

OFFICE OF THE  
DISTRICT & SESSIONS JUDGE  
UNAKOTI JUDICIAL DISTRICT  
K A I L A S H A H A R.

NO.G.F.III-DJ/U/2014-15/ 6259-273 /

Dated, Kailashahar,  
The 4 th December, 2015.

To

1. The Addl. District & Sessions Judge,  
Kailashahar/Kamalpur, Unakoti Judicial District.
2. The Civil Judge (Sr. Division) & Asstt. Sessions Judge,  
Kailashahar, Unakoti Judicial District.
3. The Chief Judicial Magistrate-cum-Civil Judge (Sr. Division)  
Unakoti Judicial District, Kailashahar.
4. The District Secretary, District Legal Services Authority,  
Kailashahar, Unakoti Tripura
5. The Sub-Divisional Judicial Magistrate-Cum-Civil Judge (Jr. Division),  
Kamalpur/Longtharai Valley/Gandacharra,  
Unakoti Judicial District.
6. The Civil Judge (Jr. Division)- cum- Judicial Magistrate 1<sup>st</sup> Class,  
Kailashahar/ Kamalpur, Unakoti Judicial District.
7. The Judicial Magistrate 1<sup>st</sup> Class-Cum-Civil Judge(Jr. Division)  
(Court No. 1 & 2), Kailashahar, North Tripura Judicial District.


**Subject:-** Circulation of a copy of the Gazette Notification of the Negotiable Instruments  
(Amendment) Second Ordinance, 2015.

Sir,

With reference to the subject cited above, I am directed to circulate herewith a copy of the Gazette Notification of the Negotiable Instruments (Amendment) Second Ordinance, 2015, promulgated by the Hon'ble President of India for information.

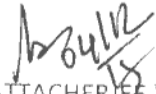
Yours faithfully,

Enclosed: As stated above.  
3 (three) Sheets.

  
( S. BHATTACHERJEE )  
CIVIL JUDGE (SR.DIV) &  
ASSTT.SSESSIONS JUDGE,  
KAILASHAHAR,  
UNAKOTI JUDICIAL DISTRICT.  
( HEAD OF OFFICE )

Copy to :-

1. The Private Secretary to District & Sessions Judge, Unakoti Judicial District, Kailashahar.
- ✓ 2. The System Officer, Computer Section of the District & Sessions Judge Court, Unakoti Judicial District, Kailashahar. He is requested to upload this circular letter in the website of the District & Sessions Judge's Court.
3. The Library Section of the District & Sessions Judge's Court, Unakoti Judicial District, Kailashahar for information and doing the needful.

  
( S. BHATTACHERJEE )  
CIVIL JUDGE (SR.DIV) &  
ASSTT.SSESSIONS JUDGE,  
KAILASHAHAR,  
UNAKOTI JUDICIAL DISTRICT.  
( HEAD OF OFFICE )

**BY HAND/SPEED POST**



**HIGH COURT OF TRIPURA  
AGARTALA**

No.F.22(20)-HC/2015/23236-40

From: **G. Debnath,**  
Registrar (Vigilance)

To

**The District & Sessions Judge,**  
Unakoti Judicial District, Kailashahar/  
West Tripura Judicial District, Agartala/  
South Tripura Judicial District, Belonia/  
North Tripura Judicial District, Dharmanagar/  
Gomati Judicial District, Udaipur.

Dated, Agartala, the 25<sup>th</sup> November, 2015.

**Sub:** Circulation of a copy of the Gazette Notification of the  
Negotiable Instruments (Amendment) Second Ordinance, 2015.

**Sir,**

With reference to the subject cited above and being directed by the Hon'ble Chief Justice, High Court of Tripura, I am sending herewith a copy of the Gazette Notification of the Negotiable Instruments (Amendment) Second Ordinance, 2015, promulgated by the Hon'ble President of India, with a request to circulate the same amongst all the Judicial Officers under your respective Judgeship for their information.

Yours faithfully,

**Enclosed:** As stated above.

(G. Debnath)

Registrar (Vigilance)  
High Court of Tripura



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 34] नई दिल्ली, मंगलवार, सितम्बर 22, 2015/ भाद्र 31, 1937 (शक)  
No. 34] NEW DELHI, TUESDAY, SEPTEMBER 22, 2015/BHADRA 31, 1937 (SAKA)

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 22nd September, 2015/Bhadra 31, 1937 (Saka)

THE NEGOTIABLE INSTRUMENTS (AMENDMENT)

SECOND ORDINANCE, 2015

No. 7 OF 2015

Promulgated by the President in the Sixty-sixth Year of the Republic of India.

An Ordinance further to amend the Negotiable Instruments Act, 1881.

WHEREAS the Negotiable Instruments (Amendment) Ordinance, 2015 was promulgated by the President on the 15<sup>th</sup> day of June, 2015;

AND WHEREAS the Negotiable Instruments (Amendment) Bill, 2015 to replace the Negotiable Instruments (Amendment) Ordinance, 2015 has been passed by the House of the People and is pending in the Council of States;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Negotiable Instruments (Amendment) Second Ordinance, 2015.

(2) It shall be deemed to have come into force on the 15<sup>th</sup> day of June, 2015.

2. In the Negotiable Instruments Act, 1881 (hereinafter referred to as the principal Act), in section 6,—

(i) in *Explanation I*, for clause (a), the following clause shall be substituted, namely:-

(a) "a cheque in the electronic form" means a cheque drawn in electronic form by using any computer resource and signed in a secure system with digital signature (with or without biometrics signature) and asymmetric crypto system or with electronic signature, as the case may be;

(ii) after *Explanation II*, the following *Explanation* shall be inserted; namely:—

*Explanation III.*— For the purposes of this section, the expressions "asymmetric crypto system", "computer resource", "digital signature", "electronic form" and "electronic signature" shall have the same meanings respectively assigned to them in the Information Technology Act, 2000.

3. In the principal Act, section 142 shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

Promulgation of  
Ordinance

Amendment of  
section 6

Amendment of  
section 142

26 of 1881

21 of 2000

"(2) The offence under section 138 shall be inquired into and tried only by a court within whose local jurisdiction,—

- (a) if the cheque is delivered for collection through an account, the branch of the bank where the payee or holder in due course, as the case may be, maintains the account, is situated; or  
 (b) if the cheque is presented for payment by the payee or holder in due course otherwise through an account, the branch of the drawee bank where the drawer maintains the account, is situated.

*Explanation.*—For the purposes of clause (a), where a cheque is delivered for collection at any branch of the bank of the payee or holder in due course, then, the cheque shall be deemed to have been delivered to the branch of the bank in which the payee or holder in due course, as the case may be, maintains the account."

4. In the principal Act, after section 142, the following section shall be inserted, namely:—

Insertion of new section

Validation for transfer of pending cases

"142A. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 or any judgment, decree, order or directions of any court, all cases transferred to the court having jurisdiction under sub-section (2) of section 142, as amended by the Negotiable Instruments (Amendment) Ordinance, 2015, shall be deemed to have been transferred under this Ordinance, as if that sub-section had been in force at all material times.

2 of 1974

6 of 2015

(2) Notwithstanding anything contained in sub-section (2) of section 142 or sub-section (1), where the payee or the holder in due course, as the case may be, has filed a complaint against the drawer of a cheque in the court having jurisdiction under sub-section (2) of section 142 or the case has been transferred to that court under sub-section (1), and such complaint is pending in that court, all subsequent

15(1e1)

THE GAZETTE OF INDIA EXTRAORDINARY — [PART II— SEC. 1]

complaints arising out of section 138 against the same drawer shall be filed before the same court irrespective of whether those cheques were delivered for collection or presented for payment within the territorial jurisdiction of that court.

(3) If, on the date of the commencement of this Ordinance, more than one prosecution filed by the same payee or holder in due course, as the case may be, against the same drawer of cheques is pending before different courts, upon the said fact having been brought to the notice of the court, such court shall transfer the case to the court having jurisdiction under sub-section (2) of section 142, as amended by the Negotiable Instruments (Amendment) Ordinance, 2015, before which the first case was filed and is pending, as if that sub-section had been in force at all material times. —Ord. 6 of 2015

PRANAB MUKHERJEE,  
*President.*

DR. SANJAY SINGH,  
*Secy. to the Government of India.*