

EXCLUSIVE

ALL INDIA JUDICIARY

**नारको और पॉलीग्राफी
टेस्ट क्या होता है ?**

**Narco Test &
Constitution of India**

Anoop Upadhyay Sir



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नार्को टेस्ट

Narco



Greek word (यूनानी शब्द) → 'नार्को' से लिया गया है।

known as Anesthesia in English

Meaning (अर्थ) बेहोश होना या उदासीनता होता है।

Narco Test की शुरुआत सर्वप्रथम वर्ष 1922 में हुई थी।



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America - टेक्सास

प्रसुति रोग विशेषज्ञ (obstetrician) - रॉबर्ट हाउस

रॉबर्ट हाउस ने 2 कैदियों के परीक्षण के लिए नशीली दवाओं का प्रयोग किया था। (Robert House used drugs to test 2 inmates.)

यह टेस्ट झूठ का पता लगाने के लिए किया जाता है। (This test is done to detect lies.)



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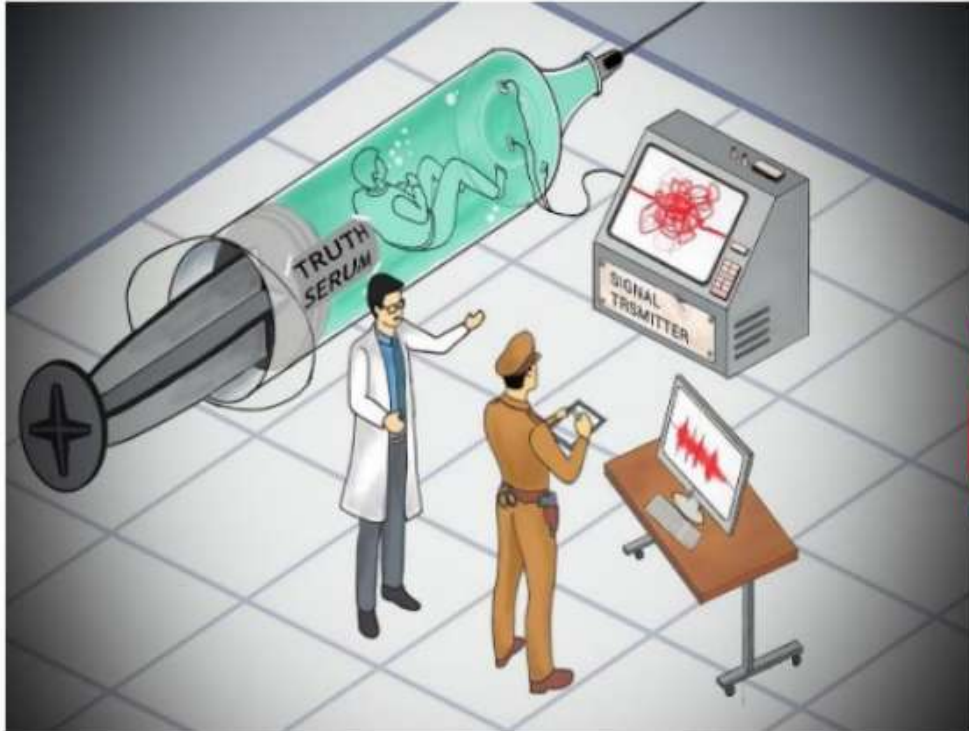
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इस Test में अपराधी या किसी व्यक्ति को Truth drug दवा दी जाती है (Truth drug is given to a criminal or a person in this test.)

↓
यह साइको एक्टिव दवा है (It is a psychoactive drug)

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इस टेस्ट में Sodium Pentothal या Sodium Amytal का injection लगाया जाता है।

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प्रभाव →

- ✓ 1. व्यक्ति को हल्की-हल्की बेहोशी के हालत में आ जाता है। (The person comes in a state of slight unconsciousness.)
- ✓ 2. तार्किक शक्ति कम हो जाती है। (Reasoning power decreases.)

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3. धीरे - धीरे अटक कर बोलता है। (Speaks slowly stuttering.)



4. सोचने-समझने की क्षमता में कमी (cognitive decline)

इस प्रकार प्रभाव की वजह से व्यक्ति के सच बोलने की संभावना बढ़ जाती है।

Only questions related to case is asked.

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- * टेस्ट कौन करता है?
- 1) फॉरेंसिक Expert
 - 2) जाँच अधिकारी
- ↓
in the presence of
Doctor या
मनोवैज्ञानिक



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* क्या व्यक्ति का Narco test लिया जा सकता है या नहीं?

↓
Narco test लेने से पहले उस व्यक्ति के fitness को check करने के लिए व्यक्ति के शरीर का परिक्षण किया जाता है -

- ✓ बीमार
- ✓ अधिक आयु
- ✓ दिमागी स्थिति
- ✓ सेहत

↓
यदि fit नहीं है तो Narco Test नहीं किया जा सकता।

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Medicine

- ✓ • Overdose → Narco Test fail

Due to overdose व्यक्ति कोमा में जा सकता है या उसकी मौत भी हो सकती है।

✓ यह test एक थर्ड डिग्री' के विकल्प के रूप में देखा जाता है।

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- CBI जैसी जाँच एन्जेंसिया ही ऐसा test करती है।
- Test → विविदास्पद हैं → Not 100% Accurate result.

Evidence

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- Test के लिए व्यक्ति की सहमति होनी जरूरी है।
- ✓ Court Permission → should be taken.

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Polygraph Test

Machining

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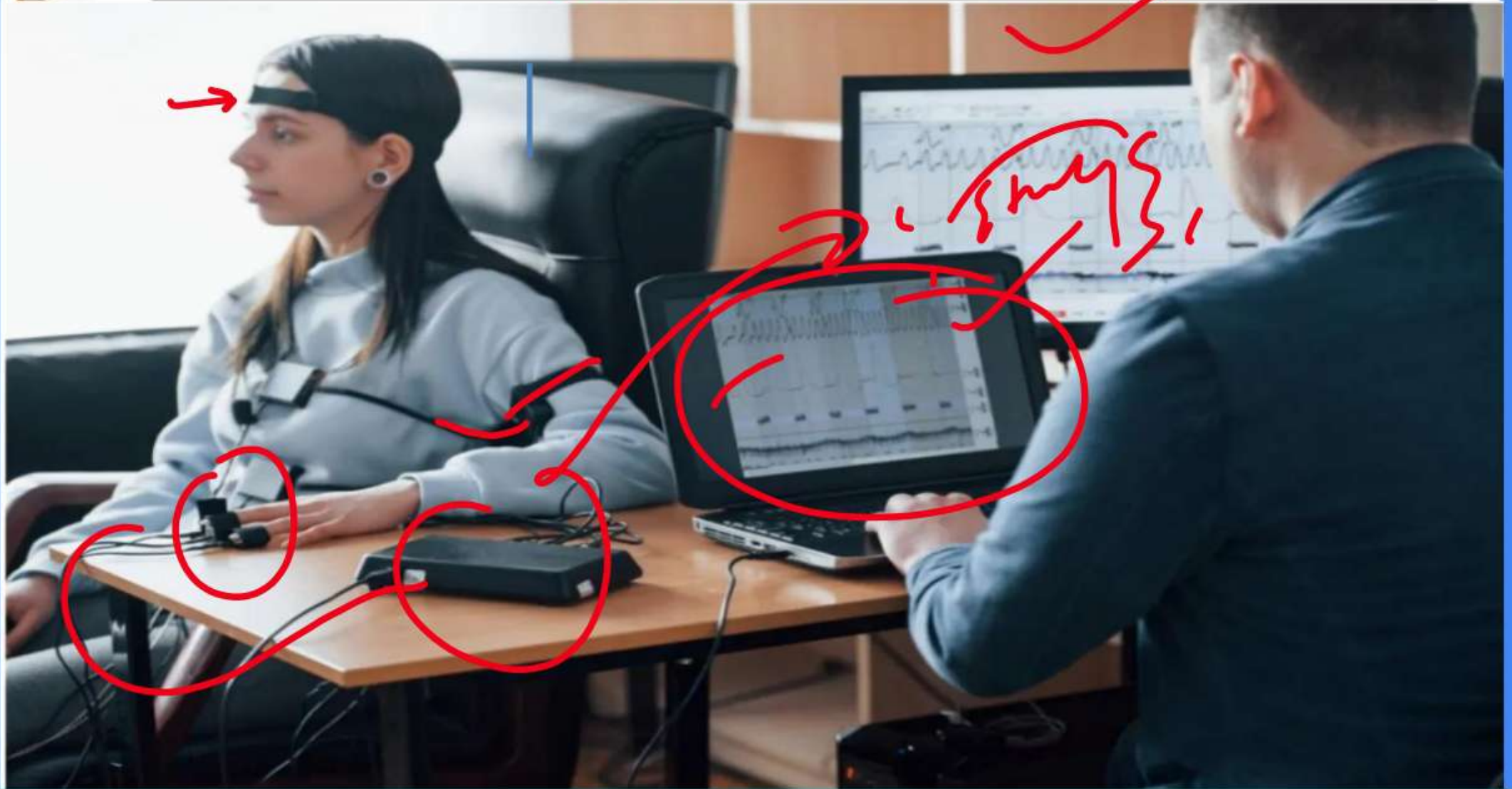


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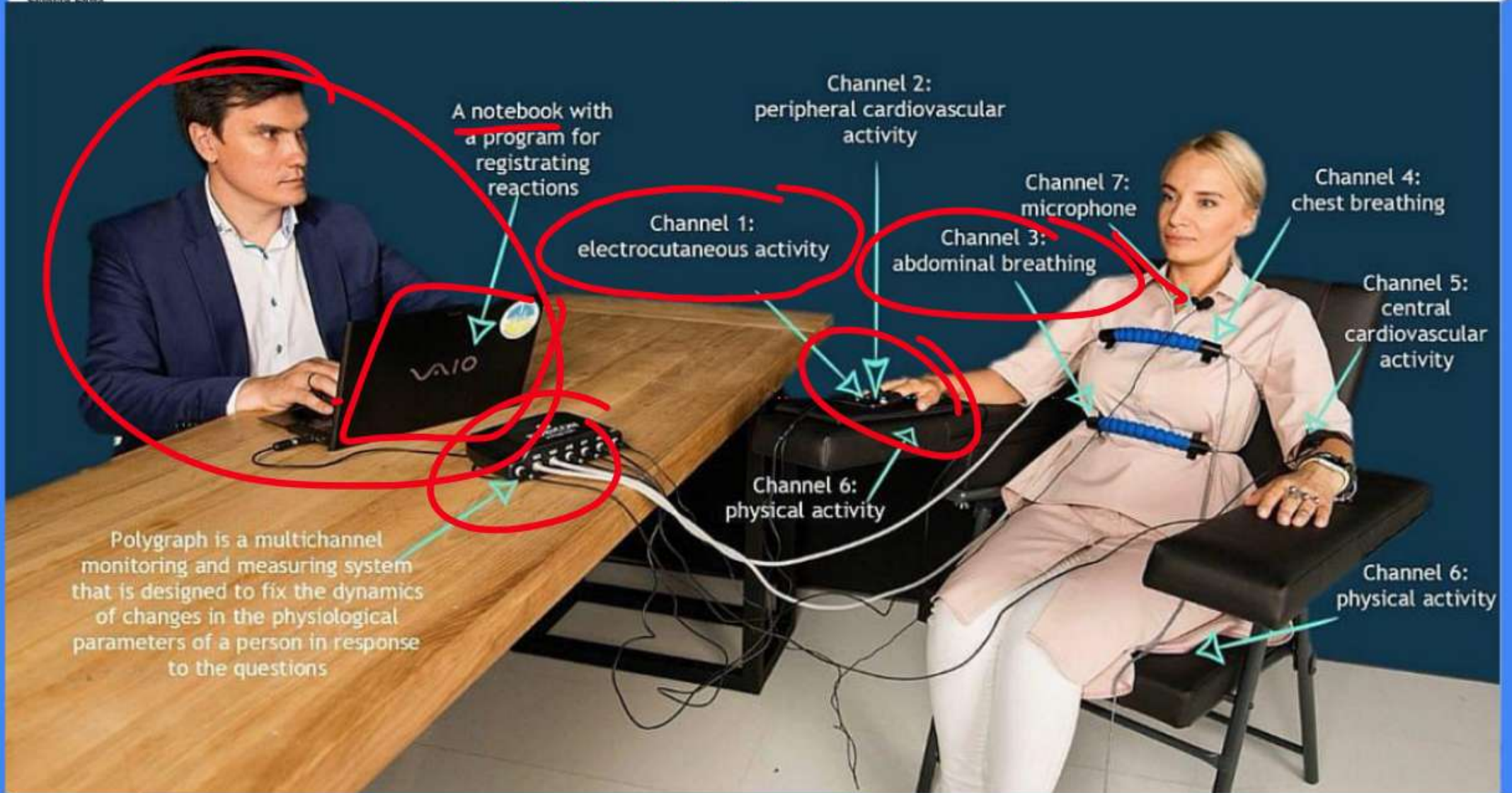
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Polygraph Test

↓
पहला Test → 19 वीं सदी में
हुआ था।



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यह Test इतालवी क्रिमिनोलॉजिस्ट सेसारे लॉंब्रोसो द्वारा किया गया था।



इस Test में व्यक्ति के Blood Pressure में होने वाले बदलावों observe किया जाता है।



इसमें एक Machine का इस्तेमाल होता है।



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P3

Machine को व्यक्ति से connect करके उससे सवाल पूछे जाते हैं और उसके शरीर में बदलावों को देखा जाता है -

- Heart Rate
- Blood Pressure
- दिमाग के सिग्नल



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इसमें होने वाले परिवर्तन यदि व्यक्ति गलत जवाब देता है तो उसके दिमाग से एक P300 (P3) signal निकलता है।

→ Blood Pressure

→ heart Rate

change



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These signal and changes are stored in computer

Signals की जाँच की जाती है।

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- Polygraphy test की अनुमति निम्न case में दि जाती है-
1. sexually abused
 2. false witness
 3. वकील के अनुरोध पर



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Difference	
Narco test	Polygraph test
1) आरोपी से सच बोलवाने के लिए Narco test किया जाता है	1) इसमें केवल झूठ को पकड़ा जा सकता है लेकिन सच नहीं बुलवाया जा सकता।
2) इसमें Medicine inject किया जाता है।	2) इसमें कोई Medicine inject नहीं किया जाता है।
3) It is known as Truth serum	3) Polygraph means झूठ पकड़ने का यंत्र लाई डिटेक्टर Test है।
4) आरोपी hypnotic state (कृत्रिम निद्रा) की स्थिति में चला जाता है।	4) शारीरिक प्रतिक्रिया <ul style="list-style-type: none"> → हाव भाव → Blood Pressure → Pulse Rate / heart Rate → शरीर से जो पसीना निकलता है → हाथ पैर की हलचल

observed

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Article 20(1) → EX POST facto law
(2) → Double Jeopardy
20(3) → Self incrimination
Article - 21 → Right to Privacy



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Constitution of India

संविधान Article 20 (3) - किसी अपराध के लिये संदिग्ध किसी व्यक्ति को स्वयं के विरुद्ध गवाह बनने के लिये मजबूर नहीं किया जा सकता है।

Article 20(3) - No person suspected of an offense can be compelled to be a witness against himself.)

यह गवाह बनने की विवशता के विरुद्ध संरक्षण प्रदान करता है।

It provides protection against compulsion to be a witness.

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'सेल्वी बनाम कर्नाटक राज्य' (Selvi v. State of Karnataka') 2010

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X **A three-member bench of the Supreme Court had said in its decision that no lie detector test can be conducted without the consent of the accused.)**

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जो लोग स्वैच्छिक रूप से इस प्रकार के परीक्षण का विकल्प चुनते हैं, उन्हें उनके वकील से मिलने की इजाज़त होनी चाहिये और वकील तथा पुलिस प्रशासन द्वारा उस व्यक्ति को इस प्रकार के परीक्षण के सभी शारीरिक, भावनात्मक और कानूनी निहितार्थ के बारे समझाया जाना चाहिये।

Those who voluntarily opt for such test should be allowed to meet their lawyer and all the physical, emotional and legal implications of such test should be explained to the person by the lawyer and police administration.

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☞ सर्वोच्च न्यायालय 'लाई डिटेक्टर टेस्ट के प्रशासन संबंधी दिशा-निर्देशों' का सख्ती से पालन करने को कहा था।

The Supreme Court had asked to strictly follow the 'Guidelines for the Administration of the Lie Detector Test'.

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- ☞ राष्ट्रीय मानवाधिकार आयोग द्वारा वर्ष 2000 में प्रकाशित 'लाई डिटेक्टर टेस्ट के प्रशासन संबंधी दिशा-निर्देशों' के अनुसार,

The Supreme Court had asked to strictly follow the 'Guidelines for Administration of Lie Detector Test'. According to the 'Guidelines for Administration of Lie Detector Test' published by the National Human Rights Commission in the year 2000,)

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अभियुक्तों की सहमति के बिना कोई लाई डिटेक्टर टेस्ट नहीं कराया जाना चाहिये।

No lie detector test should be conducted without the consent of the accused.

अभियुक्त को वकील तक पहुँच प्रदान की जानी चाहिये
The accused should be given access to a lawyer

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✓ और पुलिस तथा वकील का दायित्व है - परीक्षण के शारीरिक, भावनात्मक और कानूनी जानकारी दे।
And it is the duty of the police and the lawyer to give the physical, emotional and legal details of the trial.

✓ अभियुक्तों की सहमति- न्यायिक मजिस्ट्रेट के समक्ष दर्ज की जानी चाहिये।
Consent of the accused - to be recorded before the Judicial Magistrate.

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लाई डिटेक्टर टेस्ट को किसी स्वतंत्र एजेंसी (जैसे अस्पताल) द्वारा की जानी चाहिये।

The lie detector test must be administered by an independent agency (such as a hospital).

CBT

प्रश्न

Q.

अभियुक्त के अतिरिक्त अन्य लोगों का परीक्षण

trial of persons other than the accused

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Right
to Privacy

A. 21
Article

जैसे- गवाहों, पीड़ितों और परिवार वालों आदि तक विस्तृत कर दिया था।

For example, it was extended to witnesses, victims and family members etc.

पीड़िता को जबरन परीक्षण का सामना करने के लिये मजबूर नहीं किया जा सकता है, क्योंकि यह मानसिक गोपनीयता (Mental Privacy) में अनुचित हस्तक्षेप होगा।

The victim cannot be compelled to undergo trial by force, as it would be an unwarranted interference in her mental privacy.

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Major Laws
(288 hours*)



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Major & Few Local Laws
(300+ hours*)



Anoop Upadhyay
Minor & Few Local Laws
(200+ hours*)



Surya Prakash Sharma
GK & GS
(100 hours*)



Prabhakar Prasad Shukla
Hindi
(48 hours*)

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*The session count is tentative and subject to change, based on the Educator's availability and schedule.



Tansukh Paliwal
Local Laws
(40+ Hours)



Anoop Upadhyay
Major & Minor Laws
(100+ Hours)



Sonu Kumar
Major Laws
(100+ Hours)



Surya Prakash Sharma
Current Affairs, GK & GS
(90+ Hours)



Siddharth Dubey
Minor Laws
(40+ Hours)

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Judiciary Platform offering	Free	Plus	Iconic
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Current Affairs Test Series	✓ Yes	✓ Yes	✓ Yes
Case Law Test Series	✗ No	✓ Yes	✓ Yes
Judiciary Mains Test Series	✗ No	✓ Yes	✓ Yes
PYQs	✗ No	✓ Yes	✓ Yes
Judgement Writing Test Series	✗ No	✗ No	✓ Yes
Local Laws Test Series	✗ No	✗ No	✓ Yes
Full Length Mock Test For Mains Preparation	✗ No	✗ No	✓ Yes

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- For Iconic Tests, mentor evaluation will be shared with the Learner if the Iconic Test is submitted within 7 days of the test launch
- Plus Learners will receive evaluation for Mains Test Series if the test is attempted within 24 hours of the launch

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Maheshkumar Nodhare

Rank 8



Prahladkumar
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Rank 11



Mayuri Rakesh Jain

Rank 12



Pankti Pradipkumar
Soni

Rank 13



Kirti Sharma

RANK 16



Sipra Sayal

RANK 37



Divyakant
Vishnuprasad Pandya

Rank 54



Kausharbanu
Aidalkhan Pathan

*This list also includes Mock Interview Aspirants.

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Rank 40  Aditya Jain	Rank 43  Prince Garg	Rank 46  Nirika Bansal	Rank 48  Paarinder singh	Rank 49  Rashmeet Kaur	Rank 52  Aashima Garg	Rank 54  Shivkumar	Rank 60  Shristi Lamba	Rank 75  Priyank Goyal	

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RJS (RANK-46)	RJS (RANK-56)	RJS (RANK-63)	RJS (RANK-66)	RJS (RANK-74)	RJS (RANK-75)	RJS (RANK-78)	RJS (RANK-88)	RJS (RANK-97)	RJS (RANK-105)	RJS (RANK-112)	RJS (RANK-119)
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MPCJ	MPCJ	MPCJ	MPCJ	MPCJ	MPCJ	BJS	HCS(JB) RANK-5	HCS(JB) RANK-6	HCS(JB) RANK-16	HCS(JB) RANK-18	HCS(JB) RANK-36
Akanksha Gupta	Utkarsh Jain	Trapti Jain	Kundan Kachhwahe	Sanjeet Chaurasia	Amber Shrivastava	Kumari Preeti	Paras Chaudhary	Jodinder Jangra	Arunima Chauhan	Ritiz Arora	Jasmeet Kaur
GJS (RANK-1)	GJS (RANK-7)	GJS (RANK-8)	GJS (RANK-11)	GJS (RANK-12)	GJS (RANK-13)	GJS (RANK-16)	GJS (RANK-37)	GJS (RANK-54)	HCS(JB) RANK-43	HCS(JB) RANK-50	HCS(JB) RANK-73
Aditya Rajeshbhai Gar	Meghaben	Prahlad kumar	Mayuri Jain	Pankti Soni	Kirti Sharma	Shipra Sayal	Divyakant Pandya	Kaushar Banu	Prince Garg	Jaspreet Kaur	Saru Goyal

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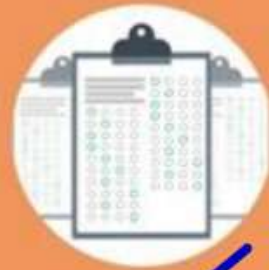
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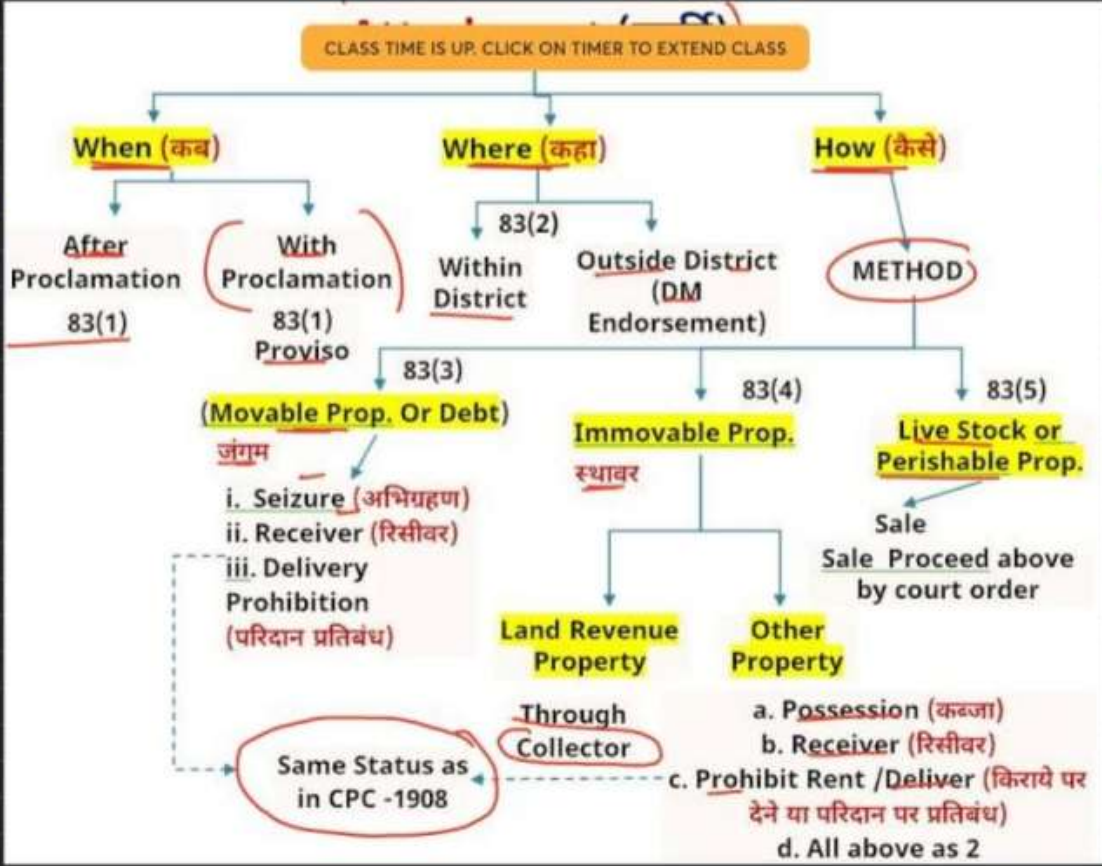


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Vishal Sir babut sari class cross ho Rahi hai 8:03 PM

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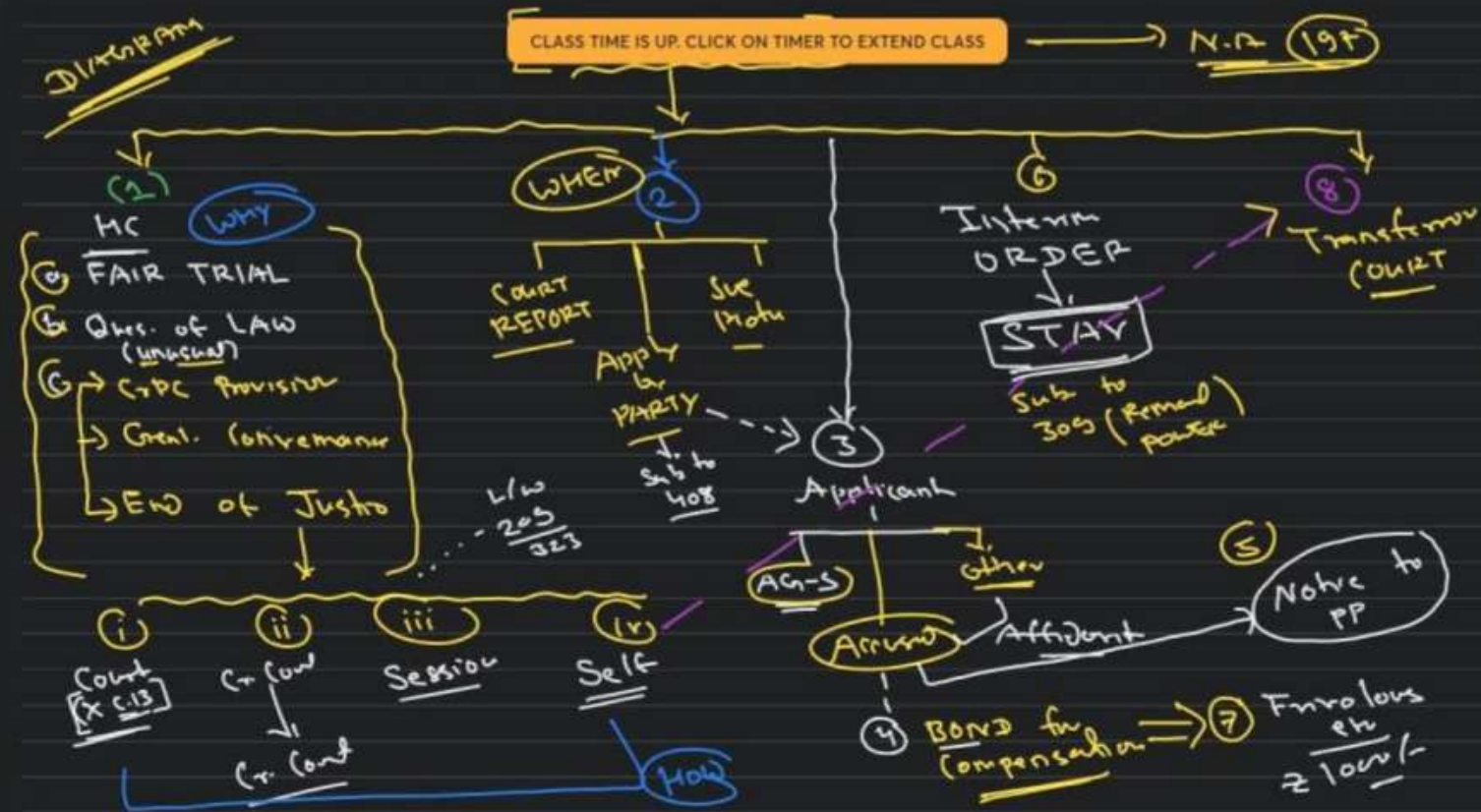
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sir sub sec 8 mein matter transfer hoke session se hi aayega/

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