Bill Summary

The Bankers' Books Evidence Bill, 2026

- The Bankers' Books Evidence Bill, 2026 was introduced in Lok Sabha on August 3, 2026. The Bill seeks to repeal and replace the Bankers' Books Evidence Act, 1891. The Act provides for certified copies of bank records to be used as evidence in legal proceedings without requiring production of the original records. The Bill aims to modernise the legal framework to meet the requirements of the present banking system. It retains most of the provisions of the Act. Key changes include:
- **Admissibility of electronic records:** The Bill adds that an electronic or digital record of a banker's book will be admissible, valid, and legally enforceable as evidence, subject to certain conditions. These include: (i) the said copy is a true copy of such entry or information, and correctly represents or is appropriately derived from such records, (ii) no unauthorised change of data is observed or detected, and (iii) no tampering with the system or other event which may be essential for establishing integrity and accuracy.
- **Compelling production of bankers' books:** The Act states that an officer of a bank cannot be compelled to produce any banker's book in a legal proceeding to which the bank is not a party. An officer also cannot be compelled to appear as a witness to prove matters, transactions, or accounts recorded. Such actions require an order of the Court or a Judge made for a special cause. The Bill retains these provisions and also defines special cause to mean where: (i) accuracy or genuineness of the entry or information is doubtful, (ii) any event has occurred which suggests that the regularity or ordinary nature of record keeping is interrupted, or (iii) the bank does not comply with any Court order regarding inspection of books.
- **Application to other entities in the financial sector:** The Act applies to entities engaged in the business of banking and any post office savings bank or money order office. The Bill retains this. It further empowers the central government to extend the provisions of the Bill to any entity or class of entities operating in the financial sector, by notification. The government may specify conditions, exceptions, or modifications in the notification.

Davis Joseph
davis@prsindia.org

August 4, 2026