

WORKSHOP ON NEGOTIABLE INSTRUMENTS ACT, 1881 [P- 1190]

22nd to 24th November 2019

Programme Schedule

Programme Coordinator: Paiker Nasir, Faculty, National Judicial Academy

Day 1 22 nd November, 2019 Friday	SESSION 1 09:30 am - 11 :00 am History and Evolution of Negotiable Instruments Law <u>Proposed Scope of Discussion</u> - Meaning of Negotiable Instruments - Types & Features of Negotiable Instruments - Difference between various Negotiable Instruments <i>Justice A.M. Sapre</i> <i>Justice A.M. Thipsay</i>	T E A	SESSION 2 11:30 am - 01:00 pm Contemporary Developments <u>Proposed Scope of Discussion</u> - Criminalization of Default under NI Act - Key features of the Negotiable Instruments (Amendment) Act, 2018: Sections 143A and 148 - Interplay between the amended Sections and Section 421 of the Code of Criminal Procedure, 1973 <i>Justice A.M. Sapre</i> <i>Justice A.M. Thipsay</i>	L U N C H	SESSION 3 02:00 pm - 03:30 pm Nature of Offence under Section 138 <u>Proposed Scope of Discussion</u> - Important ingredients of the offence under Section 138 - Conditions precedent for constituting an offence under S. 138 - Summoning Procedure: Scope of inquiry & Service of Summons/Notice <i>Justice A.M. Thipsay</i> <i>Prof. S.P. Shrivastava</i>	T E A
Day 2 23 rd November 2019 Saturday	SESSION 4 10:00 am - 11 :30 am Nuances of Trial under Section 138 <u>Proposed Scope of Discussion</u> - Compounding of offence - Debt or other liability - Service of Notice - Sentence <i>Justice Sanjeev Sachdeva</i> <i>Justice R. Basant</i>	B R E A K	SESSION 5 12:00 pm - 01:30 pm Presumption under Section 118 and 139 of the Act <u>Proposed Scope of Discussion</u> - Mens rea not required for constituting an offence under S. 138 - Execution of cheque once admitted creates presumption - Case of a blank cheque - Case of a fiduciary relationship between complainant and accused - Rebutting the presumption - Complainant to prove financial capacity if disputed by accused <i>Justice Sanjeev Sachdeva</i> <i>Justice R. Basant</i> <i>Justice G.Y. Ganoo</i>	B R E A K	SESSION 6 02:30 pm - 04:00 pm Offence by Companies and Vicarious Liability of officers of the Company <u>Proposed Scope of Discussion</u> - Case against the Directors - Impleading the Company as accused necessary - Necessary averments in complaint to put vicarious liability - Case of a Managing Director and signatory of a cheque <i>Justice Sanjeev Sachdeva</i> <i>Justice R. Basant</i> <i>Justice G.Y. Ganoo</i>	B R E A K

