



THE NEGOTIABLE INSTRUMENTS ACT, 1881



CONTENTS

SECTIONS:

CHAPTER I PRELIMINARY

1. Short title.
Local extent.
Saving of usages relating to hundis, etc.
Commencement.
- 1A. Application of the Act.
2. [Repealed.]
3. Interpretation-clause.

CHAPTER II OF NOTES, BILLS AND CHEQUES

4. "Promissory note."
5. "Bill of exchange."
6. "Cheque."
7. "Drawer".
"Drawee."
"Drawee in case of need."
"Acceptor."
"Acceptor for honour."
"Payee."
8. "Holder."
9. "Holder in due course."
10. "Payment in due course."
11. Inland instrument.
12. Foreign instrument.
13. "Negotiable instrument."
14. Negotiation.
15. Indorsement.
16. Indorsement "in blank" and "in full".
"Indorsee."
17. Ambiguous instruments.
18. Where amount is stated differently in figures and words.

19. Instruments payable on demand.
20. Inchoate stamped instruments.
21. "At sight. "
"On presentment. "
"After sight."
- 21A. When note or bill payable on demand is overdue.
- 21B. A note or bill payable at a determinable future time.
- 21C. Anti-dating and post-dating.
22. "Maturity."
Days of grace.
23. Calculating maturity of bill or note payable so many months after date or sight.
24. Calculating maturity of bill or note payable so many days after date or sight.
25. When day of maturity is a holiday.

CHAPTER III PARTIES TO NOTES, BILL AND CHEQUES

26. Capacity to make, etc., promissory notes, etc.
Minor.
27. Agency.
- 27A. Authority of partners.
28. Liability of agent signing.
- 28A. Transferor by delivery and transferee.
29. Liability of legal representative signing.
- 29A. Signature essential to liability.
- 29B. Forged or un-authorized signature.
- 29C. Stranger signing instrument presumed to be indorser.
30. Liability of drawer.
31. Liability of drawee of cheque.
32. Liability of maker of note and acceptor of bill.
33. Only drawee can be acceptor except in need or for honour.
34. Acceptance by several drawees not partners.
35. Liability of indorser.
36. Liability of prior parties to holder in due course.
37. Maker, drawer and acceptor principals.
38. Prior party a principal in respect of each subsequent party.
- 38A. Liability of accommodation party and position of accommodation party.
39. Suretyship.
40. Discharge of indorser's liability.
41. Acceptor bound although indorsement forged.
42. Acceptance of bill drawn in fictitious name.
43. Negotiable instrument made, etc., without consideration.
44. Partial absence or failure of money-consideration.
45. Partial failure of consideration not consisting of money.
- 45A. Holder's right to duplicate of lost bill.

**CHAPTER IV
OF NEGOTIATION**

- 46. Delivery.
- 47. Negotiation by delivery.
- 48. Negotiation by indorsement.
- 49. Conversion of indorsement in blank into indorsement in full.
- 50. Effect of indorsement.
- 51. Who may negotiate.
- 52. Indorser who excludes his own liability or makes it conditional.
- 53. Holder claiming through holder in due course.
- 53A. Rights of holder in due course.
- 54. Instrument indorsed in blank.
- 55. Conversion of indorsement in blank into indorsement in full.
- 56. Requisites of indorsement.
- 57. Legal representative cannot by delivery only negotiate instrument indorsed by deceased.
- 57A. Negotiation of instrument to party already liable thereon.
- 57B. Rights of holder.
- 58. Defective title.
- 59. Instrument acquired after dishonour or when overdue.
Accommodation note or bill.
- 60. Instrument negotiable till payment or satisfaction.

**CHAPTER V
OF PRESENTMENT**

- 61. Presentment for acceptance.
- 62. Presentment of promissory note for sight.
- 63. Drawee's time for deliberation.
- 64. Presentment for payment.
- 65. Hours for presentment.
- 66. Presentment for payment of instrument payable after date or sight.
- 67. Presentment for payment of promissory note payable by instalments.
- 68. Presentment for payment of instrument payable at specified place and not elsewhere.
- 69. Instrument payable at specified place.
- 70. Presentment where no exclusive place specified.
- 71. Presentment when maker, etc., has no known place of business or residence.
- 71A. What constitutes valid presentment and mode of presentment.
- 72. Presentment of cheque to charge drawer.
- 73. Presentment of cheque to charge any other person.
- 74. Presentment of instrument payable on demand.
- 75. Presentment by or to agent, representative of deceased, or assignee of insolvent.
- 75A. Excuse for delay in presentment for acceptance or payment.
- 76. When presentment unnecessary.

77. Liability of banker for negligently dealing with bill presented for payment.

**CHAPTER VI
OF PAYMENT AND INTEREST**

78. To whom payment should be made.
79. Interest or return in any other form when rate specified or not specified.
80. Interest when no rate specified.
81. Delivery of instrument on payment, or indemnity in case of loss.

**CHAPTER VII
OF DISCHARGE FROM LIABILITY ON NOTES, BILLS AND
CHEQUES**

82. Discharge from liability.
(a) by cancellation;
(b) by release;
(c) by payment.
83. Discharge by allowing drawee more than forty-eight hours to accept.
84. When cheque not duly presented and drawer damaged thereby.
85. Cheque payable to order.
85A. Drafts drawn by one branch of a bank on another payable to order.
86. Parties not consenting discharged by qualified or limited acceptance.
87. Effect of material alteration.
Alteration by indorsee.
88. Acceptor or indorser bound notwithstanding previous alteration.
89. Payment of instrument on which alteration is not apparent.
90. Extinguishment of rights of action on bill in acceptor's hands.

**CHAPTER VIII
OF NOTICE OF DISHONOUR**

91. Dishonour by non-acceptance.
92. Dishonour by non-payment.
93. By and to whom notice should be given.
94. Mode in which notice may be given.
95. Party receiving must transmit notice of dishonour.
96. Agent for presentment.
97. When party to whom notice given is dead.
98. When notice of dishonour is unnecessary.

**CHAPTER IX
OF NOTING AND PROTEST**

99. Noting.
100. Protest.
Protest for better security.
101. Contents of protest.
102. Notice of protest.
103. Protest for non-payment after dishonour by non-acceptance.
104. Protest of foreign bills.
104A. When noting equivalent to protest.

**CHAPTER X
OF REASONABLE TIME**

- 105. Reasonable time.
- 106. Reasonable time of giving notice of dishonour.
- 107. Reasonable time for transmitting such notice.

**CHAPTER XI
OF ACCEPTANCE AND PAYMENT FOR HONOUR AND REFERENCE
IN CASE OF NEED**

- 108. Acceptance for honour.
- 109. How acceptance for honour must be made.
- 110. Acceptance not specifying for whose honour it is made.
- 111. Liability of acceptor for honour.
- 112. When acceptor for honour may be charged.
- 113. Payment for honour.
- 114. Right of payer for honour.
- 115. Drawee in case of need.
- 116. Acceptance and payment without protest.

**CHAPTER XII
OF COMPENSATION**

- 117. Rules as to compensation.

**CHAPTER XIII
SPECIAL RULES OF EVIDENCE**

- 118. Presumptions as to negotiable instruments-
 - (a) of consideration;
 - (b) as to date;
 - (c) as to time of acceptance;
 - (d) as to time of transfer;
 - (e) as to order of indorsements;
 - (f) as to stamp;
 - (g) that holder is a holder in due course.
- 119. Presumption on proof of protest.
- 120. Estoppel against denying original validity of instrument.
- 121. Estoppel against denying capacity of payee to indorse.
- 122. Estoppel against denying signature or capacity of prior party.

**CHAPTER XIV
SPECIAL PROVISIONS RELATING TO CHEQUES**

- 122A. Revocation of Banker's authority.
- 123. Cheque crossed generally.
- 123 A. Cheque crossed "account payee".
- 124. Cheque crossed specially.
- 125. Crossing after issue.
- 125A. Crossing a material part of a cheque.
- 126. Payment of cheque crossed generally.
Payment of cheque crossed specially.
- 127. Payment of cheque crossed specially more than once.
- 128. Payment in due course of crossed cheque.
- 129. Payment of crossed cheque out of due course.
- 130. Cheque bearing "not negotiable".