



**MEGHALAYA STATE JUDICIAL ACADEMY**  
is organising  
**2 days Online Workshop on Negotiable Instruments Act, 1881**

For Grade II & III Judicial Officers

**Programme Schedule**

Day 1  6 <sup>th</sup> August, 2021 Friday	<p style="text-align: center;"><b>Session I</b> <b><u>01:30 pm - 02:30 pm</u></b></p> <p>➤ <b>History and evolution of Negotiable Instruments Law</b></p> <p style="text-align: center;"><u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Meaning of Negotiable Instruments</li> <li>• Types &amp; Features of Negotiable Instruments</li> <li>• Difference between various Negotiable Instruments</li> </ul> <p style="text-align: right;"><i>By Smti C.Dkhar, Director, MSJA</i></p>	<p style="text-align: center;"><b>Session II</b> <b><u>03:00 pm - 04:00 pm</u></b></p> <p>➤ <b>Contemporary Developments</b></p> <p style="text-align: center;"><u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Criminalization of Default under NI Act</li> <li>• Key Features of the Negotiable Instruments (Amendment) Act, 2018: Sections 143 A and 148</li> <li>• Interplay between the amended Sections and Section 421 of the Code of Criminal Procedure, 1973</li> </ul> <p style="text-align: right;"><i>By Shri F. S Sangma, MHJS</i></p>
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<b>Day 2</b>  <b>7<sup>th</sup></b> <b>August</b> <b>2021</b> <b>Saturday</b>	<p style="text-align: center;"><b>Session III</b>  <b><u>09:30 am - 11:00 am</u></b></p> <p><b>I- Presumption under Ss. 118 &amp; 139</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Mensrea not required for constituting an offence under S. 138</li> <li>• Execution of Cheque once admitted creates presumption</li> <li>• Case of a blank cheque</li> <li>• Case of a fiduciary relationship between complainant and accused</li> <li>• Presumption under S. 139 NI Act and its rebuttal</li> <li>• Complainant to prove financial capacity if disputed by accused</li> </ul> <p><b>II- Offence by Companies and Vicarious Liability of Officers of the Company</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Case against the Directors</li> <li>• Impleading the Company as accused necessary</li> <li>• Necessary averments in complaint to put vicarious liability</li> </ul> <p>Case of a Managing Director and Signatory of a cheque</p> <p style="text-align: right;"><b>By Shri Noor Ain Khan, MHJS</b></p>	<p style="text-align: center;"><b>Session IV</b>  <b><u>11:30 am - 01:00 pm</u></b></p> <p><b>I- Nature of Offence under Section 138</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Important ingredients of the offence under S. 138</li> <li>• Conditions precedent for constituting an offence under Section 138</li> <li>• Summoning Procedure: Scope of inquiry &amp; Service of Summons/Notice</li> </ul> <p><b>II- Nuances of Trial under Section 138</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Compounding of offence</li> <li>• Debt or other liability</li> <li>• Service of Notice</li> <li>• Punishment and Sentencing.</li> </ul> <p style="text-align: right;"><b>By Smti KML. Nongbri, MHJS</b></p>	<p style="text-align: center;"><b>Session V</b>  <b><u>02:00 pm - 03:30 pm</u></b></p> <p><b>I- Jurisdictional Development under S. 138</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Position Before &amp; After " K. Bhaskaran" Case</li> <li>• <i>Dashrath Rupsingh Rathod vs. State of Maharashtra.</i></li> <li>• New Dimension to Law - <i>M/s Brindgstone India Pvt Ltd. vs. Inderpal Singh</i></li> </ul> <p><b>II- Techniques and Tools for Timely Disposal of Cases under the Act</b>  <u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> <li>• Jurisdiction on Speedy trial related to NI Act</li> <li>• Premature Filing of complaints</li> <li>• Condonation of delay in filing complaints</li> </ul> <p style="text-align: right;"><b>By Shri Balram Joshi, MHJS</b></p>
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