

### Corresponding Section Table of BSA with Repealed Act

<b><u>BHARATIYA SAKSHYA ADHINIYAM, 2023</u></b>	<b><u>INDIAN EVIDENCE ACT, 1872</u></b>
<b>PART I CHAPTER I PRELIMINARY</b>	<b>PART I RELEVANCY OF FACTS CHAPTER I PRELIMINARY</b>
1. Short title, application and commencement.	1. Short title. Extent. Commencement of Act.
	2. <b>Repealed</b>
2. Definitions.	3. Interpretation-clause. 4. — May Presume. — Shall presume. — Conclusive proof.
<b>PART II CHAPTER II RELEVANCY OF FACTS</b>	<b>CHAPTER II OF THE RELEVANCY OF FACTS</b>
3. Evidence may be given of facts in issue and relevant facts.	5. Evidence may be given of facts in issue and relevant facts.
<b><i>Closely connected facts</i></b>	
4. Relevancy of facts forming part of same transaction.	6. Relevancy of facts forming part of same transaction.
5. Facts which are occasion, cause or effect of facts in issue or relevant facts.	7. Facts which are the occasion, cause or effect of facts in issue.

6. Motive, preparation and previous or subsequent conduct.	8. Motive, preparation and previous or subsequent conduct.
7. Facts necessary to explain or introduce fact in issue or relevant facts.	9. Facts necessary to explain or introduce relevant facts.
8. Things said or done by conspirator in reference to common design.	10. Things said or done by conspirator in reference to common design.
9. When facts not otherwise relevant become relevant.	11. When facts not otherwise relevant become relevant.
10. Facts tending to enable Court to determine amount are relevant in suits for damages.	12. In suits for damages, facts tending to enable Court to determine amount are relevant.
11. Facts relevant when right or custom is in question.	13. Facts relevant when right or custom is in question.
12. Facts showing existence of state of mind, or of body or bodily feeling.	14. Facts showing existence of state of mind, or of body or bodily feeling.
13. Facts bearing on question whether act was accidental or intentional.	15. Facts bearing on question whether act was accidental or intentional.
14. Existence of course of business when relevant.	16. Existence of course of business when relevant.
<b>ADMISSIONS</b>	<b>ADMISSIONS</b>
15. Admission defined.	17. Admission defined.
16. Admission by party to proceeding or his agent.	18. Admission - by party to proceeding or his agent; by suitor in representative character; by party interested in subject-matter; by person from whom interest derived.
17. Admissions by persons whose position must be proved as against party to suit.	19. Admissions by persons whose position must be proved as against party to suit.

18. Admissions by persons expressly referred to by party to suit.	20. Admissions by persons expressly referred to by party to suit.
19. Proof of admissions against persons making them, and by or on their behalf.	21. Proof of admissions against persons making them, and by or on their behalf.
20. When oral admissions as to contents of documents are relevant.	22. When oral admissions as to contents of documents are relevant.
<b>DELETED</b>	<b>22A. When oral admission as to contents of electronic records are relevant.</b>
21. Admissions in civil cases when relevant.	23. Admissions in civil cases when relevant.
22. Confession caused by inducement, threat, coercion or promise, when irrelevant in criminal proceeding.	24. Confession caused by inducement, threat or promise, when irrelevant in criminal proceeding.
22. Proviso 1	28. Confession made after removal of impression caused by inducement, threat or promise, relevant.
22. Proviso 2	29. Confession otherwise relevant not to become irrelevant because of promise of secrecy, etc.
23. Confession to police officer. 23(1)	25. Confession to police-officer not to be proved.
23(2)	26. Confession by accused while in custody of Police not to be proved against him.
23. Proviso	27. How much of information received from accused may be proved.
24. Consideration of proved confession affecting person making it and others jointly under trial for	30. Consideration of proved confession affecting person making it

same offence.	and others jointly under trial for same offence.
25. Admissions not conclusive proof, but may estop.	31. Admissions not conclusive proof, but may estop.
<b>STATEMENTS BY PERSONS WHO CANNOT BE CALLED AS WITNESSES</b>	<b>STATEMENTS BY PERSONS WHO CANNOT BE CALLED AS WITNESSES</b>
26. Cases in which statement of relevant fact by person who is dead or cannot be found, etc., is relevant.	32. Cases in which statement of relevant fact by person who is dead or cannot be found, etc., is relevant.
27. Relevancy of certain evidence for proving, in subsequent proceeding, truth of facts therein stated.	33. Relevancy of certain evidence for proving, in subsequent proceeding, the truth of facts therein stated.
<b>STATEMENTS MADE UNDER SPECIAL CIRCUMSTANCES</b>	<b>STATEMENTS MADE UNDER SPECIAL CIRCUMSTANCES</b>
28. Entries in books of account when relevant.	34. Entries in books of account, including when relevant.
29. Relevancy of entry in public record or an electronic record made in performance of duty.	35. Relevancy of entry in public record made in performance of duty.
30. Relevancy of statements in maps, charts and plans.	36. Relevancy of statements in maps, charts and plans.
31. Relevancy of statement as to fact of public nature contained in certain Acts or notifications.	37. Relevancy of statement as to fact of public nature contained in certain Acts or notifications.
32. Relevancy of statements as to any law contained in law books including electronic or digital form.	38. Relevancy of statements as to any law contained in law-books.
<b>HOW MUCH OF A STATEMENT IS TO BE PROVED</b>	<b>HOW MUCH OF A STATEMENT IS TO BE PROVED</b>

33. What evidence to be given when statement forms part of a conversation, document, electronic record, book or series of letters or papers.	39. What evidence to be given when statement from part of a conversation, document, electronic record, book or series of letters or papers.
<b>JUDGMENTS OF COURTS WHEN RELEVANT</b>	<b>JUDGMENTS OF COURTS OF JUSTICE WHEN RELEVANT</b>
34. Previous judgments relevant to bar a second suit or trial.	40. Previous judgments relevant to bar a second suit or trial.
35. Relevancy of certain judgments in probate, etc., jurisdiction.	41. Relevancy of certain judgments in probate, etc., jurisdiction.
36. Relevancy and effect of judgments, orders or decrees, other than those mentioned in section 35.	42. Relevancy and effect of judgments, orders or decrees, other than those mentioned in section 41.
37. Judgments, etc., other than those mentioned in sections 34, 35 and 36 when relevant.	43. Judgments, etc., other than those mentioned in sections 40, 41 and 42, when relevant.
38. Fraud or collusion in obtaining judgment, or incompetency of Court, may be proved.	44. Fraud or collusion in obtaining judgment, or incompetency of Court, may be proved.
<b>OPINIONS OF THIRD PERSONS WHEN RELEVANT</b>	<b>OPINIONS OF THIRD PERSONS WHEN RELEVANT</b>
39. Opinions of experts. 39(1)	45. Opinions of experts.
39(2)	45A. Opinion of Examiner of Electronic Evidence.
40. Facts bearing upon opinions of experts.	46. Facts hearing upon opinions of experts.
41. Opinion as to handwriting and signature, when relevant.	

41(1)	47. Opinion as to handwriting, when relevant.
41(2)	47A. Opinion as to digital signature, when relevant.
42. Opinion as to existence of general custom or right, when relevant.	48. Opinion as to existence of right or custom, when relevant.
43. Opinion as to usages, tenets, etc., when relevant.	49. Opinion as to usages, tenets, etc., when relevant.
44. Opinion on relationship, when relevant.	50. Opinion on relationship, when relevant.
45. Grounds of opinion, when relevant.	51. Grounds of opinion, when relevant.
<b>CHARACTER WHEN RELEVANT</b>	<b>CHARACTER WHEN RELEVANT</b>
46. In civil cases character to prove conduct imputed, irrelevant.	52. In civil cases character to prove conduct imputed, irrelevant.
47. In criminal cases previous good character relevant.	53. In criminal cases previous good character relevant.
48. Evidence of character or previous sexual experience not relevant in certain cases.	53A. Evidence of character or previous sexual experience not relevant in certain cases.
49. Previous bad character not relevant, except in reply.	54. Previous bad character not relevant, except in reply.
50. Character as affecting damages.	55. Character as affecting damages.
<b>PART III ON PROOF CHAPTER III FACTS WHICH NEED NOT BE PROVED</b>	<b>PART II ON PROOF CHAPTER III.— FACTS WHICH NEED NOT BE PROVED</b>

51. Fact judicially noticeable need not be proved.	56. Fact judicially noticeable need not be proved.
52. Facts of which Court shall take judicial notice.	57. Facts of which Court must take judicial notice.
53. Facts admitted need not be proved.	58. Facts admitted need not be proved.
<b>CHAPTER IV OF ORAL EVIDENCE</b>	<b>CHAPTER IV.—OF ORAL EVIDENCE</b>
54. Proof of facts by oral evidence.	59. Proof of facts by oral evidence.
55. Oral evidence to be direct.	60. Oral evidence must be direct.
<b>CHAPTER V OF DOCUMENTARY EVIDENCE</b>	<b>CHAPTER V.— OF DOCUMENTARY EVIDENCE</b>
56. Proof of contents of documents.	61. Proof of contents of documents.
57. Primary evidence.	62. Primary evidence.
58. Secondary evidence.	63. Secondary evidence.
59. Proof of documents by primary evidence.	64. Proof of documents by primary evidence.
60. Cases in which secondary evidence relating to documents may be given.	65. Cases in which secondary evidence relating to documents may be given.
<b>61. Electronic or digital record.</b>	<b>New Section</b>
62. Special provisions as to evidence relating to electronic record.	65A. Special provisions as to evidence relating to electronic record.
63. Admissibility of electronic records.	65B. Admissibility of electronic records.

64. Rules as to notice to produce.	66. Rules as to notice to produce.
65. Proof of signature and handwriting of person alleged to have signed or written document produced.	67. Proof of signature and handwriting of person alleged to have signed or written document produced.
66. Proof as to electronic signature.	67A. Proof as to electronic signature.
67. Proof of execution of document required by law to be attested.	68. Proof of execution of document required by law to be attested.
68. Proof where no attesting witness found.	69. Proof where no attesting witness found.
69. Admission of execution by party to attested document.	70. Admission of execution by party to attested document.
70. Proof when attesting witness denies execution.	71. Proof when attesting witness denies the execution.
71. Proof of document not required by law to be attested.	72. Proof of document not required by law to be attested.
72. Comparison of signature, writing or seal with others admitted or proved.	73. Comparison of signature, writing or seal with others admitted or proved.
73. Proof as to verification of digital signature.	73A. Proof as to verification of digital signature.
<b>PUBLIC DOCUMENTS</b>	<b>PUBLIC DOCUMENTS</b>
74. Public and private documents. 74(1).	74. Public documents.
74(2).	75. Private documents.
75. Certified copies of public documents.	76. Certified copies of public documents.



76. Proof of documents by production of certified copies.	77. Proof of documents by production of certified copies.
77. Proof of other official documents.	78. Proof of other official documents.
<b>PRESUMPTIONS AS TO DOCUMENTS</b>	<b>PRESUMPTIONS AS TO DOCUMENTS</b>
78. Presumption as to genuineness of certified copies	79. Presumption as to genuineness of certified copies.
79. Presumption as to documents produced as record of evidence, etc.	80. Presumption as to documents produced as record of evidence.
80. Presumption as to Gazettes, newspapers, and other documents.  Explanation	81. Presumption as to Gazettes, newspapers, private Acts of Parliament and other documents.  Explanation of S. 90
81. Presumption as to Gazettes in electronic or digital record.  Explanation	81A. Presumption as to Gazettes in electronic forms.  Explanation of S. 90A
<b>DELETED</b>	<b>82. Presumption as to document admissible in England without proof of seal or signature.</b>
82. Presumption as to maps or plans made by authority of Government.	83. Presumption as to maps or plans made by authority of Government.
83. Presumption as to collections of laws and reports of decisions.	84. Presumption as to collections of laws and reports of decisions.
84. Presumption as to powers-of-attorney.	85. Presumptions as to powers-of-attorney.
85. Presumption as to electronic agreements.	85A. Presumption as to electronic agreements.

86. Presumption as to electronic records and electronic signatures.	85B. Presumption as to electronic records and electronic signatures.
87. Presumption as to Electronic Signature Certificates.	85C. Presumption as to electronic signature certificates.
88. Presumption as to certified copies of foreign judicial records.	86. Presumption as to certified copies of foreign judicial records.
89. Presumption as to books, maps and charts.	87. Presumption as to books, maps and charts.
<b>DELETED</b>	<b>88. Presumption as to telegraphic messages.</b>
90. Presumption as to electronic messages.	88A. Presumption as to electronic messages.
91. Presumption as to due execution, etc., of documents not produced.	89. Presumption as to due execution, etc., of documents not produced.
92. Presumption as to documents thirty years old.	90. Presumption as to documents thirty years old.
93. Presumption as to electronic records five years old.	90A. Presumption as to electronic records five years old.
<b>CHAPTER VI OF THE EXCLUSION OF ORAL EVIDENCE BY DOCUMENTARY EVIDENCE</b>	<b>CHAPTER VI OF THE EXCLUSION OF ORAL BY DOCUMENTARY EVIDENCE</b>
94. Evidence of terms of contracts, grants and other dispositions of property reduced to form of document.	91. Evidence of terms of contracts, grants and other dispositions of property reduced to form of document.
95. Exclusion of evidence of oral agreement.	92. Exclusion of evidence of oral agreement.

96. Exclusion of evidence to explain or amend ambiguous document.	93. Exclusion of evidence to explain or amend ambiguous document.
97. Exclusion of evidence against application of document to existing facts.	94. Exclusion of evidence against application of document to existing facts.
98. Evidence as to document unmeaning in reference to existing facts.	95. Evidence as to document unmeaning in reference to existing facts.
99. Evidence as to application of language which can apply to one only of several persons.	96. Evidence as to application of language which can apply to one only of several persons.
100. Evidence as to application of language to one of two sets of facts, to neither of which the whole correctly applies.	97. Evidence as to application of language to one of two sets of facts, to neither of which the whole correctly applies.
101. Evidence as to meaning of illegible characters, etc.	98. Evidence as to meaning of illegible characters, etc.
102. Who may give evidence of agreement varying terms of document.	99. Who may give evidence of agreement varying terms of document.
103. Saving of provisions of Indian Succession Act relating to wills.	100. Saving of provisions of Indian Succession Act relating to wills.
<b>PART IV</b> <b>PRODUCTION AND EFFECT OF EVIDENCE</b> <b>CHAPTER VII</b> <b>OF THE BURDEN OF PROOF</b>	<b>PART III</b> <b>PRODUCTION AND EFFECT OF EVIDENCE</b> <b>CHAPTER VII OF THE BURDEN OF PROOF</b>
104. Burden of proof.	101. Burden of proof.
105. On whom burden of proof lies.	102. On whom burden of proof lies.

106. Burden of proof as to particular fact.	103. Burden of proof as to particular fact.
107. Burden of proving fact to be proved to make evidence admissible.	104. Burden of proving fact to be proved to make evidence admissible.
108. Burden of proving that case of accused comes within exceptions.	105. Burden of proving that case of accused comes within exceptions.
109. Burden of proving fact especially within knowledge.	106. Burden of proving fact especially within knowledge.
110. Burden of proving death of person known to have been alive within thirty years.	107. Burden of proving death of person known to have been alive within thirty years.
111. Burden of proving that person is alive who has not been heard of for seven years.	108. Burden of proving that person is alive who has not been heard of for seven years.
112. Burden of proof as to relationship in the cases of partners, landlord and tenant, principal and agent.	109. Burden of proof as to relationship in the cases of partners, landlord and tenant, principal and agent.
113. Burden of proof as to ownership.	110. Burden of proof as to ownership.
114. Proof of good faith in transactions where one party is in relation of active confidence.	111. Proof of good faith in transactions where one party is in relation of active confidence.
115. Presumption as to certain offences.	111A. Presumption as to certain offences.
116. Birth during marriage, conclusive proof of legitimacy.	112. Birth during marriage, conclusive proof of legitimacy.
<b>DELETED</b>	<b>113. Proof of cession of territory.</b>
117. Presumption as to abetment of suicide by a married woman.	113A. Presumption as to abetment of suicide by a married woman.

118. Presumption as to dowry death.	113B. Presumption as to dowry death.
119. Court may presume existence of certain facts.	114. Court may presume existence of certain facts.
120. Presumption as to absence of consent in certain prosecution for rape.	114A. Presumption as to absence of consent in certain prosecution for rape.
<b>CHAPTER VIII ESTOPPEL</b>	<b>CHAPTER VIII ESTOPPEL</b>
121. Estoppel.	115. Estoppel.
122. Estoppel of tenants and of licensee of person in possession.	116. Estoppel of tenants and of licensee of person in possession.
123. Estoppel of acceptor of bill of exchange, bailee or licensee.	117. Estoppel of acceptor of bill of exchange, bailee or licensee.
<b>CHAPTER IX OF WITNESSES</b>	<b>CHAPTER IX OF WITNESSES</b>
124. Who may testify.	118. Who may testify.
125. Witness unable to communicate verbally.	119. Witness unable to communicate verbally.
126. Competency of husband and wife as witnesses in certain cases.	120. Parties to civil suit, and their wives or husbands. Husband or wife of person under criminal trial.
127. Judges and Magistrates.	121. Judges and Magistrates.
128. Communications during marriage.	122. Communications during marriage.
129. Evidence as to affairs of State.	123. Evidence as to affairs of State.

130. Official communications.	124. Official communications.
131. Information as to commission of offences.	125. Information as to commission of offences.
132. Professional communications. 132(1) (2)	126. Professional communications.
132(3)	127. Section 126 to apply to interpreters, etc.
133. Privilege not waived by volunteering evidence.	128. Privilege not waived by volunteering evidence.
134. Confidential communication with legal advisers.	129. Confidential communications with legal advisers.
135. Production of title-deeds of witness not a party.	130. Production of title-deeds of witness not a party.
136. Production of documents or electronic records which another person, having possession, could refuse to produce.	131. Production of documents or electronic records which another person, having possession, could refuse to produce.
137. Witness not excused from answering on ground that answer will criminate.	132. Witness not excused from answering on ground that answer will criminate.
138. Accomplice.	133. Accomplice.
139. Number of witnesses.	134. Number of witnesses.
<b>CHAPTER X OF EXAMINATION OF WITNESSES</b>	<b>CHAPTER X OF THE EXAMINATION OF WITNESSES</b>
140. Order of production and examination of witnesses.	135. Order of production and examination of witnesses.
141. Judge to decide as to admissibility of evidence.	136. Judge to decide as to admissibility of evidence.

142. Examination of witnesses.	137. Examination-in-chief.
143. Order of examinations.	138. Order of examinations.
144. Cross-examination of person called to produce a document.	139. Cross-examination of person called to produce a document.
145. Witnesses to character.	140. Witnesses to character.
146. Leading questions. 146(1).	141. Leading questions.
146(2), 146(3).	142. When they must not be asked.
146(4).	143. When they may be asked.
147. Evidence as to matters in writing.	144. Evidence as to matters in writing.
148. Cross-examination as to previous statements in writing.	145. Cross-examination as to previous statements in writing.
149. Questions lawful in cross-examination.	146. Questions lawful in cross-examination.
150. When witness to be compelled to answer.	147. When witness to be compelled to answer.
151. Court to decide when question shall be asked and when witness compelled to answer.	148. Court to decide when question shall be asked and when witness compelled to answer.
152. Question not to be asked without reasonable grounds.	149. Question not to be asked without reasonable grounds.
153. Procedure of Court in case of question being asked without reasonable grounds.	150. Procedure of Court in case of question being asked without reasonable grounds.
154. Indecent and scandalous questions.	151. Indecent and scandalous questions.

155. Questions intended to insult or annoy.	152. Questions intended to insult or annoy.
156. Exclusion of evidence to contradict answers to questions testing veracity.	153. Exclusion of evidence to contradict answers to questions testing veracity.
157. Question by party to his own witness.	154. Question by party to his own witness.
158. Impeaching credit of witness.	155. Impeaching credit of witness.
159. Questions tending to corroborate evidence of relevant fact, admissible.	156. Questions tending to corroborate evidence of relevant fact, admissible.
160. Former statements of witness may be proved to corroborate later testimony as to same fact.	157. Former statements of witness may be proved to corroborate later testimony as to same fact.
161. What matters may be proved in connection with proved statement relevant under section 26 or 27.	158. What matters may be proved in connection with proved statement relevant under section 32 or 33.
162. Refreshing memory.	159. Refreshing memory.
163. Testimony to facts stated in document mentioned in section 162	160. Testimony to facts stated in document mentioned in section 159.
164. Right of adverse party as to writing used to refresh memory.	161. Right of adverse party as to writing used to refresh memory.
165. Production of documents.	162. Production of documents.
166. Giving, as evidence, of document called for and produced on notice.	163. Giving, as evidence, of document called for and produced on notice.
167. Using, as evidence, of document production of which was refused on notice.	164. Using, as evidence, of document production of which was refused on notice.



168. Judge's power to put questions or order production.	165. Judge's power to put questions or order production.
<b>DELETED</b>	<b>166. Power of jury or assessors to put questions.</b>
<b>CHAPTER XI OF IMPROPER ADMISSION AND REJECTION OF EVIDENCE</b>	<b>CHAPTER XI OF IMPROPER ADMISSION AND REJECTION OF EVIDENCE</b>
169. No new trial for improper admission or rejection of evidence.	167. No new trial for improper admission or rejection of evidence.
<b>CHAPTER XII REPEAL AND SAVINGS</b>	
<b>170. Repeal and savings.</b>	<b>New Section</b>

*Note: For Reference only.*

[HomePage](#)