

PROVISIONAL ANSWER KEY

Paper: Indian Evidence Act
Date of Test 09-01-2023

Question1:-The Indian Evidence Act came into force on

- A:-1/9/1872
- B:-1/3/1872
- C:-1/1/1892
- D:-15/6/1872

Correct Answer:- Option-A

Question2:-As per Indian Evidence Act, 'Court' includes Judges, Magistrates and all persons legally authorised to take evidence, except

- A:-Tribunals
- B:-Arbitrators
- C:-Special Courts
- D:-Supreme Court

Correct Answer:- Option-B

Question3:-_____ means any matter expressed or described upon any substance by means of letters, figures or marks or by more than one of those means, intended to be used or which may be used, for the purpose of recording that matter.

- A:-Evidence
- B:-Proof
- C:-Document
- D:-Parchment

Correct Answer:- Option-C

Question4:-All statements which the court permits or requires to be made before it by witnesses, in relation to matters of fact under inquiry are called

- A:-Proof
- B:-Documentary Evidence
- C:-Truth
- D:-Oral Evidence

Correct Answer:- Option-D

Question5:-Evidence may be given in any suit or proceeding of the existence or non-existence of every

- A:-Fact in issue
- B:-Incident
- C:-Superstition
- D:-Intuition

Correct Answer:- Option-A

Question6:-As per Section _____ of the Evidence Act, any fact is relevant which shows a motive or preparation for any fact in issue or relevant fact.

- A:-121
- B:-3
- C:-23
- D:-8

Correct Answer:- Option-D

Question7:-As per Section _____ of the Evidence Act, in suits for damages, any fact which will enable the court to determine the amount of damages which is sought to be awarded is relevant.

- A:-20
- B:-32
- C:-12
- D:-24

Correct Answer:- Option-C

Question8:-Admission is defined under Section _____ of The Indian Evidence Act.

- A:-7
- B:-17
- C:-131
- D:-68

Correct Answer:- Option-B

Question9:-Statements made by persons to whom a party to the suit has expressly referred for information in reference to a matter in dispute are

- A:-Irrelevant
- B:-Inadmissible
- C:-Admissions
- D:-Truth

Correct Answer:- Option-C

Question10:-_____ as to the contents of electronic records are not relevant, unless the genuineness of electronic record produced is in question.

- A:-Oral admissions
- B:-Challenge
- C:-Discovery
- D:-Scrutiny

Correct Answer:- Option-A

Question11:-As per Section _____ of the Evidence Act, a confession made by an accused is irrelevant in a criminal proceeding, if the making of the confession appears to the court to be based on inducement, threat or promise.

- A:-44
- B:-21
- C:-36
- D:-24

Correct Answer:- Option-D

Question12:-Confession by an accused while in custody of a police officer shall not be proved against him, unless it is made in the immediate presence of a

- A:-Gazetted officer
- B:-Magistrate
- C:-Village officer
- D:-Reputed person

Correct Answer:- Option-B

Question13:-In order to obtain proof of relevant facts, a judge is empowered to ask any question, relevant or irrelevant, at any time to any witness as per Section _____ of the Evidence Act.

- A:-27
- B:-121
- C:-143
- D:-165

Correct Answer:- Option-D

Question14:-A witness may while under examination, refresh his memory by referring to any writing made by at the time of the transaction concerning which he is questioned.

- A:-His superiors
- B:-His subordinates
- C:-Himself
- D:-Any person

Correct Answer:- Option-C

Question15:-Impeaching the credit of a witness is permissible in the ways prescribed under Section _____ of the Evidence Act.

- A:-120
- B:-155
- C:-163
- D:-48

Correct Answer:- Option-B

Question16:-The court may forbid scandalous questions, unless they relate to

- A:-Fact in issue
- B:-Affairs of state
- C:-National issues
- D:-Large scams

Correct Answer:- Option-A

Question17:-Questions to test the veracity of a witness can be put to him during cross examination as per Section of the Evidence Act.

- A:-146
- B:-124
- C:-46
- D:-103

Correct Answer:- Option-A

Question18:-Any question suggesting the answer which the person putting the question desires to receive is called a

- A:-Scandalous question
- B:-Leading question
- C:-Intimidating question
- D:-Indecent question

Correct Answer:- Option-B

Question19:-A person summoned to produce a document does not become a by the mere fact that he produces it.

- A:-Party
- B:-Defendant
- C:-Agent
- D:-Witness

Correct Answer:- Option-D

Question20:-The examination of a witness, subsequent to cross examination, by the party who called him, shall be called as

- A:-Examination in Chief
- B:-Precept
- C:-Re-examination
- D:-Re-cross examination

Correct Answer:- Option-C

Question21:-Dying declarations are relevant as per Section _____ of the Evidence Act.

- A:-44
- B:-22
- C:-12
- D:-32

Correct Answer:- Option-D

Question22:-Entries in books of account regularly kept in the course of business are whenever they refer to a matter into which the court has to inquire.

- A:-Relevant
- B:-Irrelevant
- C:-Conclusive proof
- D:-Inadmissible

Correct Answer:- Option-A

Question23:-Entries in revenue records stating a fact in issue or relevant fact made by a public servant in discharge of his public duty is itself a relevant fact as per Section of the Evidence Act.

- A:-21
- B:-65
- C:-35
- D:-86

Correct Answer:- Option-C

Question24:-As per Section of the Evidence Act, any party to a suit may show that a judgment, decree or order which is relevant and has been proved by the adverse party, was delivered by a court not competent to deliver it or was obtained by fraud or collusion.

- A:-24
- B:-44
- C:-64
- D:-84

Correct Answer:- Option-B

Question25:-When the court has to form an opinion upon a point of foreign law, the opinion upon that point of persons skilled in such foreign law are

- A:-Conclusive proof
- B:-Inadmissible
- C:-Irrelevant
- D:-Relevant facts

Correct Answer:- Option-D

Question26:-As per explanation to Section of the Evidence Act, a lunatic is not incompetent to testify, unless he is prevented by his lunacy from understanding the questions put to him and giving rational answers to them

- A:-101
- B:-106
- C:-118
- D:-161

Correct Answer:- Option-C

Question27:-When a witness is unable to speak, he may give his evidence in any other manner in which he can make it intelligible, by writing or signs in open court, and the evidence so given shall be deemed to be

- A:-Documentary evidence
- B:-Oral evidence
- C:-Conclusive proof
- D:-Secondary Evidence

Correct Answer:- Option-B

Question28:-In criminal proceedings against any person, the husband or wife of such person shall be a competent witness as per Section of the Evidence Act.

- A:-120
- B:-141
- C:-136
- D:-39

Correct Answer:- Option-A

Question29:-Communications between spouses during marriage are privileged as per conditions prescribed under Section of the Evidence Act.

- A:-118
- B:-122
- C:-161
- D:-44

Correct Answer:- Option-B

Question30:-No person shall be permitted to give evidence derived from unpublished official records relating to any affairs of state, except with the permission of the

- A:-President of India
- B:-Governor of a State
- C:-Chief Minister
- D:-Head of the Department

Correct Answer:- Option-D

Question31:-If in a proceeding, the court has to form an opinion on any matter relating to information stored in a computer, the opinion of is a relevant fact.

- A:-Examiner of electronic evidence
- B:-Public prosecutor
- C:-Assistant Public Prosecutor
- D:-Director General of Prosecution

Correct Answer:- Option-A

Question32:-As per Section of the Evidence Act, when the court has to form an opinion as to the person by whom any document was written or signed, the opinion of any person acquainted with the handwriting of the person by whom it is supposed to be written or signed, is a relevant fact.

- A:-161
- B:-45
- C:-47
- D:-38

Correct Answer:- Option-C

Question33:-In criminal proceedings, the fact that the person accused is of a good character is

- A:-Irrelevant
- B:-Inadmissible
- C:-irrebuttable presumption
- D:-Relevant

Correct Answer:- Option-D

Question34:-No public officer shall be compelled to disclose official communications made to him in official confidence, when he considers that would suffer by the disclosure.

- A:-His family
- B:-His superiors
- C:-Public interests
- D:-His subordinates

Correct Answer:- Option-C

Question35:-As per Section of the Evidence Act, no police officer shall be compelled to disclose the source of information as to the commission of any offence.

- A:-125
- B:-121
- C:-44
- D:-45

Correct Answer:- Option-A

Question36:-In a prosecution for the offence of rape, where the question of consent is in issue, evidence of the character of the victim or of such victim's previous sexual experience on the issue of such consent.

- A:-is admissible
- B:-shall not be relevant
- C:-is a rebuttable presumption
- D:-Has to be proved beyond reasonable doubt

Correct Answer:- Option-B

Question37:-A previous conviction is relevant as evidence of bad character as per explanation to Section of the Evidence Act.

- A:-54
- B:-46
- C:-121
- D:-41

Correct Answer:- Option-A

Question38:-As per Section of the Evidence Act, no fact of which the court will take judicial notice need be proved.

- A:-44
- B:-56
- C:-120
- D:-160

Correct Answer:- Option-B

Question39:-Professional communications between a pleader and his client are treated as privileged communications subject to the conditions prescribed under Section of the Evidence Act.

- A:-16
- B:-48
- C:-126
- D:-144

Correct Answer:- Option-C

Question40:-An accomplice shall be a competent witness against an accused person, and a conviction is merely because it proceeds upon the uncorroborated testimony of the accomplice.

- A:-Illegal
- B:-Irregular
- C:-Improper
- D:-Not Illegal

Correct Answer:- Option-D

Question41:-The court shall take judicial notice of all laws in force in the territory of India, as per Section of the Evidence Act.

- A:-115
- B:-57
- C:-23
- D:-116

Correct Answer:- Option-B

Question42:-As per Section of the Evidence Act, on all matters of Public History, the court may resort for its aid, to appropriate books or documents of reference.

- A:-121
- B:-136
- C:-46
- D:-57

Correct Answer:- Option-D

Question43:-All facts, except the contents of documents or electronic records may be proved by

- A:-Oral evidence
- B:-Handwriting experts
- C:-Scientific evidence
- D:-Interpreters

Correct Answer:- Option-A

Question44:-When one person by his act or omission intentionally causes another person to believe a thing to be true and to act on that belief, he shall not be allowed in any suit or proceedings between himself and that person, to deny the truth of that thing. This doctrine is known as

- A:-Waiver
- B:-Acquiescence
- C:-Estoppel
- D:-Refolement

Correct Answer:- Option-C

Question45:-No tenant of immovable property shall during the continuance of the tenancy be permitted to deny that the landlord had, at the beginning of the tenancy

- A:-Sound mind
- B:-Contractual competency
- C:-Citizenship in India
- D:-A title to such immovable property

Correct Answer:- Option-D

Question46:-No acceptor of a bill of exchange shall be permitted to deny that the drawer had authority to draw such bill or

- A:-Endorse it
- B:-Refuse it
- C:-Honour it
- D:-Deny it

Correct Answer:- Option-A

Question47:-Where a document is executed in several parts, each part is of the document.

- A:-Secondary evidence
- B:-Primary evidence
- C:-Annexure
- D:-Copy

Correct Answer:- Option-B

Question48:-Copy of a document made from the original using some mechanical process which ensures the accuracy of the copy and copies compared with such copies are

- A:-Inadmissible evidence
- B:-Primary evidence
- C:-Secondary evidence
- D:-Conclusive proof

Correct Answer:- Option-C

Question49:-Cases in which secondary evidence relating to contents of documents is admissible are enumerated under Section of the Evidence Act.

- A:-36
- B:-42
- C:-56
- D:-65

Correct Answer:- Option-D

Question50:-Admissibility of electronic records in evidence is subject to the conditions prescribed under Section of the Evidence Act.

- A:-121
- B:-161
- C:-65-B
- D:-53-A

Correct Answer:- Option-C

Question51:-As per Section of the Evidence Act, when a person is bound to prove the existence of any fact, it is said that the burden of proof lies on that person.

- A:-66
- B:-101
- C:-36
- D:-151

Correct Answer:- Option-B

Question52:-When a person is accused of any offence, the burden of proving that the case comes within any of the general or special exceptions is on the accused person, as per Section of the Evidence Act.

- A:-105
- B:-55
- C:-161
- D:-43

Correct Answer:- Option-A

Question53:-When the question is whether a man is alive or dead, and it is shown that he was alive within years, the burden of proving that he is dead is on the person who affirms it.

- A:-Five
- B:-Ten
- C:-Twenty
- D:-Thirty

Correct Answer:- Option-D

Question54:-When the question is whether a man is alive or dead, and it is proved that he has not been heard of for years by those who would have naturally heard of him if he had been alive, the burden of proving that he is alive is shifted to the person who affirms it.

- A:-Five
- B:-Seven
- C:-Ten
- D:-Twenty

Correct Answer:- Option-B

Question55:-As per Section of the Evidence Act, the burden of proving that the person in possession of anything is not its owner, is on the person who affirms that such person is not the owner.

- A:-110
- B:-88
- C:-150
- D:-133

Correct Answer:- Option-A

Question56:-Presumption as to commission of offence under Section 121 of Indian Penal Code is subject to the conditions prescribed under Section of the Indian Evidence Act.

- A:-115
- B:-32
- C:-111-A
- D:-67-A

Correct Answer:- Option-C

Question57:-The fact that a person was born during the continuance of a valid marriage between his mother and any man or within days after its dissolution, the mother remaining unmarried, shall be conclusive proof that he is the legitimate son of that man.

- A:-320
- B:-280
- C:-150
- D:-260

Correct Answer:- Option-B

Question58:-Proof of execution of document required to be attested as per law is based on the conditions prescribed under Section of the Evidence Act.

- A:-68
- B:-77
- C:-123
- D:-117

Correct Answer:- Option-A

Question59:-An document not required by law to be attested, may be proved as if it was unattested.

- A:-Overseas
- B:-Inchoate
- C:-Attested
- D:-Unlawful

Correct Answer:- Option-C

Question60:-As per Section of the Evidence Act, the court may direct any person present in the court to write any words or figures for the purpose of enabling comparison of such words or figures with any words or figures alleged to be written by him.

- A:-115
- B:-144
- C:-71
- D:-73

Correct Answer:- Option-D

Question61:-A notification in the official Gazette that any portion of the British territory before commencement of GOI Act 1935, has been ceded to any native state shall be that a valid cession of such territory took place at the date mentioned in the notification.

- A:-Conclusive proof
- B:-Inadmissible evidence
- C:-Secondary evidence

D:-Corroborative evidence

Correct Answer:- Option-A

Question62:-When a married woman commits suicide within _____ years of marriage, there is a presumption as to abetment of suicide by husband or relatives, if it is shown that the deceased was subjected cruelty by such persons.

A:-Five

B:-Seven

C:-Nine

D:-Ten

Correct Answer:- Option-B

Question63:-As per Section of the Evidence Act, when the question is whether a person has committed the dowry death of a woman, and it is shown that before her death she was subjected to cruelty in connection with demand for dowry, there is a presumption as to dowry death.

A:-110

B:-67-A

C:-113-B

D:-141

Correct Answer:- Option-C

Question64:-The court may the existence of any fact which it thinks likely to have happened, regard being had to the natural course of events, human conduct and public and private business, in their relation to the particular facts of the case.

A:-Ignore

B:-Dismiss

C:-Reject

D:-Presume

Correct Answer:- Option-D

Question65:-In order to ascertain whether a digital signature is that of the person by whom it purports to have affixed, the court may direct any person to apply the listed in the digital signature certificate and verify the digital signature purported to have been affixed by that person.

A:-Serial Number

B:-Public key

C:-Private Key

D:-Registration date

Correct Answer:- Option-B

Question66:-Documents forming the acts or records of the acts of the public authority are

A:-Confidential

B:-Private documents

C:-Public documents

D:-Inadmissible documents

Correct Answer:- Option-C

Question67:-Certified copies of public documents are to be issued in accordance with Section of the Evidence Act.

A:-76

B:-144

C:-28

D:-61

Correct Answer:- Option-A

Question68:-Presumption as to genuineness of certified copies of documents is based on the conditions prescribed under Section of the Evidence Act.

A:-121

B:-161

C:-97

D:-79

Correct Answer:- Option-D

Question69:-In a prosecution for the offence of rape, where sexual intercourse by the accused is proved and the question is whether it was without the consent of the victim woman, and when such woman states in court that it was without her consent, the court shall

A:-Declare her as hostile witness

B:-Presume that she did not consent

C:-Immediately convict the accused

D:-Cancel the bail of the accused

Correct Answer:- Option-B

Question70:-..... witnesses shall in any particular case be required for the proof of any facts.

A:-Two

B:-Three

C:-Five

D:-No particular number of

Correct Answer:- Option-D

Question71:-Presumption as to genuineness of any document produced in court, purporting to be memorandum of evidence given by a witness in any judicial proceedings is based on Section of the Evidence Act.

A:-60

B:-70

C:-80

D:-90

Correct Answer:- Option-C

Question72:-The court shall presume genuineness of purporting to be the official Gazette, if it is kept substantially in the form required by law and is produced from proper custody.

A:-Electronic record

B:-Audio files

C:-Draft

D:-Manuscript

Correct Answer:- Option-A

Question73:-When any document is produced before any court in India, purporting to be a document, which by the law in force for the time being in force in England or would be admissible in proof of any particular fact in those countries, without proof of the signature authenticating it, the court shall presume that such signature is genuine.

A:-Australia

B:-Ireland

C:-France

D:-Bangladesh

Correct Answer:- Option-B

Question74:-The court shall presume that maps or plans purporting to be made by the authority of Central or State Government were so made, and are

- A:-Accurate
- B:-Original
- C:-Permanent
- D:-Temporary

Correct Answer:- Option-A

Question75:-When a is required by law to be appointed by writing, and when it is shown that any particular person has acted as such, the writing by which he has been appointed need not be proved.

- A:-Guardian
- B:-Successor
- C:-Legatee
- D:-Public officer

Correct Answer:- Option-D

Question76:-As per proviso to Section of the Evidence Act, any fact may be proved which would invalidate a document; such as fraud, illegality, intimidation, etc.

- A:-100
- B:-88
- C:-92
- D:-102

Correct Answer:- Option-C

Question77:-In any proceedings involving a secure electronic record, the court shall presume, unless the contrary is proved, that the secure electronic record has not been _____ since the specific point of time to which the secure status relates.

- A:-Altered
- B:-Confirmed
- C:-Transmitted
- D:-Approved

Correct Answer:- Option-A

Question78:-The court shall presume, unless the contrary is proved, that the information listed in an electronic signature certificate is correct, except for information specified as which has not been verified, if the certificate was accepted by the subscriber.

- A:-Confidential
- B:-Private
- C:-Third Party
- D:-Subscriber information

Correct Answer:- Option-D

Question79:-Presumption as to telegraphic messages is incorporated in Section _____ of the Evidence Act.

- A:-131
- B:-88
- C:-99
- D:-109

Correct Answer:- Option-B

Question80:-When the language used in a document is, on its face, evidence may not be given of facts which would show its meaning or supply its defects.

- A:-Crystal clear
- B:-Unambiguous
- C:-Ambiguous or defective
- D:-Non-controversial

Correct Answer:- Option-C

Question81:-As per Section of the Evidence Act, when the language used in a document is plain in itself, and when it applies accurately to existing facts, evidence may not be given to show that it was not meant to apply to such facts.

- A:-122
- B:-94
- C:-99
- D:-88

Correct Answer:- Option-B

Question82:-When the language used in a document to plain in itself, but is in reference to existing facts, evidence may be given to show that it was used in a particular sense.

- A:-Unambiguous
- B:-Unilateral
- C:-Crystal clear
- D:-Unmeaning

Correct Answer:- Option-D

Question83:-Presumption as to certified copies of foreign judicial records is based on Section of the Evidence Act.

- A:-86
- B:-111
- C:-28
- D:-131

Correct Answer:- Option-A

Question84:-The court may presume that an electronic message forwarded by the originator through to the addressee to whom the message purports to be addressed, corresponds with the message as fed into his computer for transmission.

- A:-His agent
- B:-Notary
- C:-An electronic mail server
- D:-Attorney

Correct Answer:- Option-C

Question85:-Presumption as to due execution of documents not produced after notice to produce, is as per Section of the Evidence Act.

- A:-89
- B:-122

C:-28

D:-151

Correct Answer:- Option-A

Question86:-When any document purporting or proved to be years old is produced from proper custody, the court may presume that it was duly executed and attested by the persons by whom it purports to be executed and attested.

A:-Ten

B:-Seven

C:-Thirty

D:-Twenty

Correct Answer:- Option-C

Question87:-As per Section of the Evidence Act, when the language used in a document applies partly to one set of existing facts and partly to another set of existing facts, but the whole of which does not apply correctly to either, evidence may be given to show to which of the either it was meant to apply.

A:-87

B:-97

C:-107

D:-117

Correct Answer:- Option-B

Question88:-As per Section 99 of Evidence Act, persons who are to a document may give evidence of any facts tending to show a contemporaneous agreement varying the terms of the document.

A:-Parties

B:-Agents of parties

C:-Representatives

D:-Not parties

Correct Answer:- Option-D

Question89:-When any electronic record purporting or proved to be years old is produced from proper custody, the court may presume that the electronic signature which purports to be the electronic signature of any person was so affixed by him or any person authorised by him.

A:-Two

B:-Three

C:-Four

D:-Five

Correct Answer:- Option-D

Question90:-As per Section of the Evidence Act, the burden of proof in a suit or proceeding lies on that person who would fail if no evidence at all were given on either side.

A:-121

B:-155

C:-102

D:-44

Correct Answer:- Option-C

Question91:-..... means and includes anything, state of things or relation of things, capable of being perceived by the senses; any mental condition of which a person is conscious.

A:-Controversy

B:-Fact

C:-Hearsay

D:-Conundrum

Correct Answer:- Option-B

Question92:-Section 6 of the Evidence Act is an exception to the rule that evidence is not admissible.

A:-Hearsay

B:-False

C:-Secondary

D:-Partial

Correct Answer:- Option-A

Question93:-Things said or done by conspirator in reference to common design is a relevant fact for proving the fact of conspiracy as per Section of the Evidence Act.

A:-10

B:-20

C:-30

D:-40

Correct Answer:- Option-A

Question94:-As per Section of the Evidence Act, facts not otherwise relevant are relevant if they are inconsistent with any fact in issue or relevant fact.

A:-22

B:-11

C:-33

D:-44

Correct Answer:- Option-B

Question95:-Where the question is as to the existence of any right or custom, any transaction by which the right or custom in question was created, claimed, modified, asserted or denied, or which was inconsistent with its existence, is

A:-An irrelevant fact

B:-Inadmissible in evidence

C:-A relevant fact

D:-Invalid

Correct Answer:- Option-C

Question96:-As per Section of the Evidence Act, facts showing the existence of any state of mind such as intention, knowledge, good faith, negligence, rashness, ill will or good will towards any particular person are relevant.

A:-141

B:-66

C:-44

D:-14

Correct Answer:- Option-D

Question97:-Where there is a question whether a particular act was done, the existence of any course of business according to which it naturally would have been done, is

A:-Inadmissible in evidence

B:-A relevant fact

C:-Hearsay evidence

D:-Conclusive proof

Correct Answer:- Option-B

Question98:-Statements made by persons who have any proprietary or pecuniary interest in the subject matter of the proceeding, and who make such statement in their character of persons so interested are _____, if they are made during the continuance of the interest of the person making the statement.

A:-Irrelevant

B:-Inadmissible

C:-Unacceptable

D:-Admissions

Correct Answer:- Option-D

Question99:-Where the genuineness of a document produced is in question, oral admissions as to the contents of the document are relevant as per Section of the Evidence Act.

A:-11

B:-122

C:-22

D:-144

Correct Answer:- Option-C

Question100:-As per Section of the Evidence Act, no confession made to a police officer, shall be proved as against a person accused of any offence.

A:-25

B:-50

C:-75

D:-100

Correct Answer:- Option-A