NEGOTIABLE INSTRUMENTS ACT PROFESSIONAL CORPUS - BATCH 02

Chapter V - Of Presentment

Track the correct person, place, mode and time of presentment, exceptions and bank handling evidence.

Source review: 2026-07-18 | Act 26 of 1881 | Authors: CA Nikhil Gupta - Kajri Singh

Source status: The complete section architecture is mapped to India Code and the operational layer includes identified RBI cheque/CTS directions. India Code does not list standalone central Rules or Act-specific circulars in its repository tables. The official Act/Gazette, binding judgments and current RBI directions prevail. Exact local line-by-line statutory text is not claimed until source-hash certification is complete.

Dedicated Finin2min Summary - Chapter in 2 Minutes

- Track the correct person, place, mode and time of presentment, exceptions and bank handling evidence.
- Primary control: presentment gate.
- Present to the correct person/place within time and retain bank/notarial evidence.
- Apply the exact current section text, amendment history and transaction evidence together.
- Do not confuse a negotiable instrument remedy with automatic proof of the underlying transaction.

Section-by-section provision map

Provision / control	Subject	Legal effect / rule	Implementation	Evidence
Section 61	Presentment for acceptance.	Section 61 regulates	Record person, place, time, mode, instrument condition	Keep presentation acknowledgement,

Provision / control	Subject	Legal effect / rule	Implementation	Evidence
		presentment for acceptance.	and any statutory excuse.	bank/notarial record and timeline.
Section 62	Presentment of promissory note for sight.	Section 62 regulates presentment of promissory note for sight.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 63	Drawee time for deliberation.	Section 63 addresses drawee time for deliberation.	Identify trigger, parties, conditions, exceptions, consequence and linked sections before execution.	Keep the current source, instrument, authority, commercial records, notices and outcome evidence.
Section 64	Presentment for payment.	Section 64 regulates presentment for payment.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 65	Hours for presentment.	Section 65 regulates hours for presentment.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 66	Presentment for payment of instrument payable after date or sight.	Section 66 regulates presentment for payment of instrument payable after date or sight.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 67	Presentment for payment of promissory note payable by instalments.	Section 67 regulates presentment for payment of promissory note payable by instalments.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.

Provision / control	Subject	Legal effect / rule	Implementation	Evidence
Section 68	Presentment for payment of instrument payable at specified place and not elsewhere.	Section 68 regulates presentment for payment of instrument payable at specified place and not elsewhere.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 69	Instrument payable at specified place.	Section 69 addresses instrument payable at specified place.	Identify trigger, parties, conditions, exceptions, consequence and linked sections before execution.	Keep the current source, instrument, authority, commercial records, notices and outcome evidence.
Section 70	Presentment where no exclusive place specified.	Section 70 regulates presentment where no exclusive place specified.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 71	Presentment when maker, etc., has no known place of business or residence.	Section 71 regulates presentment when maker, etc., has no known place of business or residence.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 72	Presentment of cheque to charge drawer.	Section 72 regulates presentment of cheque to charge drawer.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 73	Presentment of cheque to charge any other person.	Section 73 regulates presentment of cheque to charge any other person.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 74				

Provision / control	Subject	Legal effect / rule	Implementation	Evidence
	Presentment of instrument payable on demand.	Section 74 regulates presentment of instrument payable on demand.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 75	Presentment by or to agent, representative of deceased, or assignee of insolvent.	Section 75 regulates presentment by or to agent, representative of deceased, or assignee of insolvent.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 75A	Excuse for delay in presentment for acceptance or payment.	Section 75A regulates excuse for delay in presentment for acceptance or payment.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 76	When presentment unnecessary.	Section 76 regulates when presentment unnecessary.	Record person, place, time, mode, instrument condition and any statutory excuse.	Keep presentation acknowledgement, bank/notarial record and timeline.
Section 77	Liability of banker for negligently dealing with bill presented for payment.	Section 77 allocates or releases liability concerning liability of banker for negligently dealing with bill presented for payment.	Map every party, capacity, signature, notice, consent, payment and loss before concluding exposure.	Keep instrument, authority, consideration, notices, releases and payment records.

Finin2min clause-by-clause decode

Section 61 - Presentment for acceptance.

Decode: Section 61 regulates presentment for acceptance.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 62 - Presentment of promissory note for sight.

Decode: Section 62 regulates presentment of promissory note for sight.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 63 - Drawee time for deliberation.

Decode: Section 63 addresses drawee time for deliberation.

Implementation: Identify trigger, parties, conditions, exceptions, consequence and linked sections before execution.

Evidence: Keep the current source, instrument, authority, commercial records, notices and outcome evidence.

Section 64 - Presentment for payment.

Decode: Section 64 regulates presentment for payment.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 65 - Hours for presentment.

Decode: Section 65 regulates hours for presentment.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 66 - Presentment for payment of instrument payable after date or sight.

Decode: Section 66 regulates presentment for payment of instrument payable after date or sight.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 67 - Presentment for payment of promissory note payable by instalments.

Decode: Section 67 regulates presentment for payment of promissory note payable by instalments.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 68 - Presentment for payment of instrument payable at specified place and not elsewhere.

Decode: Section 68 regulates presentment for payment of instrument payable at specified place and not elsewhere.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 69 - Instrument payable at specified place.

Decode: Section 69 addresses instrument payable at specified place.

Implementation: Identify trigger, parties, conditions, exceptions, consequence and linked sections before execution.

Evidence: Keep the current source, instrument, authority, commercial records, notices and outcome evidence.

Section 70 - Presentment where no exclusive place specified.

Decode: Section 70 regulates presentment where no exclusive place specified.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 71 - Presentment when maker, etc., has no known place of business or residence.

Decode: Section 71 regulates presentment when maker, etc., has no known place of business or residence.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 72 - Presentment of cheque to charge drawer.

Decode: Section 72 regulates presentment of cheque to charge drawer.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 73 - Presentment of cheque to charge any other person.

Decode: Section 73 regulates presentment of cheque to charge any other person.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 74 - Presentment of instrument payable on demand.

Decode: Section 74 regulates presentment of instrument payable on demand.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 75 - Presentment by or to agent, representative of deceased, or assignee of insolvent.

Decode: Section 75 regulates presentment by or to agent, representative of deceased, or assignee of insolvent.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 75A - Excuse for delay in presentment for acceptance or payment.

Decode: Section 75A regulates excuse for delay in presentment for acceptance or payment.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

Section 76 - When presentment unnecessary.

Decode: Section 76 regulates when presentment unnecessary.

Implementation: Record person, place, time, mode, instrument condition and any statutory excuse.

Evidence: Keep presentation acknowledgement, bank/notarial record and timeline.

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

Decode: Section 77 allocates or releases liability concerning liability of banker for negligently dealing with bill presented for payment.

Implementation: Map every party, capacity, signature, notice, consent, payment and loss before concluding exposure.

Evidence: Keep instrument, authority, consideration, notices, releases and payment records.

Finin2min implementation explanation

Use a presentment gate. Present to the correct person/place within time and retain bank/notarial evidence. Assign an owner, due date, reviewer, source version and exception approver. No step is complete merely because a cheque exists.

Practical examples and calculations

Section 61 illustration

Example control: before relying on section 61, prepare a one-page fact matrix for presentment for acceptance, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Section 62 illustration

Example control: before relying on section 62, prepare a one-page fact matrix for presentment of promissory note for sight, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Section 63 illustration

Example control: before relying on section 63, prepare a one-page fact matrix for drawee time for deliberation, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Section 64 illustration

Example control: before relying on section 64, prepare a one-page fact matrix for presentment for payment, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Section 65 illustration

Example control: before relying on section 65, prepare a one-page fact matrix for hours for presentment, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Section 66 illustration

Example control: before relying on section 66, prepare a one-page fact matrix for presentment for payment of instrument payable after date or sight, identify the document and date that proves each condition, and quantify principal, interest, fees or loss only from source records.

Practical transaction application

At transaction inception, document the underlying obligation, consideration, invoice/delivery/acceptance, payment terms, instrument purpose, signatory mandate, crossing, custody and alternative payment/return consequences. Reconcile books, GST/tax records and bank entries.

Authority, consent and execution controls

For a company/LLP/firm, verify board/partner authority, bank mandate, delegated limits, specimen signatures, signing capacity and complaint/settlement authority. Avoid ambiguous signatures and preserve appointment/resignation dates.

Stamp duty and registration alerts

Promissory notes and bills may attract the Indian Stamp Act and applicable State/territorial stamp framework. Cheque, agreement, guarantee, settlement and security documents can have distinct treatment. Verify current place of execution, instrument character, rate, timing and admissibility consequences before signing.

Evidence and document-retention checklist

- Current official Act and amendment source
- Original instrument / bank image and custody log
- Underlying contract, invoice, delivery and acceptance
- Authority, mandate and signatory records
- Consideration, ledger, bank and tax/GST reconciliation
- Presentation proof and bank return memo
- Notice, dispatch, tracking, service and response
- Interest, part-payment, credit-note and loss calculation
- Settlement, compounding and court orders
- Electronic record export, metadata and certification
- Case-law/limitation/jurisdiction research note
- Exception, mitigation and closure log

Use a legal-hold folder with immutable scans, originals register, metadata/export logs, bank-certified records, emails, delivery/acceptance, notices, service proofs, court filings and source-version records. Define retention beyond ordinary finance policy while litigation or limitation remains open.

Performance, delivery and payment controls

Link payment obligation to objective delivery/acceptance milestones. Record disputed quantity/quality, credit notes, set-off, part payment, interest and extension. Do not issue replacement cheques without cancelling and accounting for the earlier instrument.

Breach, loss, mitigation and remedy framework

Stop continuing loss, preserve evidence, verify the legally enforceable amount, issue contract/statutory notice, offer cure where appropriate, mitigate, quantify recoverable loss and select civil, criminal, insolvency or negotiated remedies without double recovery.

Limitation and forum controls

Maintain separate clocks for instrument maturity/presentation, notice, payment window, complaint, civil recovery, arbitration and appeal. Confirm territorial and subject-matter jurisdiction, filing authority, court holiday rules, service and condonation.

Arbitration and mediation interface

Arbitration/mediation can resolve the underlying commercial dispute and settlement terms, but cannot privately override mandatory criminal-court procedure. Coordinate compounding/withdrawal/disposal orders and default consequences.

Company, partnership, GST and tax overlays

Company/LLP law governs authority and officer responsibility; partnership law affects firm/partner exposure; GST and income-tax records help evidence supply, consideration and write-offs; IBC may alter recovery/proceeding strategy; FEMA applies to cross-border instruments; accounting standards govern recognition and impairment.

Finin2min Q&A

Does possession of a cheque alone prove the entire claim?

No. Statutory presumptions may assist, but the transaction, authority, amount, presentation, notice and other conditions should be evidenced.

Can a contract arbitration clause eliminate section 138 procedure?

No. It may govern the underlying civil dispute, while statutory criminal-court and compounding procedure continues to require proper handling.

Should altered cheques be manually corrected?

Ordinarily use a fresh instrument and preserve the cancelled instrument; CTS and material-alteration controls make overwriting high risk.

What is the first control after a cheque is returned?

Obtain and verify the bank memo, freeze the timeline, preserve the underlying debt file and assign notice/ settlement/litigation owners.

How should entity liability be assessed?

Identify the drawer entity, signatory and persons in charge/responsible at the relevant time, plus any consent, connivance or neglect route and statutory defence evidence.

Is the cheque amount always the recoverable commercial amount?

Not necessarily. Reconcile part payments, credit notes, set-off, interest, tax, settlement and the legally enforceable balance.

Can the case be settled?

Section 147 permits compounding, but payment terms, default, court disposal and parallel civil remedies must be documented.

What source prevails?

The current official Act/Gazette, binding court law, applicable RBI direction and fact-specific court order prevail over the educational explanation.

Chapter-specific decision flowchart