

# **Prohibition of Hypothecation of a Human Being in Lieu of a Debt Ishtihar No. 112**

JAMMU & KASHMIR

India

## **Prohibition of Hypothecation of a Human Being in Lieu of a Debt Ishtihar No. 112**

### **Rule**

### **PROHIBITION-OF-HYPOTHECATION-OF-A-HUMAN-BEING-IN-LIEU-OF of 1893**

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Prohibition of Hypothecation of a Human Being in Lieu of a Debt Ishtihar No. 112(State Council Resolution No. 34 dated 16th August, 1893)(Translated from original in Urdu Published in Government Gazette dated 4th Assuj. 1950)

### **1.**

It has been noticed that in some parts of the Jammu Province practice is prevalent that a human being is hypothecated in lieu of a debt. Whereas it is essential to stop absolutely for future this practice, against public policy. His Highness the Maharaja Sahib has been pleased to order (vide No. 62/2655 dated 19th Magh, 1949) that whoever in future keeps a human being in hypothecation for securing the payment of his debt will be liable to punishment under section 188 Ranbir Penal Code, (disobedience to order duly promulgated). Such contract of hypothecation will be considered as void and creditor will not be entitled to realise debt through a Law Court.Contracts entered into before the promulgation of this Ishtihar will be treated as cancelled so far as condition of hypothecation of a human being is concerned. There will, however, be no restriction as to institution of a suit for recovery of money advanced.