

- Communication, of acceptance. 20, 26 ;  
 of Offer. 20, 26 ; of Revocation. 30  
 Compensation. 52, 134, 169, 188  
 Concealment, 66, 150  
 Conditions. 23  
 Conditional acceptance. 23  
 Conditional Offer. 21  
 Consensus ad idem, 59, 72  
 Consent, 14, 59 ; and Mistake, 71  
 Consideration, 13, 35, 83, 150, 177  
   " Adequacy of, 38  
   " Definition of, 13, 35  
   " Desired by, 36  
   " Difference from English  
   Law, 39  
   " Executed, 35  
   " Executory, 35  
   " Future, 35  
   " Illegal, 38  
   " Immoral, 38  
   " "No Consideration No  
   Contract", 41  
   " , Opposed to Public  
   Policy, 38  
   " Reality, 36  
   " Rules re, 36  
   " Suits by stranger to, 43  
   " Types of, 35  
   " Unlawful, 77  
   " Unlawful, in Part. 92  
 Contingency on party, 96  
 Contingent Contracts, 95  
 Contract, and agreement, 12-13  
   " , Act of 1872, 12  
   " , Definition of, 12, 13  
   " , Essential Elements of, 13, 14  
   " , Formal, 39  
   " , Forward, 92  
   " , Indemnity of, 147  
   " , Object of, 12  
   " , Parol, 39  
   " , Performance of, 99, 100  
   " , Printed, 22  
   " , Scope of, 12  
   " , Simple, 39  
   " , Speciality, 39  
   " , Standard Forms of, 22  
   " , Standing, 28  
   Contract. Termination of, 115, 127  
   " , Unberrimae Fidei, 70  
   " , Under Seal, 39  
   " , Valid, 48  
   " , Voidable, 47  
   " , Variation of, 154  
   " , which need not be performed,  
   107  
   Contribution, 103, 158  
   Co-owner, 171  
   Corporation, Contract of, 57  
   Costs, 134  
   Co-Sureties, 151, 156, 158  
   Counter-offer, 23  
   Court of wards, 49  
   Creditor, 150, 156, 158  
   Criminal acts, 193  
   Cross words, 90  
   Damages, 68, 131  
   " , Compensatory, Special, 133,  
   134  
   " , Nominal, Contempous, 131  
   " , Exemplary, Punitive or  
   Vindictive, 131  
   Death, 30, 109, 121, 125, 127, 152,  
   154, 168, 188, 192  
   Debt Relief Acts, 155  
   Deception, 67  
   Default, 106, 172  
   Del Credere Agent, 178  
   Delegatus Non Potest Delegare, 186  
   Delivery, 161, 163, 166  
   Deposit of money, 161  
   Devolution of joint rights and liabilities,  
   40, 102  
   Diligence, ordinary, 66  
   Discharge, see Termination  
   Disclosure, 165  
   Disqualified Persons, 56  
   Disputes, 87  
   Doctors, contracts by, 57  
   Drunkenness, 56  
   Duress, 61  
   Duty, breach of, 65, 81  
   Duty of agent, 189  
   Emergency, 183  
   Enemy, trading with, 79  
   Estoppel, 52, 178  
   Expenses, 166, 168, 171  
   Express Agreement, 178

- Factor.** 177  
**Failure of Pre-conditions;** 120  
**False Statement.** 66  
**Family Settlement.** 44, 71  
**Family Reforms Act of 1969,** 49  
**Fictitious person,** 195  
**Fiduciary relationships.** 71  
**Finder of goods.** 145, 168  
**Forbearance.** 156  
**Foreign Principal.** 195  
**Foreign sovereigns.** 56  
**Fraud.** 66, 78 ; by agent, 186, 195  
**Fraud, Constructive.** 66  
**Fraudulent Act.** 67  
**Frustration. Doctrine of.** 119, 124, 126  
**Games of Skill.** 91  
**General agent.** 178  
**Gift,** 43  
**Goodwill,** 84, 85  
**Gratuitous Bailment.** 162, 166, 168  
**Guardianship.** 54  
**Guarantee, Contracts of.** 149, 150 ;  
     Continuing, 152 ; Simple, 152 ;  
     Specific, 152  
**Guarantor,** 149  
**Hallett's Estate.** 113  
**Holding Out,** 179  
**Horse race,** 91  
**Hotel Keeper.** 165  
**Husband and wife.** 180  
**Hypnotism,** 55  
**Idiocy,** 55, 56  
**Illegal Agreement.** 47  
**Immoral Agreement.** 78  
**Immovable property.** 70  
**Implied Offer,** 18  
**Impossible Acts.** 92, 107  
**Impossible event,** 98  
**Impossibility,** 92, 96, 107, 119 ; Effects  
     of, 119  
**Incapable persons,** 143  
**Incapacity.** 121, 124-125  
**Indemnifier,** 147  
**Indemnify.** 147, 148  
**Indemnity,** 147, 148, 150, 157  
**Indemnity. Contracts of,** 147, 148 ;  
     Indemnity holder, 147, 148  
**Independent Contractor,** 176  
**Indian Penal Code.** 59, 60, 61  
**Infant, see Minor**  
**Information,** 184  
**Injunction,** 131, 139  
**Innkeeper,** 165  
**Insanity.** 30, 55, 188, 192  
**Insolvency,** 54, 127, 189  
**Insurance,** 74, 91  
**Intention and Offer,** 19  
**Interest, as damages.** 137 ; High rates  
     of, 60, 62 ; Opposed to Duty, 81  
**Interest Act,** 137  
**Interplead.** 169  
**Invitation and Offer.** 19  
**Irrevocable agency.** 188  
**Joint owners.** 166  
**Joint Principals.** 177  
**Joint Rights.** 104  
**Just and Reasonable,** 125  
**Justice, interfering with,** 79  
**Lapse of offer,** 29  
**Law, change of,** 120, 125  
**Legal Proceedings, interference with,**  
     79 ; restraint of, 83  
**Legal Relations and Contracts.** 19, 33  
**Lien, of Agents.** 195 ; of Bailee, 166 ;  
     General, 167  
**Limitation,** 127  
**Limited Interest,** 171  
**Liquidated damages.** 135  
**Lock Out,** 123  
**Loss.** 132, 157  
**Lotteries.** 90  
**Lunatic.** 55, 56, 143  
**Maintenance.** 80  
**Marital Duties, interference with,** 82  
**Marriage, Brokerage.** 82 ; Restraint of,  
     82, 83 ; Settlement, 43  
**Married Women, Contracts by,** 57 ;  
     when husband's agent, 180  
**Material alteration,** 127  
**Mental decay,** 55  
**Mental distress,** 64  
**Mercantile Agent,** 170  
**Merger.** 119  
**Microphone.** 27  
**Minor marriage—Settlement of,** 43  
**Minor who is.** 49 ; agreements by, 50,  
     143  
**Miscounduct,** 194

- Misrepresentation, 65, 69, 150; by agent, 149, 184, 185, 195  
 Mistake, 64, 71, 83, 145  
 Mistake, Bilateral, 71  
 Mistake, Unilateral, 72  
 Mistakes and Consent, 73  
 Mixture, 163  
 Money, 162  
 Money Lenders Acts, 63  
 Necessaries, 51, 143  
 Necessity, 51  
 Necessity, Agency of, 180  
 Negligence, of servants, 163  
 Non-existent person, 195  
 Non-gratuitous act, 144  
 Notice, 29; Agent to, 184  
 Novation, 107, 116  
 Nudum Pactum, 41  
 Object, destruction of, 119, 125  
 Object, failure of, 123  
 Object, legality of, 14  
 Object, unlawful of, 77  
 Object, unlawful in part, 92  
 Obligations, 15, 125  
 Offer, 13, 17, 18; By Post, 27; By telephone, 27; Communication of, 20, 27, 30; Conditional, 21; Express, 18; Implied, 18; Of performance, 99; Revocation or Lapse of, 29; Rules re., 18-20  
 Offeree, 17  
 Offeror, 17  
 Omission, 156  
 Open proposal, 28  
 Operation of Law, 188  
 Opinion, 72  
 Option, 28  
 Pardanishin Woman, 64  
 Parental Duties, interference with, 81  
 Partner Outgoing, 85  
 Partnership, 53, 85  
 Pawn, 170  
 Pawnee, 171  
 Pownor, 170  
 Penalty clause, 134  
 Performance, 14, 99-100, 188; By Representatives, 101; By whom, 101; Death and, 101; Difficulty of, 122; Intentional non, 67; Personal, 101; From a third person, 101; Place of, 109; Order of, 105; Termination by, 115; Time of, 109; When need not of, 107  
 Personal freedom, restraint on, 81  
 Personal responsibility of agent, 195  
 Pledge, 170  
 Pledgee, 171  
 Pledgor, 171, 172  
 Post Office, offer and acceptance through, 27  
 Pre-conditions, Failure of, 120  
 Preservation and Maintenance, 172  
 Pretended agent, 184, 195  
 Price, high of, 61, 64  
 Principal, 112, 174, 192, 195, 196  
 Principal Debtor, 149, 155, 157  
 Professional incapacity, 57  
 Professional persons, 57  
 Promise, 17; Joint, 102  
 Promisee, 17  
 Promisor, 19; Death of, 101  
 Proof, burden of, 62  
 Proposal, 17, 28  
 Prosecution, 60  
 Public duty, 37  
 Public offices, traffic in, 80  
 Public policy, 79, 83; Agreements opposed to, 79, 81  
 Quantum Meruit, 130, 137  
 Quasi-Contracts, 143  
 Quit Facit per Alium Facit Se, 174  
 Ratification, 53, 181  
 Rebuttal, 63  
 Reciprocal Promises, 104  
 Redemption, 172  
 Refusal of offer, 30  
 Refusal Performance of, 100  
 Registration, of contract, 13  
 Reimbursement, 143  
 Release, 104, 156  
 Remission, 116  
 Remuneration Agent of, 194  
 Renunciation, 187  
 Respresentation, 65, 184, 196  
 Rescission, 107, 118, 130  
 Restoration, 168  
 Restitution, 52, 134, 140  
 Retainer, right of, 171, 194

- Return, 163  
 Return, goods of, 168  
 Revocation, 23, 152, 154  
 Reward, 169  
 Riot, 123  
 Roman Law, 41  
  
 Sale, 169  
 Secret profit, 191  
 Security, loss of, 157  
 Servant and agent, 175  
 Service contracts, 86  
 Services, 109  
 Shares, 71, 90  
 Silence and fraud, 66  
 Skill and diligence, 91, 190  
 Sound mind, 54  
 Sovereign, foreign, 56  
 Specific Performance, 53, 129, 130, 139  
 Specific Relief Act of 1877, 52  
 Stranger to a contract, 37, 43 ;  
     Consideration, 43 ; rights and liabilities, 44  
 Strike, 123  
 Sub-Agent, 186  
 Substituted agent, 187  
 Suicide, 59  
 Surety, 149, 152, 157  
 Subrogation, 157  
  
 Telephone, 27  
 Teleprinter machine, 28  
 Telex, 28  
 Tender, 99, 115  
 Termination of contract, 115 ; of agency, 187 ; by act of parties, 187  
 Test of agency, 175  
 Time, bar of, 42 ; efflux of, 188 ; lapse of, 127 ; performance of, 109 ; reasonable of, 29 ; stipulations of, 110  
 Tort, 69  
 Trade, combination, 85  
 Trade, restraint of, 85, 87  
 Trade, with enemy, 79  
 Trust, 43  
  
 Unauthorised acts of agent, 182, 195  
 Unauthorised use of goods, 163  
 Uberrimae fidei, 70  
 Uncertain agreements, 33, 88, 97  
  
 Undisclosed principal, 195, 196  
 Undue influence, 61  
 Unlawful consideration and object, 77, 83, 92  
 Unsound mind, 54  
 Unwarranted Assertion, 65  
 Usurious Loans Act of, 1918, 62  
  
 Variation of contract, 154  
 Void agreements, 46, 47, 50, 83  
 Voidable agreements, 46, 107, 167, 171  
  
 Wager, 89  
 Wagering agreement, 89  
 Waiver, 119  
 War, 56, 121, 125  
 Warranty of title, 166  
 Writing, of contracts, 15  
 Wrongdoer, 169  
  
**LAW RELATING TO SALE OF GOODS**  
 Application, 200 ; Actionable claim, 200  
 Acceptance, 235  
 Appropriation, unconditional, 223  
 Approval of goods, 224  
 Auction sale, 244  
  
 Breach of contract, 244  
 Bilateral contract, 204  
 Bill of exchange, 224  
 Bill of Lading, 224  
 Breach of conditions, 212  
 Breach of warranty, 212  
 Buyer, 200, 229, 232  
 Buyer, beware of, 216  
 Buyer, duties of, 237, 238  
 Buyer, liabilities, 237, 238  
 Buyer, rights of, 235  
  
 Carrier, 223, 235  
 Caveat emptor, 216, 217  
 Compensation, 237  
 Conditions, 210  
  
 Damages, 236, 238, 243  
 Damages, special, 238, 243  
 Deliverable state, 222  
     " . 232, 234  
     " . symbolic, 232  
     " . actual, 232  
     " . Constructive, 232

- Deliverable state, part. 232
  - " , instalment. 234
  - " , place of, 233
  - " , time of, 233
- Destruction, 205, 226
- Deterioration in the goods, 236
- Disposal, of the right of, 224
- Documents of title, 228
- Earnest money, 206
- Encumbrance, 218
- Enforcement, 239
- Estoppel and title, 226
- Essential Elements, 203
- Examining the goods, 235, 238
- Executed contract, 203
- Expenses, 234
- Finder of Goods, 229
- Fitness, 215
- Goods, 200, 201 : Ascertained,
  - Contingent, Existing, Future,
  - Generic, Specific, Unascertained,
  - 200, 201 ; Movable, 203 ; Perishing
  - of, 205
- Goods, unascertained, 221
- Goods, Destruction of, 205
- Goods, rejected, 236
- Goods, specific, 221
- Hire-purchase, 206
- Hire-purchase, Act (of 1972), 206
- Implied conditions, 213
- Insolvency, 225
- Insolvent, 241
- Instalment Sale, 208
- Intention of parties, 221
- Interest, 237, 243
- Joint Owners, 227
- Knock out agreement, 244
- Legal, tender money, 200
- Lien, 240, 243
- Mercantile agent, 227
- Merchantable, 214
- Money, 205
- Nature of contract, 203
- Nemo Quod qui Non Habet, 226
- Non-acceptance, 244
- Non-delivery, 236, 238, 244
  - On approval, 224
  - "On sale or return" 224
- Ownership, 202, 225
- Parties, 203, 221
- Patent, 217
- Pawnee, 229
- Pawnor, 229
- Performance, 232
- Pledge, 243 ; Possession of, 218, 229, 232, 233
- Price, 204, 237, 242 ; reserved, 244 : upset, 245
- Property, passing of, 221
- Purpose, 215
- Quality, 215
- Railway Receipt, 224
- Remedial measures, 202
- Remedy, 212, 239, 244
- Repudiation, 211, 212, 238, 244
- Resale, right of, 239, 242
- Risk, passing of, 202, 225
- Return, 235
- Sale, 201, 208, 219
  - " and agreement to sell, 201, 202, 205
  - " and Bailment, 209
  - " "on approval", 224
  - " by Auction, 244
  - " , Breach of Contract of, 244
  - " by Description, 213
  - " , Essential Elements of, 204
  - " on "Sale or Return", 224
  - " by Sample, 214
  - " of Goods Act (of 1930), 200 ; Seller, 200, 201
- Seller, duties of, 236
  - " , liabilities of, 219
  - " , rights of, 239
  - " , in possession of, 228
- Seller's lien, 240
- Specific Performance, 236, 244
- Stoppage in transit, 241, 243
- Subsale, 243
- Tax changes, 238
- Time, Reasonable of, 211 ; Stipulation of, 210
- Title, Condition of, 213, 229
- Tort, liabilities of, 219

Transfer of property, 221, 222  
 Transfer, exceptions of, 230  
 Transfer of ownership, 202, 221  
 Transfer, of title, by non-owner, 226

Unpaid seller, 239  
 Usage of Trade, 218

Vendor's Lien—See Seller's Lien  
 Voidable Agreements, 227

Waiver, 211, 241  
 Warranties, 210, 218  
 Wharfinger, 235  
 Work and labour, contract for, 209  
 Wrong quantity, 234

### LAW OF PARTNERSHIP

Accounts, 269  
 Accounts, upon dissolution, 254, 283  
 Act of the firm, 267  
 Admission by partner, 266  
 Agency of, 249, 264  
 Agreement, Partnership of, 258  
 Alien, 251  
 Alteration of authority, 266  
 Application, 248  
 Authority, 265; in an emergency, 266  
 Breach of agreement, 280  
 Business, Conduct of, 262, 268  
 Club, 252  
 Company, 251, 252  
 Competing business, 269, 276  
 Continuance of pre-existing terms, 264  
 Co-ownership, 252  
 Coparcenary, 253  
 Contingencies, 278  
 Death of Partner, 253, 275  
 Debts, 284  
 Dissolution, 254, 269, 278  
 " , consequences of, 281, 283  
 " , grounds of, 278  
 " , by Court, 279  
 " , settling accounts upon,  
 283  
 Emergency, 269  
 Estoppel, 270  
 Express authority, 265  
 Expulsion, 274

Firm, 255  
 Firm-name, 255, 283  
 Firm-property, 283  
 Fraud, 282  
 Good faith, 262  
 Goodwill, 257, 285  
 Guilty conduct, 279  
 Hindu undivided family, 248, 253  
 Holding out, 270  
 Illegal partnership, 254  
 Implied authority, 265  
 Incapacity, 279  
 Incoming partner, 273  
 Indemnity, 262, 268, 270  
 Indian Partnership Act of 1932, 248  
 Insanity, 279  
 Insolvency, 274  
 Insolvent, 284  
 Interest on capital, 268  
 " on advance, 268  
 Joint Hindu Family Firm, 253  
 Joint Venture, 256  
 Just and equitable clause, 281  
 Karta, 253  
 Limited partnership, 256  
 Loss, 250, 270, 281  
 Minor partner, 251, 271  
 Misapplication, 267  
 Misrepresentation, 282  
 Mutual rights and duties, 263  
 Name of Partnership, 255  
 New partner, 273  
 Notice, 266, 279  
 Opinion, 268  
 Outgoing partner, 273, 275  
 Partner, 255  
 " Sleeping, 255  
 " Authority of, 264, 281  
 " duties of, 269  
 " Active, Dormant, Nominal, 255  
 " liabilities of, 267  
 " name of, 255  
 " relation with, 262, 263  
 " rights of, 268  
 Partnership, 248

- Partnership, classes of, 256  
 " Essentials of, 248  
 " Forbidden by Law, 254  
 " Joint venture, particular  
 partnership, limited partnership,  
 256, 257  
 " Property of, 257  
 " tests of, 249  
 " at Will, 256
- Permanent incapacity, 279  
 Person. 248, 251  
 Premium. return of, 282  
 Profit. 249, 269, 276, 282  
 Profit, personal. 264  
 Profit, secret. 264  
 Property of firm, 268  
 Public notice, 272
- Reconstitution, 269, 273  
 Registration, 283  
 Registration of firms, 258  
 Register of Firm, 258  
 Remuneration, 270  
 Rescission, 282  
 Restraint of trade, 275, 283, 285  
 Retirement. 269, 273  
 Revocation. 276
- Secret. profits, 264, 270  
 Sleeping partner. 255  
 Status. 248, 255  
 Sub-partners, 255, 275
- Transfer, partner's interest of. 275  
 Transfer of whole interest, 280  
 True partnership. tests of, 249
- Unlimited liability. 270  
 Unsound mind. 251
- Voluntary Agreement. 248
- Wilful neglect. 270  
 Winding up. 281  
 Woman. 251  
 Wrongful acts, 267
- LAW RELATING TO  
 NEGOTIABLE INSTRUMENTS**
- Acceptance. 294, 312 : for Honour. 314,  
 349  
 Acceptor. 292, 324, 334  
 Accommodation Bills. 307  
 Account Payee Cheque. 296, 319  
 Agent, 319, 323  
 Allonge, 318  
 Alteration, 338, 360  
 Ambiguous Instrument, 306  
 Assignment, 316
- Backer, 308  
 Bank, 297  
 Bankers and Customers, 355 ; Liabilities  
 of, 359  
 Banker, duties of, 356 ; protection of,  
 359  
 Banker's Drafts. 303  
 Banking, 355  
 Banking Companies Act, 355  
 Bearer Instrument, 304, 321  
 Bearer, on demand, 305  
 Bill of Lading, 289  
 Bill of Exchange, 292, 293, 303  
 Bill of Exchange, Essential elements  
 of, 292  
 Bill of Exchange, Specimens of. 293  
 Bill in Sets, 309
- Cancellation, 336  
 Certification of Cheque, 297  
 Cheque, 289, 294, 325  
 Cheque, Essential features of, 295  
 Cheque, Form of, 295  
 Cheque, types of, 296  
 Cheque. payment of, 357  
 Cheques. open. 296  
 Cheques, crossed, 296  
 Civil Procedure Code, 302  
 Collection of Cheques and Drafts, 361  
 Compensation. 326  
 Consideration. lack of. 335  
 Corporation, 323  
 Crossing. 296, 339  
 Customer, 355
- Date, 290, 293, 304  
 Days of Grace, 330  
 Default. 336  
 Delivery. 315  
 Discharge, 335  
 Dishonour, 344 : need not be given,  
 346  
 " . consequence of. 344  
 " . by non-acceptance, 314, 344  
 " . by non-payment. 344  
 " . notice of, 345

- Dividend warrant, 289  
 Documentary Bill, 309  
 Drawee, 292, 314, 325; in case of  
   Need, 292  
 Drawer, 292, 324  
 Drunken Persons, 322  
 Duplicate instrument of, 332  
 Endorsement, see Indorsement  
 Escrow, 309  
 Estoppel, 301, 341  
 Evidence, 303, 339  
 Excuse for delay, 330  
 Fictitious Bill, 308  
 Figures v. Words, 306  
 Finder, 333  
 Foreign Bills, 348  
 Foreign Instrument, 307  
 Foreign Law, 342  
 Forged Cheques, 360  
 Forged Instruments, 333  
 General acceptance, 312  
 Hand Note, 289  
 Handwritten instrument, 295  
 Holder, 292, 299  
 Holder in Due Course, 299, 333  
 Hundis, 289, 352  
 Idiot, 322  
 Inchoate Instrument, 300, 306, 339  
 Indian Contract Act, 355  
 Indemnity, 332  
 Indorsement, 317  
 Indorsement, Faculative, 320  
   " . Partial, 320  
   " . Restrictive, 320  
   " . Rules of, 318  
   " . Types of, 317  
 Indorsement, Conditional, 319  
 Indorser, 317, 325, 341  
 Indorser, who excludes his own liability,  
   319  
 Inland Instrument, 307  
 Insolvent, 322; Interest on bills and  
   notes, 332  
 International Law, 341  
 I. O. U., 290  
 Joint Notes and Bills, 304; Hindu  
   family, 324  
 Khokha, 353  
 Law, 355  
 Legal Representative, 323  
 Liability, 294, 300  
 Lunatic, 322  
 Maker, 290, 324, 341  
 Margin of an instrument, 339  
 Material alteration, 337  
 Maturity, 313, 330  
 Minor, 322  
 Money, legal tender, 291, 292, 302  
 Negotiable instruments, 289  
   " . Act of 1881, 289  
   " . definition of, 289  
   " . Essential feature of, 301  
   " . Forged, 334  
   " . Lost, 332  
   " . obtained illegally, 333  
   " . Payment of, 330  
   " . showing of, 313  
   " . who can be parties to,  
   322  
   " . without consideration, 335  
 Negotiation, 302, 315  
 Negotiation back, 320  
 Negotiation by indorsement, 316  
 Not Negotiable, cheques, 297, 319, 339;  
   instruments, 319  
 Notary Public, 346  
 Notice, 294, 302, 317, 333, 344  
 Noting, 338, 347, 348  
 Non-presentment, 314  
 Once a bearer cheque, always a bearer  
   cheque, 321, 360  
 Open cheque, 296  
 Order instrument, 304  
 Parties to a negotiable instrument, 322  
 Parties to, liability of, 324  
 Parties to, discharge from liability, 335  
 Payment of, 330  
   " . for honour, 350  
   " . in due course, 331, 357  
   " . presentment for, 327  
   " . time of, 328  
   " . of cheques, 357  
 Payee, 290, 292  
 Perpeth, 354  
 Per Pro, 323  
 Personal liability, Exclusion of, 319  
 Peth, 354



- Popularity, 303  
 Presentment for acceptance, 312, 313  
 Presentment for payment, 327  
 Presentment place and time of, 327, 328  
 Presumptions, 302, 318, 339, 340, 342  
 Procedure, special, 302  
 Promissory Note, 289, 291, 293  
     "          , specimens of, 291  
     "          , Essential elements of, 290  
 Proof, burden of, 340  
 Pro-note, 289  
 Protection, 359, 362  
 Protest, 294, 340, 347  
 Public Holiday, 331  
 Qualified acceptance, 312  
 Redraft, 326  
 Release, 336  
 Reserve Bank, 291, 293  
 Sans Recourse, 320  
 Signature, 290, 297, 301  
 Stale cheque, 295  
 Stamp, 291, 293  
 Stamp Act, 291  
 Sureyship, Principle of, 325  
 Tenor, 331  
 Tickri chit, 354  
 Time, 310  
 Time, Reasonable of, 310, 313  
 Title, 302  
 Undated Bill and Note, 304  
 Usance, 331  
 Writing, 290, 292, 300  
 Zickri Chit, 354
- LAW RELATING TO CARRIAGE**  
 Accidents, 376  
 Affreightment, Contract of, 379  
 Air Consignment Note, 392  
 Air Waybill, 392  
 Animals, 375  
 Baggage, 392  
 Bailee, 372  
 Barratry, 387  
 Bill of Lading, 379: Clean, Through, 386  
 Bottomry Bond, 389  
 Carriage of Goods by Sea Act, 1925, 364, 379, 380  
 Carriage by Air Act, 1972, 364, 391  
 Carrier by Air, 391  
 Carrier by Land, 364  
 Carrier by Sea, 379  
 Carriers, classification, 364  
 Carriers, characteristics, 364  
 Carriers, public, 365  
 Carriers, private, 366  
 Charter Party, 379, 383  
 Claims, 377  
 Common Carrier, 365  
 Common Carriers Act, 1865, 365, 369  
 Consignee, 393  
 Consignor, 393  
 Damages, 368, 370, 395, 396  
 Death, 376, 395  
 Defective Receipt, 374  
 Delay, 374  
 Demurrage, 389  
 Detention, 374  
 Deviation, 368, 374, 386  
 Discrimination, 364  
 Documents, 392  
 Dunnage, 388  
 English Common Law, 369, 383  
 English Law of Carriage, 364, 383  
 Excepted Perils, 387  
 Fatal Accidentss Act, 395  
 Forwarding Note, 374  
 Freight, 379, 387  
 Forgery, 374  
 Gratuitous Carrier, 366, 370  
 Goods, defective, 375  
 Hague Convention, 394  
 Hague Protocol, 391  
 High Contracting party, 394  
 Indian Bills of lading Act, 1856, 381, 382  
 Injury, 376, 394  
 Insurer, 371  
 International carriage by air, 394  
 Internal carriage by air, 392, 396  
 Jettison, 387  
 Lay Days, 388  
 Legislation relating to carriage, 364

- Lien, 385  
 Lien, carriers of, 368, 385  
 Losses, General Average, Particular Average, 389  
 Luggage Ticket, 392  
 Luggage Ticket, of passengers, 376, 392  
  
 Marine Insurance Act, 1963, 364, 384  
 Maritime Lien, 385  
 Mate's Receipt, 386  
 Merchant Shipping Act, 1958, 364, 379, 384  
 Motor Vehicle Acts, 371  
 Non-scheduled article, 369  
 Negotiable instrument, 382  
 Owner's risk, 374  
 Open Trucks, 375  
  
 Passenger, Carriers of, 371  
 Passenger Ticket, 392  
 Perils of the Sea, 387  
 Police Acts, 371  
 Primage, 387  
 Private Carrier, 365, 370  
 Public Carriers, 365, 368  
  
 Railways, 372  
 Railways, Act, 1890, 364, 372  
 Refusal of Delivery, 367  
 Respondentia Bond, 389  
  
 Salvage, 387  
 Scheduled goods, 369  
 Safety, 367  
  
 Transit, Termination of, 375  
 Time and place, 367  
  
 Unremoved goods, 377  
 Valuable goods, 375  
  
 Warranties, 383  
 Warsaw Convention, 391  
 York Antwerp rules, 390  
  
**LAW OF INSURANCE**  
 Accident, Insurance of, 449  
 Age, proof of, 425  
 All in one policy, 450  
 Annuity, 417  
 Assignment, 412, 443, 447  
 Assured, see Insured  
 Average policy, 448  
  
 Bar to question, 412  
 British Marine Insurance Act of 1906, 429  
 Burglary Insurance, 450  
  
 Calculation, 408  
 Causa Proxima, 405, 409  
 Claims, 424, 447  
 Combined Policy, 448  
 Commission, 412  
 Construction of Terms, 438  
 Contingent contract, 403  
 Contribution, 405, 410  
 Cover Note, 407  
  
 Deviation, 442  
 Disclosure duty of, 435, 436  
 Documents, 413  
 Double Insurance, 413  
 Duration of the Risk, 438  
  
 Endowment Policy, 417  
  
 F.A.A Clause, 440  
 F.C & S. Clause, 439  
 Fact, material, 402  
 Fidelity Insurance, 450  
 Fire, 446  
 Fire Insurance, 416, 430, 446  
 Floating Policy, 433, 448  
 F.P.A Clause, 440  
 Freight, 435  
 Fire Policy, 446  
  
 Good Faith, 401, 408, 432  
  
 Ignition, 446  
 Inchmaree Clause, 439  
 Indemnity, 403, 408, 446  
 Insurable Interest, 404, 408, 432, 446 :  
     Property, 430  
 Insured, 401, 406  
 Insurer, 400, 406, 444  
 Insurer, obligations of, 409  
 Insurer, rights of, 410  
 Insurance, Act of, 403, 407  
     " . Advantage and the object of,  
     400  
     " . Contract of, 400

- Insurance, Definition of, 400  
     " . Essential requirements of, 401  
     " . Policy, 406  
     " . Types of, 432, 434  
     " . Value, 433  
     " . wager, 403
- Joint Life Policy, 417
- Life Insurance, 416  
     " . Corporation Act, 1956, 425  
     " . Types of, 417  
     " . Corporation, 407, 425
- Limited Payment Policy, 418
- Lloyd's Policy, 438
- Losses, 405, 412, 444
- Lost or not lost, 438
- Marine Adventure, 431 ; Insurance, 430
- Marine Insurance Act (Act II of 1963), 429, 432, 441
- Marine Policy, features & requisites of, 431
- Marine Policy, Types of, 432
- Maritime Perils, 431
- Material Fact, 402
- Memorandum Clause, 440
- Miscellaneous, Insurance, 418, 449
- Motor Car Insurance, 450
- Motor Vehicles Act of 1939, 450
- N.B. Clause, 440
- Nomination, 420
- Payment, 447
- Perils of the sea, 431
- Policy, 406, 432, 437  
 Policy-holder, 406  
 Policy-holder, duties of, 411  
 Policy-holder, rights of, 412  
 Policy, profit with, 417
- Premia, 410
- Premium, 400, 407, 410, 411, 444
- Profit Policy, 417
- Property insurance, 416
- Protection, 408, 412
- Public Financial Institutions Laws (Amendment) Act, 1975, 427
- Public Policy, 408
- Reinstalment Policy, see Replacement Policy
- Reinstatement Policy, 448
- Reinsurance, 414
- Replacement Policy, 448
- Representation, 435, 436
- Risk, 400, 406, 409
- Running Down Clause, 440
- Specific Policy, 448
- Subrogation, 405, 410
- Sue, Labour and Travel for, 439
- Suicide, 423
- Surrender Value, 413, 418
- Time Policy, 432
- Uberrimae fidei, 401, 432, 435, 446
- Underwriter, 437
- Unvalued Policy, 433
- Valued Policy, 433, 448
- Voyage, Policy, 442
- Wager & insurance, 408
- Wagering Contract, 432
- Wagering Policy, 433
- Warranties, in Marine Insurance, 440
- Whole Life Policy, 417
- Workmen's Compensation, Insurance of, 450

### LAW OF INSOLVENCY

- Act of Insolvency, 454
- Adjudication, Conditions, 457  
     " . Legal effects of, 462  
     " . Order of, 457, 470, 477  
     " . Proceedings after order of, 462  
     " . Proceedings preliminary to, 452  
     " . Procedure for the obtaining of, 457
- Administration, 462
- Agent, 454
- Annulment, 477
- Antecedent Transaction, 469
- Arrangement, Schemes, 473
- Bankrupt, 452
- Committee of Inspection, 473
- Companies, 460
- Composition, 473
- Convict, 460
- Creditor's Petition, 457

- Creditor's Petition. 453  
 " . Meetings of. 472  
 " . Position of Secured. 457, 470
- Death. 460
- Debtor, 453 ; duties of. 465
- Debtor's Petition. 457
- Debts, Proof of. 463, 474, 475
- Debts, Cancellation of. 453
- Deceased Person. 460
- Discharge of Insolvent. 480
- Discharge Order of. 480, 481
- Disqualification. 453 ; Personal. 463
- Dividends. 476
- Examination of Insolvent, Public. 465 ;  
 Private. 466
- Foreigner. 459
- Fraudulent Preference. 455, 464
- Insolvency Acts. 452, 454  
 " . Act of. 454, 456  
 " . Courts of. 453  
 " . Definition of. 452  
 " . Legislation about. 452  
 " . Notice of. 456  
 " . Object of. 452  
 " . Procedure of. 458, 469
- Insolvent. 465  
 " . Disqualification of. 453, 463  
 " . Duties of. 463  
 " . Properties of. 462, 466, 475  
 " . Suits against. 463  
 " . Who can be declared as. 454, 458
- Interest. 476
- Joint debtors. 459
- Joint Hindu family. 459
- Legal Representative. 460
- Lunatic. 458
- Management. 462
- Married woman. 459
- Minor. 458
- Mutual Dealings. 476
- Official Assignee. Powers of. 470 ;  
 Duties of. 472
- Official Assignee. Receiver. Powers of.  
 470, 472
- Onerous Property. Disclaimer of. 471
- Partners. 459
- Presidency Towns Insolvency Act of  
 1909. 478
- Properties Available for Distributions  
 Among Creditors. 467
- Protection Order. 465
- Provincial Insolvency Act of 1920. 478
- Relation Back. 462 ; Doctrine of. 469
- Reputed Ownership. Doctrine of. 468
- Set Off. 476
- Small Insolvencies. 477
- Stay. 463
- Suits against insolvent. 463
- Transactions. Protected Antecedent. 469
- Vesting of properties. 462
- Voluntary Transfer. 463
- Woman. 459

### LAW OF ARBITRATION

- Appointment. 493
- Appeals. 504
- Arbitration, Act of 1940. 486, 491  
 " . Agreements. 486, 487, 490, 497  
 " . Definition of. 486  
 " . Effect of. 487  
 " . in suits. 490  
 " . Matters which can be  
 Referred to. 489
- Arbitration, Provisions Implied in. 492  
 " . Statutory. 490  
 " . Types of. 489  
 " . When no suit pending.  
 490  
 " . Who can refer disputes to  
 488
- Arbitrator. Appointment of. 493  
 " . Disqualifications of. 493  
 " . Duties of. 496  
 " . New or sole. 493  
 " . Power of Party to appoint.  
 493  
 " . Power of. 494, 500  
 " . Removal of. 496  
 " . Remuneration of. 498  
 " . Revocation of authority of.  
 495

- Award, 498  
 " . Defence & offence, 499  
 " . Foreign, 491  
 " . Procedure of, 499  
 " . when modified or corrected  
 501  
 " . When remitted, 501  
 " . When set aside, 502
- Bar of suits, 487
- Court, Power to appoint Arbitrator or  
 Umpire, 496
- Court, Powers in relation to arbitration  
 proceeding, 500
- Death of Party, 495
- Delay, 495
- Disputes what matters can be referred  
 to, 489
- Disputes, Who can refer to arbitration,  
 489
- Error of Law, 502
- Foreign Awards, 491
- Insolvency, effect of, 496
- Insolvency of Party, 496
- Misconduct, 496, 497, 503
- Moral lapse, 503
- Natural justice, 497
- Revocation, of arbitrator's authority, 495
- Sirpanch, 493
- Submission, 486
- Three Arbitrators, 493
- Umpire, See also Arbitrator  
 Umpire, Duties of, 497
- LAW RELATING TO  
 SECURITIES**
- Charge, 511
- Hypothecation, 512
- Lien, 513 ; Possessory, 513 ; Maritime  
 514 ; and Equitable, 514
- Mortgage, 512 ; classification of, and  
 Charge, 511 ; and Pledge, 512
- Parties to Mortgage, rights and liabilities  
 of, 509
- Securities, 506-514
- Submortgage, 509
- CONSUMER PROTECTION ACT,  
 1986**
- Civil Procedure, Code, 523
- Commission, National, 526
- Commission, State, 524, 525
- Complaint, 518, 519, 520, 528
- Consumer, 519  
 " . Dispute, 519  
 " . Protection Act, Features, 518  
 " . Protection Bill, 517  
 " . Redressal Agencies, 522
- Consumer, Redresal Forum, 518
- Council, Central & State, 520, 521
- District Forum, 522, 524, 525, 528
- Interests, Consumer, 521
- Jurisdiction, 527  
 " . Appellate, 525  
 " . Original, 525  
 " . Pecuniary, 524
- Objects, 517, 520
- Penalty, 531
- Trader, 518
- COMPANY LAW**
- Accounts, 560
- Account books, 560, 716
- Acquiescence, 636
- Acquisition of shares, 641
- Adversory Committee, 563
- Affairs, Statement of, 769
- Agenda, 657
- Agent, Director of, 688 ; Sole selling  
 of, 691
- Aliens, trading with, 759
- Allotment of shares, 605-609 ; irregular,  
 609 ; Return, 609
- Amalgamation, 627, 629
- Annual, Accounts of, 719 ; General  
 Meeting of, 654 ; Report of, 726,  
 759 ; Return of, 663
- Appeal against refusal to transfer, 640
- Application, 538, 558
- Area of Operation Clause, 567
- Arrangement, Schemes of, 626

- Articles of Association, 565, 570, 578  
 " Definition of, 565  
 " Form and Contents of, 570  
 " Interpretation of, 571  
 " Legal Effects of, 582  
 Associates, investigation of, 749  
 Association and Subscription Clause, 568  
 Auditors, 723-731  
 Audit, Special, 728, 746  
 Authentication, 720  
 Authority, Lack of, 585  
 Automatic Conversion, 553  
  
 Balance Sheet, 719  
 Binding contract, 583  
 Blank Transfer, 646  
 Board's Report, 722  
 Body Corporate, 546, 709  
 Bonus shares, 619  
 Books and papers, 716, 787  
 " . Accounts of, 716  
 " . Optional, 718  
 " . Statutory, 717  
 Borrowing Powers, 732  
 Breach of Trust, 697  
 Brokerage, 631  
 Business, Ordinary, 661  
 Business, Special, 660  
  
 Calls, 647  
 Capacity, contractual, 541, 543  
 Capital, 541 Alteration, 575; Increase of, 576, 620; further issue of, 576, 620; reduction of, 576; Authorised, Issued, Nominal, Paid up, Subscribed, Uncalled, 613  
 Capital Clause, 567, 575  
 Capital, Alteration of, 575  
 Capital Issues (Control) Act, 587  
 Capital Redemption Reserve Account, 619  
 Chairman, 657  
 Charge, 734, 741; fixed, and floating, 734; registration of, 741; equitable, 734  
 Central Government, powers of, 756  
 Chartered Company, 540  
 Commencement of Business, 550, 587, 610, 761  
 Commission, 631, 742  
 Committee of Inspection, 772  
 Common Seal, 541  
 Company, as Citizen, 541  
 " . Deemed to be public, 552, 555  
 " . Definition of, 538  
 " . Domicile of, 541  
 " . Differences between private and public, 549  
 " . Essential features of, 540  
 " . Essential steps of, 587  
 " . Existing, 546  
 " . Formation of, 587  
 " . Fundamental rights of, 541  
 " . Guarantee by, 545  
 " . Holding, 549  
 " . Investigation of the affairs of, 746  
 " . Law Administration of, 745  
 " . Law Board, 562, 571, 630, 635  
 " . Limited by share, 545  
 " . Membership of, 635  
 " . Modes of management of, 702  
 " . and Partnership, 543  
 " . Power of, 580  
 " . Private into a public, 551  
 " . Public into a private, 554  
 " . Private, 544  
 " . Public, 544  
 " . Shares by, 545  
 " . Subsidiary, 549  
 " . Suspension of, 762  
 " . Types of, 544  
 " . Unlimited, 545, 568  
 Companies Act, Changes Made In, 537  
 Companies (Amendment) Act of 1974, 537, 558  
 Companies Act, Genesis of, 1956, 537; extent and application, 538; objects of, 537  
 Companies Liquidation Account, 788  
 Compensations, 693  
 Compromise, 626  
 Compulsory purchase of shares, 628  
 Concealment, 598  
 Conditions contained in Memorandum, 572  
 Consent of Director, 670

- Contract. Form of. 706 : with undisclosed principal. 710 : Memo of. 551 : Preincorporation. 591  
 Contribution. Political Purposes for. 692  
 Contributory. 764. 766. 772. 779  
 Control over companies. 745-759  
 Conversion. 551. 554. 621  
 Conversion. results of. 555  
 Copies. 716  
 Corporation. 546  
 Corporate system. 652  
 Courts. jurisdiction of. 561 : powers in winding up. 765 : powers of. 752  
 Creditors. 765. 786  
 Damages. 602  
 Death of member. 638  
 Debentures. 733-738  
     " . Classification of. 735  
     " . Convertibles. 736  
     " . Rules relating to. 736  
 Debenture Holders. Register and Index of. 737 : Rights and Remedies of. 738 : Difference. Shareholders and. 738  
 Debts. in Winding up of. 762. 764  
 Deeds of a Company. 706  
 Default. 552  
 Defunct Companies. 788  
 Delay. Condonation of. 759  
 Delinquent Director. 783  
 Deposits. 596. 607  
 Depreciation. 712. 713  
 Director. Additional. 667  
     " . Agents as. 688  
     " . Alternate. 668  
     " . Appointment of. 667-672  
     " . Board of. 686  
     " . Casual. 667  
     " . Contract in which is interested. 681  
     " . Definition of. 666  
     " . Delinquent. 783  
     " . Disabilities of. 695  
     " . Disqualification of. 671. 679  
     " . By Election. 667  
     " . Duties of. 694  
     " . Employees as. 689  
     " . Individuals to be. 671  
     " . First. 667  
     " . Legal position of. 687  
     " . Liabilities of. 697  
     " . Loans to. 680  
     " . Loans to relative of. 680  
     " . Managing. 677  
     " . Number of. 666. 672. 680. 696  
     " . Obligations of. 699  
     " . Officers as. 688  
     " . Powers of. 689  
     " . Register of. 683  
     " . Removal of. 675  
     " . Remuneration of. 683  
     " . Resignation of. 673  
     " . Retirement of. 672  
     " . Rights of. 693  
     " . Servants as. 689  
     " . Trustees as. 687  
     " . Unlimited liability of. 619. 699. 744  
     " . Vacation of office by. 674  
     " . Validity of acts of. 692  
     " . Wholtime. 677  
     " . Who can be. 672  
 Disclaimer of onerous property. 771  
 Disclosure. duties of. 694  
 Dissolution of a company. 787. 788  
 Dividend. 711 : Unclaimed. 788 : Unpaid. 714  
 Documents. 559 : Public. 566 : service of 706  
 Donations. 692  
 Emblems and Names, (Prevention of Improper Use) Act of 1950. 569  
 Employee. Position of. 559  
 Employee. Securities of. 711  
 Estoppel. 623  
 Existing Company. 546  
 Expert. 569. 601  
 Explanatory Statement. 657  
 Extraordinary General Meeting. 655  
 False Statement. 598  
 Family Company. 539  
 Fictitious person. 606. 637  
 Fiduciary Position. 687  
 Financial institutions. 547  
 Foreign companies. 559. 597. 643  
 Foreign Register. 634. 737  
 Forfeiture. 649

- Forged Transfers. 645  
 Formation of a Company. 587  
 Fraud, 600  
 Fraudulent Preference. 782  
 Fundamental right. 542  
  
 Government Company. 557  
 Group. 547. 642  
 Guarantee. 545, 632. 739  
  
 Holding Company. 548, 758  
  
 Illegal Association. 556  
 Income and Expenditure Account. 717  
 Incorporation, Certificate of. 588  
 Incorporation, Procedure of. 588  
 Indemnity. 695  
 Index of. Charges, 737  
 Index of. Charges, debenture holders. 737  
 Index of. Charges Members. 634  
 Indoor Management. 584  
 Industries (Development and Regulation) Act, 1951. 587  
 Information, Persons of. 749, 759  
 Insolvency. 638  
 Inspection. 707, 716  
 Inspectors. 749  
 Interest, out of Capital. 709  
 Investigations, 746-749  
 Intra vires. 567, 581  
 Investigation of a company. 746  
 Investment, in same group of companies. 740  
 Irregularity, 584  
  
 Joint Hindu Family Firm.. 556  
 Judicial Review, 751  
 Just and equitable clause. 762  
  
 Laches. 603  
 Law Board. Company. 562, 573, 655  
 Liability of. 541, 544  
 Liability of. clause. 567  
 Lien. 638, 648  
 Liquidation, see Winding up  
 Liquidator. 767, 777  
 Listed Industry. 642  
 Loans. 739  
 Lodging the certificate. 646  
 Lost Instrument. 640  
  
 Management. 541  
 Management, Deadlock in, 762  
 Management, modes of, 541, 543, 702  
 Management, by undesirable persons, 709  
 Management, same, 739  
 Manager. 704, 705, 706  
 Managerial Remuneration, 550, 683, 708  
 Managing Agents. 702  
 Managing Director. 677, 702  
 Market value. 642  
 Meetings. 652  
   " . Annual General, 654  
   " . by Court, 654-655  
   " . by Company Law Board, 655  
   " . Extraordinary. 655  
   " . General. 655  
   " . on Requisition. 655  
   " . objects of. 652  
   " . other General. 655  
   " . Statutory. 652  
   " . of Board of Directors. 686  
   " . Procedure of. 656  
 Members. 635  
   " . Authority of. 543  
   " . Falling Below the Minimum, 555  
   " . Number of, 543, 549, 758, 762  
   " . Reduction of, 762  
   " . Register and Index of. 633  
   " . Resolution of, 660  
   " . and Shareholders. 636  
 Memorandum, Alteration of. 571  
   " . Association of. 565, 580, 588  
   " . Contract of, 551  
   " . Condition in. 571  
   " . Definition of. 565  
   " . Differences, 566  
   " . Importance of. 565  
   " . Form and Content of, 567  
   " . Legal effects of. 580  
 Minimum Subscription. 587, 604, 609  
 Minor. 637  
 Minutes, Proceedings of. 662  
 Misappropriation. 763  
 Misconduct. 763



- Misfeasance. 698  
 Mismanagement. by majority. 751  
 Misstatements. 598  
 Mortgage. 638. 741  
 Name of a Company. 568. 572  
     " . Clause. 567  
 Name of. Changes of. 572  
     " . Restriction on. 550  
 Nomination. 668  
 Notice of allotment. 605  
     by Directors. 669  
     of Meeting. 656. 669. 686  
     Special. 663  
 Object. Change of. 572  
     " . Unlawful. 746  
 Obligations. Statutory. 541. 544  
 Office. 541  
 Office of Liquidator. see Liquidator  
     Profit. 675. 696  
     Registered. 569. 574  
 Officer. 688. 705  
 One man Company. 539  
 Onerous property. 771  
 Oppression. 751. 754  
 Optional Books. 718  
 Ownership. Investigation of. 748. 757-  
     758  
 Payment to Creditors. 786  
 Penalties. 561  
 Perpetual Succession. 541  
 Personality. Artificial. 541  
     " . Juristic. 558  
     " . Legal of. 540. 558  
 Place of profit. 675. 696  
 Political purpose. 692  
 Poll. 659  
 Powers of Company Law Board. 573  
 Preference Share. 614  
 Preferential Payment. 785  
 Preincorporation Contract. 591  
 Private Company. 544. 549  
     " . Conversion to public  
     company. 551  
     " . Differences with  
     Public company. 549  
     " . Privileges of. 551  
 Profit and Loss Account. 720  
 Promoters. 589  
 Prospectus. 560. 593. 595  
     " . by Implication. 603  
     " . Legal Requirements of.  
     595  
     " . Misstatement in. 598  
     " . Statement in lieu of. 587.  
     603. 608  
 Protection. of officers. 759  
 Provident Fund. 711  
 Proxy. 658  
 Public Company. 544. 549  
     " . Differences with private  
     company. 549  
     " . Document. 565  
 Public Company. Examination. 767  
     " . Financial Institution. 547  
     " . Into a private company. 554  
     " . Invitation to. 550  
     " . Trustee. 634  
 Qualification Shares. 669  
 Quorum. 658  
 Reconstruction. 626  
 Rectification. 634  
 Redemption. 638  
 Refusal. time of. 640. 643  
 Register. 560. 634. 707  
 Registered Company. 540  
     " . Office. 541. 569. 574  
     " . change in. 574  
 Registrar. 745. 765  
     " . application for Winding up  
     of. 764  
     " . Functions of. 745  
     " . Power of Enquiry of. 746  
 Registration. 540. 597. 588. 644  
     " . Mortgage and Charge of.  
     741  
     " . Procedure of. 588  
 Relative. 702  
 Relevant period. 554  
 Remuneration. 590. 693. 708  
 Requisition for meeting. 655  
 Rescission. 602  
 Reserve Capital. 578. 613  
 Reserves. 713  
 Resolutions. 552. 660  
     " . Ordinary. 661  
     " . Members of. 661  
     " . Registration of. 661

- Resolutions. Special. 660, 761  
     "    , By Special Notice. 662  
 Return, 663 as to Allotment, 609  
 Return of money. 607  
 Revocation. 607  
 Rights Shares. 550. 620  
 Rotation. 670  
  
 Secretaries and Treasurers. 702  
 Secretary. 702  
 Service of Documents. 706  
 Shares. 613  
     "    . Allotment of. 605  
     "    . Capital. 613  
     "    . Certificate. 614, 622  
     "    . Classification of. 614  
     "    . Compulsory purchase of. 628  
     "    . Conversion of government loans  
         into. 621  
     "    . Definition of. 613  
     "    . at a Discount. 630  
     "    . Differences between Share  
         warrant and Share certificate. 624  
     "    . Equity. 616  
     "    . Forfeiture of. 649  
     "    . Issue of at a premium. 630  
     "    . Lien on. 648  
     "    . Preference. 614, 619  
     "    . Redeemable. 615, 619  
     "    . Premium Account. 636  
     "    . Purchase of Company's Share,  
         551. 632  
     "    . Qualification. 669  
     "    . Restrictions on Acquisition and  
         Transfer of. 641  
     "    . Surrender of. 650  
     "    . Take over of. 628  
     "    . Transfer and Transmi-ssion of.  
         636  
     "    . Transfer of. 650. 638  
     "    . Trust of. 634  
     "    . Warrant of. 623  
 Shareholder. 616. 634. 738  
     "    . Duties of. 618  
     "    . Liabilities of. 618  
     "    . and Member. 636  
     "    . Obligations of. 618  
     "    . Rights of. 617. 721  
     "    . Variation of rights of. 578  
     "    . Voting rights. 616  
  
 Sole Selling Agents. 691  
 Solvency. Declaration of. 775  
 Statements. Untrue. 598 ; reckless. 599  
 Statistics. 759  
 Status. legal of. 543  
 Situation Clause. 567  
 Specific Performance. 592  
 Statutory. Books of. 717  
 Statutory. Company of. 539  
     "    . Meeting. 550. 652, 761  
     "    . Obligation of. 541. 544  
     "    . Public Company. 545. 552.  
         555  
     "    . Report. 550. 653  
 Stock. 624  
 Stock. Exchange Recognition, 608  
 Subscription List. 605 ; opening of.  
     606  
 Subsidiary Company. 548. 758  
 Substratum. 763  
 Surrender of shares. 650  
  
 Trading company. 732  
 Transfer. 541. 544. 550. 636. 638  
     "    . Blank. 646  
     "    . Forged. 646  
     "    . and Transmission. 636, 646  
 True Statement. 601  
 Trustee. 634. 637. 687  
 Turnover. 554  
  
 Ultra vires. 567, 580, 581  
 Unclaimed Dividends. 714-715, 788  
 Undisclosed principal. 710  
 Undistributed Assets. 788  
 Unlawful object. 759  
 Unlimited Company. 545  
     "    . Directors of. 619, 699, 774  
 Unlimited. Liability. 774  
 Unregistered Company. 540 ; winding  
     up of. 789  
 Untrue Statement. 598. 602  
  
 Value of share. 642  
 Veil. lifting or piercing of. 542, 758  
 Voluntary Association. 540  
 Voluntary. Transfer. 782  
 Void Acts. 584  
 Voting. methods of. 659. 670 ; rights  
     of. 616  
 Winding up. 561. 638. 723-724. 761  
     "    . Application for. 764

Winding up. Commencement of, 765  
 " . Compulsory, 761, 781, 784  
 " . Consequence of, 782  
 " . Definition of, 761  
 " . of Foreign Companies, 559  
 " . Modes of, 761  
 " . Mode of Distribution of  
 Assets upon, 785  
 Winding up. Under Supervision, 780  
 " . of Unregistered Companies  
 788, Voluntary, 775, 781, 784

**MRTTP ACT**

Commission, MRTTP, 793, 794, 796, 802  
 Commission, Planning, 792  
 Committee, Hazari, 792  
 " . Mahalanobis, 792  
 " . Monopolies enquiry, 792  
 Directive Principles of State Policy,  
 792  
 Undertakings, 797, 798  
 Underfallings. Dominant, 798  
 " . Inter-connected, 797, 799

**[INDUSTRIAL LAW]****Introduction**

Industrial Law,  
 Classification of, 809  
 Definition, 808  
 Objectives and Scope, 808  
 needs for, 808  
 Legislation, 808  
 States by, 809  
 Social Insurance, 809  
**Ch. I. Factories Act, 1948**  
 Access, 834, 843  
 Accident, Notifiable, 868  
 Adolescent, 816, 854  
 Adult, 816  
 " . Consumption Unit, 861  
 " . Employment of, 850  
 " . Working Hours of, 849  
 Aid, First appliances of, 846, 848  
 Annual Leave, 857  
 Appeals, 872  
 Apprentices, 814  
 Approval of factories, §18-819  
 Armed Forces, 814  
 Buildings, defective of, 840, 844 ;  
 maintenance of, 841, safety of, 841,  
 845  
 Calendar year, 816  
 Canteen, 846, 849  
 Casing of Machinery, 831, 843  
 Central Govt., Powers of, 873  
 Certifying Surgeons, 821, 854 ; duties  
 of, 821  
 Chains, 833, 843  
 Child, 816, 853-856, 857

Child, Labour, 856  
 Children, 853-856 : (Pledging of  
 Labour) Act, 856  
 Children, Working Hours for, 855  
 Cleanliness, 822, 826  
 Clothes, storing and drying of, 845, 848  
 Cognizance, 872  
 Confidential Position, 851  
 Consumption Unit, 861  
 Contract Labour, Abolition of, 873  
 Cotton opener, 831, 843, 853  
 Creches, 847, 849, 853  
 Daily Hours, 849  
 Daily Works, 852  
 Dangerous Operations, 853, 867  
 Dangerous Occurrences, 868  
 Day, 816  
 Defective parts, 840  
 Departments as Factory, 866  
 Disease, Notifiable, 869  
 Double employment, 850  
 Drinking Water, 825, 827  
 Dry dock, 817  
 Dust, 823, 827  
 Effluents, disposal of, 822, 826  
 Emergency, 867  
 Employment, Women of, 852-853  
 Employment, young persons, 853-856  
 Escape, 838-839  
 Establishment, 812  
 Eyes, protection of, 835, 844  
 Factories Act, 811 ; application of, 811 ;  
 of Great Britain, 811 ; objects of,  
 811  
 Factory, 811-812, 866

- Family. 861  
 Fencing. 828. 842  
 Fire. 838-839. 844  
 First aid appliances. 846. 848  
 Fitness, Certificate of. 854  
 Floors. 834, 843 : openings in. 835. 843  
 Fume. 823, 827. 836. 844  
 Gas, Explosive or inflammable. 837. 844  
 Health Survey. 869-870  
 Health of Workers. 822-826  
 Hoists. 831-832. 843  
 Holidays. 852. 857-859 : compensatory. 857  
 Hotel. 812  
 Hours of Work. 849. 852  
 Humidification. 823. 827  
 Indian Mines Act. 812  
 Indian Standard Times. 816  
 I. S. T. 816  
 Inspectors. 819-821 : duties of. 821 : powers of. 819-820 : obstruction of. 820  
 Latrines. 825. 828  
 Leave. 857-860  
 Licensing of factories. 818  
 Lifting Machines. 833. 843  
 Lifting tackles. 833. 843  
 Lifts. 831. 843  
 Lighting. 824. 827  
 Lunch Rooms. 847  
 Machinery. 816. 828-834. 837. 853  
 Machinery. Safety of. 840. 844  
 Managing Agent. 817  
 Manufacturing Process. 813  
 Medical Examination. 856  
 Night Work. 852. 854  
 Notice. 818. 868  
 Obstruction. 820  
 Occupational disease. 869  
 Occupier. 817. 870  
 Offences. 870  
 Overcrowding. 824. 827  
 Overtime. 860  
 Owner. 870  
 Penalties. 870  
 Pits. 835. 843  
 Power. 815. 830  
 Precincts. 813  
 Premises. 813  
 Presumption. 872  
 Pressure Plant. 834. 843  
 Prime Mover. 816  
 Procedure of Penalties. 870-872  
 Public Emergency. 867  
 Public Institutions. 867  
 Quarter. 852  
 Railway Running Shed. 812  
 Register. 855  
 Registration of factories. 818  
 Relay. 817  
 Repairs, urgent. 851  
 Rest, interval for. 850 : rooms. 847. 849  
 Returns. 873  
 Revolving Machinery. 834. 843  
 Ropes. 833. 843  
 Rules. 841. 845. 848. 849  
 Safety Officers. 841. 845  
 Safety Workers. 842-845  
 Salary. 865-866  
 Self-acting machines. 830. 843  
 Shelters. 847. 849  
 Shift. 817  
     " Change of. 852  
     " Night. 850  
     " Overlapping. 850. 852  
 Sitting. 845. 848  
 Spittoons. 826. 828  
 Spreadover. 850. 852  
 Stability, tests of. 840  
 Stairs. 834. 843  
 Standard Family. 861  
 Standard Time. 816  
 Striking Gear. 830. 843  
 Sumps. 835  
 Surgeons, Certifying of. 821. 854  
 Temperature, factory of. 823. 826  
 Token. 854  
 Transmission machinery. 816  
 Unfair Labour Practice. 862  
 Urinals. 825. 828  
 Payment of Wages Act. 860. 865

- Ventilation. 823, 826
- Wages. 857-862, 865-866
- Washing facilities. 845, 848
- Wastes, disposal of. 822, 826
- Water. 825, 827
- Week, 817
- Weekly Holidays, 857
- Weekly Hours, 849
- Welfare Officers. 848, 849
- Welfare of Workers. 845-849
- Weights, excessive of. 835, 843, 853
- Women. 831, 843, 852
- Women, employment of. 852-853
- Work, Notice Period of. 851, 855
- Worker. 814 : Obligations of. 814, 866
- Year, 816
- Young person. 816, 829, 853, 856
- Ch. 2. Employees' State Insurance Act, 1948**
- Accident. 900
- Application of the Act. 878
- Apprentices. 880
- Appropriate Government. 878, 883
- Arrears. Contribution of. 907
- Assignment of benefit. 907
- Attachment of benefit. 907
- Authentication. 886
- Benefits. 896, 898, 899, 904, 906, 907
- Central Govt., power of. 884
- Confinement. 898
- Contributions. 894-896
- Delegation. 887
- Dependants' Benefit. 904-906
- Disablement Benefit. 899-904
- Disablement Permanent Partial. 901
- Disablement, Permanent Total. 901
- Disablement Question. 903
- Disablement Temporary. 901
- Dismissal. 908
- Double Benefits. 907
- Employee. 880
- Employees' State Insurance Act, 1948. Objects of 877 : Application of. 878-879
- Employees' State Insurance Corporation. 885-889 : Administration of. 885 : Authentication. 886 : Meetings. 887 : Members 886 : Principal Officers. 887 : Supersession. 887 : Delegation. 887 : Powers. 887 ; Status. 887 ; Duties. 889 ; Audit. 889
- Employees' Insurance Court. 909-911
- Employees' State Insurance Fund, 892
- Employment Injury. 900
- Employer, Duties of. 884
- Factory. 879
- Family. 881
- Funeral Benefit. 906
- Immediate Employer. 883
- Injury. 900
- Inspectors. 894
- Insurable Employment. 881
- Insurable Workman. 885
- Insurance Fund. 892
- Insured Person 881 : Death of. 908
- Managing Agent. 882
- Maternity Benefit. 898-899
- Medical Benefit. 906
- Medical Benefit Council. 890
- Meetings. 887
- Membership. 891
- Occupational Diseases. 901
- Penalties. 911
- Pension rates. 903
- Principal Employer. 882
- Principal Officers. 887
- Registration of factories. 885
- Review. 907
- Seasonal Factory. 879
- Sick Leave. 898
- Sickness Benefit. 896-898, 907
- Sickness Excessive. 907
- Social Insurance. 877
- Social Insurance Reasons of. 877 : object of. 877
- Standing Committee. 890
- Status of Officers and servants. 887
- Supersession. 887
- Table. 911
- Transfer of Establishment. 914
- Wages. 882, 909

- Wage period. 894  
 Workmen. 885
- Ch. 3. Indian Fatal Accidents Act, 1955**
- Actio personalis moritur cum personalis.* 918
- Application. 918
- Claim for loss. 919
- Damages. 919
- English Common Law. 918
- Life, as an economic unit. 919
- Measure of damages. 919
- Particulars. 919
- Suit for compensation. 918
- Ch. 4. Employees' Liability Act, 1938**
- Common Law. 920
- Contracting out. 920
- Doctrine of assumed risk. 920
- Doctrine of Common Employment. 920
- Negligence. 920
- Risk. 921
- Ch. 5. Workmen's Compensation Act, 1923**
- Accident. 930 : Fatal, 940
- Appeals. 945
- Assumed Risks. Doctrine of. 922
- Bar to Civil Suits. 944
- Casual Employment. 929
- Claim, 923, 939
- Commissioners. 944
- Common Employment, Doctrine of. 922
- Compensation, Amount of 935 ;  
 claiming of. 923
- Compensation, Distribution of. 937 ;  
 Payment of. 939
- Compensation, Protection of, 936
- Compensation, Rules Regarding, 930
- Compensation, When is employer liable  
 to pay ? 930
- Compensation, When is employer not  
 liable to pay ? 934
- Contracting out. 943
- Contractors. Employment by. 942
- Contributory Negligence. Doctrine of.  
 923
- Damages, suit by workmen. 923
- Death. 936
- Dependant. 924
- Disablement. Partial. 925
- Disablement. Permanent Partial. 936
- Disablement. Permanent Total. 936
- Disablement. Temporary. 936
- Disablement. Total. 926
- Disease. 933
- Employer. 922, 924
- Employer. Insolvency of. 942
- Employer. Remedies of against stranger.  
 942
- Employment. Arising out of and in the  
 course of. 931
- Employment Injury. 931
- Half-monthly payments. 935, 936
- Injury. 931
- Insolvency of Employer. 942
- Masters. 943
- Medical Examination. 941
- Minor. 924
- Notice, and Claim. 939
- Notional Extension. 932
- Occupational disease. 933
- Parties Representation of. 945
- Penalties. 943
- Personal Injury. 931
- Recovery of the amount awarded. 944
- References. 945
- Returns. 943
- Schedule. 936
- Seamen. 943
- Suits. 923, 944
- Torts. 923
- Transfer of Assets by Employer. 943
- Wages. 926-927
- Wages. Monthly. 927
- Workman. 928
- Workmen. Compensation of. 930
- Workmen's Compensation Act. 1923.  
 922 : Application of. 922

**Ch. 6. Trade Unions Act, 1926**

Amalgamations of Union, 956  
 Appropriate Government, 950  
 Audit of Trade Union, 960  
 Cancellation, 953  
 Communication to regd. office, 954  
 Dispute, 949  
 Disqualification, 959  
 Dissolution, 959  
 Duties and Liabilities, 956-960  
 Enforceability of Agreements, 955  
 Funds, of Trade Union, 957  
 Immunity, 954  
 Incorporation, 954  
 Indian Trade Unions Act, 1926 : object and scope of, 948  
 Inspection, 955  
 Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971, 948  
 Minor, 955  
 Name, of Trade Union, 955  
 Office, 950, 954, 956  
 Office-bearers, proportion of, 959  
 Officer, 950  
 Penalties, 959  
 Political Fund, 958  
 Registered office, 950, 954, 956  
 Registered Union, 948 : Status of, 950  
 Registrar, 950  
 Registration, 951-953  
     " Effect of, 953  
     " Mode of, 951  
 Returns, 959  
 Rights And Privileges, 954  
 Status, of officers and servants of trade unions, 950  
 Suits, 954  
 Trade Dispute, 949  
 Trade Union, 948  
 Workman, 949

**Ch. 7. Payment of Wages Act, 1936**

Absence from duty, 968

Act, Application of, 975  
 Advances, 969  
 Appeal, 972  
 Attachment of property, 973  
 Authority, to hear claims, 971  
 Bar to suits, 974  
 Civil Court, Powers of a, 973  
 Claim, 971  
 Commissioners of Workmen's compensation, 971  
 Contracting out, 974  
 Co-operative Societies, 970  
 Damage, 968  
 Deductions from Wages, 967-971  
 Employee, 972  
 Employer, Duties of, 971  
 Enforcement of the Act, 971  
 Establishment, 964  
 Factory, 964  
 Fines, 967  
 Income Tax, 969  
 Indian Railways Act, 965  
 Industrial Establishment, 964  
 Inspectors, 971  
 Insurance Schemes, 970  
 Loss, 968  
 Notice, 974  
 Offences, trial of, 973  
 Orders of Court, 969  
 Overpayments, 969  
 Payment, Time of, 966  
 Payment, Medium of, 967  
 Payment, Scope of, 963  
 Payment of Wages Act, 1936, object and Scope of, 963  
 Payment of Wages Act, 1936, Rules For, 966  
 Payment of Wages Act, 1936, Who is responsible For, 966  
 Penalties, 973  
 Procedure, 973  
 Provident Fund, 970  
 Railway administration, 965  
 Recover : Power of, 973  
 Recovery of money, 973

- Rule Making Power. 975  
 Services rendered. 969  
 Suits. 974  
 Wages. 965, 966, 967  
 Wage period. 966  
 Written Authorisation. 970
- Ch. 8. Minimum Wages Act, 1948**  
 Adolescent. 981  
 Adult. 981  
 Appropriate Government. 978  
 Attachment of assets. 988  
 Authority. 986  
 Bar to Suits. 989  
 Central Govt. Powers of. 989  
 Child. 981  
 Claim. 986  
 Cognizance. 988  
 Commissioners of Workmen's  
   Compensation. 986  
 Competent Authority. 979  
 Contracting out. 989  
 Cost of Living Index Numbers. 979  
 Day. 984  
 Exemptions. 988  
 Employee. 980  
 Employer. 980; Liability of. 988  
 Enforcement. 985  
 Fixing Hour. 984  
 Guarantee time-rate. 981  
 Index Numbers. 980  
 Inspectors. 985  
 Minimum rates. 981  
 Minimum Wages Act. 1948. object and  
   scope of. 978  
 Minimum Wages. Fixation of. 981;  
   Revision of. 982; Payment of. 983;  
   Time rate of. 985  
 Normal Working Day. 984  
 Offences by Companies and Firms. 988  
 Overtime. 981, 984  
 Payment of Wages Act. 982  
 Penalties. 987  
 Piece work. 985  
 Powers of Government. 989
- Records. 985  
 Register. 985  
 Scheduled Employment. 978, 988  
 Single application. 987  
 Suits. 989  
 Time rate. 981  
 Undisbursed amount. 988  
 Wages. 980; in kind. 984; rates of.  
   985; for two or more classes of  
   work. 934; time rate for piece work.  
   985  
 Wage period. 982
- Ch. 9. Industrial Disputes Act,  
 1947**  
 Abandonment of Service. 1061  
 Allocable surplus. 1009  
 Apprentices. 1003  
 Appropriate Government. 1013, 1041  
 Arbitration. 1021  
 Assessors. 1019  
 Authority. 1013, 1041; under Industrial  
   Disputes Act. 1013; powers of.  
   1025; procedure of. 1025  
 Average Pay. 1043  
 Award. 1025  
 Badli Workmen. 1042  
 Board of Conciliation. 1016  
 Bonus. 1008  
 Bonus Act. 1008  
 Closure. 1031, 1040, 1052  
 Cognizance. 1062  
 Compensation. 1047, 1049  
 Conciliation. Board of. 1016  
 Conciliation Officers. 1014  
 Conditions of Service. 1057  
 Conditions of Change in. 1059  
 Confidential Matters. 1030  
 Continuous Service. 1042  
 Court of Enquiry. 1013, 1017, 1022,  
   1025  
 Deduction from ages. 1032  
 Discharge. 1051  
 Dispute. 1022  
 Dispute. Collective. 1001  
 Dispute. Individual. 1002  
 Employer. 1005  
 Employment. relationship of. 1004



- ESMA. 1036  
 Essential Service. 1037  
 Establishment. 1034  
 Establishment. Small. 1041  
 Go-slow. 1032  
 Gratuity. 1011  
 Gratuity. Act 1972. 1011  
 Grievance Settlement. 1020  
 Heirs. rights of. 1022  
 Independent Person. 1016, 1019  
 Industrial Disputes. 1000  
 Industrial Disputes Act of 1947. 992 ;  
     Amendment of 1982. 992 ;  
     application of. 992 ; objects of. 992  
 Industrial Employment (Standing  
     Orders) Act. 1058  
 Industrial Establishment. 995, 1034  
 Industrial Tribunals. 1019  
 Industry. 993  
 Industry. Concept of. 996  
 Labour Courts. 1017  
 "Last in first out". 1050  
 Lay-off. 1039, 1044  
 Lock-out. 1030, 1033  
 Muster Roll. 1043  
 National Tribunal. 1019, 1021, 1022  
 Offences. 1062  
 Overtime. 1032  
 Parties. Representation of. 1064  
 Payment of Bonus Act. 1008  
 Payment of Full Wages. 1007  
 Payment of Gratuity Act. 1011  
 Payment, manner of. 1004  
 Penalties. 1012, 1035, 1039, 1040,  
     1046, 1056, 1061, 1062  
 Preferences to Indian Citizens. 1050  
 Procedure and Powers. 1025  
 Protected Workman. 1061  
 Protection of Persons. 1063  
 Public Utility Service. 1033  
 Punishment. 1060  
 Recovery of money. 1063  
 Reference. 1021  
 Reinstatement. 1022  
 Representation of Parties. 1064  
 Restarting. 1055  
 Retrenchment. 1045, 1048  
 Service. conditions of. 1057, 1059 ;  
     continuous. 1057  
 Settlement, Disputes of. 1025  
 Standing Orders. 1058  
 Stay-in Strike. 1032  
 Strike. 1031  
 Strike. Prohibition of. 1033  
 Subsistence Allowances. 1057  
 Time Limit. 1007  
 Transfer. 1024, 1052  
 Transfer. of undertakings. 1052  
 Tribunal. 1019  
 Undertaking. 995, 1052  
 Vacancies. filling of. 1024  
 Wages. 1006  
 Workman. 1003  
 Works Committee. 1014
- Ch. 10. The Industries  
 (Development & Regulation) Act,  
 1951**
- Central Advisory Council. 1068  
 Development Council. 1069  
 Licence. 1073, 1074  
 Registration. 1072  
 Scheduled Industries. 1071