IS APPLICABLE ON PROCEEDINGS BEFORE COMMISSIONS ISSUED IN JAIL OR UNDER SECTION 271 AND 284 OF CRPC.
12. SECTION 2 WAS REPEALED BY REPEALING ACT, 1938.
13. COURT UNDER IEA INCLUDES ALL JUDGES, AND MAGISTRATE AND ALL PERSONS LEGALLY AUTHORISED TO TAKE EVIDENCE.
14. COURT DOES NOT INCLUDE ARBITRATORS
15. FACTS INCLUDES BOTH PHYSICAL AND MENTAL FACTS.
16. FACT INCLUDES ANY MENTAL CONDITION OF WHICH ANY PERSON IS CONSCIOUS.
17. ARRANGEMENT OF CERTAIN OBJECTS IN CERTAIN ORDER IS A FACT.
18. A MAN HOLDING A CERTAIN OPINION IS A FACT.
19. A PERSON USING A PARTICULAR WORD IN PARTICULAR SENSE IS A FACT.
20. ON QUASI-JUDICIAL PROCEEDING, IEA DOES NOT APPLY RATHER PRINCIPLES OF EVIDENCE APPLIES.
21. ANY MATTER EXPRESSED OR DESCRIBED UPON ANY SUBSTANCE IS DOCUMENT.
22. UNDER IEA, DOCUMENT MAY BE USED FOR THE PURPOSE OF RECORDING THE MATTER EXPRESSED OR DESCRIBED UPON ANY SUBSTANCE.
23. AN INSCRIPTION ON METAL PLATE OR STONE IS A DOCUMENT.
24. WORDS LITHOGRAPHED IS DOCUMENT.
25. 25. ANY OBSCENE GESTURES MADE IN AIR AND RECORDED IS A DOCUMENT.
26. LAST SEEN THEORY REQUIRES CORROBORATION
27. A FACT IS SAID TO BE PROVED WHEN IT IS NEITHER PROVED NOR DISPROVED.
28. AFFIDAVITS ARE NOT INCLUDED WITHIN THE PURVIEW OF DEFINITION OF EVIDENCE.
29. TAPE RECORDS OF SPEECHES ARE DOCUMENTS AS DEFINED IN SECTION 3.
30. IDENTIFICATION BY PHOTO IS ADMISSIBLE IN EVIDENCE.

ONE LINERS

31. FALSUS IN UNO, FALSUS IN OMNIBUS IS NOT RULE OF APPLICABLE UNDER ENGLISH LAW.
32. REJECTION OF THE TESTIMONY OF HOSTILE WITNESS WHOLLY IS IMPROPER.
33. EVIDENCE ACT IS NOT APPLICABLE OR NON-JUDICIAL PROCEEDINGS. FOR EXAMPLE – PROCEEDINGS UNDER INCOME TAX OR INQUIRY UNDER LAND ACQUISITION ACT.
34. (R.M. MALKANI U/S STATE OF MAHARASHTRA) IS RELATED TO ADMISSIBILITY OF CONTEMPORANEOUS TAPE-RECORD.
35. IN CIVIL CASES, BALANCE OF CONVENIENCE OF PRE-PONDERANCE OF PROBABILITY IS REQUIRED WHEREAS IN CRIMINAL CASES, PROSECUTION HAS TO PROVE CASE WITHOUT REASONABLE DOUBT.
36. STANDARD OF PROOF IS MORE UNDER CRIMINAL CASES.
37. CONTENTS OF MEMORY CARD OR PEN DRIVE IN RELATION TO CRIME AMOUNT TO A DOCUMENT.
38. RELATED WITNESS LIKE BROTHER, MOTHER ARE NATURAL WITNESSES, AND THEIR EVIDENCE IS ADMISSIBLE. ALSO KNOWN AS PARTIS AND WITNESS.
39. DOCTRINE OF RES GESTAE IS ENUMERATED UNDER SECTION 6.
40. RES GESTAE LITERALLY MEANS THINGS DONE.
41. DOCUMENT INCLUDES ONLY LETTER, FIGURES AND MARKS.
42. RV DGYE – DOCUMENT SHOULD BE EXPLAINED.
43. COURT INCLUDES REVENUE TRIBUNALS, INDUSTRIAL TRIBUNAL, REGISTRAR, JURY AND COMMISSIONS.
44. RAVINDER PRAKASH MITTLE V ST OF UP CIRCUMSTANTIAL EVIDENCE SHOULD HAVE A PROPER CHAIN FOR PROVING LEGAL CONNECTION.
45. ANY FACT SHOWING OR CONSTITUTING A MOTIVE IS RELEVANT UNDER SECTION 8.
46. QUI FACIT PER ALLIUM FACIT PERSE MEANS HE WHO ACTS THROUGH ANOTHER DOES THE ACT HIMSELF.
47. CONDUCTING ‘TEST IDENTIFICATION PARADE’ AFTER LAPSE OF REASONABLE TIME FROM THE INCIDENT WILL STAND USELESS.
48. TIP (TEST IDENTIFICATION PARADE) IS NOT SUBSTANTIVE PIECE OF EVIDENCE.
49. TIP IS A RULE OF PRUDENCE.
50. PLEA OF ALIBI IS INCORPORATED UNDER SECTION
51. IN SUITS FOR DAMAGES, FACTS TENDING TO ENABLE COURT TO DETERMINE AMOUNT ARE RELEVANT UNDER SECTION
52. CONCLUSIVE PROOF IS ALWAYS IRREBUTABLE PRESUMPTIONS OF LAW. (AS A GENERAL RULE).
53. THE TEST UNDER SECTION IS PROXIMITY OF TIME, CONTINUITY OF ACTION AND COMMUNITY OF PURPOSE OR DESIGN. LANDMARK JUDGMENT (R.M. MALKANI V/S STATE OF MAHARASHTRA) (PROFULA B. DESAI V/S STATE OF MAHARASHTRA) (R. V/S FOSTER)
54. THE RULE OF RES GESTAE FIRST APPEARED IN YEAR 1693 IN (THOMPSON V/S TREVANION).
55. GENERALLY, DEFINITION OF EVIDENCE IS NOT EXHAUSTIVE AS IT ALSO INCLUDES.
 - WEAPONS
 - DEMONSTRATIONS
 - CONFESSIONS
 - JUDICIALLY/NOTICEABLE FACTS.

ONE LINERS

56. EXPERT EVIDENCE IS FOUNDED ON DOCTRINE OF NECESSITY.
57. POLICE OFFICERS UNDER CUSTOM ACT, EXCISE ACT, FERA, RAILWAY ARE NOT POLICE OFFICERS UNDER SECTION 25.
58. UNDER SECTION 26, THE CUSTODY HAS TO BE PROPER CUSTODY.
59. CHEQUE DRAWN BY PERSON AGAINST HIM IS PRIMARY EVIDENCE.
60. MODES OF PROVING IS KNOWN AS MODUS PROBANDI.
61. LAW OF EVIDENCE IS LEX FORI I.E. LAW OF THE FORUM.
62. SECTION 21 PROVIDES THE EXCEPTIONS WHERE ADMISSIONS CAN BE RELEVANT WHEN MADE IN FAVOUR OF THE MAKER.
63. WHEN EYE WITNESS AFFIRMS THAT THE DECEASED WAS NOT IN A FIT STATE TO MAKE DECLARATION, MEDICAL OPINION CANNOT PREVAIL.
64. AN ADMISSION IS NOT RELEVANT IN A CIVIL CASE IF IT IS MADE UNDER CIRCUMSTANCES FROM WHICH THE COURT CAN INFER THAT THE PARTIES AGREED TOGETHER THAT EVIDENCE OF IT SHOULD NOT BE GIVEN.
65. OPINIONS OF AN EXPERT EXPRESSED IN A BOOK COMMONLY OFFERED FOR SALE CANNOT BE PROVED BY THE PRODUCTION OF SUCH BOOK IF THE AUTHOR HAS GONE ABROAD ON VACATION.
66. HEARSAY EVIDENCE IS ADMISSIBLE IF IT EXPLAINS ANY CONDUCT OF THE WITNESS.
67. EVIDENCE MAY BE GIVEN OF RELEVANT FACTS AND FACTS IN ISSUE AND SUCH EVIDENCE IS ADMISSIBLE UNDER SECTION 136
68. NO PERSON IS ENTITLED TO GIVE EVIDENCE WHICH HE IS ENTITLED TO PROVE BY ANY PROVISION OF THE LAW.
69. EVIDENCE MAY BE GIVEN OF EXISTENCE OR NON-EXISTENCE OF EVERY FACT-IN-ISSUE.
70. FACTS NOT CONNECTED WITH FACT-IN-ISSUE ARE RELEVANT AS PART OF SAME TRANSACTION OCCURRED AT SAME TIME AND PLACE OR AT DIFFERENT TIMES AND PLACES.
71. RES GESTA IS APPLICABLE ON BOTH CIVIL AND CRIMINAL CASES.
72. SECTION 6-55 IS CONFINED TO PARTIES ONLY (AS GENERAL RULE) AND NOT TALK ABOUT THE WITNESSES BUT ONLY SECTION 6 TALKS ABOUT WITNESSES.
73. NATURAL EVENTS FALL UNDER SECTION 6.
74. RES GESTAE IS A CONCEPT OF ENGLISH LAW.
75. RES GESTAE DOES NOT DEFINE SAME TRANSACTION.
76. (SAWAL DAS V/S STATE OF BIHAR) 1974 SC LANDMARK ON SEC. 6.
77. LAST SEEN PRINCIPLE IS ENUMERATED UNDER SECTION 7.
78. SECTION 7 IS BASED ON INDUCTIVE LOGIC.
79. SECTION 7 IS ONLY CIRCUMSTANTIAL EVIDENCE
80. UNDER SECTION 8, CONDUCT OF PARTIES TO SUITS OR PROCEEDINGS, AGENTS AND VICTIM IS RELEVANT.

.....**CONTINUED IN PAID COURSE**

SAMPLE TEST – INDIAN EVIDENCE ACT, 1872

1. MARK THE INCORRECT STATEMENT:

- (a) The Indian Evidence Act, 1872 is mainly based on the English law of evidence.
- (b) The Act is exhaustive i.e. it purports to contain all the rules of evidence.
- (c) The Act deals with the particular subject of evidence and is a 'special' law.
- (d) The law of evidence is contained in the Evidence Act and in other Acts and Statutes which make specific provisions on matter of evidence.

2. LAW OF EVIDENCE IS THE LEX FORI. THUS, WHERE EVIDENCE IS TAKEN IN COUNTRY. 'A' IN AID OF A SUIT OR ACTION (PROCEEDING) IN COUNTRY 'B', THE LAW APPLICABLE TO THE RECORDING OF EVIDENCE WOULD BE THE LAW PREVAILING IN:

- (a) Country 'A'.
- (b) Country 'B'.
- (c) Either 'A' or 'B'.
- (d) Both 'A' or 'B'

3. WHICH OF THE FOLLOWING IS AN 'EVIDENCE':

- I. AFFIDAVIT.
- II. ANYTHING PRODUCED BEFORE THE COURT FOR INSPECTION.
- III. ANYTHING OF WHICH JUDICIAL NOTICE CAN BE TAKEN.
- IV. WRITTEN STATEMENT OF AN ACCUSED.
- V. HEARSAY EVIDENCE.

- (a) I, II and V.
- (b) II, III, IV and V.
- (c) III and V.
- (d) All of the above.

4. A IS ACCUSED OF A CHILD'S MURDER. THE FOLLOWING FACTS ARE CONSTRUCTED IN THE CASE:

- I. AN HOUR BEFORE THE MURDER, A WENT TO THE PLACE OF MURDER WITH THE CHILD.
- II. A ALONE RETURNED HOME.
- III. A'S CLOTH WERE FOUND TO BE BLOOD-STAINED.

THE EVIDENCE WHICH TAKES INTO ACCOUNT THE ABOVE- MENTIONED FACTS IS CALLED:

- (a) Direct evidence.
- (b) Circumstantial evidence.
- (c) Real evidence.
- (d) Secondary evidence.

5. IN WHICH CASE THE SUPREME COURT HAS OBSERVED THAT "THE MOTIVE, CONDITION OF MIND, REVOLUTION, MOOD FULL OF REVENGEFUL THOUGHTS IS NEITHER A CRIME IN ITSELF NOR IS SUFFICIENT TO LINK A CRIMINAL WITH AN INCIDENT"?

- (a) Kehar Singh v State.
- (b) R. v Pamar.
- (c) Queen-Empress v Abdullah.
- (d) None of the above.

6. ADMISSIONS OF A THIRD PERSON ARE ALSO RECEIVABLE IN EVIDENCE UNDER WHICH SECTION OF THE EVIDENCE ACT?

- (a) Sec. 18.
- (b) Sec. 19.
- (c) Sec. 20.
- (d) Sec. 21.

7. THE QUESTION IS, WHETHER A HORSE SOLD BY A TO B IS SOUND; A SAYS TO B - "GO AND ASK C, C KNOWS ALL ABOUT IT". C'S STATEMENT IS:

- (a) An admission.
- (b) Not an admission.
- (c) A confession.
- (d) A presumption.

SAMPLE TEST – INDIAN EVIDENCE ACT, 1872

8. 'NECESSITY/ CONVENIENCE RULE' AS TO THE ADMISSIBILITY OF EVIDENCE, CONTAINED IN SEC. 32, IS APPLICABLE WHEN THE MAKER OF A STATEMENT:

- (a) Is dead or cannot be found.
- (b) Has become incapable of giving evidence.
- (c) Can be found but his attendance cannot be procured without unreasonable delay or expense.
- (d) All are correct.

9. THE MAXIM - NEMO MORITURUS PRESUMUNTUR MENTRI IS APPLICABLE TO:

- (a) Sec. 32 (1).
- (b) Sec. 32 (2).
- (c) Sec. 32 (3).
- (d) Sec. 32 (4).

10. SECONDARY EVIDENCE INCLUDES:

- (a) Certified copies of the original document.
- (b) Negatives of a photograph.
- (c) Oral account of the contents of a document.
- (d) All of the above.

11. HOW DOES THE SIGNATURE AND HANDWRITING OF A DOCUMENT COULD BE PROVED?

- a) By calling the person who signed or wrote the document.
- (b) By calling a person in whose presence the document was signed or written
- (c) By calling a handwriting expert.
- (d) All of the above

12. WHICH OF THE FOLLOWING IS A PUBLIC DOCUMENT:

- (a) A post-mortem report.
- (b) An insurance policy.
- (c) A panchanama prepared by a police officer.
- (d) (d) A private Waqf deed.

13. UNDER SEC. 90A, THE PRESUMPTION AS TO ELECTRONIC RECORDS IS FOR THE RECORDS:

- (a) 2-year old.
- (b) 3-year old.
- (c) 5-year old.
- (d) 10-year old.

14. THE BURDEN OF PROVING A CRIME IS ON:

- (a) The prosecution.
- (b) The accused.
- (c) Both the parties.
- (d) The court will decide.

15. ACCORDING TO SEC. 105, IN CRIMINAL TRIALS, THE ONUS IS ON THE ACCUSED TO PROVE THAT HIS CASE FALLS IN:

- (a) Any of the general exceptions in IPC.
- (b) Any of the special exceptions in IPC.
- (c) Any of the proviso to the provision under which the accused is charged.
- (d) All of the above



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