

THE LAW OF EVIDENCE AMENDMENT ACT, 1956

ACT NO. XVIII OF 1956

[27th December, 1956]

An Act to supplement the Law of Evidence.

WHEREAS doubts exist as to the admissibility of the certified copies of the copies of common records;

AND WHEREAS it is necessary to remove such doubts;

It is hereby enacted as follows:-

1. (1) This Act may be called the Law of Evidence Amendment Act, 1956.

Short title,
extent and
commencement

(2) It extends to the whole of ¹[Bangladesh].

(3) It shall be deemed to have come into force on the 15th day of August, 1947.

(4) Notwithstanding anything contained in the Evidence Act, 1872, copies of common records of the divided districts of Bengal and Assam in the custody of a public officer, the originals whereof are either in West Bengal or Assam, shall be deemed to be public document within the meaning of clause (1) of section 74 of the Evidence Act, 1872 and other provisions of the said Act shall apply accordingly.

Copies of
common
records to be
public
documents

Explanation.- ‘Common records’ mean and include documents of public nature in the custody of a public officer immediately before the 15th day of August, 1947, relating to a district or part of a district, which has fallen partly in ²[the then East Pakistan (now Bangladesh)] and partly in India as a result of the award of the Boundary Commission appointed under section 3 of the Indian Independence Act, 1947.

¹ The word “Bangladesh” was substituted for the words “East Pakistan” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words and brackets “the then East Pakistan (now Bangladesh)” were substituted for the word “Pakistan” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).