

78. Proof of other official documents.— The following public documents may be proved as follows:—

(1) Acts, orders or notifications of ¹[the Central Government] in any of its departments, ²[or of the Crown Representative] or of any State Government or any department of any State Government, —

by the records of the departments, certified by the head of those departments respectively,

or by any document purporting to be printed by order of any such Government ³[or, as the case may be, of the Crown Representative];

(2) the proceedings of the Legislatures,—

by the journals of those bodies respectively, or by published Acts or abstracts, or by copies purporting to be printed ³[by order of the Government concerned];

(3) proclamations, orders or regulations issued by ⁴[Her Majesty] or by the Privy Council, or by any department of ⁴[Her Majesty's Government,—

by copies or extracts contained in the London Gazette, or purporting to be printed by the Queen's Printer;

(4) the Acts of the Executive or the proceedings of the Legislature of a foreign country, —

by journals published by their authority, or commonly received in that country as such, or by a copy certified under the seal of the country or sovereign, or by a recognition thereof in some ⁵[Central Act]:

(5) the proceedings of a municipal body in ⁶[a State], —

by a copy of such proceedings, certified by the legal keeper thereof, or by a printed book purporting to be published by the authority of such body;

(6) public documents of any other class in a foreign country, —

by the original, or by a copy certified by the legal keeper thereof, with a certificate under the seal of a Notary Public, or of ⁷[an Indian Consul] or diplomatic agent, that the copy is duly certified by the officer having the legal custody of the original, and upon proof of the character of the document according to the law of the foreign country.

PRESUMPTIONS AS TO DOCUMENTS

79. Presumption as to genuineness of certified copies. — The Court shall presume ⁸[to be genuine] every document purporting to be a certificate, certified copy or other document, which is by Law declared to be admissible as evidence of any particular fact, and which purports to be duly certified by any officer ⁹[of the Central Government or of a State Government, or by any officer ¹⁰[in the State of Jammu and Kashmir] who is duly authorized thereto by the Central Government]:

1. Subs. by the A.O. 1937, for "the Executive Government of British India".

2. Ins. *ibid.*

3. Subs. *ibid.*, for "by order of Government."

4. The words "her Majesty" shall stand unmodified, *vide* the A.O. 1950.

5. Subs. by the A.O. 1937, for "public Act of the Governor General of India in Council".

6. Subs. by the A.O. 1950, for "a Province".

7. Subs. by *ibid.*, for "a British Consul".

8. Ins. by the A.O. 1948.

9. The original words beginning from "in British India" and ending with the words "to be genuine" have been successively amended by the A.O. 1937, the A.O. 1948 and the A.O. 1950 to read as above.

10. Subs. by Act 3 of 1951, s. 3 and the Schedule, for "in a Part B State".