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 S.No.	 Features	 Page No.
	Question Bank	5
	Mains Evaluation	8
	Simplified Notes	12
	Personalised Mentorship	15
	Bare Act Revolution (BAR)	16
	Case Law Notes	20
	Mains Blueprints	23
	Mains QBank	25
	MEP Tapasya	28
	Judgment Writing	32
	Hard-Copy Practice Content	36



Legal Maxims Flashcards

41



Case Law Flashcards

43



Legal Updates

44



EPIC Mains Test Series

45



MCQ Factory

48



Mains Factory

50



Mother Of All NCERT Series

53



Tables, Flowcharts & Correlations

55



Mind Maps

59



Local Law Notes

62



Legal Pictionary

68



PYP Pointers

71



English & Hindi Translation

74



Illustration Series

77



Strike Rate

80



Interview Guidance

85



FastTrack Crash Course

87



Simulator Mocks

88



Prelims Grand Test Series

92



Legal Soul Speak Podcast

94



Virtual Edzorb Study Space

96



Auto Upgrade Facility

98



Video Seminars

99



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Question Bank

Prelims
Success



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(A)

Section 23 of IPC:

Wrongful loss

Loss by unlawful means of property to which the person losing it is legally entitled.

I provided shelter to you when you needed... you - kicked me out of my house...oh no...



Gujjula Narasimhulu Vs Nagur Sahib and Ors.
(1934) 66 MLJ 31

- The accused is guilty of wrongful loss where he has demolished a construction standing beside a public road without any reason.



627.

(B)

Equal Pay for Equal Work:



- The **directive principle of State Policy** under **Article 39**.
- It is the concept of labour rights that individuals in the same workplace be given equal pay.
- Equal pay relates to the full range of payments and benefits, including basic pay, non-salary payments, bonuses and allowances.



History of Equal Pay for Equal Work

As wage-labour became increasingly formalized during the Industrial Revolution, the principle of equal pay for equal work arose at the same part of first-wave feminism, with early efforts for equal pay being associated with **nineteenth-century** Trade Union activism in industrialized countries.



Mains Evaluation

Mains Evaluation

must withstand the test
Article 19(1)(a). Freedom of press means
there can be no censorship in the press.
Articles or matters of public interest
the
however, reasonable restrictions can be imposed on the
but those restrictions must be in the interest of
democratic organisation
In *Bennett Case* and *Union of India* (1972), the Supreme Court
the freedom of the press embodies the right of the



RJS Mains

Law Paper 1 (12th Feb, 2022)

1/5
3

Ques 1

* Rule of
Convenience
* maxim
vigilantibus
non
dormientibus
jura subvertunt

Sec 21 (1), of Code of Civil procedure provides that, no objection as to place of suing will be allowed by an appellate or revisional court unless following conditions are satisfied:

Court of first Instance

1. The objection was taken at first instance in court
2. It was taken at earliest possible opportunity and in cases where issues are settled at or before settlement of issues; and
3. There has been consequent failure of justice

Ques 2.

* provision
rising
Art. 16, 335,
338, 340,
341 & 342

Reservation of posts in government services is a broad and infamous subject. The basis of reservation was always to bring every class of people on equal footing majorly on financial and social aspects. So the basis and limit of reservation should still be the financial status as discrimination on caste and class level has been decreased but financial gap has been increased from past recent years.

* Indira Sawhney case
* Balaji vs State of Mysore
9

Ques 3

No, a remand order cannot confer jurisdiction on the subordinate court when such court originally do not have such power. It is settled principle that no appellate court can confer jurisdiction on a subordinate court, however high appellate court may be as, jurisdiction of a court is determined by statute. In case of Venkatarma & Angathayammal it is held that

(1)



Ques 9

Penal statute

Recent Judicial Trends?

Remedial statute

$\frac{1\frac{1}{5}}{3}$

As Noor Sabu
Khatoun
V/S Qasim
Mohd Qasim
JK (Bombay)
Ltd V/S
Bhakti Mehta
Mishra

1. It deals with the wrongs against state
2. It provides punishment for public wrong
3. Duty is fixed by state
4. Action is taken by state
5. It receives strict construction.

1. It deals with the wrongs against an individual
2. It provides remedy for infringement of private civil rights of an individual
3. Here duty is fixed by parties
4. Action is taken by injured party
5. It receives beneficial or liberal construction

Ques 10

Internal aids to interpretation are those which may be contained in the statute itself forming a part of it.

or may not form the part of the statute

They are taken as an aid to interpretation whenever there is ambiguity in language of statute and meaning of words are not clear.

full why from internet
won't work us

Some of the internal aids to interpretation are:

Short title
ex: Transfer of Property Act

- Title - it gives description of act.
- further divided into short title & long title

Long title
ex: The Preamble of the Act

In Manoharlal v. State of Punjab - it was observed that scope of act can be decided with help of long title & help can be taken from it for interpretation

Preamble - it tell us about true intention of legislature for which act was enacted.

Marginal notes, provisions, headings, etc are few of them

$\frac{1\frac{1}{5}}{3}$



Remarks:-



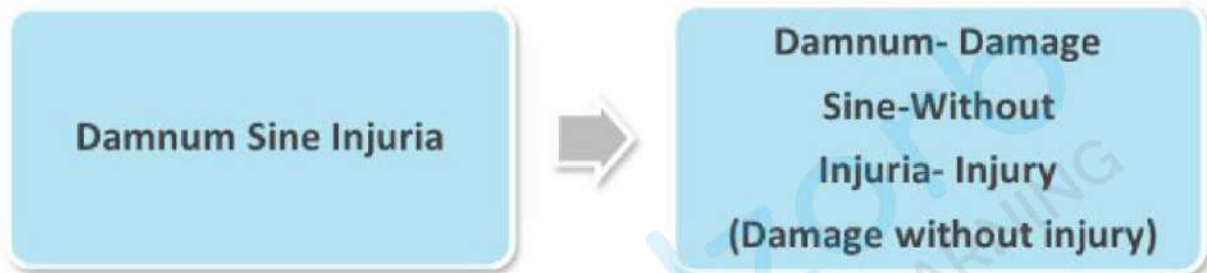
- ① Answer not in Answer format rather on notes format.
- ② Don't copy things from Internet.
The Answer on Internal & External aid was exact copy.
- ③ Missed out on lot of Questions.
- ④ Next time copies won't be evaluated if they are not in Answer format.
- ⑤ Always mention the section no. on top & not at last.





Simplified Visual Notes





Damnum Sine Injuria:

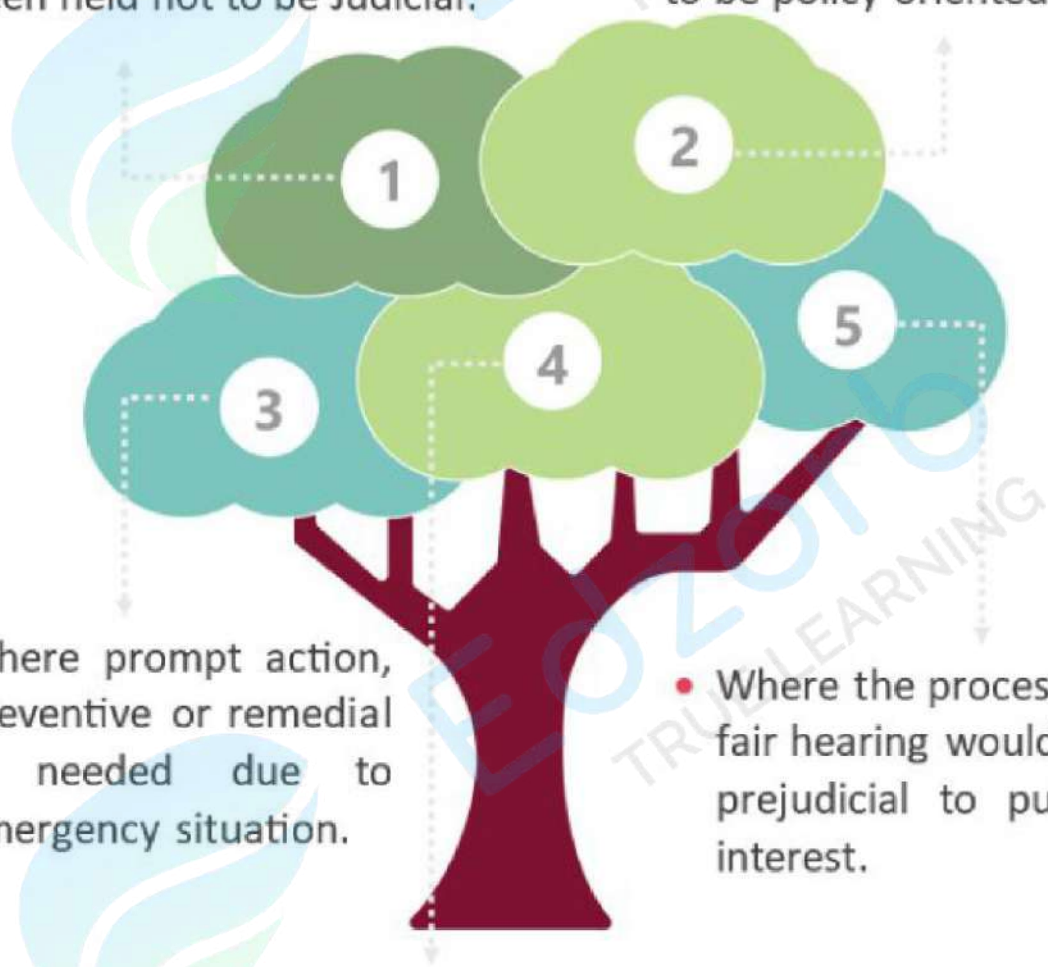
- Denotes a suffered injury without a legal rights violation.
- Legal action is only viable if a clear infringement of rights is present.
- In **Gloucester Grammar School Case, 1410 Y.B. 11 Hen. IV**, despite financial loss due to a new school opening, damages were denied as no legal rights were violated.





Exception to the Rule of Audi Alteram Partem:

Under the following circumstances the application of the rule of Audi alteram Partem may be excluded wholly or partly-

- Where the functions of an authority concerned have been held not to be Judicial.
 - Where the function of an authority has been held to be policy oriented
 - Where prompt action, preventive or remedial is needed due to emergency situation.
 - Where the process of fair hearing would be prejudicial to public interest.
 - Where the power exercised is the disciplinary one.
- 



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Bare Act Revolution



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Section 390

IPC

Robbery

What you want?
Please don't
hurt me.

Just SHOOT him and
take the BAG.



To commit theft,
causes death.

Next page...



Section 391

IPC

Dacoity

- When **five or more persons conjointly** commit or attempt to **commit a robbery**, or where the whole number of persons conjointly committing or attempting to commit a robbery, and persons present and aiding such commission or attempt, amount to five or more, every person so committing, attempting or aiding, is said to commit **dacoity**.



Next
page...



Section 391

IPC

Dacoity

There's wedding going on. We must go over there and become RICHH 🤑

Ok, Let's go!



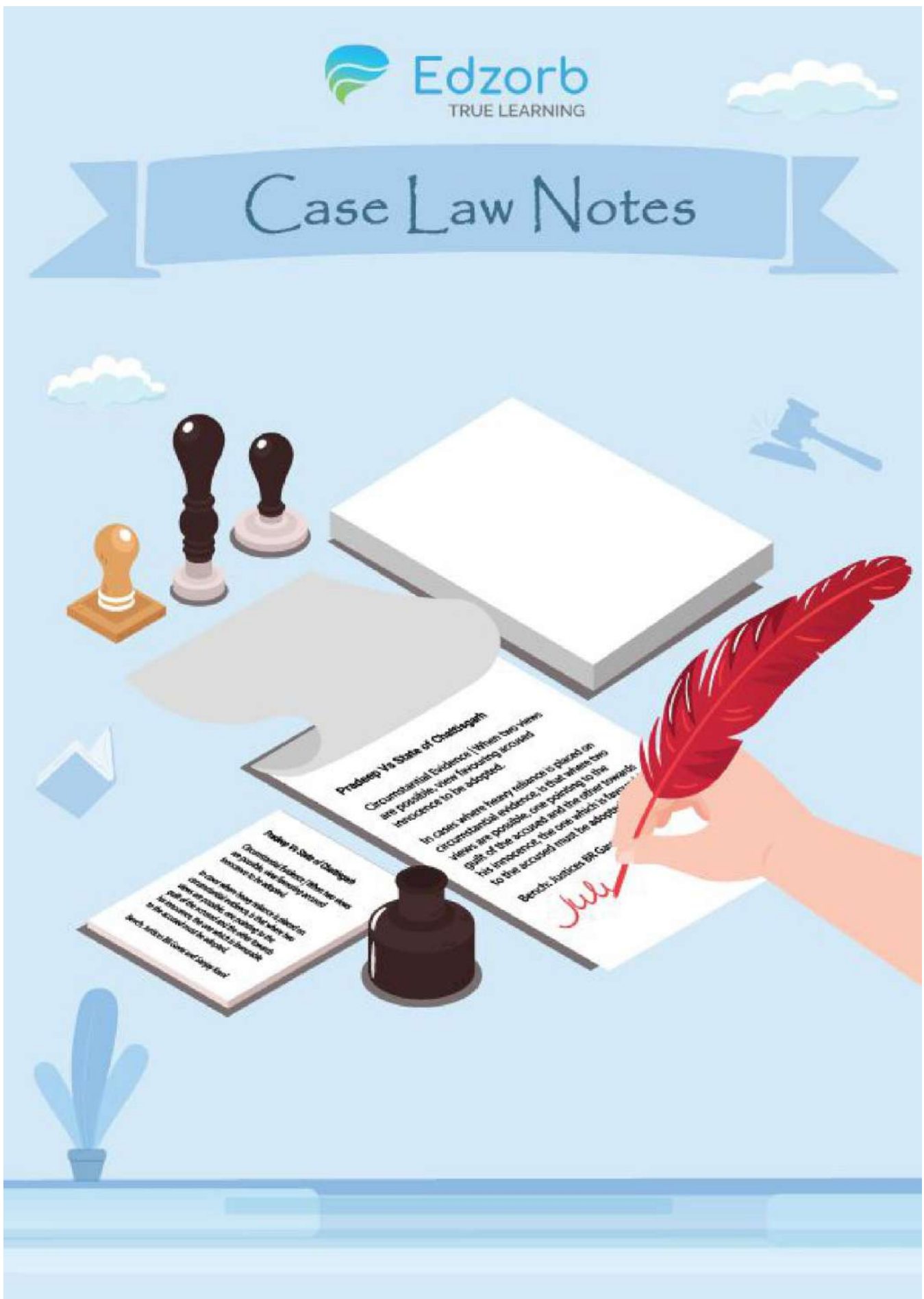
Give us all the JEWELLERY.



Next page...



Case Law Notes





POWER OF COURTS

Sharad Hiru Kolambe v. State of Maharashtra, (2018) 18 SCC 718



Default sentence must be in **excess of or in addition to** the substantive sentence.

Gagan Kumar v. State of Punjab, (2019) 5 SCC 154



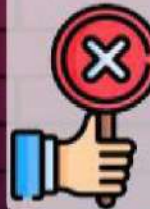
It is a mandatory legal requirement to specify whether **sentences awarded to an accused convicted for two or more offences**, would run concurrently or consecutively.

Premnath v. State of Rajasthan, AIR 1967 SC 1599



A civil judge cannot be invested with the powers of **Additional Sessions Judge**

Gokarao v. Rangaraju, AIR 1981 SC 1473



Judgments pronounced by Sessions Judge **cannot be challenged** on the ground that his appointment was subsequently held to be invalid

Kaushik Chatterjee v. State of Haryana, (2020) 10 SCC 92



In case of trial of offences under special law, the **offences shall be tried by the court specifically mentioned** in the special law

Malkeet Singh Gill v. State of Chhattisgarh, (2022) 8 SCC 204



Trial Court as well as Appellate Court has full discretion to order the sentences to run concurrently

Sunil Kumar v. State of U.P., (2021) 5 SCC 560



Section 31 (1) of the Cr.P.C. vests complete discretion with the court to order sentences for two or more offences at one trial to run concurrently having regard to nature of offences and surrounding factors



EXECUTION

**S. Bhaskaran v. Sebastian,
(2019) 9 SCC 161**



Any order passed by the executing court by **travelling beyond the decree** or order is without jurisdiction.

**Sneh Latha Goel v. Pushplata,
(2019) 3 SCC 594**



An executing court has **no jurisdiction to decide** whether the court which passed the decree had territorial jurisdiction.

**S. Bhaskaran v. Sebastian,
(2019) 9 SCC 161**



An **executing court** cannot travel beyond the order or decree under execution.

**Kiran Singh v. Chaman Paswan,
AIR 1954 SC 340**



A court executing a decree cannot go behind the decree and **must execute it as it stands.**

**State of Punjab v. Dina Nath,
AIR 1984 SC 352**



The proviso to Section 60(I) is in the nature of **exception to the general rule** laid down in the main provision.

**Ghantesh v. Madan Mohan,
AIR 1997 SC 471**



It is the duty of the court which passed the decree to get it executed to see that **rights and obligations** flowing from such decree is finally complied with

**Sir Sobha Singh & Sons Pvt. Ltd. v. Shashi Mohan Kapur (D) through LRs,
2019 (9) Scale 369**



It is not necessary to file a **copy of the decree along with execution application** unless the court directs the decree holder to file a certified copy of the decree.

Merla Ramanna v. Nallaparaju, AIR 1956 SC 87



The **court which actually passed the decree** does not lose its jurisdiction to execute it by reason of the subject matter being transferred to another court's jurisdiction.



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Mains BluePrints



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Code of Criminal Procedure, 1973

S.No	Topic	Sub -Topic	Repetition	Year	Marks
1.	Preliminary (Section 1-5)	1. Difference Between Investigation, Inquiry, and Trial [Section 2(g), 2(h)] 2. Difference between acquittal and discharge 3. Object of Cr.PC 4. Bailable and non-bailable offences 5. Cognizable and non-cognizable offences	2 - - -	2020, 2017 2012	5-20
2.	Constitution of Criminal Court and Offices (Section 6 - 25A)	1. Hierarchy of criminal courts 2. Public prosecutor 3. Directorate of Prosecution (Section 25A)	2 - -	2015 2010 2020 2010	5-20
3.	Power Of Courts (Section 26 - 35)	1. Sentence which may be passed by criminal court (Section 26-29) 2. Sentence of imprisonment in default of fine (Section 30)	2 -	2015, 2014 2018	5-10



Mains Question Bank

Question No. 1

(A) Define Digital rape: Is it punishable in India? Refer to relevant legal provisions, if any.

(B) A instigates B to give false evidence. B does so. Has A committed any offence?

(C) Explain and illustrate the following: "What is proved shall only be proved by the same."

Question No. 2

(A) "The use of sedition is like giving a carpenter to chop a bit of wood and he uses the entire forest itself". Comment.

(B) What is the evidentiary value of Confessions?

(C) 'The burden to prove the guilt of the accused is on the prosecution and never shifts.' Comment. Are there any exceptions, if any, to this rule.



Q.1) 'Limitation bars the remedy, but does not destroy the right.' Discuss and state the exception if any. [HJS 1988, JJS 2014]

Ans:

Limitation bars the remedy but not the right



John Austin

"A right has to be a perfect right but once the bar of limitation applies, the right becomes unenforceable and hence it is a substantive law right without any remedy"

- The law of limitation **bars the remedy** in a court of law but it **does not extinguish the right** of the party i.e., the right continues to exist.
- The parties can **settle their claim** outside the court of law.



Judgments [Section 40 to 44]

- Judgments that are not final or subject to appeal are not admissible.
- Judgments of courts with **competent jurisdiction** are relevant evidence.



- **Foreign judgments** require certain conditions to be met for admissibility.

Opinions of Experts and Others [Section 45 to 51]



- Opinions of the experts, scientific authorities, and skilled witnesses are relevant evidence.
- Experts can provide opinions based on their specialized knowledge



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MEP 90 Days Schedule

Day	MEP 90 Days Schedule	Prelims MCQ Test	Mains Answer Writing Test	Essay Writing + Translation + Judgment Writing
 0	Pre-reading Of The Syllabus For Day 1.	—	—	—
 1	CrPC Test (Chapters I – XI, Section 1-153) <ul style="list-style-type: none"> • Chapter I (Sec 1-5) : Preliminary • Chapter II (Sec 6-25A): Constitution Of Criminal Courts And Offices • Chapter III (Sec 26-35): Power Of Courts • Chapter IV (Sec 36-40): Powers Of Superior Officers Of Police & Aid To The Magistrates • Chapter V (Sec 41-60A): Arrest Of Persons • Chapter VI (Sec 61-90): Processes To Compel Appearance • Chapter VII (Sec 91-105): Processes To Compel The Production Of Things • Chapter VIII (Sec 106-124): Security For Keeping The Peace And For Good Behaviour • Chapter IX (Sec 125-128): Order For Maintenance Of Wives, Children And Parents • Chapter X (Sec 129-148): Maintenance Of Public Order And Tranquillity • Chapter XI (Sec 149-153): Preventive Action Of The Police 	50 Questions (60 Minutes)	—	—

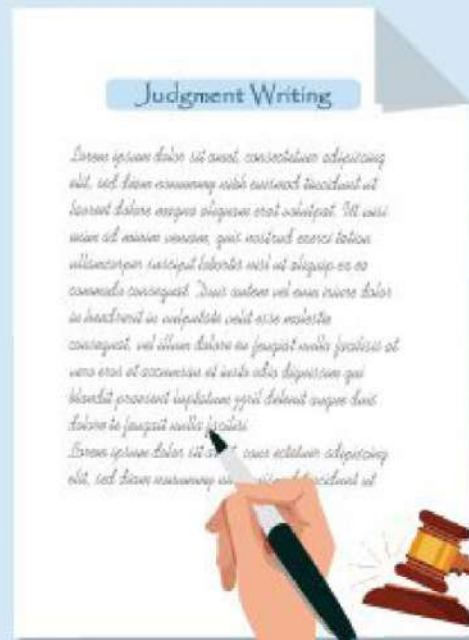


Day	MEP 90 Days Schedule	Prelims MCQ Test	Mains Answer Writing Test	Essay Writing + Translation + Judgment Writing
43	<p>Pre-reading of the Syllabus for Day 44 & Revise the topics in which you made mistakes on Day 42.</p> <ul style="list-style-type: none"> • Prepare these Themes for Essay Writing: <ul style="list-style-type: none"> (i) Labour law reforms (ii) Good Governance & Civil Society (iii) Rising Unemployment 	—	—	—
44	<p>Specific Relief Act Test (Chapters I - II, Sections 1-25)</p> <ul style="list-style-type: none"> • Part I (Sec 1-4): Preliminary • Part II: Specific Relief • Chapter I (Sec 5-8): Recovering Possession Of Property • Chapter II (Sec 9-25): Specific Performance Of Contracts 	75 Questions (90 Minutes)	—	—
45	Essay Writing Test	—	—	2 Essays (Word Limit - 500 Words)
46	<p>Pre-reading of the Syllabus for Day 47 & Revise the topics in which you made mistakes on Day 44.</p>	—	—	—
47	<p>Specific Relief Act Test (Chapters III - VIII, Sections 26-42)</p>	75 Questions (90 Minutes)	—	—





Judgment Writing





Chapter I

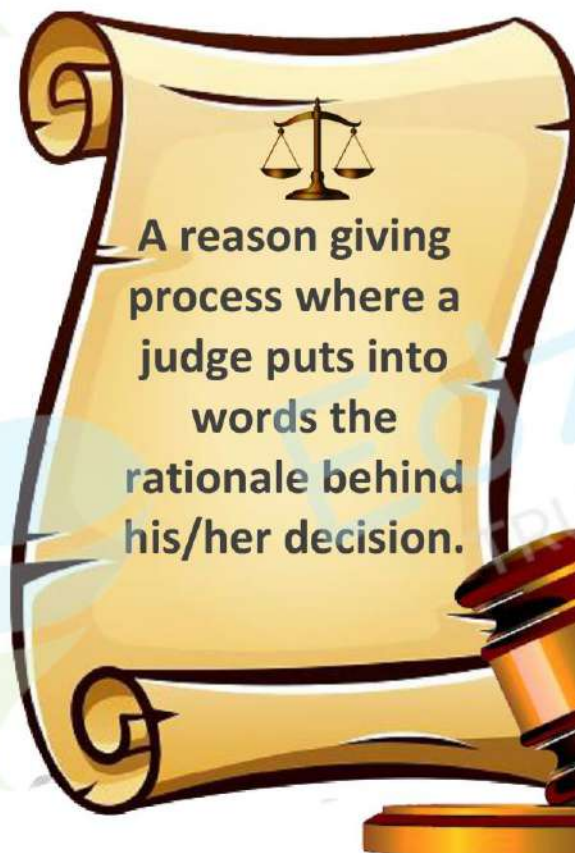
Introduction to Judgment Writing

Four things belong to a Judge;
To hear courteously,
To proceed wisely,
To consider soberly and
To decide impartially.”

Socrates



What is Judgment Writing?





UPPCS-J & UKJS - PLAINT AND WRITTEN STATEMENT- 1 (CIVIL) - SOLVED

Q.1. Draft a plaint and file a written statement on the basis of following facts:

Plaintiff's Pleadings:

'A' a suit for recovery of Rs. 14,000 plus costs of suit against 'X', 'Y', 'Z' on following facts:

- (i) That the defendant's father 'F' needed Rs. 10,000 for treatment of his wife. On the request of 'F', plaintiff 'A' advanced a loan of Rs. 10,000 on 25th December, 2002. On the same day 'F' executed a promissory note and receipt in favour of plaintiff with the stipulation to pay interest @ 1% p.m.
- (ii) That the plaintiff's accountant 'M' was a scribe of the pro note and receipt.
- (iii) That 'F' has orally promised to repay the loan along with interest within 2 months. After 2 months plaintiff demanded the amount but 'F' did not pay any amount.
- (iv) That somewhere in January 2004, 'F' died. After the death of 'F' plaintiff demanded loan amount orally and through a registered notice from defendant Nos. 1, 2 and 3, i.e., 'X' 'Y', 'Z' being sons of 'F'.
- (v) That defendants did not pay any amount to plaintiff, either towards principal or interest. Plaintiff has, therefore filed this suit on 24th December, 2005 seeking principal amount Rs. 10,000 interests Rs. 3600 and notice charges Rs. 400 total Rs. 14,000 plus 1% p.m. interest from the date of the suit till realization and costs of suit.

Defendant's Pleadings:

The suit is being contested by two sons of 'F' namely 'X' and 'Y' defendant Nos. 1 & 2, whereas third son of 'F' namely 'Z' defendant No. 3 remained *ex parte*.

- (i) That defendant Nos. 1 & 2 denied having any knowledge of execution or consideration of the promissory note and further alleged that the loan, if taken by their father must have been paid back by him in his lifetime.
- (ii) That the promissory note is insufficiently stamped and therefore inadmissible in evidence.
- (iii) That the plaintiff is a money lender and he has not complied with the



State Vs Babu

Bail Application No. 16232020

In the case where one Rahul, who suffered a gunshot injury, did not record his statement with the police as he gave a fake address in his MLC and became untraceable, accused Babu was arrested, along with another accused Imran. Stating that Babu stands on even a better footing than Imran who is already enlarged on bail, the Additional Sessions Judge found merit in the bail application and wrote:

“Babu pleading for his bail;

State opposing tooth and nail.

Summers bygone, winters have arrived;

But crime you did, and Rahul cried.

I am not the one, I am not the one;

Too grave the charge, don't pretend.

Whom did I attack, where is he;

Oh! That we know, in the trial we will see.

You say I have said & I deny from the first blush;

Rahul may be gone yet Satish said.



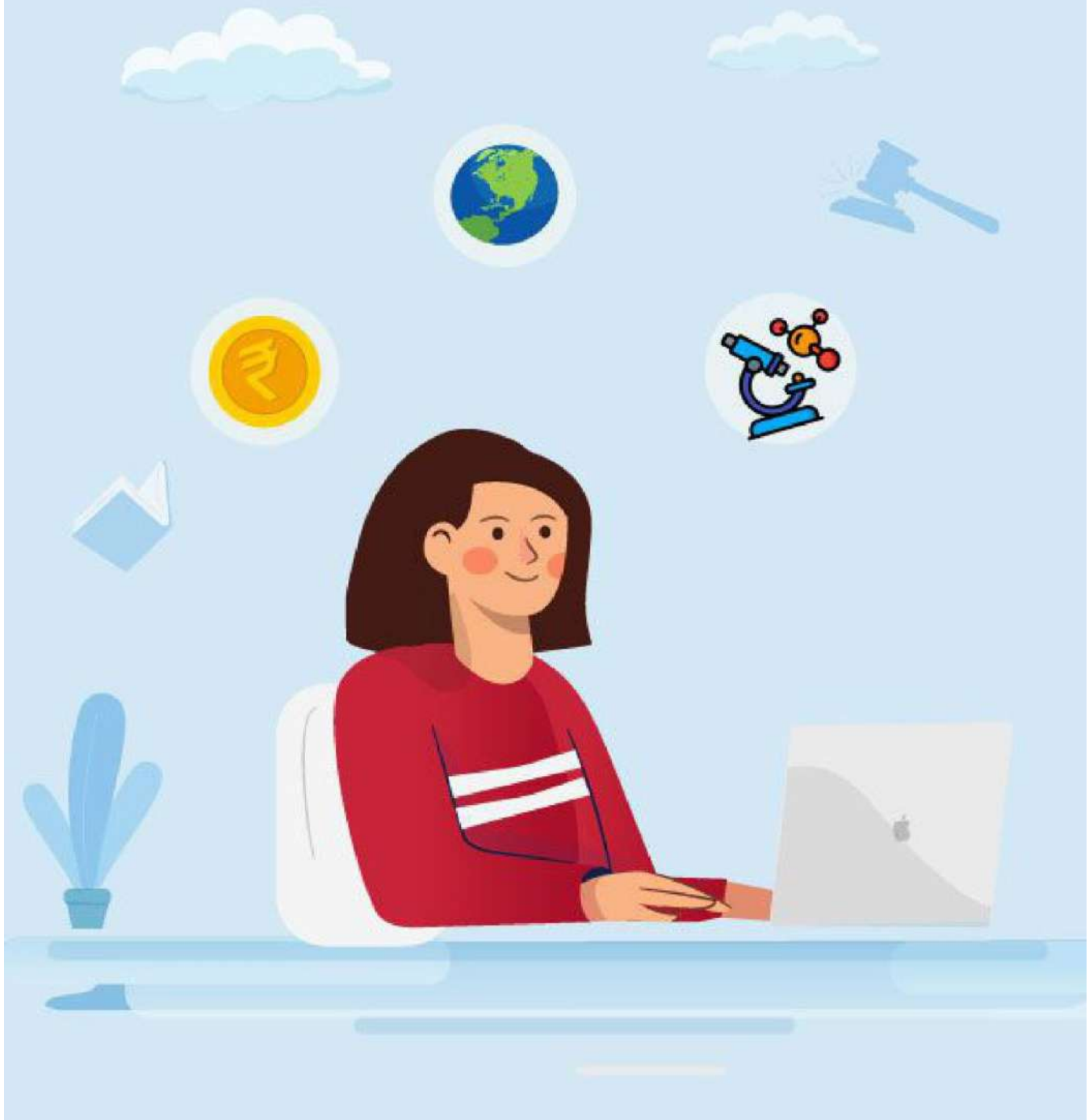


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General Knowledge



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BIOME



• EQUATORIAL REGION

Tropical rainforest

Evergreen forest



25-30



>250 cm

✓ Heavy precipitation

✗ No winter rainfall

10° N

0°

10° S

Broad leaves

Canopy formation

Very tall trees

Very dense forest

No shedding of leaves

- Hardwood
- Mahogany
- Ebony
- Rosewood
- Rubber
- Cinchona

ECONOMIC ACTIVITIES

- Hunting, gathering
- Shifting cultivation
- Rubber, Coffee, Tea
- Sugarcane, Oil palm



Semang (Malaysia)



Kubus (Sumatra)



Dayaks (Borneo)



Pygmies (Congo)



Amazon Indians
(South America)





KATHAK

✓ Inspired by Hindustani Music

COMBINATION

Uttar Pradesh



Music



Dance



Narrative

THESE INCLUDE



LUCKNOW GHARANA

(strong accent on bhava)



JAIPUR GHARANA

(layakari or rhythmic virtuosity)



BANARAS GHARANA



ORIGIN ✓ Raslila

Mainly in the Braj region
(Mathura in Western U.P.)

DERIVED FROM



Kathakars or story-
tellers who recited
verses from the epics



INFLUENCE

✓ Krishna & Radha

✓ Keertans ✓ Vaishnavism



Gandhian Movements in India

1915 Returned to India

Joined the Indian National Congress
Gopal Krishna Gokhale as his mentor.



1916

SABARMATI ASHRAM

Established

Ahmedabad



FOLLOWERS
Learn & Practice



Truth

Non Violence



1917

Champaran Satyagraha

TINKATHIA SYSTEM

European
planters

Forced peasants to grow indigo on **3/20** part (total land)
German **synthetic dyes** replaced indigo



1918

Ahmedabad mill strike

GANDHI intervened
in a **dispute** between

Cotton mill owners
vs
Workers

Issue of discontinuation of
the plague bonus.

Workers demand
a rise of 50 per cent in their wages



Manage
wartime
inflation

3/6



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Flashcards



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Bona Fide



SINCERE, IN GOOD FAITH



S. 52 of Indian Penal Code

**D.Kamalavathi v. P.Balasundaram (D)
S.A. No. 62/1997**



Se Defendendo



IN SELF DEFENCE



S. 96 of Indian Penal Code

Abdul Khader v. State of Kerala
06.04.1998 Ker. HC



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**Shatrughan Chauhan
v
Union of India**

Supreme Court held that
right to seek
for mercy under Article
72/161 of the
Constitution is a
constitutional right
and not at the discretion
or whims of the executive.





Kahkashan Kausar @ Sonam vs State Of Bihar
CrA 195 of 2022



Incorporation of section 498A of IPC was aimed at preventing cruelty committed upon a woman by her husband and her in-laws, by facilitating rapid state intervention.



Section 498A - Indian Penal Court

Prosecution of husband's relatives based on general & omnibus allegations by wife is abuse of process.



**Bench: Justices AM Khanwilkar and
CT Ravikumar**



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BIHAR JUDICIAL SERVICE EXAMINATION

PAPER – V

(LAW OF EVIDENCE AND PROCEDURE)

Time: 03 Hours

Maximum Marks: 150

Instructions:

- (i) Answer six questions, taking two from Group-A, two from Group-B, and one each from Group-C and Group-D.
- (ii) Marks are indicated against each question.

GROUP - A

Question No. 1

(a) Write notes on the following:

- (i) Mesne Profits
- (ii) Preliminary Decree
- (iii) Legal Representatives

(5*3 = 15 Marks)

(b) What do you understand by Pecuniary Jurisdiction of court? Will a court be competent to hear a suit exceeding

its limit if the parties to the suit have given their consent?
(15 Marks)

Question No. 2

(a) How following decrees may be executed:

- (i) A decree for specific performance of immoveable property
- (ii) A decree for Restitution of Conjugal Rights
- (iii) A decree for Injunction **(5*3 = 15 Marks)**

(b) When trial of suit is stayed by court and what is doctrine of Res-Judicata? **(15 Marks)**

Question No. 3

(a) State the duties and powers of appellate court with reference to -

- (i) Remand
- (ii) Framing of Additional issues
- (iii) Additional evidence



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MCQ Factory



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MCQ, Single Correct Question

As per Code of Criminal Procedure (Amendment) Act, 2008 (5 of 2009), with effect from 31-12-2009, which inserted clause (wa) in section 2 in Cr.P.C. defining "victim" as a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged includes

- ☐ a victim's guardian
- ☒ b victim's guardian or legal heir
- ☐ c victim's neighbour
- ☐ d victim's close friend.

MCQ, Multiple Correct Question

Law of evidence is:

- ☐ a lex loci
- ☒ b lex fori
- ☐ c lex tallienis
- ☐ d lex situs

MCQ, Single Correct Question

A lends a horse to B for his riding only. B allows C a member of his family to ride the horse. C rides with care but the horse accidentally falls and is injured

- ☒ a B is liable to make compensation to A for the injury done to the horse
- ☐ b B is not liable to make compensation to A for the injury done to the horse
- ☐ c Depends
- ☐ d None of the above



Mains Factory

Question No. 1

- (A) Define Digital rape: Is it punishable in India? Refer to relevant legal provisions, if any.
- (B) A instigates B to give false evidence. B doesn't give false evidence. Has A committed any offence? Discuss.
- (C) Explain and illustrate the following: "What is in writing shall only be proved by the writing"

Question No. 2

- (A) "The use of sedition is like giving a saw to the carpenter to chop a bit of wood and he uses it to cut the entire forest itself". Comment.
- (B) What is the evidentiary value of Confessional FIR?
- (C) "The burden to prove the guilt of the accused is on the prosecution and never shifts". Comment stating the exceptions, if any, to this rule.

???





INDIAN EVIDENCE ACT

Time: 3 Hrs

M.M.:100

Instructions:

(1) All question is compulsory. Answer to all Questions must be given in language either in Hindi or in English.

(2) Writing of all answers must be clear and legible. If the writing of Answer book written by any candidate is not clear then the valuation of such answer book may not be done.

Q.1) Difference between "Fact in issue" and "Relevant fact".

Q.2) Discuss the following statement-

'Relevancy and admissibility are neither co-extensive nor interchangeable terms'.

Q.3) What is distinction between relevancy and admissibility of fact? Illustrate



Q.4) According to the prosecution, there was an enmity between N and his nephew Son account of a dispute in respect of agricultural land and the agricultural produce therefrom. On the date of occurrence, S fired a pistol shot at N. N raised the alarm on account of which, PWs 1 and 2 reached the spot and at that point of time, N fell down and S made good his escape. PWs 1 and 2 brought N to police station whereupon statement of N was recorded and treating the same as an FIR, the police started investigations and sent up S for trial. During the trial, PWs 1 and 2 stated as to what they had heard from the injured at the relevant time and according to PW-2 the injured had told him that S had fired upon him. The trial Court convicted S under section 307 and the High Court dismissed his appeal. Before the Supreme Court, the appellant-accused contended that the evidence of PW-2 was not admissible under section 6 of the Evidence Act, inasmuch as what the injured told the witness and the factum of alleged shooting by accused at the injured could not be said to have formed part of the same transaction as according to him, by the time he reached the scene of occurrence several people had gathered there. Answer with reference to sections of the Indian Evidence Act and case law, if any.

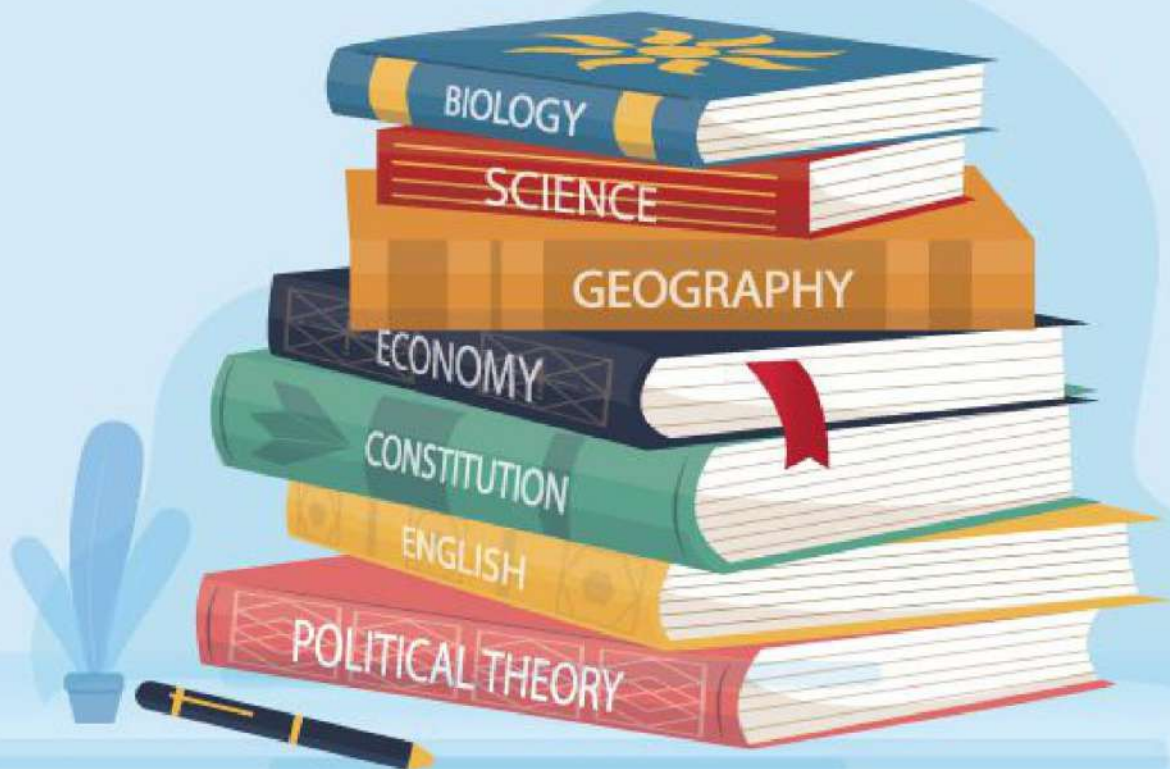


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MCQ, Single Correct Question

With reference to the history of India, consider the following statement:

1. Wheat and Barley were the first crop to be grown.
2. Garo hills and banks of river Kaveri were some of the areas where agriculture developed.

Select the correct answer using the codes given below:

- ☒ a 1 only
- ☐ b 2 only
- ☐ c Both 1 and 2
- ☐ d Neither 1 Nor 2

Explanation

Explanation: Answer is (a)

Wheat and Barley were the first crop to be grown in the region of Sulaiman and Kirthar hills to the northwest of India about 8000 years ago. People also began rearing animals like sheep, goat, and cattle, and lived in villages there. The Garo hills to the north-east and the Vindhyas in central India were some of the areas where agriculture developed. There is no such reference for river Kaveri. The places where rice was first grown are to the north of the Vindhyas.

MCQ, Single Correct Question

Consider the following statements

1. Kerala has always been an attractive place for merchants and traders.
2. "Cheena-vala" are the fishing nets used in Kerala which has Chinese resemblance.
3. The famous boat race festival is held during Onam in Kerala.

Choose the correct ones

- ☐ a 1&2 only
- ☐ b 1&3 only
- ☐ c 2&3 only
- ☒ d All of the above

Explanation

Explanation: The *vast varieties of spices which are grown in the Kerala* made it an attractive place for traders and merchants. The fishing is one of the important occupation of the people in this region and they have been practicing the fishing since ancient times. The fishing nets used here look exactly like the Chinese fishing nets and are *called Cheenavala*. The race is *an important part of Onam festival which is celebrated in Kerala*.





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Tables and Flowcharts



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Difference between Substantive Law and Procedural Law

S.No.	Basis	Substantive Law	Procedural Law
1.	Meaning	<ul style="list-style-type: none">Substantive Law is the law that states the rights and obligations of the parties concerned.	<ul style="list-style-type: none">Procedural law is a law that specifies the practice, procedure and machinery for the imposition of rights and duties.
2.	Objective	<ul style="list-style-type: none">Substantive laws control and govern the rule of law as a whole.	<ul style="list-style-type: none">Procedural laws exclusively deal with the proceedings in the court and the methods to start a legal case.
3.	Governed by	<ul style="list-style-type: none">Substantive laws are governed by the Acts of Parliament.	<ul style="list-style-type: none">Procedural laws are governed by statutory laws only.
4.	Application	<ul style="list-style-type: none">The substantive law cannot be applied to non-legal matters.	<ul style="list-style-type: none">The procedural law applies to both legal and non-legal matters.
5.	Deals with	<ul style="list-style-type: none">The Substantive law which is concerned with matters outside the court, like fundamental rights and liabilities of the members of the society.	<ul style="list-style-type: none">The procedural law deals with the affairs inside the court like appealing, presenting evidence, representation of counsel, pleading, reviewing etc.
6.	Example	<ul style="list-style-type: none">IPC, 1860ICA, 1872SRA, 1963	<ul style="list-style-type: none">CrPC, 1973IEA, 1872Limitation Act, 1963



Co-Relation of Indian Evidence Act, 1872

<u>S.No</u>	<u>Section</u>	<u>Provision</u>	<u>Co-Relate with</u>
1.	3	<ul style="list-style-type: none"> • Court 	<ul style="list-style-type: none"> • Section 20 of IPC, 1860
2.	3	<ul style="list-style-type: none"> • Fact in issue 	<ul style="list-style-type: none"> • Order 14 of CPC, 1908 • Sections 211 to 224 of Cr.P.C, 1973
3.	3	<ul style="list-style-type: none"> • Document 	<ul style="list-style-type: none"> • Section 29 of IPC, 1860
4.	3	<ul style="list-style-type: none"> • India 	<ul style="list-style-type: none"> • Section 2(F) of Cr.P.C., 1973 • Section 18 of IPC, 1860 • Section 2 (7B) of CPC, 1908
5.	10	<ul style="list-style-type: none"> • Things said or done by conspirator in reference to common design 	<ul style="list-style-type: none"> • Section 120A of IPC, 1860 • Section 30 of IEA, 1860
6.	27	<ul style="list-style-type: none"> • How much of information received from accused, may be proved. 	<ul style="list-style-type: none"> • Section 162 of Cr.P.C., 1973
7.	33	<ul style="list-style-type: none"> • Relevancy of certain evidence for proving, in subsequent proceeding, the truth of facts therein stated 	<ul style="list-style-type: none"> • Section 299 of Cr.P.C., 1973
8.	36	<ul style="list-style-type: none"> • Relevancy of statements in maps, charts and plans 	<ul style="list-style-type: none"> • Section 83 of IEA, 1872

**50** ESSENTIAL DATES

Must Know For JUDICIARY Exams

Details
CRIMINAL LAWS

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Name of Act	Act No.	Date Of Assent	Date Of Enforcement
Code Of Criminal Procedure 1973	2 of 1973	25 th January 1974	1 st April 1974
Indecent Representation Of Women Act, 1986	60 of 1986	23 rd December 1986	2 nd October 1987
Indian Penal Code, 1860	45 of 1860	6 th October 1860	1 st January 1862
The Juvenile Justice Act, 2015	2 of 2015	31 st December 2015	15 th January 2016
Probation Of Offenders Act, 1958	20 of 1958	16 th May 1958	16 th May 1958
Protection Of Women From Domestic Violence Act, 2005	43 of 2005	13 th September 2005	26 th October 2006
The Protection Of Children From Sexual Offences Act, 2012	32 of 2012	19 th June 2012	14 th November 2012
The Sexual Harassment Of Women At Workplace Act, 2013	14 of 2013	22 nd April 2013	9 th December 2013

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Must Know For JUDICIARY Exams

Details
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Name of Act	Act No.	Date Of Assent	Date Of Enforcement
Hindu Adoptions And Maintenance Act, 1956	78 of 1956	21 st December, 1955	21 st December, 1956
The Hindu Marriage Act, 1955	25 of 1955	18 th May 1955	18 th May 1955
Hindu Minority and Guardianship Act, 1956	32 of 1956	25 th August 1956	25 th August 1956
Hindu Succession Act, 1956	30 of 1956	17 th June 1956	17 th June 1956
The Dissolution of Muslim Marriages Act, 1939	8 of 1939	17 th March 1939	17 th March 1939
The Muslim Women Act, 1986	25 of 1986	19 th May 1986	19 th May 1986
The Muslim Women Act, 2019	20 of 2019	31 st July 2019	19 th September 2018

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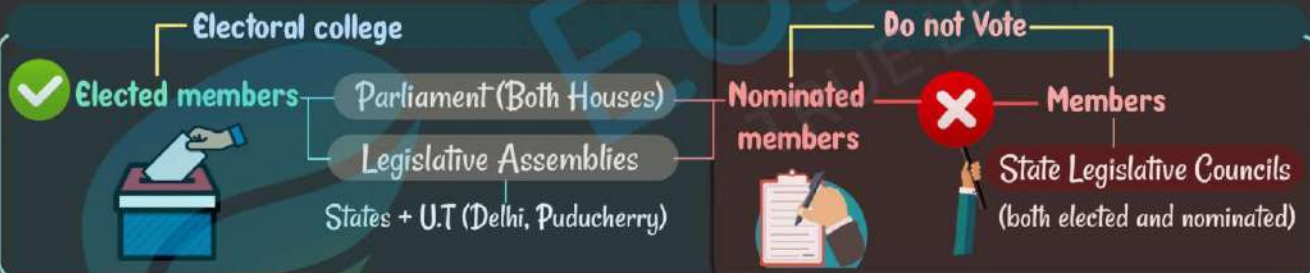
PART V Articles 52 to 78
Union executive



PRESIDENT



ELECTION - Not directly elected by the people



Constitution provides that: there shall be **uniformity** in the scale of representation of different states as well as **parity** between the states as a whole and the Union.

$$\frac{\text{Total population of State}}{\text{Total elected members in the State Legislative Assembly}} \times \frac{1}{1000}$$

M.L.A

Vote Value

M.P

$$\frac{\text{Total value of votes of all MLAs of all states}}{\text{Total elected members of Parliament}}$$



$$\text{Electoral Quota} = \frac{\text{Total number of valid votes polled}}{1+1} + 1$$



Qualifications

Citizen of India

- Completed 35 years of age
- Qualified for election of the Lok Sabha
- Not hold any office of profit (Union/state or local/public authority)



Oath

Administered by

- Chief Justice of India (Absence)
- Seniormost Judge (Supreme Court)



Conditions

Should not be a member

- Parliament/State Legislature
- Emoluments/Allowances/Previlages determined by Parliament
- Rastropathi Bhavan ✓



- Immune from criminal proceedings during his term of office
- No arrest or imprisonment

2 months after Notice

- Civil Proceedings can be instituted against him.





PRIME MINISTER



President

Nominal Executive Authority
(de jure executive)

Head of the State



Parliamentary system



PM

Real Executive Authority
(de facto executive)

Head of the Govt.



APPOINTMENT OF PRIME MINISTER

Conventions (Parliamentary system of govt.)

Article 75

PM shall be appointed
by the **President**



Leader of Majority party



If no party has Majority



Personal Discretion



Largest party or coalition

usually

• **Vote of Confidence** (within a month)



Constitution does not contain any specific procedure



1984

Indira Gandhi
(Assassinated in 1984)

President

Appointed

• **Rajiv Gandhi (PM)** (ignoring caretaker PM)

Later on, Congress elected him as leader

Death -Incumbent PM — Ruling party elects a new leader — **President** — appoint him as PM
(has no choice)

1980

Delhi HC

President

First appoint PM

• **Prove majority**

(within a reasonable period)

1997

Supreme Court



Person

can be appointed as PM

(Not a member of Parliament)

Member of either House of Parliament — should become
(otherwise, he ceases to be PM)

6 Months

Within 6 months



Constitutionally, PM may be a member of **any** of the two Houses of parliament.





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Local Laws



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Madhya Pradesh Land Revenue Code, 1959



Bare Act Simplification



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Rajasthan Rent Control Act, 2001



Bare Act Simplification



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Haryana Urban (Control of Rent & Eviction) Act, 1973



Bare Acts Simplification



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Haryana Urban (Control of Rent and Eviction) Act, 1973 (Haryana Act No. 11 of 1973)



Preamble:

An Act to Control the:



Increase of rent of buildings
and rented land situated
within urban areas

Eviction of tenants from such
building.



Reference: Haryana Urban (Control of Rent and Eviction) Act, 1973
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Section 1: Short title and extent:

- **Short title:** Haryana Urban (Control of Rent and Eviction) Act, 1973.
- **Extend:** Urban areas in Haryana.



Exemption from this Act: Nothing in the act shall apply to any:

- Cantonment area.
- Building, the construction of which is completed on or after the commencement of this Act:



Period of exemption: 10 years from the date of completion of construction.

Reference: Haryana Urban (Control of Rent and Eviction) Act, 1973

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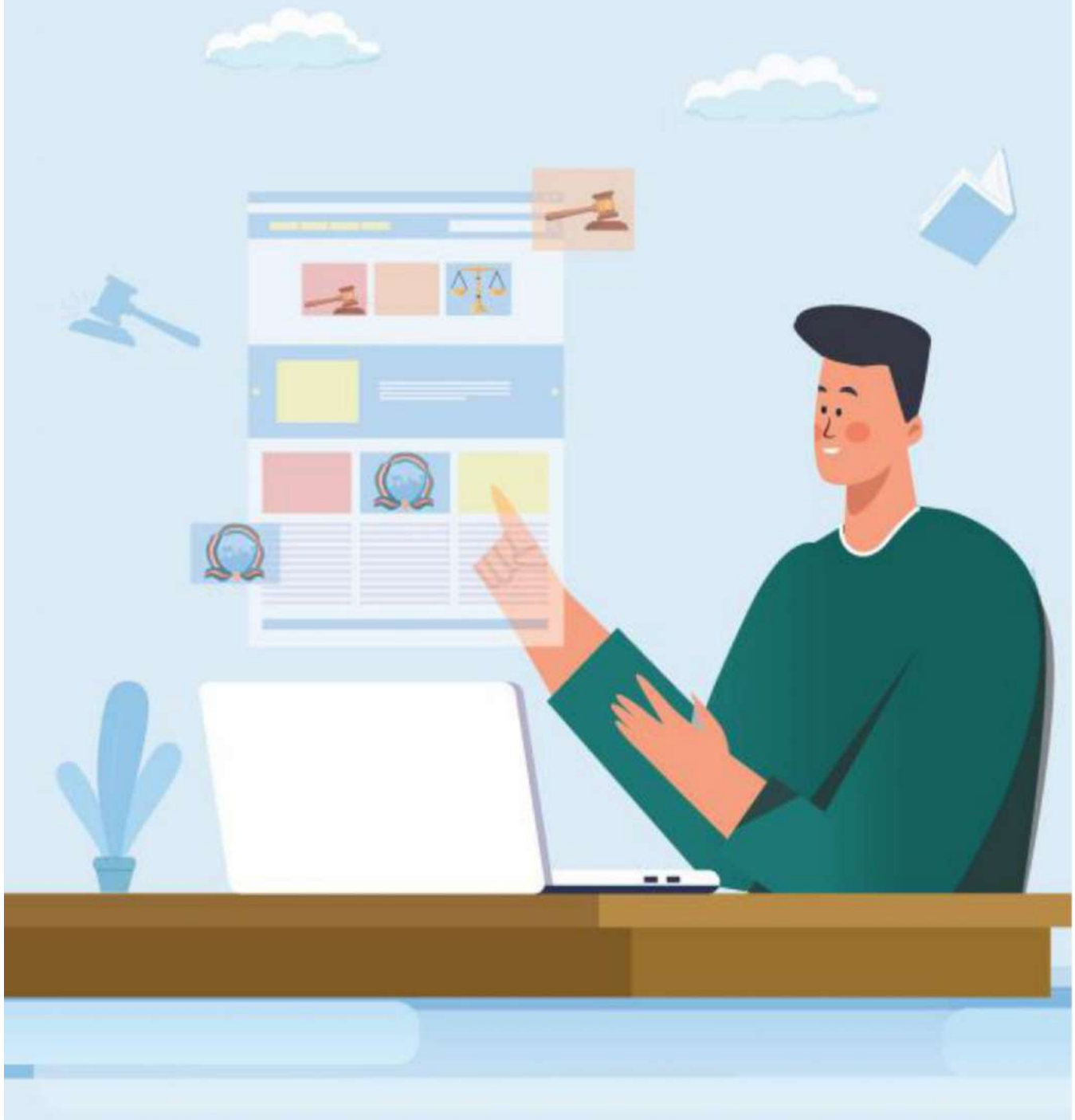


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Legal Pictionary



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Ab initio / प्रारम्भ से

From the start of something.
(This phrase is in Latin.)



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Bona fide / सदाशयी

Valid under or in compliance with the law





PYP Pointers

CrPC, CPC, IPC, IEA

☐

Order has been defined as a formal expression of any decision of a civil court which is not a decree.

☒

Pecuniary jurisdiction of the court has been dealt with.

☒

Principle of res-judicata is contained.

☒

Provides place of institution of suit in respect of immovable property, situated within the jurisdiction of different courts.

☒

A suit to set aside a decree on the ground of lack of territorial jurisdiction is barred.

☒

The rule of rateable distribution of the proceeds of execution sale amongst decree holders is contained.

☐

A suit is bad for non-joinder of a necessary party.

☐

A suit in representative capacity can be filed by a person.

☐

A person can be made a party in the suit either as a plaintiff or a defendant.

☐

A right to counter-claim has been provided.





Section 354 of IPC

**Assault in order to
outrage the modesty of
a woman is punishable.**





Section 51 of Cr PC

Police officer arresting a person may carry out the personal search of the person arrested.

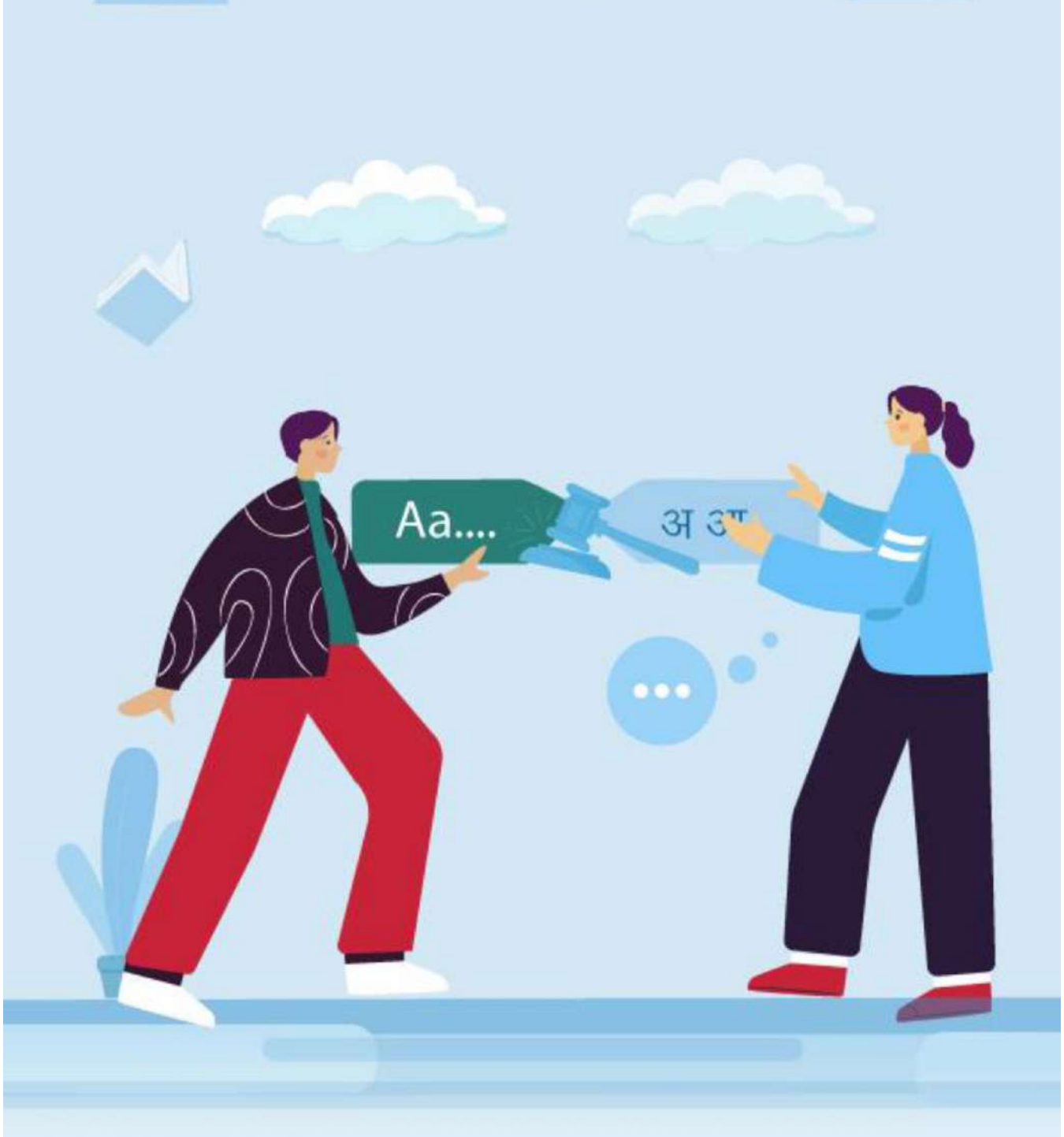


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Translation



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सब्दार्थ सूचि

List of Word Meanings

स्वतंत्रता, आजादी,
मुक्ति, स्वाधीनता

Freedom (independence, liberation, emancipation)

- स्वतंत्र आजाद मुक्त - Free (independent, liberated, emancipated)
- स्वतंत्र इच्छा - Free will
- स्वतंत्रता दिवस - freedom day, independence day
- स्वतंत्र और निष्पक्ष चुनाव - Free and impartial elections
- स्वतंत्रता सेनानी - Freedom fighter
- स्वतंत्रता संघर्ष - Freedom struggle
- निर्दलीय उम्मीदवार निर्दलीय प्रत्याशी - Independent candidate

स्वाधीन

Self-sufficient

मोक्ष

Salvation

मोचन

Redemption

- अमोचनीय - Irredeemable

छुटकारा छुड़ाना

To get rid off



भारत के संविधान से कुछ महत्वपूर्ण अंशों का अंग्रेजी अनुवाद The English Translation of some Important Parts of the Constitution Of India

संविधान

Constitution

- संविधानिक – Constitutional
- संविधानवाद -Constitutionalism

प्रस्तावना

Preamble

हम भारत के लोग, भारत को एक संपूर्ण प्रभुत्व संपन्न , समाजवादी पंथनिरपेक्ष

लोकतांत्रात्मक गणराज्य बनाने के लिए तथा उनके समस्त नागरिकों को:

सामाजिक, आर्थिक और

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;



Illustrations





INDIAN CONTRACT ACT, 1872

1. Section 4: Communication When Complete

Illustrations

- A proposes, by letter, to sell a house to B at a certain price.
 - The communication of the proposal is complete when B receives the letter.
- B accepts A's proposal by a letter sent by post.
 - The communication of the acceptance is complete,
 - As against A when the letter is posted;
 - As against B, when the letter is received by A.
- A revokes his proposal by telegram.
 - The revocation is complete as against A when the telegram is dispatched. It is complete as against B when B receives it.
 - B revokes his acceptance by telegram. B's revocation is complete as against B when the telegram is dispatched, and as against A.



2. Section 16: “Undue Influence”

Illustrations

- A having advanced money to his son, B, during his minority, upon B's coming of age obtains, by misuse of parental influence, a bond from B for a greater amount than the sum due in respect of the advance.
 - A employs undue influence.
- A, a man enfeebled by disease or age, is induced, by B's influence over him as his medical attendant, to agree to pay B an unreasonable sum for his professional services.
 - B employs undue influence.
- A, being in debt to B, the money-lender of his village, contracts a fresh loan on terms which appear to be unconscionable.
 - It lies on B to prove that the contract was not Induced by undue influence.



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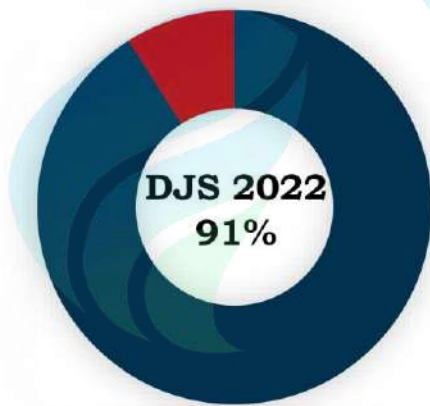
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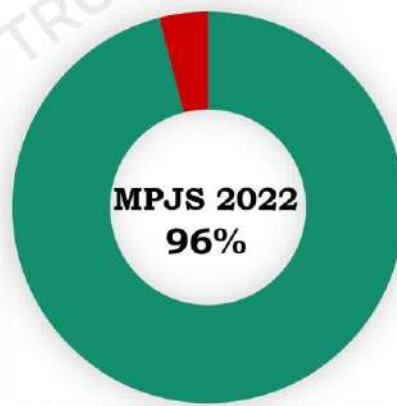
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*Padho Utna
Zarari Jitna!*



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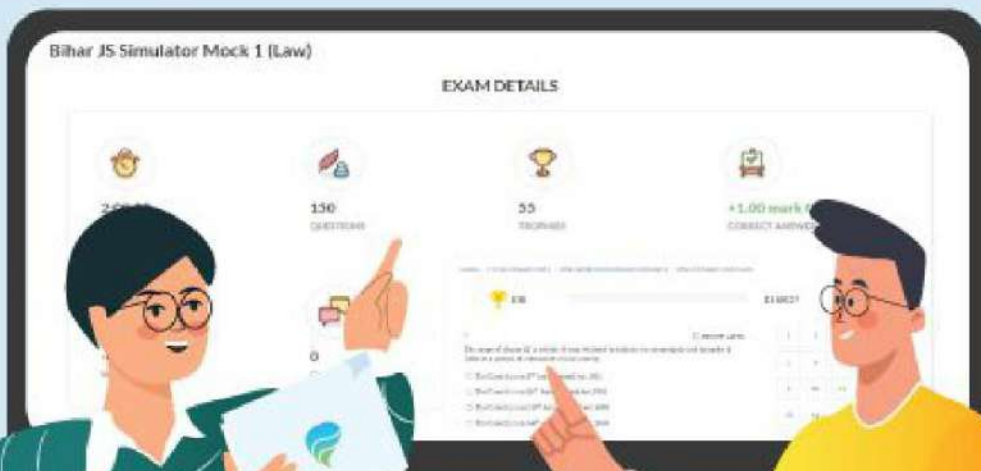


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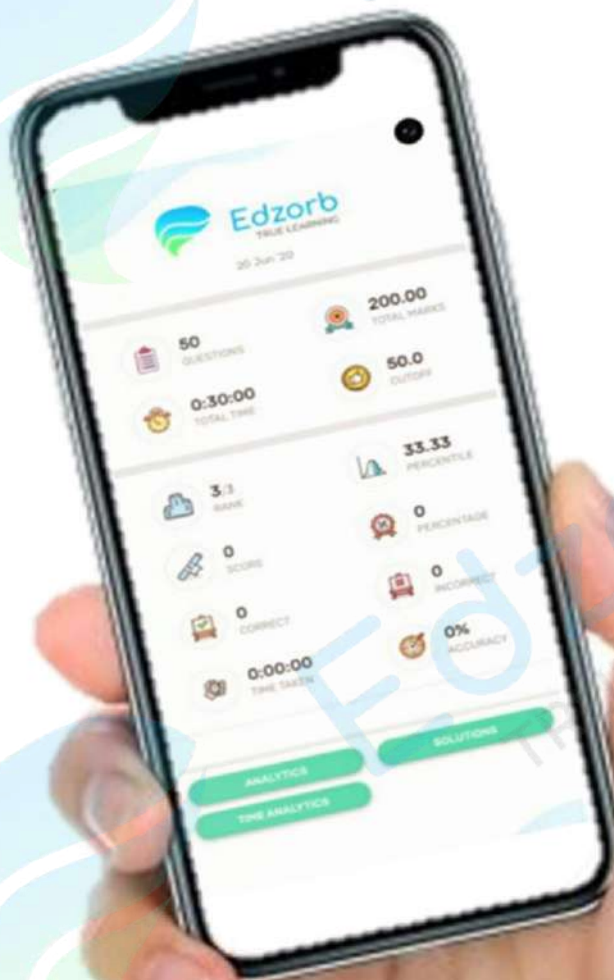
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MCQ, Single Correct Question

The period of limitation to recover possession from a tenant begins when:

- ☒ a Term of tenancy is expired.
- ☐ b Notice of termination issued.
- ☐ c Tenancy is made.
- ☐ d None of these.

Explanation

Article 67 of the Schedule I to the Limitation Act, 1963, prescribes a period of 12 years from the determination of tenancy for recovery of possession of an immovable property by a landlord from a tenant.

MCQ, Single Correct Question

"In certain situations common intention may develop suddenly on the spot and such common intention may be inferred from the facts and circumstances of the case and conduct of the accused." It was held in:

- ☒ a Rishi Deo Pandey vs. State of U.P.
- ☐ b Major Singh vs. State of Punjab
- ☐ c Mahboob Shah vs. Emperor
- ☐ d J.M. Desai vs. State of Bombay

Explanation

In Rishi Deo Pandey vs State of UP [AIR 1955 SC 331], Supreme Court held that common intention can develop on the spot also during the course of Commission of the offence.

MCQ, Single Correct Question

Chapter XVII of the IPC deals with what offences?

- ☒ a Against property
- ☐ b Against human body
- ☐ c Against women
- ☐ d None of the above

Explanation

Chapter XVII of the IPC (Sections 378 to section 462 i.e. Theft, Extortion, Robbery, Dacoity, Criminal Misappropriation of Property, Criminal Breach of Trust, Receiving Stolen Property, Cheating, Fraudulent Deeds and Disposition of Property, Mischief And Criminal Trespass) deals with offenses against property.

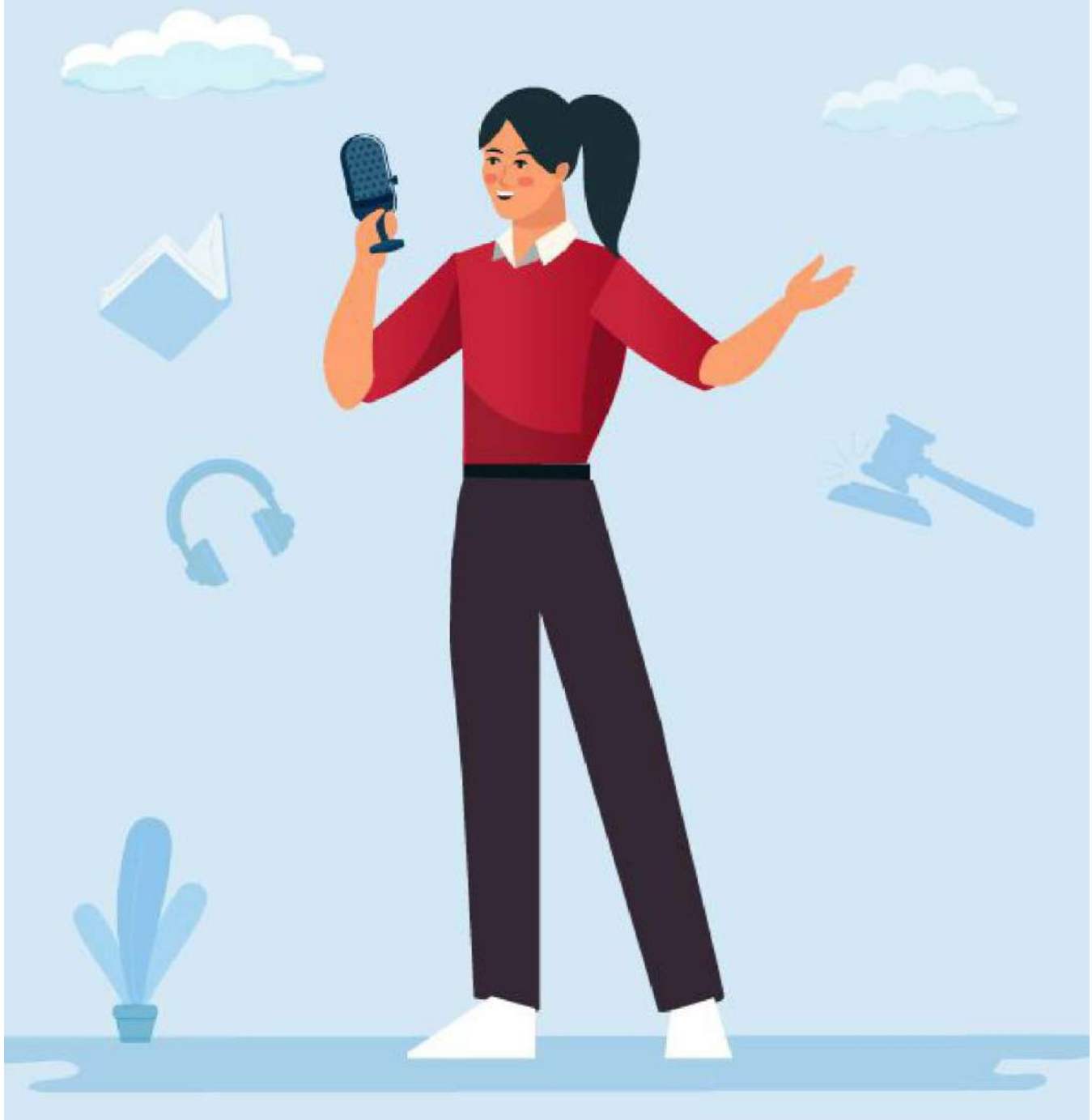


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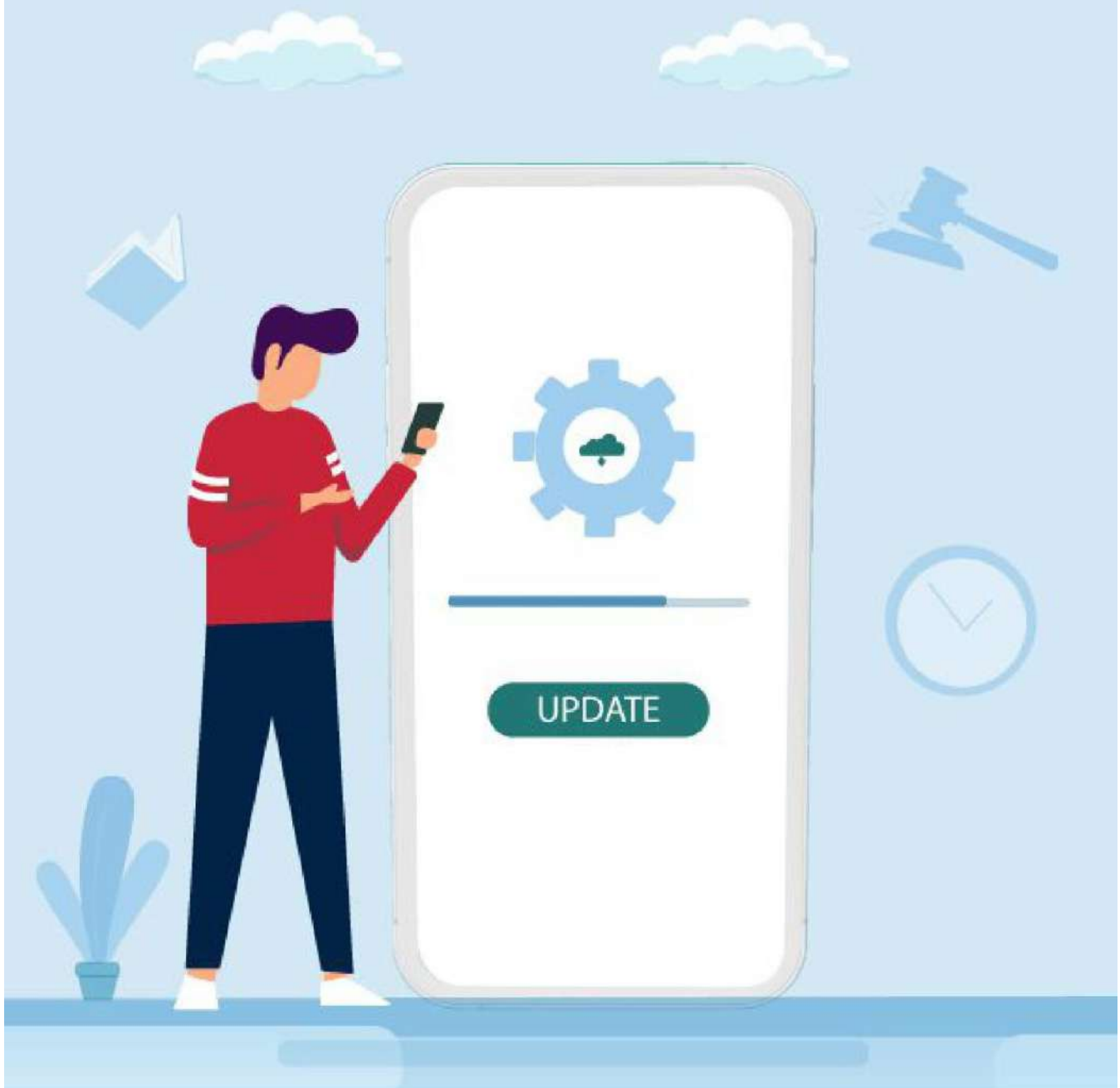


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Case Law Notes



MCQ Factory



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