

Indian Evidence Act 1872

Chapter 3 - Facts Which Need Not Be Proved

No fact of which the Court will take judicial notice need to be proved.

Section 57 - Facts of which Court must take judicial notice

The Court shall take judicial notice of the following facts:-

1 [(1) All laws in force in the territory of India;]

(2) All public Acts passed or hereafter to be passed by Parliament 1 [of the United Kingdom] and all local and personal Acts directed by Parliament 2 [of the United Kingdom] to be judicially noticed;

(3) Articles of War for 3 [the Indian] Army 4 [Navy or Air Force];

5 [(4) The course of proceeding of Parliament of the United Kingdom, of the Constituent Assembly of India, of Parliament and of the legislatures established under any law for the time being in force in a Province or in the States;]

(5) The accession and the sign manual of the Sovereign for the time being of the United Kingdom of Great Britain and Ireland;

(6) All seals of which English Courts take judicial notice : the seals of all the 6 [Courts in 7 [India] and all Courts out of 5 [India] established by the authority of 8 [the Central Government or the Crown Representative]; the seals of Courts of Admiralty and Maritime Jurisdiction and of Notaries Public, and all seals which any person is authorized to use by 9 [the Constitution or an Act of Parliament of the United Kingdom or an] Act or Regulation having the force of law in 7 [India];

(7) The accession to office, names, titles, functions and signatures of the persons filling for the time being any public office in any State, if the fact of their appointment to such office is notified in 10 [any Official Gazette];

(8) The existence, title and national flag of every State or Sovereign recognized by 11 [the Government of India];

(9) The divisions of time, the geographical divisions of the world, and public festivals, fasts and holidays notified in the Official Gazette;

(10) The territories under the dominion of 11 [the Government of India];

(11) The commencement, continuance, and termination of hostilities between 11 [the Government of India] and any other State or body of persons;

(12) The names of the members and officers of the Court and of their deputies and subordinate officers and assistants, and also of all officers acting in execution of its process, and of or all advocates, attorneys, proctors, vakils pleaders and other persons authorized by law to appear or act before it;

(13) The rule of the road 12 [on land or at sea].

In all these cases, and also on all matters of public history, literature, science or art, the Court may resort for its aid to appropriate books or documents of reference.

If the Court is called upon by any person to take judicial notice of any fact, it may refuse to do so, unless and until such person produces any such book or document as it may consider necessary to enable it to do so.

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1. Substituted by the A.O. 1950, for para (1).
 2. Inserted by the A.O. 1950.
 3. Substituted by Act the A.O. 1950, for "Her Majesty's".
 4. Substituted by Act 10 of 1927, section 25 and Schedule I, for "or Navy".
 5. Substituted by the A.O. 1950, for para 4.
 6. Substituted by the A.O. 1948, for "Courts of British India".
 7. Substituted by the A.O. 1951, section 3 and Schedule, for "the States".
 8. Substituted by the A.O. 1937, for "the G.G. or any L.G. in Council".
 9. Substituted by the A.O. 1950, "any Act of Parliament or other".
 10. Substituted by the A.O. 1937, for "the Gazette of India, or in the official Gazette of any L.G.".
 11. Substituted by the A.O. 1950, for "the British Crown".
 12. Inserted by Act 18 of 1872, section 5.

Section 58 - Facts admitted need not be proved

No fact need to be proved in any proceeding which the parties thereto or their agents agree to admit at the hearing, or which, before the hearing, they agree to admit by any writing under their hands, or which by any rule of pleading in force at the time they are deemed to have admitted by their pleadings:

Provided that the court may, in its discretion, require the facts admitted to be proved otherwise than by such admission.