



## The Assam Court-Fees (Amendment) Act, 1947

Act 18 of 1947

### Keyword(s):

Central Act Amendment, Court Fees Act, 1870

Amendments appended: 8 of 1950, 27 of 1954, 22 of 1955, 3 of 1958, 20 of 1958, 12 of 1960, 8 of 1963, 27 of 1972

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# **THE ASSAM COURT-FEES (AMENDMENT) ACT, 1947**

**(Assam Act XVIII of 1947)\***

***[Received the assent of the Governor on the 11<sup>th</sup>  
September, 1947]***

***[Passed by the Assembly]***

## **CONTENTS**

### **Section**

1. Short title and  
commencement.

2. Insertion of new Ss. 7-A, 7-  
B,

7-C and 7-D in Act VII of 1870.

\* Published in the Assam Gazette of the 17<sup>th</sup> December, 1947.

# **An Act to amend the Court-Fees Act in its application to Assam**

## **Preamble.**

Whereas it is expedient to amend the Court-Fees Act (Act VII 1870), in its application to the Province of Assam, in the manner hereinafter appearing;

It is hereby enacted as follows:

### **1. Short title and commencement.**

(1) This Act shall be called the Assam Court-Fees (Amendment) Act, 1947

(2) It shall come into force at once.

### **2. Insertion of new Ss. 7-A, 7-B, 7-C and 7-D in Act VII of 1870.**

After S.7 of the Court-Fees Act, 1870 (Act VII of 1870), the following shall be inserted as Ss. 7-A, 7-B, 7-C and 7-D, and shall apply to the whole of Assam, namely:

***“7-A. Inquiry as to valuation of suits.*** If the court is of opinion that the subject-matter of any suit has been wrongly valued, it may revise the valuation and determine the correct valuation, and may hold such inquiry as it thinks fit for such purpose.

***7-B. Investigation to ascertain proper valuation.***

- (1) For the purpose of an inquiry under S. 7-A the court may depute or issue a commission to any suitable person to make such local or other investigation as may be necessary and to report thereon to the court. Such report and any evidence recorded by such person shall be evidence in the inquiry.
- (2) The court may, from time to time, direct such party to the suit as he thinks fit to deposit such sum as the court thinks reasonable as the cost of the inquiry, and if the costs are not deposited within such time as the court shall fix, may, notwithstanding anything contained in any other Act, dismiss the suit if such party is the plaintiff or the appellant and, in any other case, may recover the costs as a public demand.



**7-C. *Power of persons making inquiry under Ss. 7-A and 7-B.***

- (1) The court, when making an inquiry under S. 7-A and any person making an investigation under S. 7-B shall have, respectively for the purpose of such inquiry or investigation, the powers vested in a court under the Code of Civil Procedure, 1908, in respect of the following matters, namely:
  - (a) enforcing the attendance of any person and examining him on oath or affirmation;
  - (b) compelling the production of documents or material objects;
  - (c) issuing commission for the examination of witnesses.
- (2) An inquiry or investigation referred to in sub-S. (1) shall be deemed to be a judicial proceeding within the meaning of Ss. 193 and 228 of the Indian Penal Code (Act XLV of 1860).

***7-D. Costs of inquiry as to valuation and refund of excess fee.***

If in the result of an inquiry under S. 7-A the court finds that the subject-matter or the suit has been under-valued, the court may order the party responsible for the under-valuation to pay all or any part of the costs of the inquiry.

If in the result of such inquiry the court finds that the subject-matter of the suit has not been under-valued, the court may, in its discretion, order that all or any part of such costs shall be paid by Government or by any party to the suit at whose instance the inquiry has been undertaken, and if any amount exceeding the proper amount of fees has been paid shall refund the excess amount so paid.”

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# **THE ASSAM COURT-FEES (AMENDMENT) ACT, 1950**

**(Assam Act VIII of 1950)\***

**[Passed by the Assembly]**

## **CONTENTS**

### **Section**

1. Short title, extent and commencement.
2. Amendment of S. 18 of Act VII of 1870.
3. Amendment of Schedule I, Art. 1
4. Amendment of Schedule I, Art. 1
5. Amendment of Schedule I, Art. 6
6. Amendment of Schedule I, Art. 7
7. Amendment of Schedule I, Art. 8
8. Amendment of Schedule I, Art. 11
9. Amendment of Schedule I, Art. 12
10. Amendment of table of rates of ad valorem fees.

\* Published in the "Assam Gazette, Extraordinary", dated the 30<sup>th</sup> March 1950.

11. Amendment of Schedule II, Art.1, Cls.(a), (b), (c) and (d) and insertion of a new Cl. (e).
12. Amendment of Schedule II, Art. 10
13. Amendment of Schedule II, Art. 11
14. Amendment of Schedule II, Art. 12
15. Amendment of Schedule II, Art. 17
16. Amendment of Schedule II, Art. 18
17. Exemption of certain probates, letters of administration and certificates.

**An Act<sup>+</sup> to amend the Court-Fees Act, 1870, with reference to  
the scale of court-fees in Assam**

Whereas it is necessary to increase temporarily the revenues of Assam and for that purpose to amend the Court-Fees Act, 1870 (VII of 1870) hereinafter called the principal Act in its application to Assam, in the manner hereinafter appearing;

It is hereby enacted as follows:

<sup>+</sup> For Statement of Objects and Reasons, see “Assam Gazettes”, 1950, Part V, page 47.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-fees (Amendment) Act, 1950.

(2) It extends to the whole of Assam.

(3) It shall come into force, on the first day of April, 1950 and shall remain in force for a period of five year.

**2. Amendment of S. 18 of Act VII of 1870.**

In S. 18 of the principal Act, for the words “a fee of eight annas” the words “a fee of one rupee” shall be substituted.

**3. Amendment of S. 19.**

Item (x) in S. 19 of the principal Act shall be deleted.

**4. Amendment of Schedule I. Art. 1.**

For Art. 1 in the First Schedule to the principal Act, the following shall be substituted namely:

when the amount or value of the  
subject-matter in dispute does  
not exceed seventy-five rupees,  
for every five rupees or part Six annas.  
thereof of such amount or value

and

<p>“1.           Plaint, written statement pleading a set- off               or counterclaim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil Court or       Revenue Court except those mentioned in S.</p>	<p>when such amount or value exceeds seventy-five rupees, for every five rupees or part thereof, in excess of Seventy-five rupees, for every five rupees or part thereof, in excess of seventy-five rupees, up to one hundred rupees</p>	<p>Eight annas</p>
<p>3.</p>	<p>and</p> <p>when such amount or value exceeds one hundred rupees for every ten rupees or part thereof, in excess of one hundred rupees up to one hundred and fifty rupees up to one hundred and fifty rupees.</p>	<p>One rupee ten annas.</p>

annas

and

One rupee

ten annas.

when such amount or value exceeds one hundred and fifty rupees, for every ten rupees or part thereof up to one hundred rupees One rupee two annas

and

when such amount or value exceeds one hundred rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to seven thousand five hundred rupees. Seven rupees eight annas

and

when such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees, up to ten thousand rupees Fifteen rupees

and

<p>“1.       Plaint, written statement pleading a set-off or counter claim or memorandu m of appeal (not otherwise provided for in this Act) or of cross- objection presented to any Civil or Revenue Court except those mentioned in S. 3</p>	<p>when such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees</p> <p>when such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to fifty thousand rupees</p> <p>when such amount or value exceeds fifty thousand rupees, for every five thousand rupees or part thereof, in excess of fifty thousand rupees.</p> <p>Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be ten thousand rupees.”</p>	<p>Twenty- two rupees eight annas</p> <p>Thirty rupees</p> <p>Thirty- seven rupees eight annas:</p>
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**5. Amendment of Schedule 1, Art. 6.**

In the third column in Art. 6 in the same Schedule to the principal Act, -

- (a) for the words “four annas”, opposite Cl. (a) in the second column, the words “eight annas” shall be substituted; and
- (b) for the words “eight annas” opposite the first item in Cl. (b) in the second column, the words “one rupee” shall be substituted, and for the words “one rupee” opposite the second item in that clause, the words “two rupees” shall be substituted.

**6. Amendment of Schedule I, Art. 7.**

In the third column in Art. 7 in the same Schedule to the principal Act, -

- (a) for the words “eight annas” opposite Cl. (a) in the second column, the words “one rupee” shall be substituted; and
- (b) for the words “one rupee” opposite Cl. (b) in the second column, the words “two rupees” shall be substituted ; and

- (c) for the words “four rupees” opposite the last entry in the second column, the words “five rupees” shall be substituted.

**7. Amendment in Schedule I, Art. 8.**

In Art.8 of the First Schedule to the principal Act, for the figures “1879” in the first column, the figures “1899” shall be substituted.

**8. Amendment in Schedule I, Art.11.**

In Art. 11 in the same Schedule to the principal Act, -

- (i) for the entries above the proviso in the second column and for the entries in the third column, the following shall be substituted, namely :

“When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on such amount or value up to ten thousand rupees	Two per centum.
and	

<p>when such amount or value exceeds ten thousand rupees, on the portion of such amount or value which is in excess of ten thousand rupees, up to fifty thousand rupees</p> <p>and</p> <p>when such amount or value exceeds fifty thousand rupees, on the portion of such amount or value which is in excess of fifty thousand rupees, up to a lakh of rupees</p> <p>and</p> <p>when such amount or value exceeds a lakh of rupees on the portion of such amount or value which is in excess of a lakh of rupees up to two lakhs and fifty thousand rupees</p> <p>and</p> <p>when such amount or value exceeds two lakhs and fifty thousand rupees, on the portion of such amount or value which is in excess of two lakhs and fifty thousand rupees up to three lakhs of rupees.</p>	<p>Three per centum.</p> <p>Four per centum.</p> <p>Five per centum.</p> <p>Five-and-a-half per centum.</p>
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<p>and</p> <p>when such amount or value exceeds three lakhs of rupees, on the portion of such amount or value which is in excess of three lakhs of rupees up to four lakhs of rupees.</p>	<p>Six per centum.</p>
<p>and</p> <p>when such amount or value exceeds four lakhs of rupees, on the portion of such amount or value which is in excess of four lakhs of rupees up to four lakhs of rupees</p>	<p>Six-and-a-half per centum.</p>
<p>and</p> <p>when such amount or value exceeds five lakhs of rupees, on the portion of such amount or value which is in excess of five lakhs of rupees.</p>	<p>Seven per centum.”</p>

- (2) In the proviso for the words and figures “the Succession Certificate Act, 1889” the words and figures “the Indian Succession Act, 1925” shall be substituted.

**9. Substitution in Schedule I of new Art. 12.**

For Art. 12 of the First Schedule to the principal Act the following article shall be substituted, namely:

“12. Certificate under the Indian Succession Act, 1925.	When the amount or value of any debt or security specified in the certificate under S.374 of the Act exceeds one thousand rupees	Two per centum on the first ten thousand rupees; three per centum on the next forty thousand rupees; four per centum on the next one lakh and fifty thousand rupees; five and a half per centum on the next fifty thousand rupees; five and a half per centum on the next fifty thousand rupees; six per centum on the next one lakh of rupees; six and a half per centum on the next one lakh of rupees,
--	--	---

and

and

when the aggregate Seven per centum on the amount or value of any remainder of such amount debts or securities or value. specified in the certificate and of any In respect of such debts or securities and portion of the aggregate of any debts or amount or value as securities to which the consists of the amount or certificate has been value of debts or extended under S. 376 securities so specified, the of the Act exceeds one fee hereinbefore provided thousand rupees. in that behalf in this article,

and

three per centum on such portion of the first ten thousand rupees; four and a half per centum on such portion of the next forty thousand rupees; six per centum on such portion of the next fifty thousand rupees; six per centum on such portion of the next fifty thousand

rupees; seven and a half per centum on such portion of the next one lakh and fifty thousand rupees; nine per centum on such portion of the next fifty thousand rupees; nine and three-quarters per centum on such portion of the next one lakh of rupees,

and

ten and a half per centum on such portion of the remainder of such aggregate amount or value as consists of the amount or value of debts or securities to which the certificate has been extended.

*Note.* (1) The amount of a debt is its amount including interest on the day on which the

inclusion of the debt in the certificate is applied for, so, far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a certificate has been conferred power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.”

**10. Amendment of table of rates of *ad valorem* fees.**

For the table of rates of *ad valorem* fees leviable on the institution of suits, at the end of the same Schedule to the



principal Act, the table set forth in the Schedule to this Act shall be substituted.

**11. Amendment of Schedule II. Art I, Cls (a), (b), (c) and (d) and insertion of a new Cl. (e).**

In Art. 1, in the Second Schedule to the principal Act-

- (a) the second entry in the second column in Cl. (a) shall be deleted;
- (b) after Cl. (a) the following new clause in the second column and entry in the third column shall be added, namely, -

“(a) When presented to a Regional Transport Authority or State Transport Authority containing prayer for permits for contract carriage, stage carriage, private carrier or public carrier or when presented to any officer containing prayer for registration as a dealer under the provisions of the Assam Sales Tax Act, 1947.....Five rupees.”

- (c) in Cl. (a) after the words “Municipal Commissioner” in the third entry in the second column, the words “or member of a local board” shall be inserted;

- (a) (i) for the words “one anna” opposite Cl. (a) in the second column, the words “Eight annas” shall be substituted;
- (ii) for the words “Eight annas” opposite Cl. (b) in the second column the following shall be substituted, namely,-

“In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement, one rupee and in other cases twelve annas;”

- (iii) for the words “One rupee” opposite Cl. (c), in the second column, the words “Two rupees” shall be substituted;
- (b) in the second column in Cl. (b) the following shall be added, namely, -

“or when presented to a Collector or other officer making a settlement of land revenue, or to a board of revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land or the

ascertainment of rights thereto or interest therein, if presented previous to the final confirmation of such settlements;

or when presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement”.

(f) for the words “Two rupees” opposite Cl. (d) in the second column, the words “Four rupees” shall be substituted;

(g) after Cl. (d) the following new clause in the second column and entry in the third column shall be added, namely:

“(e) when presented to any officer containing prayer for settlement to fishery, ferry, forest produce, forest mahals, elephant mahals, or an offer giving terms for acceptance of Government for any construction or an application for a permit or licence to deal in controlled commodities..... Five rupees.”

**12. Amendment of Schedule II, Art. 10. In Art. 10**

In the same Schedule to the principle Act,-

- (1) for the words “Eight annas” opposite Cl. (a) in the second column, the words “One rupee” shall be substituted; and
- (2) for the words “One rupee” opposite Cl. (b) in the second column, the words “Two rupees” shall be substituted;
- (3) at the end of Cl. (c) in the second column after putting a comma after the words “Executive Authority”, the following shall be added, namely,-

“to an appellate authority prescribed under the Motor Vehicles Act, 1939 or to an appellate authority prescribed under the Assam State Sales Tax Act, 1947;
- (4) for the words “Two rupees” opposite Cl. (c) in the second column, the words “Four rupees” shall be substituted.

**13. Amendment of Schedule II, Art. 11.**

In Art. 11 in the same Schedule to the principal Act, -

- (a) for the words “Eight annas” opposite Cl. (a) in the second column, the words “Two rupees” shall be substituted;
- (b) for the words “Two rupees” opposite Cl. (b) in the second column, the words “Five rupees” shall be substituted;
- (c) add the following as new clauses in the second column and entries in the third column-
  - “(c) to a High Court in miscellaneous revenue matters [except (d) below] or to an appellate authority prescribed under the Motor Vehicles Act, 1939 or to an appellate authority prescribed under the Assam Sales Tax act, 1947 ..... ten rupees; and
- (d) to High Court in appeal and revision matters arising out of settlement of fisheries -

- (i) when bid money is below ten thousand and rupees..... Ten rupees;
- (ii) when bid money is above ten thousand rupees but below twenty thousand rupees ..... Fifteen rupees;
- (iii) when bid money is above twenty thousand rupees ..... Twenty rupees.”

**14. Amendment of Schedule II, Art. 12.**

For the words "Five Rupees" in the third column opposite Art. 12 in the same Schedule to the principal Act, the words "Ten rupees" shall be substituted.

**15. Amendment of Schedule II, Art. 17**

- (1) The words " Ten rupees" in the third column opposite Art. 17 in the same Schedule to the principal Act the bracket opposite that article in the second column in the same Schedule shall be omitted.
- (2) In the third column in the said article, -

(a) opposite entry (i), (ii) and (vi) the words "Fifteen rupees" shall be inserted; and

(b) opposite entry (iii) and (v) the words "Twenty rupees" shall be inserted

**16. Amendment of Schedule II, Art 18.**

In Art. 18 of the Second Schedule to the principal Act, the following shall be substituted, namely, -

"18. Application under S. When presented Fifteen  
14 or S. 20 of the to a Munsiff's rupees.  
Indian Arbitration Act, Court  
1940, for a direction  
for filing and award or When presented Fifty  
for an order for filing to any other rupees."  
an agreement Court

**17 Exemption of certain probates, letters of administration and certificates.**

Nothing in this Act shall apply to any probate, letters of administration or certificate in respect of which the fee payable under the law for the time being in force has been

paid prior to the commencement of this Act but which have not been issued.



## THE SCHEDULE

### Table of rates of ad valorem fees leviable on the institution of suits

**[See Section 10 of the Assam Court-Fees (Amendment)  
Act, 1950]**

When the amount or value of the subject - matter exceeds	But does not exceed	Proper fee	
(1)	(2)	(3)	
Rs.	Rs.	Rs.	annas.
...	5	0	6
5	10	0	12
10	15	1	2
15	20	1	8
20	25	1	14
25	30	2	4
30	35	2	10
35	40	3	0
40	45	3	6
45	50	3	12
50	55	4	2
55	60	4	8
60	65	4	14
65	70	5	4

70	75	5	10
75	80	6	2
80	85	6	10
85	90	7	2
90	95	7	10
95	100	8	2
100	110	9	12
110	120	11	6
120	130	13	0
130	140	14	10
140	150	16	4
150	160	17	6
160	170	18	8
170	180	19	10
180	190	20	12
190	200	21	14
200	210	23	0
210	220	24	2
220	230	25	4
230	240	26	6
240	250	250	27
250	260	28	10
260	270	29	12
270	280	30	14
280	290	32	0
290	300	33	2
300	310	34	4
310	320	35	6

320	330	36	8
330	340	37	10
340	350	38	12
350	360	39	14
360	370	41	0
370	380	42	2
380	390	43	4
390	400	44	6
400	410	45	8
410	420	46	10
420	430	47	12
130	440	48	14
440	450	50	0
450	460	51	2
460	470	52	4
470	480	53	6
480	490	54	8
490	500	55	10
500	510	56	12
510	520	57	14
520	530	59	0
530	540	60	2
540	550	61	4
550	560	62	6
560	570	63	8
570	580	64	10
580	590	65	12
590	600	66	14

600	610	68	0
610	620	69	2
620	630	70	4
630	640	71	6
640	650	72	8
650	660	73	10
660	670	74	12
670	680	75	14
680	690	77	0
690	700	78	2
700	710	79	4
710	720	80	6
720	730	81	8
730	740	82	10
740	750	83	12
750	760	84	14
760	770	86	0
770	780	87	2
780	790	88	4
790	800	89	6
800	810	90	8
810	820	91	10
820	830	92	12
830	840	93	14
840	850	95	0
850	860	96	2
860	870	97	4
870	880	98	6

880	890	99	8
890	900	100	10
900	910	101	12
910	920	102	14
920	930	104	0
930	940	105	2
940	950	106	4
950	960	107	6
960	970	108	8
970	980	109	10
980	990	110	12
990	1,000	111	14
1,000	1,100	119	6
1,100	1,200	126	14
1200	1,300	134	6
1,300	1,400	141	14
1,400	1,500	149	6
1,500	1,600	156	14
1,600	1,700	164	6
1,700	1,800	171	14
1,800	1,900	179	6
1,900	2,000	186	14
2,000	2,100	194	6
2,100	2,200	201	14
2,200	2,300	209	6
2,300	2,400	216	14
2,400	2,500	224	6
2,500	2,600	231	14

2,600	2,700	239	6
2,700	2,800	246	14
2,800	2,900	254	6
2,900	3,000	261	14
3,000	3,100	269	6
3,100	3,200	276	14
3,200	3,300	234	6
3,300	3,400	291	14
3,400	3,500	299	6
3,500	3,600	306	14
3,600	3,700	314	6
3,700	3,800	321	14
3,800	3,900	329	6
3,900	4,000	336	14
4,000	4,100	344	6
4,100	4,200	351	14
4,200	4,300	359	6
4,300	4,400	366	14
4,400	4,500	374	6
4,500	5,500	381	14
4,600	4,700	389	6
4,700	4,800	396	14
4,800	4,900	404	6
4,900	5,000	411	14
5,000	5,100	419	6
5,100	5,200	426	14
5,200	5,300	434	6
5,300	5,400	441	14

5,400	5,500	449	6
5,500	5,600	456	14
5,600	5,700	464	6
5,700	5,800	471	14
5,800	5,900	479	6
5,900	6,000	486	14
6,000	6,100	494	6
6,100	6,200	501	14
6,200	6,300	509	6
6,300	6,400	516	14
6,400	6,500	524	6
6,500	6,600	531	14
6,600	6,700	539	6
6,700	6,800	546	14
6,800	6,900	554	6
6,900	7,000	561	14
7,000	7,100	569	6
7,100	7,200	576	14
7,200	7,300	584	6
7,300	7,400	591	14
7,400	7,500	599	6
7,500	7,750	614	6
7,750	8,000	629	6
8,000	8,250	644	6
8250	8,500	659	6
8,500	8,750	674	6
8,750	9,000	689	6
9000	9,250	704	6

9,250	9,500	719	6
9,500	9,750	734	6
9,750	10,000	749	6
10,000	10,500	771	14
10,500	11,000	794	6
11,000	11,500	816	14
11,500	12,000	839	6
12,000	12,500	861	14
12,500	13,000	884	6
13,000	13,500	906	14
13,500	14,000	626	6
14,000	14,500	951	14
14,500	15,000	974	6
15,000	15,500	996	14
15,500	16,000	1,1019	6
16,000	16,500	1,041	14
16,500	17,000	1,064	6
17,000	17,500	1,086	14
17,500	18,000	1,109	6
18,000	18,500	1,131	14
18,500	19,000	1,154	6
19,000	19,500	1,176	14
19,500	20,000	1,199	6
20,000	21,000	1,229	14
21,000	22,000	1,259	6
22,000	23,000	1,289	6
23,000	24,000	1,389	6
24,000	25,000	1,349	6



25,000	26,000	1,379	6
26,000	27,000	1,409	6
27,000	28,000	1,439	6
28,000	29,000	1,469	6
29,000	30,300	1,499	6
30,000	31,000	1,529	6
31,000	32,000	1559	6
32,000	33,000	1,589	6
33,000	34,000	1,619	6
34,000	35,000	1,649	6
35,000	36,000	1,679	6
36,000	37,000	1,709	6
37,000	38,000	1,709	6
38,000	39,000	1,769	6
39,000	40,000	1,799	6
40,000	41,000	1,829	6
41,000	42,000	1,859	6
42,000	43,000	1,889	6
43,000	44,000	1,949	6
44,000	45,000	1,949	6
45,000	46,000	1,979	6
46,000	47,000	2,009	6
47,000	48,000	2,039	6
48,000	49,000	2,069	6
49,000	50,000	2,199	6
50,000	55,000	2,136	14
55,000	60,000	2,174	6
60,000	65,000	2,211	14

65,000	70,000	2,249	6
70,000	75,000	2,286	14
75,000	80,000	2,324	6
80,000	85,000	2,361	14
85,000	90,000	2,399	6
90,000	95,000	2,436	14
95,000	1,00,000	2,474	6
1,00,000	1,05,000	2,511	14
1,05,000	1,10,000	2,549	6
1,10,000	1,15,000	2,586	1
1,15,000	1,20,000	2,624	6
1,20,000	1,25,000	2,661	14
1,25,000	1,30,000	2,699	6
1,30,000	1,35,000	2,736	14
1,35,000	1,40,000	2,774	6
1,40,000	1,45,000	2,811	14
1,45,000	1,50,000	2,849	6
1,50,000	1,55,000	2,886	14
1,55,000	1,60,000	2,924	6
1,60,000	1,65,000	2,961	14
1,65,000	1,70,000	2,999	6
1,70,000	1,75,000	3,036	14
1,75,000	1,80,000	3,074	6
1,80,000	1,85,000	3,111	14
1,85,000	1,90,000	3,149	6
1,90,000	1,95,000	3,186	14
1,95,000	2,00,000	3,224	6
2,00,000	2,05,000	3,2661	14

and the fee increases at the rate of thirty-seven rupees eight annas for every five thousand rupees or part thereof, up to maximum fee of ten thousand rupees, for example-

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	
(1)	(2)	(3)	
Rs.	Rs.	Rs.	annas.
	3,00,000	3,974	6
	4,00,000	4,724	6
	5,00,000	5,474	6
	6,00,000	6,224	6
	7,00,000	6,974	6
	8,00,000	7,724	6
	9,00,000	7,724	6
	10,00,000	9,224	6
	11,00,000	9,974	6
	11,05,000	10,000	0

**17. Exemption of certain probates, letters of administration and certificates.**

Nothing in this act shall apply to any probate, letters of administration or certificate in respect of which the fee

payable under this law for the time being in force has been paid prior to the commencement of this Act but which have not been issued.

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**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1954\***

**(Assam Act XXVII of 1954)**

*[Received the assent of the Governor of Assam on the 29th  
August, 1954]*

*[8th September, 1954]*

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870) with reference to the  
scale of Court-Fees in Assam**

**Preamble.**

Whereas it is necessary to amend the Court-Fees Act, 1870 (Act VII of 1870) hereinafter called the principal Act, in its application to Assam, in the manner hereinafter appearing;

\* Published in the Assam Gazette, dated the 8<sup>th</sup> September, 1954.

It is hereby enacted in the Fifth Year of the Republic of India  
as follows:

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees  
(Amendment) Act, 1954.

(2) It extends to the whole of Assam.

(3) It shall come in to force at once.

**2. Amendment of S. 1 (3) of Assam Act VIII of 1950.**

In sub-S. (3) of S. 1. of the Assam Court-Fees (Amendment)  
Act, 1950, all full stop shall be inserted after the figure  
"1950" and the words "and shall remain in force for a period  
of five years" shall be deleted.

**3. Amendment of Schedule II, Art. 1.**

**Assam: Nagaland**

For Art. 1 *substitute* the following:

Number		Proper fee
1. Application or petition	(a) When presented to any officer of the Custom or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject- matter of such application relates exclusively to those dealings; or  When presented to any Municipal Board or other local authority constituted under any Act for the time being in force for the conservance or improvement of any place, if the application or petition relates solely to such conservancy or improvement; or  When presented to any civil court other than a principal civil court of original jurisdiction, or to any Court of Small Causes constituted under Act No 16 of 1868, S. 20 or to a Collector or other officer of revenue in relation to any suit or case in which the amount	Fifty paise

or value of the subject-matter is less than; or

When presented to any civil, criminal or revenue court or to any board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such court, board or officer or of any other document or record in such court of office;

Seven  
rupees

(b) When presented to a regional transport authority or State Transport Authority containing a prayer for permits for contract carriage, stage carriage, private carrier or public carrier or for any other purpose.

and  
fifty  
naye  
paise

#### **4. Amendment of Schedule II, Art 11.**

[Further Amendment by Assam Act VII of 1963.]



**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1955\***

**(Assam Act XXII of 1955)**

***[Received to assent of the Governor of Assam on the  
22nd December, 1955]***

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870)**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870) herein after called the Principal Act, in its application to Assam in the manner herein after appearing:

It is hereby enacted in the Sixth Year of the Republic of India as follows:

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\* Published in the Assam Gazette, dated 18-12-1955.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1955.

(2) It extends to the whole of Assam.

(3) It shall come in to force at once.

**2. Amendment of Schedule II, art. 11. [Further amended by Assam Act, VII, of 1963]**

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**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1958 \***

**(Assam Act III of 1958)**

*[Received the assent of the Governor on the 26<sup>th</sup> March, 1958]*

*[1st April, 1958]*

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870) in its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870) herein after called the principal Act, in its application to Assam in the manner hereinafter appearing:

It is hereby enacted in the Ninth Year of the Republic of India as follows:

\* Published in the Assam Gazette, dated 18-12-1955.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1958.

(2) It extends to the whole to the State of Assam.

(3) It shall come in to force with effect from the 1st April, 1958.

**2. Amendment of Schedule I, Art 1.**

**Assam: Nagaland**

For Art .1 the following article was *substituted*, viz;

Number		Proper fee
"1. Complaint, written statement pleading a set-off or counter claim or memorandum of appeal (Not otherwise provided for in	When the amount or value of the subject-matter in dispute does not exceed on hundred rupees, for every five rupees, or part thereof, of such amount or value,	Fifty naye paise.
	and	

this Act) or of cross-objection presented to any civil or revenue court except those mentioned in S. 3.

When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof in excess of one hundred rupees, up to one hundred and fifty rupees,	One rupee and seventy-five naye paise.
---	--

and

When such amount or value exceeds one hundred and fifty rupees, for every ten rupees, or part thereof, up to one thousand rupees,	One rupee and twenty-naye paise.
---	----------------------------------

and

When such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees up to ten thousand rupees,

and

When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees,

and

"1. Complaint, written statement pleading a set-off or counter	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof,	Thirty rupees.
--	---	----------------

claim or in excess of twenty  
memorandum thousand rupees, up to  
of appeal (Not fifty thousand rupees,  
otherwise  
provided for in  
this Act) or of  
cross-objection  
presented to and  
any Civil or  
Revenue Court  
except those  
mentioned in  
S. 3.

When such amount or Thirty-  
value exceeds fifty seven  
thousand rupees, for rupees and  
every five thousand fifty naye  
rupees, or part thereof, in paise:  
excess of fifty thousand  
rupees.

Provided that the  
maximum fee leviable on  
a plaint or memorandum  
of appeal shall not exceed  
ten thousand rupees."

**3. Amendment of Schedule I, Art. 6.**

In the third Column in Art, 6. of Schedule I for the words "eight annas" opposite Cl. (a) in the second column, the words "fifty naye paise" shall be substituted.

**4. Amendment of table of rate of ad valorem fees.**

For the table of rates of *ad valorem* fees leviable on the institution of suits, at the end of Schedule I to the principal Act, the table set forth in the Schedule to this Act shall be substituted:



## **THE SCHEDULE**

### **Table of rates of ad valorem fees leviable on the institution of suits**

**[See Section 4 of the Assam Court- Fees (Amendment)  
Act, 1958.]**

When the amount or value of the subject - matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
...	5	0.50
5	10	1.00
10	15	1.50
15	20	2.00
20	25	2.50
25	30	3.00
30	35	3.50
35	40	4.00
40	45	4.50
45	50	5.00

50	55	5.50
55	60	6.00
60	65	6.50
65	70	7.00
70	75	7.50
75	80	8.00
80	85	8.50
85	90	9.00
90	95	9.50
95	100	10.00
100	110	11.75
110	120	13.50
120	130	15.25
130	140	18.75
140	150	19.95
150	160	21.15
160	170	22.15
170	180	22.35
180	190	23.55
190	200	24.25
200	210	25.95
210	220	27.15
220	230	28.35
230	240	29.55
240	250	30.75
250	260	31.95
260	270	33.15
270	280	34.35

280	290	35.55
290	300	36.75
300	310	37.95
310	320	39.15
320	330	40.35
330	340	41.55
340	350	42.75
350	360	43.95
360	370	45.15
370	380	46.35
380	390	47.55
390	400	48.75
400	410	49.95
410	420	51.15
420	430	52.35
430	440	53.55
450	450	54.75
460	460	55.95
470	470	57.15
480	480	58.35
490	490	59.55
500	500	60.75
510	510	61.95
520	520	63.15
530	530	64.35
540	540	65.55
550	550	66.75
560	560	69.15

570	570	70.35
580	580	71.55
590	590	72.75
600	600	73.95
610	610	75.15
620	620	76.35
630	630	77.55
640	640	78.75
650	650	79.95
660	660	81.15
670	670	82.35
680	680	83.55
690	690	84.75
700	700	85.95
710	710	87.15
720	720	88.35
730	730	89.55
740	740	90.75
750	750	91.95
760	760	93.15
770	770	94.35
780	780	95.55
790	790	96.75
800	800	97.95
810	810	99.15
820	830	100.35
830	840	101.55
840	850	102.75

850	860	103.95
860	870	105.15
870	880	106.35
880	890	107.55
890	900	108.75
900	910	109.95
910	920	111.15
920	930	112.35
820	830	100.35
930	940	113.55
940	950	114.75
950	960	115.95
960	970	117.15
970	980	118.35
980	990	119.55
990	1,000	120.75
1,000	1,100	128.95
1,100	1,200	135.75
1,200	1,300	143.25
1,300	1,400	150.75
1,400	1,500	158.25
1,500	1,600	165.75
1,600	1,700	173.25
1,700	1,800	180.75
1,800	1,900	188.25
1,900	2,000	190.75
2,000	2,100	203.25
2,100	2,300	218.25

2,300	2,400	225.75
2,400	2,500	233.25
2,500	2,600	240.75
2,600	2,700	248.25
2,700	2,800	255.75
2,800	2,900	263.25
2,900	3,000	270.75
3,000	3,100	270.75
3,100	3,200	285.75
3,200	3,300	293.25
3,300	3,400	300.75
3,400	3,500	308.75
3,500	3,600	315.75
3,600	3,700	323.25
3,700	3,800	330.75
3,800	3,900	338.25
3,900	4,000	345.75
4,000	4,100	353.25
4,100	4,200	360.75
4,200	4,300	368.75
4,300	4,400	375.75
4,400	4,500	383.25
4,500	4,600	390.75
4,600	4,700	398.25
4,700	4,800	405.75
4,800	4,900	413.25
4,900	5,000	420.75
5,000	5,100	428.25

5,100	5,200	435.75
5,200	5,300	443.25
970	980	118.35
5,300	5,400	450.75
5,400	4,500	458.75
4,500	4,600	465.75
4,600	4,700	473.25
4,700	4,800	480.75
4,800	4,900	488.25
4,900	6,000	49.75
6,000	6,100	503.25
6,100	6,200	510.75
6,200	6,300	518.25
6,300	6,400	525.75
6,400	6,500	533.25
6,500	6,600	540.75
6,600	6,700	548.25
6,700	6,800	555.75
6,800	6,900	563.25
6,900	7,000	570.75
7,000	7,100	578.25
7,100	7,200	585.25
7,200	7,300	593.25
7,300	7,400	600.75
7,400	7,500	608.25
7,500	7,750	623.25
7,750	8,000	638.25
8,000	8,250	653.25

8,250	8,500	668.25
8,500	8,750	683.25
8,750	9,000	698.25
9,000	9,250	713.25
9,250	9,500	728.25
9,500	10,000	758.25
10,000	10,500	780.75
10,500	11,000	803.25
11,000	11,500	825.75
11,500	12,000	848.25
12,000	12,500	870.75
12,500	13,000	893.25
13,000	13,500	915.75
13,500	14,000	938.25
14,000	14,500	960.75
14,500	15,000	983.25
15,000	15,500	1,005.75
15,500	16,000	1,028.25
16,000	16,500	1,050.75
16,500	17,000	1,073.25
17,000	17,500	1,095.75
17,500	18,000	1,118.25
18,000	18,500	1,140.75
18,500	19,000	1,163.25
19,000	19,500	1,185.75
19,500	20,000	1,208.25
20,000	21,000	1,238.25
21,000	22,000	1,268.25



22,000	23,000	1,298.25
23,000	24,000	1,328.25
24,000	25,000	1,358.25
25,000	26,000	1,388.25
26,000	27,000	1,418.25
27,000	28,000	1,448.25
28,000	29,000	1,487.25
29,000	30,000	1,508.25
30,000	31,000	1,538.25
31,000	32,000	1,568,25
32,000	33,000	1,598.25
33,000	34,000	1,628.25
34,000	35,000	1,658.25
35,000	36,000	1,688.25
36,000	37,000	1,718.25
37,000	38,000	1,748.25
38,000	39,000	1,778.25
39,000	40,000	1,808.25
40,000	41,000	1,838,25
41,000	42,000	1,868.25
42,000	43,000	1,898.25
43,000	44,000	1,928.25
44,000	45,000	1958.25
45,000	46,000	1,988.25
46,000	47,000	2,018.25
47,000	48,000	2,048.25
48,000	49,000	2,078.25
49,000	50,000	2,108.25

50,000	55,000	2,145.75
55,000	60,000	2,183.25
60,000	65,000	2,220.75
65,000	70,000	2,258.25
70,000	75,000	2,295.75
75,000	80,000	2,333.25
80,000	85,000	2,370.75
85,000	90,000	2,408.25
90,000	95,000	2,445.75
95,000	1,00,000	2,483.25
1,00,000	1,05,000	2,520.75
1,05,000	1,10,000	2,558.25
1,10,000	1,15,000	2,595.75
1,15,000	1,20,000	2,633.25
1,20,000	1,25,000	2,670.75
1,25,000	1,30,000	2,708.25
1,30,000	1,35,000	2,745.75
1,35,000	1,40,000	2,783.25
1,40,000	1,45,000	2,820.75
1,45,000	1,50,000	2,858.25
1,50,000	1,55,000	2,895.75
1,55,000	1,60,000	2,933.25
1,60,000	1,65,000	2,970.75
1,65,000	1,70,000	3,008.25
1,70,000	1,75,000	3,045.75
1,75,000	1,80,000	3,083.25
1,80,000	1,85,000	3,120.75
1,85,000	1,90,000	3,158.25

1,90,000	1,95,000	3,195.75
1,95,000	2,00,000	3,233.25
2,00,000	2,05,000	3,270.75

And the fee increases at the rate of thirty-seven rupees fifty naye paise for every five thousand rupee or part thereof, up to a maximum fee of ten thousand rupees, for example-

When the amount or value of the subject matter exceeds.	But doe But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np
	3.00,000	3,983,25
	4,00,000	4,733.25
	5,00,000	5,483.25
	6,00,000	6,233.25
	7,00,000	6,983.25
	8,00.000	7,733.25
	9,00.000	9,233.25
	10,00,000	9,233.25
	11,00,000	9,238.25
	11,05,000	10,020.75

**5. Amendment of Schedule II, Art. I.**

- (1) In the third column in Art. I of Schedule II of the Principal Act, for the words "four annas" opposite CL.
    - (a) the words "twenty five naye paise" shall be substituted.
  
  - (2) In the third column in Article I of Schedule II of the Principal Act for the words "twelve annas" opposite Cl.
    - (a) the words "twenty-five naye paise" shall be substituted.
-

# **THE ASSAM COURT-FEES (SECOND AMENDMENT) ACT, 1958 \***

**(Assam Act XX of 1958)**

**An Act further to amend the Court - Fees Act, 1870  
(Act VII of 1870) in its application to Assam.**

## **Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the Ninth Year of the Republic of India as follows:

## **1. Short title, extent and commencement.**

- (i) This Act may be called the Assam Court-Fees (Second Amendment) Act, 1958.

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\* Received the assent of the Governor on the 16<sup>th</sup> June, 1958, published in the Assam Gazette, Extraordinary, dated the 18<sup>th</sup> June, 1958.

(ii) It extends to the whole of the State of Assam.

(iii) It shall come into force at once.

**2. Amendment of Schedule II, Art. 11.**

In Cl. (c) in the second column in Art. 11 of Schedule II to the Principal Act, a full stop shall be inserted after the figure "1939" and the words "or to an appellate authority prescribed under the Assam Sales Tax Act, 1947" following the figure "1939" be deleted.

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# **THE ASSAM COURT-FEES (AMENDMENT) ACT, 1960 \***

**(Assam Act No XII of 1960)**

**An Act further to amend the Court -Fees Act, 1870  
with reference to the sale of Court-Fees in Assam**

## **Preamble.**

Whereas it is expedient further to amend the Court-fees Act, 1870 (Act VII of 1870), in its application to Assam in the manner hereafter appearing;

It is hereby enacted in the Eleventh year of Republic of India as follows:

## **1. Short title, extent and commencement.**

- (i) This Act may be called the Assam Court-Fees (Amendment) Act, 1960.
- (ii) It extend to the whole of Assam

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\* Received the assent of the Governor on the 31<sup>st</sup> March, 1960, published in the Assam Gazette, Extraordinary, dated the 31<sup>st</sup> March, 1960.

- (iii) It shall come into force with effect from the 1st April, 1960.

**2. Amendment of Schedule II, Art. 1 of Act VII of 1870.**

In Art. 1 of Schedule II of the Court-Fees Act, 1870 -

- (1) In the second column of Cl. (e) after the words "for any construction" the following words shall be inserted, namely;

"or any other purpose" ; and

- (2) after Cl. (e) the following new clause in the second column and entry in the third column shall be added, namely:

"(f) When presented to an Appropriate Revenue authority for demarcation of land -

Rs.

- (i) When the area of such land does not exceed 2.00 Five bighas
- (ii) for each subsequent area of Five bighas or part thereof 1.00

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**THE ASSAM COURT-FEES (AMENDMENT)  
ACT, 1963\***

**(Assam Act No. VIII of 1963)**

**An Act further to amend the Court-Fees Act, 1870, in  
its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the Fourteenth Year of the Republic of India as follows:

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1963.

(2) It extends to the whole of Assam.

\*Received the assent of the Governor on the 23<sup>rd</sup> April, 1963, published in the Assam Gazette Extraordinary, dated the 26<sup>th</sup> April, 1963.

- (3) It shall come in to force with effect from the First day of April 1963.

**2. Amendment of Schedule I and II of the Act VII of 1870.**

In the Principal Act -

- (1) In Schedule I, for Article numbers 6, 7, 8, and 9 the following shall be substituted, namely:

Number	Proper fee
“6. Copy of When such judgment or translation of a order is passed by any judgment or order Civil Court other than a not being, or having High Court, or by the the force of, a Presiding Officer of any decree Revenue Court or Officer, or by any other Judicial or executive Authority.	
(a) If the amount or value of the subject-matter is fifty or less than fifty rupees.	One rupee.
(b) If such amount or value exceeds fifty	Two rupees.

rupees

When such judgment or order is passed by a High Court Four rupees.

7. Copy of decree or order having force of a decree

When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court -

(a) If the amount or value of the subject-matter of the suit where in such decree or order is made is fifty or less than fifty rupees. Two rupees.

(b) If such amount or value exceeds fifty rupees Three rupees.

When such decree or order is made by a High Court. Seven rupees and fifty naye paise.

<p>8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899 Act II of 1899), when left by any party to a suit or proceeding in place of the original withdrawn.</p>	<p>(a) When the stamp – duty charge able on the original does not exceed one rupee.</p> <p>(b) In any other case</p>	<p>The amount of the duty chargeable on the original.</p> <p>One rupee.</p>
<p>9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or Office, or from the office of any chief officer charged with the executive administration of Division.</p>	<p>For every three hundred and sixty words or fraction of three hundred any sixty words.</p>	<p>One rupee.”</p>

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- (2) For Schedule II, the following shall be substituted, namely:

## **"SCHEDULE II**

### **Fixed Fees**

Number	Proper Fee
1. Application or petition	<p>(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings; or</p> <p>when presented to any Municipal Board or other local authority constituted under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such</p>

conservancy or improvement; or

when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under Act No. 11 of 1865 or under Act No. 1968, S. 20 or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees; or

when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office.

(b) When presented in a Seven rupees and  
Regional Transport Authority or fifty naye paise.  
State Transport Authority  
containing a prayer for permit  
for Contract Carriage, Stage  
Carriage, Private Carrier or  
Public Carrier or for any other  
purpose

(c) When containing a complaint or charge of any offence other than an offence for which police-office may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court; or In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively or such engagement- one rupee and fifty paise and in other case one rupee.



1. when presented to Civil, Criminal or Revenue  
Applic Court, or to a Collector or any revenue  
ation officer having jurisdiction equal or ordinate to  
or Collector or to any Magistrate in his executive  
petitio capacity and not otherwise provided for by the  
n- Act, or to deposit in Court as revenue or  
contd. rent: or

for determination by a Court of the amount of  
compensation be paid by a landlord to his  
tenant; or

when presented to a Collector or other officer  
making a settlement of land revenue, or to a  
Board of Revenue, or a Commissioner of  
Revenue relating to matters connected with  
the assessment of land or the ascertainment  
of rights thereto or interest therein, if  
presented previous to the final confirmation of  
such settlement; or

when presented to any officer of land revenue  
by any person holding temporarily settled  
land under direct engagement with  
Government, and when the subject-matter of  
the application or petition relates exclusively  
to such engagement.

(d) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act. Three rupees

(e) When presented to a High Court. Six rupees.

(f) When presented to any officer containing prayer for settlement of fishery, ferry, forest produce, forest mahals, elephant mahals, or an officer giving terms for acceptance of Government for any construction or an application for a permit or license to deal in controlled commodities. Seven rupees and fifty paise.

(g) When presented to an Appropriate Revenue Authority for demarcation Authority for demarcation of land –

(i) when the area of such land does not exceed one hectare. Two rupees.

One rupee.

(ii) for each subsequent area of One rupee.  
one hectare or part thereof.

1-A.	When the Court grants the	One rupee and
Application	application and is of opinion that the	fifty naye paise
to any Civil	transmission of such record involves	in addition to
Court that	the use records involves the use of	any fee levied
records	the post.	on the
may be		application
called for		under Cl. (a),
from		Cl. (c) or Cl. (e)
another		of Art. 1 of this
Court.		Schedule.

2. Application		
for leave to	-----	One rupee.
sue as a		
pauper.		

- |   |  |               |
|---|--|---------------|
| 3. Application for leave to appeal as a pauper. | (a) When presented to a District Court.              | Two rupees.   |
|   | (b) When presented to a commissioner or a High Court | Three rupees. |

4.....

5.   Plaint   or  
      memorand  
      um       of  
      appeal in a  
      suit       to  
      establish  
      or disprove  
      a right of  
      occupancy.

6.   Bail-bond  
      or   other  
      instrument  
      of  
      obligation  
      given   in  
      pursuance  
      of an order  
      made by a  
      Court    or  
      Magistrate.

One rupee.

under any  
section of the  
Code of  
Criminal  
Procedure  
1898 (Act V of  
1898) on the  
Code of Civil  
Procedure,  
1908) and not  
otherwise  
provided for  
by this Act.

7.

Undertaki  
ng under  
S.49 of the  
Indian  
Divorce  
Act 1869  
(Act IV of  
1969)

8.....

9.....

10. When presented for the conduct of  
Mukhtarna any one case –

ma or

Wakaltna

ma

(a) to any Civil or Criminal Court  
other than a High Court, or to  
any Revenue Court, or to any  
Collector or Magistrate, or other  
executive officer except such as One rupee.  
are mentioned in Cls. (b) and (c)  
of this number.

(b) to a Commissioner of Revenue,  
Circuit or Customs officer or to  
any officer charged with the  
executive administration of a  
Division, not being the Chief Two rupees and  
Revenue or Executive Authority. fifty naye paise.

(c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or executive authority or an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939) or to an appellate authority prescribed under the Assam Sales Tax Act, 1947 (Assam Act XVII of 1947). Five rupees.

11. Memorandum of appeal when the appeals is not from a decree or an order having the force of a decree, and is presented -
- (a) to any Civil Court other than a High Court, or to any Revenue Court or executive officer other than the High Court or Chief Controlling Revenue or Executive Authority except an authority specified in Cl. (b) Three rupees.



- (b) to an Excise Appellate Authority under R. 340 of the Assam Excise Rules. Fifteen rupees
- (c) to a high Court or Chief Commissioner, or other Chief Controlling Executive or Revenue Authority except an authority prescribed in Cl. (b). Ten rupees.
- (d) to an Excise Appellate Authority under R.341 of the Assam Excise Rules. Fifty rupees.
- (e) to a high Court in Miscellaneous revenue matters except (f) below or to an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939). Fifteen rupees.
- (f) to a High Court in appeal and revision matters arising out of settlement of fisheries -

- (i) when the bid money is below ten thousand rupees. Fifteen rupees.
- (ii) when the bid money is above ten thousand rupees but below twenty thousand rupees. Twenty-five rupees.
- (iii) when the bid money is above twenty thousand rupees. Thirty rupees.

12. Caveat. Ten rupees.

13.

Application  
under Act  
No. 10 of  
1859, S  
26, or  
Bengal Act  
No. 6 of  
1862, S.9,  
or Bengal  
Act No. 8  
of 1869, S.  
37

Five rupees.

14. Petition in  
suit under  
the Native  
Converts'  
Marriage  
Dissolutio  
n Act.  
1866 (Act  
XXI of  
1866)

Five rupees

15.....

16.....`

17. Plaint or  
memorand  
um of  
appeal in  
each of the  
following  
suits:

(i) to alter or  
set aside a  
summary  
decision or  
order of  
any of the  
Civil  
Courts not  
establishe  
d by  
Letters  
Patent or  
of any  
Revenue  
Court:

Fifteen rupees.

(ii) to alter or  
cancel any  
entry in a  
register of  
the names  
of  
proprietors  
of revenue  
paying  
estates.

Fifteen rupees.

(iii) to obtain  
a  
declaratory  
decree  
where no  
consequen  
ce relief is  
prayed.

Twenty rupees.

(iv) to set  
aside an  
award.

Fifteen rupees.

(v) to set aside  
an  
adoption.

Twenty rupees.

(vi) every  
other suit  
where it is  
not  
possible to  
estimate at  
a money-  
value the  
subject-  
matter in  
dispute,  
and which  
is not  
otherwise  
provided  
for by this  
Act.

18.

Application  
under S.14  
or S. 20 of  
the Indian  
Arbitration  
Act, 1940  
(Act X of  
1940), for  
a direction  
for filing  
an award  
or for an  
order filing  
an  
agreement.

When presented to a Munsif's  
Court.

Fifteen rupees.

When presented to any other  
Court.

Fifty rupees.

19.

Agreement  
in writing  
stating a  
question  
for the  
opinion of  
the Court  
under the  
Code of  
Civil  
Procedure,  
1908 (Act  
V of 1908)

Fifteen rupees.



20. Every  
petition  
under the  
Indian  
Divorce  
Act, 1869  
(Act IV of  
1869)  
except  
petition  
under S.  
44 of the  
same Act,  
and every  
memorand  
um of  
appeal  
under S.  
55 of the  
same Act.

Twenty rupees.

21. Complaint or  
memorandum  
of appeal  
under the  
Parsi  
Marriage and  
Divorce Act.  
1865 (Act XV  
of 1865)

Twenty rupees.

**THE COURT-FEES (ASSAM AMENDMENT)  
ACT, 1972 \***

**(Assam Act XXVII of 1972)**

***[Received the assent of the Governor on the 8<sup>th</sup>  
December, 1972]***

**An Act further to amend the Court-Fees Act, 1870  
in its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the twenty-third years of the Republic of India as follows:

\* Published in the Assam Gazette, Extraordinary, dated the 13<sup>th</sup> December, 1972.

**1. Short title, extent and commencement.**

(1) This Act may be called the Court-Fees (Assam Amendment) Act, 1972.

(2) It extends to the whole of Assam.

(3) It shall come in to force on such date as the State Government may, by notification the official Gazette, appoint.

**2. Amendment of Schedule I of Act VII of 1870.**

In Schedule I to the Principal Act.

(1) for Art.1, the following shall be substituted, namely:

Number		Proper fee
(1)	(2)	(3)
“1.       Plaint, written statement pleading a	When the amount or value of the subject-matter in dispute does not	Fifty-five paise.

<p>set-off or counter-claim or memorandum of appeal (not other – wise provided for in this Act, or of cross-objection presented to any Civil or Revenue Court except those mentioned in S. 3</p>	<p>exceed one hundred rupees, for every five rupees or part thereof of such amount or value.</p> <p>and</p>	
	<p>When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof, in excess of one hundred rupees up to one hundred and fifty rupees</p>	<p>One rupee and ninety-five paise.</p>

	and	
	<p>When such amount or value exceeds one hundred and fifty rupees, for every ten rupees, or part thereof up to one hundred rupees.</p> <p>and</p>	One rupees and forty paise
	<p>When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof in excess of one thousand rupees up to seven thousand five hundred rupees.</p> <p>and</p>	Eight rupees and twenty-five paise.

	<p>When such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees up to ten thousand rupees.</p> <p>and</p>	<p>Sixteen rupees and fifty paise</p>
	<p>When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of the thousand rupees, up to twenty thousand rupees.</p> <p>and</p>	<p>Twenty-four rupees and seventy-five paise</p>

	<p>When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part hereof in excess of twenty thousand rupees up to fifty thousand rupees.</p> <p>and</p>	Thirty-three rupees
	<p>When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, for every five thousand rupees, or part thereof in excess of fifty thousand rupees.</p>	Forty-one rupees and twenty-five paise.
	Provided that	Forty-one



	maximum fee leviable on a plaint or memorandum of appeal shall not exceed eleven thousand rupees”.	rupees and twenty-five paise:
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(2) for Arts. 6. 7, 8, and 9 and 9 the following shall be substituted, namely:

Number (1)	(2)	Proper fee (3)
“6. Copy or translation of a judgment or order not being or having the force of a decree	When such judgment or order is passed by any Civil Court other than High Court, or by the Presiding officer of any Revenue court or officer or by any other Judicial or Executive Authority:	

	(a) if the amount or value of the subject-matter is fifty or less than fifty rupees.	One rupee and ten paise
	(b) if such amount or value exceeds fifty rupees.	Two rupees and twenty paise
	(c) when such judgment or order is passed by a High Court.	Four rupees and forty paise
7. Copy of decree or order having the force of a decree	When such decree or order is made by any Civil Court other than a High Court other than a High Court, or by any Revenue Court -	

	(a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Two rupees and twenty paise
7. Copy of a decree or order having the force of a decree	When such decree or order is made by any Civil Court other than a High Court, or by any revenue Court –	
	(a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Two rupees and twenty paise

	(b) if such amount or value exceeds fifty rupees.	Three rupees and thirty paise
	(c) when such decree or order is made by High Court.	Eight rupees and twenty-five paise
8. Copy of any document liable to stamp-duty under the Indian Stamp act, 1899 (Act II of 1899), when left by any part to a suit or proceeding in place of the original withdrawn.	(a) when the stamp-duty chargeable on the original does to exceed one rupee.	The amount of the duty chargeable on the original.
	(b) in any other case	One rupees and twenty paise.

9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office or from the office of any Civil Officer charged with the executive administration of Division.	For every three hundred and sixty words or fraction of three hundred and sixty words	One rupee and twenty paise”
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(3) the table of rates of ad valorem fees leviable on the institution of suits at the end shall be substituted by the following:

## **THE SCHEDULE**

### **Table of rates of ad valorem fees leviable on the institution of suits**

**[See Section 4 of the Assam Court-fees (Amendment) Act, 1958]**

When the amount or value of the subject- matter exceeds	But does not exceed	Proper fee
(1)	(2)	(2)
Rs.	Rs.	Rs. Np.
...	5	0.55
5	10	1.10
10	15	1.65
15	20	2.20
20	25	2.75
25	30	3.30
30	35	3.38
35	40	4.40

40	45	4.95
45	50	5.50
50	55	6.05
55	60	6.60
60	65	7.15
65	70	7.70
70	75	8.25
75	80	8.80
80	85	9.35
85	90	9.90
90	95	10.45
95	100	11.00
100	110	12.95
110	120	14.85
120	130	16.80
130	140	18.70
140	150	20.65
150	160	22.25
160	170	23.30
170	180	24.60
180	190	25.90

190	200	27.25
200	210	20.55
210	220	29.55
220	230	31.20
230	240	32.50
240	250	33.85
250	260	35.15
260	270	36.50
270	280	37.80
280	290	39.15
290	300	40.45
300	310	41.75
310	320	43.10
320	330	44.40
330	340	45.70340
340	350	47.50
350	360	41.35
360	370	49.70
370	380	51.00
380	390	52.35
390	400	53.65



400	410	54.95
410	420	56.30
420	430	57.60
430	440	58.90
440	450	60.25
450	460	61.25
460	470	62.90
470	480	64.25
480	490	56.55
490	500	66.85
500	510	38.15
510	520	69.50
520	530	70.80
530	540	72.15
540	550	73.45
550	560	74.75
560	570	76.10
570	580	77.40
580	590	78.75
590	600	80.05
600	610	81.32

610	620	82.70
620	630	84.00
630	640	85.30
640	650	86.65
650	660	87.95
660	670	89.30
670	680	90.60
680	690	91.95
690	700	93.25
700	710	94.55
710	720	95.90
720	730	97.20
730	740	98.55
740	750	99.85
750	760	101.15
760	770	102.50
770	780	103.80
780	790	105.15
790	800	106.75
800	810	107.75
810	820	109.10

When the amount or value of the subject- matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
820	830	110.40
830	840	111.75
840	850	113.05
850	860	114.35
860	870	115.70
870	880	117.00
880	890	118.35
890	900	119.65
900	910	119.65
910	920	122.30
920	930	123.60
930	940	124.95
940	950	126.25
950	960	127.55
960	970	128.90
970	980	130.20

980	990	131.50
990	1,000	132.85
1,000	1,100	141040
1,100	1,200	145.35
1,200	1300	157.60
1,300	1,400	165.85
1,400	1,500	174.10
1,500	1,600	182.34
1,600	1,700	190.60
1,700	1,800	191.85
1,800	1,900	207.10
1,900	2,000	215.35
2,000	2,100	223.60
2,100	2,200	231.85
2,200	2,300	140.10
2,300	2,400	248.35
2,400	2,500	256.60
2,500	2,600	264.85
2,600	2,700	273.10
2,700	2,800	281.30
2,800	2,900	289.60

When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	Rs.Np.
2,900	3,000	297.85
3,000	3,100	306.10
3,100	3,200	314.35
3,200	3300	322.60
3,300	3,400	330.85
3,400	3,500	339.10
3,500	3,600	347.35
3,600	3700	355.60
3,700	3800	363.85
3,800	3,900	372.10
3,900	4,000	380.35
4,000	4,100	388.60
4,100	4,200	369.85
4,200	4,300	405.10
4,300	4,400	413.35

4,400	4,500	421.60
4,500	4,600	429.85
4,600	4,700	438.10
4,700	4,800	446.35
4,800	4,900	454.60
4,900	5,000	462.85
5,000	5,100	471.10
5100	5,200	479.35
5,200	5,300	487.60
5,300	5,400	495.85
5,400	5,500	504.10
5,500	5,600	512.35
5,600	5,700	520.60
5,700	5,800	528.80
5,800	5,900	537.10
5,900	6,000	545.35
6,000	6,100	553.60
6,100	6,200	661.80
6,200	6,300	570.10
6,300	6,400	578.35
6,400	6,500	586.60

6,500	6,600	594.85
When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	RsNp.
6,600	6,700	603.10
6,700	6,800	611.35
6,800	6,900	619.60
6,900	7,000	627.85
7,000	7,100	636.10
7,100	7,200	644.35
7,200	7,300	652.60
7,300	7,400	660.85
7,400	7,500	669.10
7,500	7,750	685.60
7,750	8,000	702.10
8,000	8,250	735.10
8,250	8,500	735.10
8,500	8,750	751.60

8,750	9,000	765.10
9,000	9,250	784.60
9,250	9,500	801.10
9,500	9,750	817.60
9,750	10,000	834.10
10,000	10,500	858.85
10,500	11,000	882.60
11,000	11,500	908.35
11,500	12,000	933.10
12,000	12,500	957.85
12,500	13,500	982.60
13,500	14,000	1,007.35
14,000	14,500	1,056.85
14,500	15,000	1,081.60
15,000	15,500	1,106.35
15,500	16,000	1,131.10
16,000	16,500	1,155.85
16,500	17,000	1,180.60
17,000	17,500	1,205.35
17,500	18,000	1,230.10
18,000	18,500	1,254.40



18,500	19,000	1,279.60
19,000	19,500	1,304.35
19,500	20,000	1,329.10
20,000	21,000	1,356.10
21,000	22,000	1,395.10
22,000	23000	1428.10
23,000	24,000	1461.10
24,000	25,000	1,494.10
25,000	26,000	1,527.10
26,000	27,000	1,593.10
27,000	28,000	1,593.10
28,000	29,000	1,626.10
29,000	30,000	1,659.10
30,000	31,000	1,692,10
31,000	32,000	1,725.10
32,000	33,000	1,758.10
33,000	34,000	1,791.10
34,000	35,000	1,824.10
35,000	36,000	1,857.10
36,000	37,000	1,890.10
37.000	38,000	1,923.10

38,000	39,000	1,956.10
39,000	40,000	1,989.10
40,000	41,000	2,022.10
41,000	42,000	2,055.10
42,000	43,000	2,088.10
43,000	44,000	2,121.10
44,000	45,000	2,154.10
45,000	46,000	2,187.10
46,000	47,000	2,220.10
46,000	47,000	2,220.10
47,000	48,000	2,253.10
48,000	49,000	2,286.10
49,000	50,000	2,319.10
50,000	55,000	2,360.35
55,000	60,000	2,401.60
60,000	65,000	2,442.85
65,000	70,000	2,484.10
70,000	75,000	2,525.35

When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
75,000	80,000	2,566.60
80,000	85,000	2,607.85
85,000	90,000	2,649.10
90,000	95,000	2,690.35
95,000	1,00,000	2,731.60
1,00,000	1,05,000	2,772.85
1,05,000	1,10,000	2,814.10
1,10,000	1,15,000	2,855.35
1,15,00	1,20,000	1,896.60
1,20,000	1,25,000	2,937.85
1,25,000	1,30,000	2,979.10
1,30,000	1,35,000	3,020.35
1,35,000	1,40,000	3,061.60
1,40,000	145000	1,102.85

1,45,000	1,50,000	3,144.10
1,50,000	1,55,000	3,185.35
1,55,000	1,60,000	3,226.60
1,60,000	1,65,000	3,267.85
1,65,000	1,70,000	3,309.10
1,70,000	1,75,000	3,350.35
1,75,000	1,80,000	3,391.60
1,80,000	1,85,000	3,432.85
1,85,000	1,90,000	3,474.10
1,90,000	1,95,000	3,515.35
1,95,000	2,00,000	3,556.60
2,00,000	2,05,000	3,597.85

and the fee increases at the rate of forty-one rupees and twenty five paise for every five thousand rupees or part thereof, up to a maximum fee of eleven thousand rupees, for example-

When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	Rs. Np.
	3,00,000	4,381.60
	4,00,000	5,206.60
	5,00,000	6,031.60
	6,00,000	6,856.60
	7,00,000	6,681.60
	8,00,000	8,506.60
	9,00,000	9,331.60
	10,00,000	10,981.60
	11,00,000	10,981.60
	11,05,000	11,022.85

**3. Amendment of schedule II of Act VII of 1870.**

For Schedule II to the principal Act, the following shall be substituted, namely:

## **“SCHEDULE II**

### **Fixed Fees**

Number	Proper fee
1. Application or petition.	(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealing;  or  When presented to any Municipal Board or other local authority constituted under any Act for time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;

or

when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under Act No ii of 1865 or under Act No 16 of 1868, S. 20 or to Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;

or

when presented to any Civil Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record is such Court or Office.

(b) When presented in a Regional Transport Authority or State Transport Authority containing a prayer for permit for Contract Carriage, Stage Carriage, Private Carrier or Public Carrier or for any other purpose. Eight rupees and twenty-five paise

1. Application or petition-  
*contd.*

(c) When containing a complaint or charge of any offence other than an offence for which police officer may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court;

or

when presented to a Civil, Criminal or Revenue Court, or to a Collector or any Revenue Officer having jurisdiction

In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of



equal or subordinate to a land revenue  
Collector, or to any Magistrate by any person  
in his executive capacity, and holding  
not other wise provided for by temporarily  
this Act, or to deposit in court settled land  
as revenue or rent; under direct  
engagement

or

with

Government,

for determination by a Court and when the  
of the amount of subject-  
compensation to be paid by a matter of the  
landlord to his tenant; or application or  
petition

relates

exclusively to

such

engagement

-one rupee

When presented to a Collector and sixty-  
or other officer making a five paise  
settlement of land revenue, or and in  
to a board of Revenue, or a other case  
Commissioner of Revenue, one rupee  
relating to matter connected and ten  
with the assessment of land or paise  
the ascertainment of rights  
thereto or interest therein, if

presented previous to the final  
confirmation of such  
settlement;

Or

When presented to any officer  
of land revenue by any person  
holding temporarily settled One rupee  
land under direct engagement and ten  
with government, and when paise.  
the subject matter of the  
application or petition relates  
exclusively to such  
engagement

When presented to any officer  
of land revenue by and person  
the kabulyat application for Two  
settlement of land under rupees.  
direct engagement with  
Government.

(d) When presented to a  
Chief Commissioner or other  
Chief Controlling Revenue or

Executive Authority, or to a  
Commissioner of Revenue or Three  
Circuit, or to any chief officer rupees and  
charged with the executive thirty paise  
administration of a Division  
and not otherwise provided for  
by this Act.

(e) when presented to a High  
Court.

(i) under Art. 226 of the  
Constitution. Fifty  
rupees.

(ii) in all other matters.  
Ten rupees

(f) When presented to any  
officer containing prayer for  
settlement of fishery, ferry, rupees and  
forest produce, forest mahals, twenty-five  
elephant mahals, or an officer  
given term for acceptance of  
Government for any  
construction or an application  
for a permit or licence to deal  
in controlled commodities

(g) When presented to an  
Appropriate Revenue  
Authority for demarcation of  
land –

(i) when the areas of Two rupees  
such land does and twenty  
not exceed one paise.  
hectare

(ii) for each  
subsequent One rupees  
area of one and ten  
hectare or part paise.  
thereof

2.	When the Court grants the	One rupee
Application	application and is of opinion	and sixty-
n to any	that the transmission of such	five paise in
Civil	record involves the use of the	addition to
Court that	post	any fee
record		levied on
may be		the
called for		application
from		under Cl.
another		(a), Cl. (c) or
Court.		Cl (e) of Art

1 of this  
Schedule.

3. ....

Application  
for leave to  
sue as a  
pauper.

One rupee and  
ten paise.

4.  
Application  
for leave to  
appeal as a  
pauper.

(a) When presented to a District Court. Two rupees  
and twenty  
paise

(b) When presented to a commissioner or a High Court. Three rupees  
and thirty  
paise.

5. Plaint or  
memoran  
dum of  
appeal in  
a suit to

establish

or

disprove a

right of

occupancy

....

One rupee and  
ten paise.

6. Bail-bond

or other

instrumen

t of

obligation

....

given in

pursuance

of an

order

made by a

Court or

Magistrate

under any

section of

the Code

of

Criminal

Procedure

, 1898

(Act V of

1898) or

the Code

of Civil  
Procedure  
, 1908  
(Act V of  
1908) and  
not  
otherwise  
provided  
for by this  
Act.

One rupee and  
ten paise.

7.

Undertaki  
ng under  
S. 49 of  
the Indian  
Divorce  
Act 1869  
(Act IV of  
1869)

....

One rupee and  
ten paise.

8. ....

....

9. ....

....

10.

Mukhtarna      When presented for the  
ma           or      conduct of any one case –  
Wakalatna  
ma

(a) to any Civil or Criminal  
Court other than a High  
Court, or to any Collector  
or Magistrate, or other  
executive officer except One rupee and  
such as are mentioned in ten paise.  
Cls, (b) and (c) of this  
number.

(b) to a Commissioner of  
Revenue, Circuit or  
Customs officers or to  
any officer charged with  
the executive Two rupees  
administration of a and seventy  
Division, not being the five paise.  
Chief Revenue or  
Executive Authority.



(c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or executive authority or an appellate authority or an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939) or to an appellate authority Five rupees prescribed under the and fifty paise. Assam Sales Tax Act, 1947 (Assam Act XVII of 1947).

11. (a) to any Civil Court other than a High Court, or to any Revenue Court or Executive officer other than the High Court or Chief Controlling Revenue or Executive Authority except an authority specified in Cl. Three rupees and thirty paise.

(b).

Memorandum of appeal when the appeal is not from a decree or an order having the force of a decree, and is presented -

(b) to an Excise Appellate Authority under R. 340 of the Assam Excise Rules. Sixteen rupees and fifty paise.

(c) to a High Court of Chief Commissioner, or other Chief Controlling Executive or Revenue Authority except an authority prescribed in Cl. (b) Eleven rupees.

(d) to an Excise Appellate Authority under R. 341 of the Assam Excise Rules. Fifty-five rupees

(e) to a High Court in Miscellaneous revenue matters except (f) below or to an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939); and Sixteen rupees and fifty paise.

(f) to a High Court in appeal  
and revision matters  
arising out of settlement  
of fisheries -

(i) when the bid money is  
below ten thousand rupees Sixteen rupees  
and fifty paise.

(ii) when the bid money is  
above ten thousand rupees but below twenty thousand rupees Twenty-seven  
rupees and  
fifty paise

(iii) when the bid money is  
above twenty thousand rupees Thirty-three  
rupees

12. Caveat

Eleven rupees

13.

Application

under Act

No. 10 of

1859, S. 26,

or Bengal Act

No. 6 of

1862, S.9, or

Bengal Act

No. 8 of

1859, S 37

-----

Five rupees

and fifty paise.

14. Petition

in suit under

native

Converts'

Marriage

Dissolution

Act, 1866

(Act XXI of

1866)

-----

Five rupees

and fifty paise.

15 .....

-----

16 .....

-----

17. Plaint or memorandu m of appeal in each of the following suits-	(i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court.	Sixteen rupees and fifty paise
	(ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates.	Sixteen rupees and fifty paise
	(iii) to obtain a declaratory decree where no consequential relief is prayed	Twenty-two rupees
	(iv) to set aside and award.	Sixteen rupees and fifty paise
	(v) to set aside an adoption.	Twenty two rupees

(vi) Every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not provided for by this Act. Sixteen rupees and fifty paise.

18.

Application

under S. 14

or S. 20 of the Indian

When presented to a Munsif's Court.

Sixteen rupees and fifty paise.

Arbitration

Act, 1940

(Act X of 1940), for a

direction for

filing an

award or for

an order for

filling an

agreement.

When presented to any other Court

Fifty-five rupees

19.

Agreement in  
writing  
stating a  
question for  
the opinion  
of the Court  
under the  
Code of Civil  
Procedure,  
1908 (Act V  
of 1908).

-----

Sixteen rupees  
and fifty paise.

20. Every

petition  
under the  
Indian  
Divorce Act,  
1869 (Act IV  
of 1869)  
except  
petitions  
under S. 44  
of the same  
Act, and  
every  
memorandu-

-----

Twenty-two  
rupees

m of appeal  
under S. 55  
of the same  
Act.

21. Plaint or  
memorandu  
m of appeal  
under the  
Parsi  
Marriage and  
Divorce Act,  
1895 (Act XV  
of 1865)

-----

Twenty-two  
rupees.

## COMMENTS

### **Preamble.**

The Court-Fees Act, 1870 purported to effect a complete re-arrangement of the provision of the existing law on this subject, and a similar classification of instruments chargeable with Court-Fees to that which obtain in General Stamp Act, having been adopted and the rules for determining the value of the subject-matter of certain suits being transferred from Schedule to the body



of the Act. This principal Act was amended from time to time in its application to Assam, as follows:

- (1) Assam Court-Fees (Amendment) Act, 1922 (Act II).
- (2) Assam Court-Fees (Amendment) Act, 1922 (Act IV).
- (3) Assam Court-Fees (Amendment) Act, 1932 (Act III).
- (4) Assam Court-Fees (Amendment) Act, 1936 (Act XIV).
- (5) Assam Court-Fees (Amendment) Act, 1947 (Act XVII).
- (6) Assam Court-Fees (Amendment) Act, 1950 (Act XVIII).
- (7) Assam Court-Fees (Amendment) Act, 1954 (Act XXVII).
- (8) Assam Court-Fees (Amendment) Act, 1955 (Act XXII).
- (9) Assam Court-Fees (Amendment) Act, 1958 (Act III).
- (10) Assam Court-Fees (Second Amendment) Act, 1958 (Act XIX).
- (11) Assam Court-Fees (Amendment) Act, 1960 (Act XII).
- (12) Assam Court-Fees (Amendment) Act, 1963 (Act VIII).

(13) The Court-Fees (Assam Amendment) Act, 1972 (Act XXVII).

This Act as in force in Assam has been extended to Manipur and Tripura by G.S. R. Nos. 1119 and 1120, dated 29<sup>th</sup> June, 1963.

### **Amendment of the Court-Fees Act, 1870**

- A.** By virtue of Assam Act 3 of 1932, in Cl. (a) of para (v) of s.7 of the principal Act, the word “ten” has been substituted by the word “twenty”.
- B.** After S.7 of the principal Act, the following have been inserted, by Assam Act 18 of 1947:

***“7-A. Inquiry as to valuation of suits.*** If the court is of opinion that the subject matter of any suit has been wrongly valued, it may revise the valuation and determine the correct valuation, and may hold such inquiry as it thinks fit for such purpose.

**7-B. *Investigation to ascertain proper valuation.***

- (1) For the purpose of an inquiry under S. 7-A, the court may depute or issue a commission to any inquiry under S. 7-A, the court may depute or issue a commission to any suitable person to make such local or other investigation as may be necessary and to report thereon to the court. Such report and any evidence recorded by such person shall be evidence in the inquiry.
- (2) The court may, from time to time. Direct such party to the suit as it thinks fit to deposit such sum as the court thinks reasonable as the cost of the inquiry, and if the costs are not deposited within such time as the court shall fix, may, notwithstanding anything contained in any other Act, dismiss the suit if such party is the plaintiff or the appellant and, in any other case, may recover the costs as a public demand.

**7-C. *Power of persons making inquiry under Ss. 7-A and 7-B.***

- (1) The court, when making an inquiry under S. 7-B shall have, respectively for the purpose of such inquiry or investigation, the powers vested in a court under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

- (a) enforcing the attendance of any person and examining him on oath or affirmation;
  - (b) compelling the production of documents or material objects, and
  - (c) issuing commission for the examination of witnesses.
- (2) An inquiry or investigation referred to in sub-S. (1) shall be deemed to be a judicial proceedings within the meaning of Ss. 193 and 228 of the Indian Penal Code (Act XLV of 1860).

***7-D. Costs of inquiry as to valuation mad refund of excess fee.***

If in the result of an inquiry under S. 7-A the court finds that the subject-matter of the suit has been under-valued, the court may order the party responsible for the under-valuation to pay all or any part of the costs of the inquiry.

If in the result of such inquiry the court finds that the subject-matter of the suit has not been under-valued, the court may, in its discretion, order that all or any part of such costs shall be paid by Government or by any party to the suit at whose instance the inquiry has been undertaken, and if

any amount exceeding the proper amount of fees has been paid shall refund the excess amount so paid.”

- C.** By virtue of Assam Act 3 of 1932, for Cl. (ii) of S. 10 of the principal Act, the following clause was substituted, viz.:

“(1) In such case-

- (a) the suit shall be stayed until additional fee is paid and if additional fee is not paid within such time as the Court shall fix, the suit shall be dismissed; and
- (b) whether the additional fee is paid- the Court may, if it is of opinion that the estimation has been grossly insufficient, further order that the expenses of the commission, or such portion thereof as the Court may think reasonable, be paid by party in default to the Government, and the order so made shall have the force and effect of a decree passed by the Court.”

- D.** By virtue of Assam Act 27 of 1962, in S.19 of the principal Act, for the words “a fee of eight annas”, the words “a fee of one rupee” were substituted.

- E.** By virtue of Assam Act VIII of 1950, in item (viii) of S.19 of the Act, for the words “one thousand rupees” the words “two thousand rupees” were substituted, and item (ix) was omitted.
- F.** By virtue of Assam Act 14 of 1936 and Act 27 of 1963, after S. 19-G, the following new section has been inserted as S. 19-GG.

**“19-GG. Probate and letters of administration  
inoperative in certain cases.”**

Notwithstanding anything contained in this or any other Act. No probate granted or letters of administration heretofore or hereafter granted by any court outside the limits of the State of Assam shall operate to confer upon the grantee any title to immovable property in Assam of which he did not obtain possession prior to the 1<sup>st</sup> January, 1937, unless he holds a certificate from the Chief Controlling Revenue Authority of Assam that he has paid the Court-fee due on such probate or letters of administration in respect of the full value of such property.”

**G.** Article 11 has been substituted as follows by Assam Act 8 of 1950 (Act 27 of 1962):

“When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on such amount or value up to ten thousand rupees. Two per centum.

and

when such amount or value exceeds ten thousand rupees, on the portion of such amount or value which is in excess of ten thousand rupees, up to fifty thousand rupees. Three per centum.

and

when such amount or value exceeds fifty thousand rupees, on the portion of such amount or value which is in excess of fifty thousand rupees, up to a lakh of rupees. Four per centum

and

when such amount or value exceeds a lakh of rupees on the portion of such amount or value which is in excess of a lakh of rupees up to two lakhs and fifty thousand rupees      Five per centum

and

when such amount or value exceeds two lakhs and fifty thousand rupees, on the portion of such amount or value which is in excess of two lakhs and fifty thousand rupees up to three lakhs of rupees.      Five- and –a –half per centum

and

when such amount or value exceeds three lakhs of rupees, on the portion of such amount or value which is in excess of three lakhs of rupees up to four lakhs of rupees      Six per centum



and

when such amount or value exceeds four lakhs of rupees, on the portion of such portion of such amount or value which is in excess of four lakhs of rupees up to four lakhs of Six-and- a half per centum rupees.

and

when such amount or value exceeds five lakh of rupees, on the portion of such amount or value which is in excess of five lakhs of rupees. Seven per centum.”

**H.** By virtue of Assam Act, VIII of 1950 and Act 27 of 1962, for Act 12, the following shall be substituted:

“12	Certificate	When the amount	Two per centum on
	under the Indian	or value of any	the first thousand
	Succession Act,	debt or security	rupees.
1925		specified in the	

Certificate under S. 374 of the Act exceeds one thousand rupees

Three per centum on the next forty thousand rupees

and

Four per centum on the next fifty thousand rupees.

When the aggregate amount or value of any debt or securities specified in the certificate has been extended under S. 376 of the Act exceeds one thousand rupees.

Five per centum on the next fifty thousand rupees.

Six per centum on the next one lakh of rupees

Six And half per centum on the next one lakh of rupees

and

Seven per centum on the remainder of such amount, or value.

In respect of such portion of the aggregate amount or value as consists of the amount or value of debts or securities so specified, the fee herein before provided in that behalf in this articles

and

Three per centum on such portion of the first ten thousand rupees.

Four and a half per centum on such portion of the next forty thousand rupees.

Six per centum on such portion of the next fifty thousand rupees.

Seven and a half per centum on such portion of the next one lakh and fifty thousand rupees.

Eight and a quarter per centum on such portion of the next one lakh of rupees.

Nine per centum on such portion of the next one lakh of rupees.

Nine and three quarters per centum on such portion of the next one lakh of rupees.

and

Ten And half per centum on such portion of the remainder of such

aggregate amount or value as consists of the amount or value of debts or securities has been extended.

*Note.*

(1) The amount of debt is its amount including interest on the day on which the inclusion of the debts in the certificate is applied for as far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a certificate has

been conferred  
under the Act  
And where such  
a power has  
been so  
conferred  
whether the  
power is for the  
receiving of  
interest or  
dividends on or  
for the  
negotiation or  
transfer of the  
security, or for  
both purposes  
the value of the  
security is its  
market-value on  
the day on  
which the  
inclusion of the  
security in the  
certificate is  
applied for so far  
as such value  
can be  
ascertained.”

## **Amendment of S.2.**

Article 1 of Schedule I of the Principal Act was amended by Assam Act III of 1958 And Act 27 of 1962 and finally by the present amendment Act, And the proper fee prescribed have been gradually increased.

Article 6 has been amended from time to time by Assam Act VIII of 1963 And Act 27 of 1962 and finally by the present Act, whereby the fees payable have been gradually increased.

Article 7, 8 And 9 have also been amended by Assam Acts 8 of 1963, 27 of 1962, and finally by the present amending Act.

## **Amendment of Schedule I.**

This Schedule has been lastly amended by the present amendment Ac. There were earlier amendments by virtue of Assam Act III of 1958 And Act 27 of 1962.

## **Amendment of Schedule II.**

Schedule II of the Court-Fee Act, 1870 has been substituted lastly by the Assam Act XXVII of 1972. There were earlier amendments by Assam Act 8 of 1963 And 27 of 1962. The fees prescribed have been increased from time to time.

## **Application of the Court-Fees Act, 1870 in Manipur And Tripura.**

The Court Fees Act, 1870, as in force in the State of Assam has been extended to Manipur And Tripura by G. S. R. Nos. 1119 And 1120, dated 29-6-1963.

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# **THE ASSAM COURT-FEES (AMENDMENT) ACT, 1950**

**(Assam Act VIII of 1950)\***

**[Passed by the Assembly]**

## **CONTENTS**

### **Section**

1. Short title, extent and commencement.
2. Amendment of S. 18 of Act VII of 1870.
3. Amendment of Schedule I, Art. 1
4. Amendment of Schedule I, Art. 1
5. Amendment of Schedule I, Art. 6
6. Amendment of Schedule I, Art. 7
7. Amendment of Schedule I, Art. 8
8. Amendment of Schedule I, Art. 11
9. Amendment of Schedule I, Art. 12
10. Amendment of table of rates of ad valorem fees.

\* Published in the "Assam Gazette, Extraordinary", dated the 30<sup>th</sup> March 1950.

11. Amendment of Schedule II, Art.1, Cls.(a), (b), (c) and (d) and insertion of a new Cl. (e).
12. Amendment of Schedule II, Art. 10
13. Amendment of Schedule II, Art. 11
14. Amendment of Schedule II, Art. 12
15. Amendment of Schedule II, Art. 17
16. Amendment of Schedule II, Art. 18
17. Exemption of certain probates, letters of administration and certificates.

**An Act<sup>+</sup> to amend the Court-Fees Act, 1870, with reference to  
the scale of court-fees in Assam**

Whereas it is necessary to increase temporarily the revenues of Assam and for that purpose to amend the Court-Fees Act, 1870 (VII of 1870) hereinafter called the principal Act in its application to Assam, in the manner hereinafter appearing;

It is hereby enacted as follows:

<sup>+</sup> For Statement of Objects and Reasons, see “Assam Gazettes”, 1950, Part V, page 47.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-fees (Amendment) Act, 1950.

(2) It extends to the whole of Assam.

(3) It shall come into force, on the first day of April, 1950 and shall remain in force for a period of five year.

**2. Amendment of S. 18 of Act VII of 1870.**

In S. 18 of the principal Act, for the words “a fee of eight annas” the words “a fee of one rupee” shall be substituted.

**3. Amendment of S. 19.**

Item (x) in S. 19 of the principal Act shall be deleted.

**4. Amendment of Schedule I. Art. 1.**

For Art. 1 in the First Schedule to the principal Act, the following shall be substituted namely:

when the amount or value of the subject-matter in dispute does not exceed seventy-five rupees, for every five rupees or part thereof of such amount or value

and

<p>“1.           Plaint, written statement pleading a set- off               or counterclaim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil Court or       Revenue Court except those mentioned in S.</p>	<p>when such amount or value exceeds seventy-five rupees, for every five rupees or part thereof, in excess of Seventy-five rupees, for every five rupees or part thereof, in excess of seventy-five rupees, up to one hundred rupees</p>	<p>Eight annas</p>
<p>3.</p>	<p>and</p> <p>when such amount or value exceeds one hundred rupees for every ten rupees or part thereof, in excess of one hundred rupees up to one hundred and fifty rupees up to one hundred and fifty rupees.</p>	<p>One rupee ten annas.</p>

and

One rupee  
ten annas.

and

when such amount or value exceeds one hundred and fifty rupees, for every ten rupees or part thereof up to one hundred rupees One rupee two annas

and

when such amount or value exceeds one hundred rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to seven thousand five hundred rupees. Seven rupees eight annas

and

when such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees, up to ten thousand rupees Fifteen rupees

and

<p>“1.       Plaint, written statement pleading a set-off or counter claim or memorandu m of appeal (not otherwise provided for in this Act) or of cross- objection presented to any Civil or Revenue Court except those mentioned in S. 3</p>	<p>when such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees</p> <p>when such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to fifty thousand rupees</p> <p>when such amount or value exceeds fifty thousand rupees, for every five thousand rupees or part thereof, in excess of fifty thousand rupees.</p> <p>Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be ten thousand rupees.”</p>	<p>Twenty- two rupees eight annas</p> <p>Thirty rupees</p> <p>Thirty- seven rupees eight annas:</p>
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**5. Amendment of Schedule 1, Art. 6.**

In the third column in Art. 6 in the same Schedule to the principal Act, -

- (a) for the words “four annas”, opposite Cl. (a) in the second column, the words “eight annas” shall be substituted; and
- (b) for the words “eight annas” opposite the first item in Cl. (b) in the second column, the words “one rupee” shall be substituted, and for the words “one rupee” opposite the second item in that clause, the words “two rupees” shall be substituted.

**6. Amendment of Schedule I, Art. 7.**

In the third column in Art. 7 in the same Schedule to the principal Act, -

- (a) for the words “eight annas” opposite Cl. (a) in the second column, the words “one rupee” shall be substituted; and
- (b) for the words “one rupee” opposite Cl. (b) in the second column, the words “two rupees” shall be substituted ; and

- (c) for the words “four rupees” opposite the last entry in the second column, the words “five rupees” shall be substituted.

**7. Amendment in Schedule I, Art. 8.**

In Art.8 of the First Schedule to the principal Act, for the figures “1879” in the first column, the figures “1899” shall be substituted.

**8. Amendment in Schedule I, Art.11.**

In Art. 11 in the same Schedule to the principal Act, -

- (i) for the entries above the proviso in the second column and for the entries in the third column, the following shall be substituted, namely :

“When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on such amount or value up to ten thousand rupees	Two per centum.
and	



<p>when such amount or value exceeds ten thousand rupees, on the portion of such amount or value which is in excess of ten thousand rupees, up to fifty thousand rupees</p> <p>and</p> <p>when such amount or value exceeds fifty thousand rupees, on the portion of such amount or value which is in excess of fifty thousand rupees, up to a lakh of rupees</p> <p>and</p> <p>when such amount or value exceeds a lakh of rupees on the portion of such amount or value which is in excess of a lakh of rupees up to two lakhs and fifty thousand rupees</p> <p>and</p> <p>when such amount or value exceeds two lakhs and fifty thousand rupees, on the portion of such amount or value which is in excess of two lakhs and fifty thousand rupees up to three lakhs of rupees.</p>	<p>Three per centum.</p> <p>Four per centum.</p> <p>Five per centum.</p> <p>Five-and-a-half per centum.</p>
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<p>and</p> <p>when such amount or value exceeds three lakhs of rupees, on the portion of such amount or value which is in excess of three lakhs of rupees up to four lakhs of rupees.</p>	<p>Six per centum.</p>
<p>and</p> <p>when such amount or value exceeds four lakhs of rupees, on the portion of such amount or value which is in excess of four lakhs of rupees up to four lakhs of rupees</p>	<p>Six-and-a-half per centum.</p>
<p>and</p> <p>when such amount or value exceeds five lakhs of rupees, on the portion of such amount or value which is in excess of five lakhs of rupees.</p>	<p>Seven per centum.”</p>

- (2) In the proviso for the words and figures “the Succession Certificate Act, 1889” the words and figures “the Indian Succession Act, 1925” shall be substituted.

**9. Substitution in Schedule I of new Art. 12.**

For Art. 12 of the First Schedule to the principal Act the following article shall be substituted, namely:

“12. Certificate under the Indian Succession Act, 1925.	When the amount or value of any debt or security specified in the certificate under S.374 of the Act exceeds one thousand rupees	Two per centum on the first ten thousand rupees; three per centum on the next forty thousand rupees; four per centum on the next one lakh and fifty thousand rupees; five and a half per centum on the next fifty thousand rupees; five and a half per centum on the next fifty thousand rupees; six per centum on the next one lakh of rupees; six and a half per centum on the next one lakh of rupees,
--	--	---

and

and

when the aggregate Seven per centum on the amount or value of any remainder of such amount debts or securities or value. specified in the certificate and of any In respect of such debts or securities and portion of the aggregate of any debts or amount or value as securities to which the consists of the amount or certificate has been value of debts or extended under S. 376 securities so specified, the of the Act exceeds one fee hereinbefore provided thousand rupees. in that behalf in this article,

and

three per centum on such portion of the first ten thousand rupees; four and a half per centum on such portion of the next forty thousand rupees; six per centum on such portion of the next fifty thousand rupees; six per centum on such portion of the next fifty thousand

rupees; seven and a half per centum on such portion of the next one lakh and fifty thousand rupees; nine per centum on such portion of the next fifty thousand rupees; nine and three-quarters per centum on such portion of the next one lakh of rupees,

and

ten and a half per centum on such portion of the remainder of such aggregate amount or value as consists of the amount or value of debts or securities to which the certificate has been extended.

*Note.* (1) The amount of a debt is its amount including interest on the day on which the

inclusion of the debt in the certificate is applied for, so, far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a certificate has been conferred power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.”

**10. Amendment of table of rates of *ad valorem* fees.**

For the table of rates of *ad valorem* fees leviable on the institution of suits, at the end of the same Schedule to the

principal Act, the table set forth in the Schedule to this Act shall be substituted.

**11. Amendment of Schedule II. Art I, Cls (a), (b), (c) and (d) and insertion of a new Cl. (e).**

In Art. 1, in the Second Schedule to the principal Act-

- (a) the second entry in the second column in Cl. (a) shall be deleted;
- (b) after Cl. (a) the following new clause in the second column and entry in the third column shall be added, namely, -

“(a) When presented to a Regional Transport Authority or State Transport Authority containing prayer for permits for contract carriage, stage carriage, private carrier or public carrier or when presented to any officer containing prayer for registration as a dealer under the provisions of the Assam Sales Tax Act, 1947.....Five rupees.”

- (c) in Cl. (a) after the words “Municipal Commissioner” in the third entry in the second column, the words “or member of a local board” shall be inserted;

- (a) (i) for the words “one anna” opposite Cl. (a) in the second column, the words “Eight annas” shall be substituted;
- (ii) for the words “Eight annas” opposite Cl. (b) in the second column the following shall be substituted, namely,-

“In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement, one rupee and in other cases twelve annas;”

- (iii) for the words “One rupee” opposite Cl. (c), in the second column, the words “Two rupees” shall be substituted;
- (b) in the second column in Cl. (b) the following shall be added, namely, -

“or when presented to a Collector or other officer making a settlement of land revenue, or to a board of revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land or the



ascertainment of rights thereto or interest therein, if presented previous to the final confirmation of such settlements;

or when presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement”.

(f) for the words “Two rupees” opposite Cl. (d) in the second column, the words “Four rupees” shall be substituted;

(g) after Cl. (d) the following new clause in the second column and entry in the third column shall be added, namely:

“(e) when presented to any officer containing prayer for settlement to fishery, ferry, forest produce, forest mahals, elephant mahals, or an offer giving terms for acceptance of Government for any construction or an application for a permit or licence to deal in controlled commodities..... Five rupees.”

**12. Amendment of Schedule II, Art. 10. In Art. 10**

In the same Schedule to the principle Act,-

- (1) for the words “Eight annas” opposite Cl. (a) in the second column, the words “One rupee” shall be substituted; and
- (2) for the words “One rupee” opposite Cl. (b) in the second column, the words “Two rupees” shall be substituted;
- (3) at the end of Cl. (c) in the second column after putting a comma after the words “Executive Authority”, the following shall be added, namely,-

“to an appellate authority prescribed under the Motor Vehicles Act, 1939 or to an appellate authority prescribed under the Assam State Sales Tax Act, 1947;
- (4) for the words “Two rupees” opposite Cl. (c) in the second column, the words “Four rupees” shall be substituted.

**13. Amendment of Schedule II, Art. 11.**

In Art. 11 in the same Schedule to the principal Act, -

- (a) for the words “Eight annas” opposite Cl. (a) in the second column, the words “Two rupees” shall be substituted;
- (b) for the words “Two rupees” opposite Cl. (b) in the second column, the words “Five rupees” shall be substituted;
- (c) add the following as new clauses in the second column and entries in the third column-
  - “(c) to a High Court in miscellaneous revenue matters [except (d) below] or to an appellate authority prescribed under the Motor Vehicles Act, 1939 or to an appellate authority prescribed under the Assam Sales Tax act, 1947 ..... ten rupees; and
- (d) to High Court in appeal and revision matters arising out of settlement of fisheries -

- (i) when bid money is below ten thousand and rupees..... Ten rupees;
- (ii) when bid money is above ten thousand rupees but below twenty thousand rupees ..... Fifteen rupees;
- (iii) when bid money is above twenty thousand rupees ..... Twenty rupees.”

**14. Amendment of Schedule II, Art. 12.**

For the words "Five Rupees" in the third column opposite Art. 12 in the same Schedule to the principal Act, the words "Ten rupees" shall be substituted.

**15. Amendment of Schedule II, Art. 17**

- (1) The words " Ten rupees" in the third column opposite Art. 17 in the same Schedule to the principal Act the bracket opposite that article in the second column in the same Schedule shall be omitted.
- (2) In the third column in the said article, -

(a) opposite entry (i), (ii) and (vi) the words "Fifteen rupees" shall be inserted; and

(b) opposite entry (iii) and (v) the words "Twenty rupees" shall be inserted

**16. Amendment of Schedule II, Art 18.**

In Art. 18 of the Second Schedule to the principal Act, the following shall be substituted, namely, -

"18. Application under S. When presented Fifteen  
14 or S. 20 of the to a Munsiff's rupees.  
Indian Arbitration Act, Court  
1940, for a direction  
for filing and award or When presented Fifty  
for an order for filing to any other rupees."  
an agreement Court

**17 Exemption of certain probates, letters of administration and certificates.**

Nothing in this Act shall apply to any probate, letters of administration or certificate in respect of which the fee payable under the law for the time being in force has been

paid prior to the commencement of this Act but which have not been issued.

## THE SCHEDULE

### Table of rates of ad valorem fees leviable on the institution of suits

**[See Section 10 of the Assam Court-Fees (Amendment)  
Act, 1950]**

When the amount or value of the subject - matter exceeds	But does not exceed	Proper fee	
(1)	(2)	(3)	
Rs.	Rs.	Rs.	annas.
...	5	0	6
5	10	0	12
10	15	1	2
15	20	1	8
20	25	1	14
25	30	2	4
30	35	2	10
35	40	3	0
40	45	3	6
45	50	3	12
50	55	4	2
55	60	4	8
60	65	4	14
65	70	5	4

70	75	5	10
75	80	6	2
80	85	6	10
85	90	7	2
90	95	7	10
95	100	8	2
100	110	9	12
110	120	11	6
120	130	13	0
130	140	14	10
140	150	16	4
150	160	17	6
160	170	18	8
170	180	19	10
180	190	20	12
190	200	21	14
200	210	23	0
210	220	24	2
220	230	25	4
230	240	26	6
240	250	250	27
250	260	28	10
260	270	29	12
270	280	30	14
280	290	32	0
290	300	33	2
300	310	34	4
310	320	35	6



320	330	36	8
330	340	37	10
340	350	38	12
350	360	39	14
360	370	41	0
370	380	42	2
380	390	43	4
390	400	44	6
400	410	45	8
410	420	46	10
420	430	47	12
130	440	48	14
440	450	50	0
450	460	51	2
460	470	52	4
470	480	53	6
480	490	54	8
490	500	55	10
500	510	56	12
510	520	57	14
520	530	59	0
530	540	60	2
540	550	61	4
550	560	62	6
560	570	63	8
570	580	64	10
580	590	65	12
590	600	66	14

600	610	68	0
610	620	69	2
620	630	70	4
630	640	71	6
640	650	72	8
650	660	73	10
660	670	74	12
670	680	75	14
680	690	77	0
690	700	78	2
700	710	79	4
710	720	80	6
720	730	81	8
730	740	82	10
740	750	83	12
750	760	84	14
760	770	86	0
770	780	87	2
780	790	88	4
790	800	89	6
800	810	90	8
810	820	91	10
820	830	92	12
830	840	93	14
840	850	95	0
850	860	96	2
860	870	97	4
870	880	98	6

880	890	99	8
890	900	100	10
900	910	101	12
910	920	102	14
920	930	104	0
930	940	105	2
940	950	106	4
950	960	107	6
960	970	108	8
970	980	109	10
980	990	110	12
990	1,000	111	14
1,000	1,100	119	6
1,100	1,200	126	14
1200	1,300	134	6
1,300	1,400	141	14
1,400	1,500	149	6
1,500	1,600	156	14
1,600	1,700	164	6
1,700	1,800	171	14
1,800	1,900	179	6
1,900	2,000	186	14
2,000	2,100	194	6
2,100	2,200	201	14
2,200	2,300	209	6
2,300	2,400	216	14
2,400	2,500	224	6
2,500	2,600	231	14

2,600	2,700	239	6
2,700	2,800	246	14
2,800	2,900	254	6
2,900	3,000	261	14
3,000	3,100	269	6
3,100	3,200	276	14
3,200	3,300	234	6
3,300	3,400	291	14
3,400	3,500	299	6
3,500	3,600	306	14
3,600	3,700	314	6
3,700	3,800	321	14
3,800	3,900	329	6
3,900	4,000	336	14
4,000	4,100	344	6
4,100	4,200	351	14
4,200	4,300	359	6
4,300	4,400	366	14
4,400	4,500	374	6
4,500	5,500	381	14
4,600	4,700	389	6
4,700	4,800	396	14
4,800	4,900	404	6
4,900	5,000	411	14
5,000	5,100	419	6
5,100	5,200	426	14
5,200	5,300	434	6
5,300	5,400	441	14

5,400	5,500	449	6
5,500	5,600	456	14
5,600	5,700	464	6
5,700	5,800	471	14
5,800	5,900	479	6
5,900	6,000	486	14
6,000	6,100	494	6
6,100	6,200	501	14
6,200	6,300	509	6
6,300	6,400	516	14
6,400	6,500	524	6
6,500	6,600	531	14
6,600	6,700	539	6
6,700	6,800	546	14
6,800	6,900	554	6
6,900	7,000	561	14
7,000	7,100	569	6
7,100	7,200	576	14
7,200	7,300	584	6
7,300	7,400	591	14
7,400	7,500	599	6
7,500	7,750	614	6
7,750	8,000	629	6
8,000	8,250	644	6
8250	8,500	659	6
8,500	8,750	674	6
8,750	9,000	689	6
9000	9,250	704	6

9,250	9,500	719	6
9,500	9,750	734	6
9,750	10,000	749	6
10,000	10,500	771	14
10,500	11,000	794	6
11,000	11,500	816	14
11,500	12,000	839	6
12,000	12,500	861	14
12,500	13,000	884	6
13,000	13,500	906	14
13,500	14,000	626	6
14,000	14,500	951	14
14,500	15,000	974	6
15,000	15,500	996	14
15,500	16,000	1,1019	6
16,000	16,500	1,041	14
16,500	17,000	1,064	6
17,000	17,500	1,086	14
17,500	18,000	1,109	6
18,000	18,500	1,131	14
18,500	19,000	1,154	6
19,000	19,500	1,176	14
19,500	20,000	1,199	6
20,000	21,000	1,229	14
21,000	22,000	1,259	6
22,000	23,000	1,289	6
23,000	24,000	1,389	6
24,000	25,000	1,349	6

25,000	26,000	1,379	6
26,000	27,000	1,409	6
27,000	28,000	1,439	6
28,000	29,000	1,469	6
29,000	30,300	1,499	6
30,000	31,000	1,529	6
31,000	32,000	1559	6
32,000	33,000	1,589	6
33,000	34,000	1,619	6
34,000	35,000	1,649	6
35,000	36,000	1,679	6
36,000	37,000	1,709	6
37,000	38,000	1,709	6
38,000	39,000	1,769	6
39,000	40,000	1,799	6
40,000	41,000	1,829	6
41,000	42,000	1,859	6
42,000	43,000	1,889	6
43,000	44,000	1,949	6
44,000	45,000	1,949	6
45,000	46,000	1,979	6
46,000	47,000	2,009	6
47,000	48,000	2,039	6
48,000	49,000	2,069	6
49,000	50,000	2,199	6
50,000	55,000	2,136	14
55,000	60,000	2,174	6
60,000	65,000	2,211	14

65,000	70,000	2,249	6
70,000	75,000	2,286	14
75,000	80,000	2,324	6
80,000	85,000	2,361	14
85,000	90,000	2,399	6
90,000	95,000	2,436	14
95,000	1,00,000	2,474	6
1,00,000	1,05,000	2,511	14
1,05,000	1,10,000	2,549	6
1,10,000	1,15,000	2,586	1
1,15,000	1,20,000	2,624	6
1,20,000	1,25,000	2,661	14
1,25,000	1,30,000	2,699	6
1,30,000	1,35,000	2,736	14
1,35,000	1,40,000	2,774	6
1,40,000	1,45,000	2,811	14
1,45,000	1,50,000	2,849	6
1,50,000	1,55,000	2,886	14
1,55,000	1,60,000	2,924	6
1,60,000	1,65,000	2,961	14
1,65,000	1,70,000	2,999	6
1,70,000	1,75,000	3,036	14
1,75,000	1,80,000	3,074	6
1,80,000	1,85,000	3,111	14
1,85,000	1,90,000	3,149	6
1,90,000	1,95,000	3,186	14
1,95,000	2,00,000	3,224	6
2,00,000	2,05,000	3,2661	14



and the fee increases at the rate of thirty-seven rupees eight annas for every five thousand rupees or part thereof, up to maximum fee of ten thousand rupees, for example-

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	
(1)	(2)	(3)	
Rs.	Rs.	Rs.	annas.
	3,00,000	3,974	6
	4,00,000	4,724	6
	5,00,000	5,474	6
	6,00,000	6,224	6
	7,00,000	6,974	6
	8,00,000	7,724	6
	9,00,000	7,724	6
	10,00,000	9,224	6
	11,00,000	9,974	6
	11,05,000	10,000	0

**17. Exemption of certain probates, letters of administration and certificates.**

Nothing in this act shall apply to any probate, letters of administration or certificate in respect of which the fee

payable under this law for the time being in force has been paid prior to the commencement of this Act but which have not been issued.

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**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1954\***

**(Assam Act XXVII of 1954)**

*[Received the assent of the Governor of Assam on the 29th  
August, 1954]*

*[8th September, 1954]*

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870) with reference to the  
scale of Court-Fees in Assam**

**Preamble.**

Whereas it is necessary to amend the Court-Fees Act, 1870 (Act VII of 1870) hereinafter called the principal Act, in its application to Assam, in the manner hereinafter appearing;

\* Published in the Assam Gazette, dated the 8<sup>th</sup> September, 1954.

It is hereby enacted in the Fifth Year of the Republic of India  
as follows:

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees  
(Amendment) Act, 1954.

(2) It extends to the whole of Assam.

(3) It shall come in to force at once.

**2. Amendment of S. 1 (3) of Assam Act VIII of 1950.**

In sub-S. (3) of S. 1. of the Assam Court-Fees (Amendment)  
Act, 1950, all full stop shall be inserted after the figure  
"1950" and the words "and shall remain in force for a period  
of five years" shall be deleted.

**3. Amendment of Schedule II, Art. 1.**

**Assam: Nagaland**

For Art. 1 *substitute* the following:

Number		Proper fee
1.	(a) When presented to any officer of the	Fifty
Application	Custom or Excise Department or to	paise
or petition	any Magistrate by any person having dealings with the Government, and when the subject- matter of such application relates exclusively to those dealings; or	
	When presented to any Municipal Board or other local authority constituted under any Act for the time being in force for the conservance or improvement of any place, if the application or petition relates solely to such conservancy or improvement; or	
	When presented to any civil court other than a principal civil court of original jurisdiction, or to any Court of Small Causes constituted under Act No 16 of 1868, S. 20 or to a Collector or other officer of revenue in relation to any suit or case in which the amount	

or value of the subject-matter is less than; or

When presented to any civil, criminal or revenue court or to any board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such court, board or officer or of any other document or record in such court of office;

Seven  
rupees

(b) When presented to a regional transport authority or State Transport Authority containing a prayer for permits for contract carriage, stage carriage, private carrier or public carrier or for any other purpose.

and  
fifty  
naye  
paise

#### **4. Amendment of Schedule II, Art 11.**

[Further Amendment by Assam Act VII of 1963.]

**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1955\***

**(Assam Act XXII of 1955)**

***[Received to assent of the Governor of Assam on the  
22nd December, 1955]***

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870)**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870) herein after called the Principal Act, in its application to Assam in the manner herein after appearing:

It is hereby enacted in the Sixth Year of the Republic of India as follows:

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\* Published in the Assam Gazette, dated 18-12-1955.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1955.

(2) It extends to the whole of Assam.

(3) It shall come in to force at once.

**2. Amendment of Schedule II, art. 11. [Further amended by Assam Act, VII, of 1963]**

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**THE ASSAM COURT-FEES (AMENDMENT) ACT,  
1958 \***

**(Assam Act III of 1958)**

*[Received the assent of the Governor on the 26<sup>th</sup> March, 1958]*

*[1st April, 1958]*

**An Act further to amend the Court-Fees Act, 1870  
(Act VII of 1870) in its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870) herein after called the principal Act, in its application to Assam in the manner hereinafter appearing:

It is hereby enacted in the Ninth Year of the Republic of India as follows:

\* Published in the Assam Gazette, dated 18-12-1955.

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1958.

(2) It extends to the whole to the State of Assam.

(3) It shall come in to force with effect from the 1st April, 1958.

**2. Amendment of Schedule I, Art 1.**

**Assam: Nagaland**

For Art .1 the following article was *substituted*, viz;

Number		Proper fee
"1. Complaint, written statement pleading a set-off or counter claim or memorandum of appeal (Not otherwise provided for in	When the amount or value of the subject-matter in dispute does not exceed on hundred rupees, for every five rupees, or part thereof, of such amount or value,	Fifty naye paise.
	and	

this Act) or of cross-objection presented to any civil or revenue court except those mentioned in S. 3.

When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof in excess of one hundred rupees, up to one hundred and fifty rupees,	One rupee and seventy-five naye paise.
---	--

and

When such amount or value exceeds one hundred and fifty rupees, for every ten rupees, or part thereof, up to one thousand rupees,	One rupee and twenty-naye paise.
---	----------------------------------

and

When such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees up to ten thousand rupees,

and

When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees,

and

"1. Complaint, written statement pleading a set-off or counter

When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof,

Thirty rupees.

claim or in excess of twenty  
memorandum thousand rupees, up to  
of appeal (Not fifty thousand rupees,  
otherwise  
provided for in  
this Act) or of  
cross-objection  
presented to and  
any Civil or  
Revenue Court  
except those  
mentioned in  
S. 3.

When such amount or Thirty-  
value exceeds fifty seven  
thousand rupees, for rupees and  
every five thousand fifty naye  
rupees, or part thereof, in paise:  
excess of fifty thousand  
rupees.

Provided that the  
maximum fee leviable on  
a plaint or memorandum  
of appeal shall not exceed  
ten thousand rupees."

**3. Amendment of Schedule I, Art. 6.**

In the third Column in Art, 6. of Schedule I for the words "eight annas" opposite Cl. (a) in the second column, the words "fifty naye paise" shall be substituted.

**4. Amendment of table of rate of ad valorem fees.**

For the table of rates of *ad valorem* fees leviable on the institution of suits, at the end of Schedule I to the principal Act, the table set forth in the Schedule to this Act shall be substituted:

## **THE SCHEDULE**

### **Table of rates of ad valorem fees leviable on the institution of suits**

**[See Section 4 of the Assam Court- Fees (Amendment)  
Act, 1958.]**

When the amount or value of the subject - matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
...	5	0.50
5	10	1.00
10	15	1.50
15	20	2.00
20	25	2.50
25	30	3.00
30	35	3.50
35	40	4.00
40	45	4.50
45	50	5.00

50	55	5.50
55	60	6.00
60	65	6.50
65	70	7.00
70	75	7.50
75	80	8.00
80	85	8.50
85	90	9.00
90	95	9.50
95	100	10.00
100	110	11.75
110	120	13.50
120	130	15.25
130	140	18.75
140	150	19.95
150	160	21.15
160	170	22.15
170	180	22.35
180	190	23.55
190	200	24.25
200	210	25.95
210	220	27.15
220	230	28.35
230	240	29.55
240	250	30.75
250	260	31.95
260	270	33.15
270	280	34.35



280	290	35.55
290	300	36.75
300	310	37.95
310	320	39.15
320	330	40.35
330	340	41.55
340	350	42.75
350	360	43.95
360	370	45.15
370	380	46.35
380	390	47.55
390	400	48.75
400	410	49.95
410	420	51.15
420	430	52.35
430	440	53.55
450	450	54.75
460	460	55.95
470	470	57.15
480	480	58.35
490	490	59.55
500	500	60.75
510	510	61.95
520	520	63.15
530	530	64.35
540	540	65.55
550	550	66.75
560	560	69.15

570	570	70.35
580	580	71.55
590	590	72.75
600	600	73.95
610	610	75.15
620	620	76.35
630	630	77.55
640	640	78.75
650	650	79.95
660	660	81.15
670	670	82.35
680	680	83.55
690	690	84.75
700	700	85.95
710	710	87.15
720	720	88.35
730	730	89.55
740	740	90.75
750	750	91.95
760	760	93.15
770	770	94.35
780	780	95.55
790	790	96.75
800	800	97.95
810	810	99.15
820	830	100.35
830	840	101.55
840	850	102.75

850	860	103.95
860	870	105.15
870	880	106.35
880	890	107.55
890	900	108.75
900	910	109.95
910	920	111.15
920	930	112.35
820	830	100.35
930	940	113.55
940	950	114.75
950	960	115.95
960	970	117.15
970	980	118.35
980	990	119.55
990	1,000	120.75
1,000	1,100	128.95
1,100	1,200	135.75
1,200	1,300	143.25
1,300	1,400	150.75
1,400	1,500	158.25
1,500	1,600	165.75
1,600	1,700	173.25
1,700	1,800	180.75
1,800	1,900	188.25
1,900	2,000	190.75
2,000	2,100	203.25
2,100	2,300	218.25

2,300	2,400	225.75
2,400	2,500	233.25
2,500	2,600	240.75
2,600	2,700	248.25
2,700	2,800	255.75
2,800	2,900	263.25
2,900	3,000	270.75
3,000	3,100	270.75
3,100	3,200	285.75
3,200	3,300	293.25
3,300	3,400	300.75
3,400	3,500	308.75
3,500	3,600	315.75
3,600	3,700	323.25
3,700	3,800	330.75
3,800	3,900	338.25
3,900	4,000	345.75
4,000	4,100	353.25
4,100	4,200	360.75
4,200	4,300	368.75
4,300	4,400	375.75
4,400	4,500	383.25
4,500	4,600	390.75
4,600	4,700	398.25
4,700	4,800	405.75
4,800	4,900	413.25
4,900	5,000	420.75
5,000	5,100	428.25

5,100	5,200	435.75
5,200	5,300	443.25
970	980	118.35
5,300	5,400	450.75
5,400	4,500	458.75
4,500	4,600	465.75
4,600	4,700	473.25
4,700	4,800	480.75
4,800	4,900	488.25
4,900	6,000	49.75
6,000	6,100	503.25
6,100	6,200	510.75
6,200	6,300	518.25
6,300	6,400	525.75
6,400	6,500	533.25
6,500	6,600	540.75
6,600	6,700	548.25
6,700	6,800	555.75
6,800	6,900	563.25
6,900	7,000	570.75
7,000	7,100	578.25
7,100	7,200	585.25
7,200	7,300	593.25
7,300	7,400	600.75
7,400	7,500	608.25
7,500	7,750	623.25
7,750	8,000	638.25
8,000	8,250	653.25

8,250	8,500	668.25
8,500	8,750	683.25
8,750	9,000	698.25
9,000	9,250	713.25
9,250	9,500	728.25
9,500	10,000	758.25
10,000	10,500	780.75
10,500	11,000	803.25
11,000	11,500	825.75
11,500	12,000	848.25
12,000	12,500	870.75
12,500	13,000	893.25
13,000	13,500	915.75
13,500	14,000	938.25
14,000	14,500	960.75
14,500	15,000	983.25
15,000	15,500	1,005.75
15,500	16,000	1,028.25
16,000	16,500	1,050.75
16,500	17,000	1,073.25
17,000	17,500	1,095.75
17,500	18,000	1,118.25
18,000	18,500	1,140.75
18,500	19,000	1,163.25
19,000	19,500	1,185.75
19,500	20,000	1,208.25
20,000	21,000	1,238.25
21,000	22,000	1,268.25

22,000	23,000	1,298.25
23,000	24,000	1,328.25
24,000	25,000	1,358.25
25,000	26,000	1,388.25
26,000	27,000	1,418.25
27,000	28,000	1,448.25
28,000	29,000	1,487.25
29,000	30,000	1,508.25
30,000	31,000	1,538.25
31,000	32,000	1,568,25
32,000	33,000	1,598.25
33,000	34,000	1,628.25
34,000	35,000	1,658.25
35,000	36,000	1,688.25
36,000	37,000	1,718.25
37,000	38,000	1,748.25
38,000	39,000	1,778.25
39,000	40,000	1,808.25
40,000	41,000	1,838,25
41,000	42,000	1,868.25
42,000	43,000	1,898.25
43,000	44,000	1,928.25
44,000	45,000	1958.25
45,000	46,000	1,988.25
46,000	47,000	2,018.25
47,000	48,000	2,048.25
48,000	49,000	2,078.25
49,000	50,000	2,108.25

50,000	55,000	2,145.75
55,000	60,000	2,183.25
60,000	65,000	2,220.75
65,000	70,000	2,258.25
70,000	75,000	2,295.75
75,000	80,000	2,333.25
80,000	85,000	2,370.75
85,000	90,000	2,408.25
90,000	95,000	2,445.75
95,000	1,00,000	2,483.25
1,00,000	1,05,000	2,520.75
1,05,000	1,10,000	2,558.25
1,10,000	1,15,000	2,595.75
1,15,000	1,20,000	2,633.25
1,20,000	1,25,000	2,670.75
1,25,000	1,30,000	2,708.25
1,30,000	1,35,000	2,745.75
1,35,000	1,40,000	2,783.25
1,40,000	1,45,000	2,820.75
1,45,000	1,50,000	2,858.25
1,50,000	1,55,000	2,895.75
1,55,000	1,60,000	2,933.25
1,60,000	1,65,000	2,970.75
1,65,000	1,70,000	3,008.25
1,70,000	1,75,000	3,045.75
1,75,000	1,80,000	3,083.25
1,80,000	1,85,000	3,120.75
1,85,000	1,90,000	3,158.25



1,90,000	1,95,000	3,195.75
1,95,000	2,00,000	3,233.25
2,00,000	2,05,000	3,270.75

And the fee increases at the rate of thirty-seven rupees fifty naye paise for every five thousand rupee or part thereof, up to a maximum fee of ten thousand rupees, for example-

When the amount or value of the subject matter exceeds.	But doe not exceed	But does	Proper fee
(1)	(2)	(3)	
Rs.	Rs.	Rs.	Np
	3.00,000		3,983.25
	4,00,000		4,733.25
	5,00,000		5,483.25
	6,00,000		6,233.25
	7,00,000		6,983.25
	8,00.000		7,733.25
	9,00.000		9,233.25
	10,00,000		9,233.25
	11,00,000		9,238.25
	11,05,000		10,020.75

**5. Amendment of Schedule II, Art. I.**

- (1) In the third column in Art. I of Schedule II of the Principal Act, for the words "four annas" opposite CL.
    - (a) the words "twenty five naye paise" shall be substituted.
  
  - (2) In the third column in Article I of Schedule II of the Principal Act for the words "twelve annas" opposite Cl.
    - (a) the words "twenty-five naye paise" shall be substituted.
-

# **THE ASSAM COURT-FEES (SECOND AMENDMENT) ACT, 1958 \***

**(Assam Act XX of 1958)**

**An Act further to amend the Court - Fees Act, 1870  
(Act VII of 1870) in its application to Assam.**

## **Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the Ninth Year of the Republic of India as follows:

## **1. Short title, extent and commencement.**

- (i) This Act may be called the Assam Court-Fees (Second Amendment) Act, 1958.

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\* Received the assent of the Governor on the 16<sup>th</sup> June, 1958, published in the Assam Gazette, Extraordinary, dated the 18<sup>th</sup> June, 1958.

(ii) It extends to the whole of the State of Assam.

(iii) It shall come into force at once.

**2. Amendment of Schedule II, Art. 11.**

In Cl. (c) in the second column in Art. 11 of Schedule II to the Principal Act, a full stop shall be inserted after the figure "1939" and the words "or to an appellate authority prescribed under the Assam Sales Tax Act, 1947" following the figure "1939" be deleted.

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# **THE ASSAM COURT-FEES (AMENDMENT) ACT, 1960 \***

**(Assam Act No XII of 1960)**

**An Act further to amend the Court -Fees Act, 1870  
with reference to the sale of Court-Fees in Assam**

## **Preamble.**

Whereas it is expedient further to amend the Court-fees Act, 1870 (Act VII of 1870), in its application to Assam in the manner hereafter appearing;

It is hereby enacted in the Eleventh year of Republic of India as follows:

## **1. Short title, extent and commencement.**

- (i) This Act may be called the Assam Court-Fees (Amendment) Act, 1960.
- (ii) It extend to the whole of Assam

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\* Received the assent of the Governor on the 31<sup>st</sup> March, 1960, published in the Assam Gazette, Extraordinary, dated the 31<sup>st</sup> March, 1960.

- (iii) It shall come into force with effect from the 1st April, 1960.

**2. Amendment of Schedule II, Art. 1 of Act VII of 1870.**

In Art. 1 of Schedule II of the Court-Fees Act, 1870 -

- (1) In the second column of Cl. (e) after the words "for any construction" the following words shall be inserted, namely;

"or any other purpose" ; and

- (2) after Cl. (e) the following new clause in the second column and entry in the third column shall be added, namely:

"(f) When presented to an Appropriate Revenue authority for demarcation of land -

Rs.

- (i) When the area of such land does not exceed 2.00 Five bighas

- (ii) for each subsequent area of Five bighas or part thereof 1.00

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**THE ASSAM COURT-FEES (AMENDMENT)  
ACT, 1963\***

**(Assam Act No. VIII of 1963)**

**An Act further to amend the Court-Fees Act, 1870, in  
its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the Fourteenth Year of the Republic of India as follows:

**1. Short title, extent and commencement.**

(1) This Act may be called the Assam Court-Fees (Amendment) Act, 1963.

(2) It extends to the whole of Assam.

\*Received the assent of the Governor on the 23<sup>rd</sup> April, 1963, published in the Assam Gazette Extraordinary, dated the 26<sup>th</sup> April, 1963.

- (3) It shall come in to force with effect from the First day of April 1963.

**2. Amendment of Schedule I and II of the Act VII of 1870.**

In the Principal Act -

- (1) In Schedule I, for Article numbers 6, 7, 8, and 9 the following shall be substituted, namely:

Number	Proper fee
“6. Copy of When such judgment or translation of a order is passed by any judgment or order Civil Court other than a not being, or having High Court, or by the the force of, a Presiding Officer of any decree Revenue Court or Officer, or by any other Judicial or executive Authority.	
(a) If the amount or value of the subject-matter is fifty or less than fifty rupees.	One rupee.
(b) If such amount or value exceeds fifty	Two rupees.



rupees

When such judgment or order is passed by a High Court Four rupees.

7. Copy of decree or order having force of a decree

When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court -

(a) If the amount or value of the subject-matter of the suit where in such decree or order is made is fifty or less than fifty rupees. Two rupees.

(b) If such amount or value exceeds fifty rupees Three rupees.

When such decree or order is made by a High Court. Seven rupees and fifty naye paise.

<p>8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899 Act II of 1899), when left by any party to a suit or proceeding in place of the original withdrawn.</p>	<p>(a) When the stamp – duty charge able on the original does not exceed one rupee.</p> <p>(b) In any other case</p>	<p>The amount of the duty chargeable on the original.</p> <p>One rupee.</p>
<p>9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or Office, or from the office of any chief officer charged with the executive administration of Division.</p>	<p>For every three hundred and sixty words or fraction of three hundred any sixty words.</p>	<p>One rupee.”</p>

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- (2) For Schedule II, the following shall be substituted, namely:

## **"SCHEDULE II**

### **Fixed Fees**

Number	Proper Fee
1. Application or petition	<p>(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings; or</p> <p>when presented to any Municipal Board or other local authority constituted under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such</p>

conservancy or improvement; or

when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under Act No. 11 of 1865 or under Act No. 1968, S. 20 or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees; or

when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office.

(b) When presented in a Seven rupees and  
Regional Transport Authority or fifty naye paise.  
State Transport Authority  
containing a prayer for permit  
for Contract Carriage, Stage  
Carriage, Private Carrier or  
Public Carrier or for any other  
purpose

(c) When containing a complaint or charge of any offence other than an offence for which police-office may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court; or In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively or such engagement- one rupee and fifty paise and in other case one rupee.

1.           when presented to Civil, Criminal or Revenue  
Applic       Court, or to a Collector or any revenue  
ation       officer having jurisdiction equal or ordinate to  
or           Collector or to any Magistrate in his executive  
petitio     capacity and not otherwise provided for by the  
n-           Act, or to deposit in       Court as revenue or  
contd.     rent: or

for determination by a Court of the amount of  
compensation be paid by a landlord to his  
tenant; or

when presented to a Collector or other officer  
making a settlement of land revenue, or to a  
Board of Revenue, or a Commissioner of  
Revenue relating to matters connected with  
the assessment of land or the ascertainment  
of rights thereto or interest therein, if  
presented previous to the final confirmation of  
such settlement; or

when presented to any officer of land revenue  
by any person holding temporarily settled  
land under direct engagement with  
Government, and when the subject-matter of  
the application or petition relates exclusively  
to such engagement.

(d) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a Division and not otherwise provided for by this Act. Three rupees

(e) When presented to a High Court. Six rupees.

(f) When presented to any officer containing prayer for settlement of fishery, ferry, forest produce, forest mahals, elephant mahals, or an officer giving terms for acceptance of Government for any construction or an application for a permit or license to deal in controlled commodities. Seven rupees and fifty paise.

(g) When presented to an Appropriate Revenue Authority for demarcation Authority for demarcation of land –

(i) when the area of such land does not exceed one hectare. Two rupees.

One rupee.



(ii) for each subsequent area of One rupee.  
one hectare or part thereof.

1-A. When the Court grants the One rupee and  
Application application and is of opinion that the fifty naye paise  
to any Civil transmission of such record involves in addition to  
Court that the use records involves the use of any fee levied  
records the post. on the  
may be application  
called for under Cl. (a),  
from Cl. (c) or Cl. (e)  
another of Art. 1 of this  
Court. Schedule.

2. Application  
for leave to ----- One rupee.  
sue as a  
pauper.

- |   |  |               |
|---|--|---------------|
| 3. Application for leave to appeal as a pauper. | (a) When presented to a District Court.              | Two rupees.   |
|   | (b) When presented to a commissioner or a High Court | Three rupees. |

4.....

5.   Plaint   or  
      memorand  
      um       of  
      appeal in a  
      suit       to  
      establish  
      or disprove  
      a right of  
      occupancy.

6.   Bail-bond  
      or   other  
      instrument  
      of  
      obligation  
      given    in  
      pursuance  
      of an order  
      made by a  
      Court    or  
      Magistrate.

One rupee.

under any  
section of the  
Code of  
Criminal  
Procedure  
1898 (Act V of  
1898) on the  
Code of Civil  
Procedure,  
1908) and not  
otherwise  
provided for  
by this Act.

7.

Undertaki  
ng under  
S.49 of the  
Indian  
Divorce  
Act 1869  
(Act IV of  
1969)

8.....

9.....

10. When presented for the conduct of  
Mukhtarna any one case –

ma or

Wakaltna

ma

(a) to any Civil or Criminal Court  
other than a High Court, or to  
any Revenue Court, or to any  
Collector or Magistrate, or other  
executive officer except such as One rupee.  
are mentioned in Cls. (b) and (c)  
of this number.

(b) to a Commissioner of Revenue,  
Circuit or Customs officer or to  
any officer charged with the  
executive administration of a  
Division, not being the Chief Two rupees and  
Revenue or Executive Authority. fifty naye paise.

(c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or executive authority or an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939) or to an appellate authority prescribed under the Assam Sales Tax Act, 1947 (Assam Act XVII of 1947). Five rupees.

11. Memorandum of appeal when the appeals is not from a decree or an order having the force of a decree, and is presented -
- (a) to any Civil Court other than a High Court, or to any Revenue Court or executive officer other than the High Court or Chief Controlling Revenue or Executive Authority except an authority specified in Cl. (b) Three rupees.

- (b) to an Excise Appellate Authority under R. 340 of the Assam Excise Rules. Fifteen rupees
- (c) to a high Court or Chief Commissioner, or other Chief Controlling Executive or Revenue Authority except an authority prescribed in Cl. (b). Ten rupees.
- (d) to an Excise Appellate Authority under R.341 of the Assam Excise Rules. Fifty rupees.
- (e) to a high Court in Miscellaneous revenue matters except (f) below or to an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939). Fifteen rupees.
- (f) to a High Court in appeal and revision matters arising out of settlement of fisheries -

- (i) when the bid money is below ten thousand rupees. Fifteen rupees.
- (ii) when the bid money is above ten thousand rupees but below twenty thousand rupees. Twenty-five rupees.
- (iii) when the bid money is above twenty thousand rupees. Thirty rupees.

12. Caveat. Ten rupees.

13.

Application  
under Act  
No. 10 of  
1859, S  
26, or  
Bengal Act  
No. 6 of  
1862, S.9,  
or Bengal  
Act No. 8  
of 1869, S.  
37

Five rupees.



14. Petition in  
suit under  
the Native  
Converts'  
Marriage  
Dissolutio  
n Act.  
1866 (Act  
XXI of  
1866)

Five rupees

15.....

16.....`

17. Plaint or  
memorand  
um of  
appeal in  
each of the  
following  
suits:

(i) to alter or  
set aside a  
summary  
decision or  
order of  
any of the  
Civil  
Courts not  
establishe  
d by  
Letters  
Patent or  
of any  
Revenue  
Court:

Fifteen rupees.

(ii) to alter or  
cancel any  
entry in a  
register of  
the names  
of  
proprietors  
of revenue  
paying  
estates.

Fifteen rupees.

(iii) to obtain  
a  
declaratory  
decree  
where no  
consequen  
ce relief is  
prayed.

Twenty rupees.

(iv) to set  
aside an  
award.

Fifteen rupees.

(v) to set aside  
an  
adoption.

Twenty rupees.

(vi) every  
other suit  
where it is  
not  
possible to  
estimate at  
a money-  
value the  
subject-  
matter in  
dispute,  
and which  
is not  
otherwise  
provided  
for by this  
Act.

18.

Application  
under S.14  
or S. 20 of  
the Indian  
Arbitration  
Act, 1940  
(Act X of  
1940), for  
a direction  
for filing  
an award  
or for an  
order filing  
an  
agreement.

When presented to a Munsif's  
Court.

Fifteen rupees.

When presented to any other  
Court.

Fifty rupees.

19.

Agreement  
in writing  
stating a  
question  
for the  
opinion of  
the Court  
under the  
Code of  
Civil  
Procedure,  
1908 (Act  
V of 1908)

Fifteen rupees.

20. Every  
petition  
under the  
Indian  
Divorce  
Act, 1869  
(Act IV of  
1869)  
except  
petition  
under S.  
44 of the  
same Act,  
and every  
memorand  
um of  
appeal  
under S.  
55 of the  
same Act.

Twenty rupees.

21. Complaint or  
memorandum  
of appeal  
under the  
Parsi  
Marriage and  
Divorce Act.  
1865 (Act XV  
of 1865)

Twenty rupees.



**THE COURT-FEES (ASSAM AMENDMENT)  
ACT, 1972 \***

**(Assam Act XXVII of 1972)**

***[Received the assent of the Governor on the 8<sup>th</sup>  
December, 1972]***

**An Act further to amend the Court-Fees Act, 1870  
in its application to Assam**

**Preamble.**

Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam in the manner hereinafter appearing;

It is hereby enacted in the twenty-third years of the Republic of India as follows:

\* Published in the Assam Gazette, Extraordinary, dated the 13<sup>th</sup> December, 1972.

**1. Short title, extent and commencement.**

(1) This Act may be called the Court-Fees (Assam Amendment) Act, 1972.

(2) It extends to the whole of Assam.

(3) It shall come in to force on such date as the State Government may, by notification the official Gazette, appoint.

**2. Amendment of Schedule I of Act VII of 1870.**

In Schedule I to the Principal Act.

(1) for Art.1, the following shall be substituted, namely:

Number		Proper fee
(1)	(2)	(3)
“1.       Plaint, written statement pleading a	When the amount or value of the subject-matter in dispute does not	Fifty-five paise.

<p>set-off or counter-claim or memorandum of appeal (not other – wise provided for in this Act, or of cross-objection presented to any Civil or Revenue Court except those mentioned in S. 3</p>	<p>exceed one hundred rupees, for every five rupees or part thereof of such amount or value.</p> <p>and</p>	
	<p>When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof, in excess of one hundred rupees up to one hundred and fifty rupees</p>	<p>One rupee and ninety-five paise.</p>

	and	
	<p>When such amount or value exceeds one hundred and fifty rupees, for every ten rupees, or part thereof up to one hundred rupees.</p> <p>and</p>	One rupees and forty paise
	<p>When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof in excess of one thousand rupees up to seven thousand five hundred rupees.</p> <p>and</p>	Eight rupees and twenty-five paise.

	<p>When such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees up to ten thousand rupees.</p> <p>and</p>	<p>Sixteen rupees and fifty paise</p>
	<p>When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of the thousand rupees, up to twenty thousand rupees.</p> <p>and</p>	<p>Twenty-four rupees and seventy-five paise</p>

	<p>When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part hereof in excess of twenty thousand rupees up to fifty thousand rupees.</p> <p>and</p>	Thirty-three rupees
	<p>When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, for every five thousand rupees, or part thereof in excess of fifty thousand rupees.</p>	Forty-one rupees and twenty-five paise.
	Provided that	Forty-one

	maximum fee leviable on a plaint or memorandum of appeal shall not exceed eleven thousand rupees”.	rupees and twenty-five paise:
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(2) for Arts. 6. 7, 8, and 9 and 9 the following shall be substituted, namely:

Number (1)	(2)	Proper fee (3)
“6. Copy or translation of a judgment or order not being or having the force of a decree	When such judgment or order is passed by any Civil Court other than High Court, or by the Presiding officer of any Revenue court or officer or by any other Judicial or Executive Authority:	

	(a) if the amount or value of the subject-matter is fifty or less than fifty rupees.	One rupee and ten paise
	(b) if such amount or value exceeds fifty rupees.	Two rupees and twenty paise
	(c) when such judgment or order is passed by a High Court.	Four rupees and forty paise
7. Copy of decree or order having the force of a decree	When such decree or order is made by any Civil Court other than a High Court other than a High Court, or by any Revenue Court -	



	(a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Two rupees and twenty paise
7. Copy of a decree or order having the force of a decree	When such decree or order is made by any Civil Court other than a High Court, or by any revenue Court –	
	(a) if the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Two rupees and twenty paise

	(b) if such amount or value exceeds fifty rupees.	Three rupees and thirty paise
	(c) when such decree or order is made by High Court.	Eight rupees and twenty-five paise
8. Copy of any document liable to stamp-duty under the Indian Stamp act, 1899 (Act II of 1899), when left by any part to a suit or proceeding in place of the original withdrawn.	(a) when the stamp-duty chargeable on the original does to exceed one rupee.	The amount of the duty chargeable on the original.
	(b) in any other case	One rupees and twenty paise.

9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office or from the office of any Civil Officer charged with the executive administration of Division.	For every three hundred and sixty words or fraction of three hundred and sixty words	One rupee and twenty paise”
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(3) the table of rates of ad valorem fees leviable on the institution of suits at the end shall be substituted by the following:

## **THE SCHEDULE**

### **Table of rates of ad valorem fees leviable on the institution of suits**

**[See Section 4 of the Assam Court-fees (Amendment) Act, 1958]**

When the amount or value of the subject- matter exceeds	But does not exceed	Proper fee
(1)	(2)	(2)
Rs.	Rs.	Rs. Np.
...	5	0.55
5	10	1.10
10	15	1.65
15	20	2.20
20	25	2.75
25	30	3.30
30	35	3.38
35	40	4.40

40	45	4.95
45	50	5.50
50	55	6.05
55	60	6.60
60	65	7.15
65	70	7.70
70	75	8.25
75	80	8.80
80	85	9.35
85	90	9.90
90	95	10.45
95	100	11.00
100	110	12.95
110	120	14.85
120	130	16.80
130	140	18.70
140	150	20.65
150	160	22.25
160	170	23.30
170	180	24.60
180	190	25.90

190	200	27.25
200	210	20.55
210	220	29.55
220	230	31.20
230	240	32.50
240	250	33.85
250	260	35.15
260	270	36.50
270	280	37.80
280	290	39.15
290	300	40.45
300	310	41.75
310	320	43.10
320	330	44.40
330	340	45.70340
340	350	47.50
350	360	41.35
360	370	49.70
370	380	51.00
380	390	52.35
390	400	53.65

400	410	54.95
410	420	56.30
420	430	57.60
430	440	58.90
440	450	60.25
450	460	61.25
460	470	62.90
470	480	64.25
480	490	56.55
490	500	66.85
500	510	38.15
510	520	69.50
520	530	70.80
530	540	72.15
540	550	73.45
550	560	74.75
560	570	76.10
570	580	77.40
580	590	78.75
590	600	80.05
600	610	81.32

610	620	82.70
620	630	84.00
630	640	85.30
640	650	86.65
650	660	87.95
660	670	89.30
670	680	90.60
680	690	91.95
690	700	93.25
700	710	94.55
710	720	95.90
720	730	97.20
730	740	98.55
740	750	99.85
750	760	101.15
760	770	102.50
770	780	103.80
780	790	105.15
790	800	106.75
800	810	107.75
810	820	109.10



When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	Rs. Np.
820	830	110.40
830	840	111.75
840	850	113.05
850	860	114.35
860	870	115.70
870	880	117.00
880	890	118.35
890	900	119.65
900	910	119.65
910	920	122.30
920	930	123.60
930	940	124.95
940	950	126.25
950	960	127.55
960	970	128.90
970	980	130.20

980	990	131.50
990	1,000	132.85
1,000	1,100	141040
1,100	1,200	145.35
1,200	1300	157.60
1,300	1,400	165.85
1,400	1,500	174.10
1,500	1,600	182.34
1,600	1,700	190.60
1,700	1,800	191.85
1,800	1,900	207.10
1,900	2,000	215.35
2,000	2,100	223.60
2,100	2,200	231.85
2,200	2,300	140.10
2,300	2,400	248.35
2,400	2,500	256.60
2,500	2,600	264.85
2,600	2,700	273.10
2,700	2,800	281.30
2,800	2,900	289.60

When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	Rs.Np.
2,900	3,000	297.85
3,000	3,100	306.10
3,100	3,200	314.35
3,200	3300	322.60
3,300	3,400	330.85
3,400	3,500	339.10
3,500	3,600	347.35
3,600	3700	355.60
3,700	3800	363.85
3,800	3,900	372.10
3,900	4,000	380.35
4,000	4,100	388.60
4,100	4,200	369.85
4,200	4,300	405.10
4,300	4,400	413.35

4,400	4,500	421.60
4,500	4,600	429.85
4,600	4,700	438.10
4,700	4,800	446.35
4,800	4,900	454.60
4,900	5,000	462.85
5,000	5,100	471.10
5100	5,200	479.35
5,200	5,300	487.60
5,300	5,400	495.85
5,400	5,500	504.10
5,500	5,600	512.35
5,600	5,700	520.60
5,700	5,800	528.80
5,800	5,900	537.10
5,900	6,000	545.35
6,000	6,100	553.60
6,100	6,200	661.80
6,200	6,300	570.10
6,300	6,400	578.35
6,400	6,500	586.60

6,500	6,600	594.85
When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	RsNp.
6,600	6,700	603.10
6,700	6,800	611.35
6,800	6,900	619.60
6,900	7,000	627.85
7,000	7,100	636.10
7,100	7,200	644.35
7,200	7,300	652.60
7,300	7,400	660.85
7,400	7,500	669.10
7,500	7,750	685.60
7,750	8,000	702.10
8,000	8,250	735.10
8,250	8,500	735.10
8,500	8,750	751.60

8,750	9,000	765.10
9,000	9,250	784.60
9,250	9,500	801.10
9,500	9,750	817.60
9,750	10,000	834.10
10,000	10,500	858.85
10,500	11,000	882.60
11,000	11,500	908.35
11,500	12,000	933.10
12,000	12,500	957.85
12,500	13,500	982.60
13,500	14,000	1,007.35
14,000	14,500	1,056.85
14,500	15,000	1,081.60
15,000	15,500	1,106.35
15,500	16,000	1,131.10
16,000	16,500	1,155.85
16,500	17,000	1,180.60
17,000	17,500	1,205.35
17,500	18,000	1,230.10
18,000	18,500	1,254.40

18,500	19,000	1,279.60
19,000	19,500	1,304.35
19,500	20,000	1,329.10
20,000	21,000	1,356.10
21,000	22,000	1,395.10
22,000	23000	1428.10
23,000	24,000	1461.10
24,000	25,000	1,494.10
25,000	26,000	1,527.10
26,000	27,000	1,593.10
27,000	28,000	1,593.10
28,000	29,000	1,626.10
29,000	30,000	1,659.10
30,000	31,000	1,692,10
31,000	32,000	1,725.10
32,000	33,000	1,758.10
33,000	34,000	1,791.10
34,000	35,000	1,824.10
35,000	36,000	1,857.10
36,000	37,000	1,890.10
37.000	38,000	1,923.10

38,000	39,000	1,956.10
39,000	40,000	1,989.10
40,000	41,000	2,022.10
41,000	42,000	2,055.10
42,000	43,000	2,088.10
43,000	44,000	2,121.10
44,000	45,000	2,154.10
45,000	46,000	2,187.10
46,000	47,000	2,220.10
46,000	47,000	2,220.10
47,000	48,000	2,253.10
48,000	49,000	2,286.10
49,000	50,000	2,319.10
50,000	55,000	2,360.35
55,000	60,000	2,401.60
60,000	65,000	2,442.85
65,000	70,000	2,484.10
70,000	75,000	2,525.35



When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
75,000	80,000	2,566.60
80,000	85,000	2,607.85
85,000	90,000	2,649.10
90,000	95,000	2,690.35
95,000	1,00,000	2,731.60
1,00,000	1,05,000	2,772.85
1,05,000	1,10,000	2,814.10
1,10,000	1,15,000	2,855.35
1,15,00	1,20,000	1,896.60
1,20,000	1,25,000	2,937.85
1,25,000	1,30,000	2,979.10
1,30,000	1,35,000	3,020.35
1,35,000	1,40,000	3,061.60
1,40,000	145000	1,102.85

1,45,000	1,50,000	3,144.10
1,50,000	1,55,000	3,185.35
1,55,000	1,60,000	3,226.60
1,60,000	1,65,000	3,267.85
1,65,000	1,70,000	3,309.10
1,70,000	1,75,000	3,350.35
1,75,000	1,80,000	3,391.60
1,80,000	1,85,000	3,432.85
1,85,000	1,90,000	3,474.10
1,90,000	1,95,000	3,515.35
1,95,000	2,00,000	3,556.60
2,00,000	2,05,000	3,597.85

and the fee increases at the rate of forty-one rupees and twenty five paise for every five thousand rupees or part thereof, up to a maximum fee of eleven thousand rupees, for example-

When the amount or value of the subject- matter exceeds  (1)	But does not exceed  (2)	Proper fee  (3)
Rs.	Rs.	Rs. Np.
	3,00,000	4,381.60
	4,00,000	5,206.60
	5,00,000	6,031.60
	6,00,000	6,856.60
	7,00,000	6,681.60
	8,00,000	8,506.60
	9,00,000	9,331.60
	10,00,000	10,981.60
	11,00,000	10,981.60
	11,05,000	11,022.85

**3. Amendment of schedule II of Act VII of 1870.**

For Schedule II to the principal Act, the following shall be substituted, namely:

## **“SCHEDULE II**

### **Fixed Fees**

Number	Proper fee
1. Application or petition.	(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealing;  or  When presented to any Municipal Board or other local authority constituted under any Act for time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;

or

when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under Act No ii of 1865 or under Act No 16 of 1868, S. 20 or to Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees;

or

when presented to any Civil Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record is such Court or Office.

(b) When presented in a Regional Transport Authority or State Transport Authority containing a prayer for permit for Contract Carriage, Stage Carriage, Private Carrier or Public Carrier or for any other purpose. Eight rupees and twenty-five paise

1. Application or petition-  
*contd.*

(c) When containing a complaint or charge of any offence other than an offence for which police officer may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court;

or

when presented to a Civil, Criminal or Revenue Court, or to a Collector or any Revenue Officer having jurisdiction

In the case of a complaint or charge of an offence presented to a criminal court or in the case of an application or petition presented to any officer of

equal or subordinate to a land revenue  
Collector, or to any Magistrate by any person  
in his executive capacity, and holding  
not other wise provided for by temporarily  
this Act, or to deposit in court settled land  
as revenue or rent; under direct  
engagement

or

with

Government,

for determination by a Court and when the  
of the amount of subject-  
compensation to be paid by a matter of the  
landlord to his tenant; or application or  
petition

relates

exclusively to

such

engagement

-one rupee

When presented to a Collector and sixty-  
or other officer making a five paise  
settlement of land revenue, or and in  
to a board of Revenue, or a other case  
Commissioner of Revenue, one rupee  
relating to matter connected and ten  
with the assessment of land or paise  
the ascertainment of rights  
thereto or interest therein, if

presented previous to the final  
confirmation of such  
settlement;

Or

When presented to any officer  
of land revenue by any person  
holding temporarily settled One rupee  
land under direct engagement and ten  
with government, and when paise.  
the subject matter of the  
application or petition relates  
exclusively to such  
engagement

When presented to any officer  
of land revenue by and person  
the kabulyat application for Two  
settlement of land under rupees.  
direct engagement with  
Government.

(d) When presented to a  
Chief Commissioner or other  
Chief Controlling Revenue or



Executive Authority, or to a  
Commissioner of Revenue or Three  
Circuit, or to any chief officer rupees and  
charged with the executive thirty paise  
administration of a Division  
and not otherwise provided for  
by this Act.

(e) when presented to a High  
Court.

(i) under Art. 226 of the  
Constitution. Fifty  
rupees.

(ii) in all other matters.  
Ten rupees

(f) When presented to any  
officer containing prayer for  
settlement of fishery, ferry, rupees and  
forest produce, forest mahals, twenty-five  
elephant mahals, or an officer  
given term for acceptance of  
Government for any  
construction or an application  
for a permit or licence to deal  
in controlled commodities

(g) When presented to an  
Appropriate Revenue  
Authority for demarcation of  
land –

(i) when the areas of Two rupees  
such land does and twenty  
not exceed one paise.  
hectare

(ii) for each  
subsequent One rupees  
area of one and ten  
hectare or part paise.  
thereof

2.	When the Court grants the	One rupee
Application	application and is of opinion	and sixty-
n to any	that the transmission of such	five paise in
Civil	record involves the use of the	addition to
Court that	post	any fee
record		levied on
may be		the
called for		application
from		under Cl.
another		(a), Cl. (c) or
Court.		Cl (e) of Art

1 of this  
Schedule.

3. ....

Application  
for leave to  
sue as a  
pauper.

One rupee and  
ten paise.

4.  
Application  
for leave to  
appeal as a  
pauper.

(a) When presented to a District Court. Two rupees  
and twenty  
paise

(b) When presented to a commissioner or a High Court. Three rupees  
and thirty  
paise.

5. Plaint or  
memoran  
dum of  
appeal in  
a suit to

establish

or

disprove a

right of

occupancy

....

One rupee and  
ten paise.

6. Bail-bond

or other

instrumen

t of

obligation

....

given in

pursuance

of an

order

made by a

Court or

Magistrate

under any

section of

the Code

of

Criminal

Procedure

, 1898

(Act V of

1898) or

the Code

of Civil  
Procedure  
, 1908  
(Act V of  
1908) and  
not  
otherwise  
provided  
for by this  
Act.

One rupee and  
ten paise.

7.

Undertaki  
ng under  
S. 49 of  
the Indian  
Divorce  
Act 1869  
(Act IV of  
1869)

....

One rupee and  
ten paise.

8. ....

....

9. ....

....

10.

Mukhtarna      When presented for the  
ma           or      conduct of any one case –  
Wakalatna  
ma

(a) to any Civil or Criminal  
Court other than a High  
Court, or to any Collector  
or Magistrate, or other  
executive officer except One rupee and  
such as are mentioned in ten paise.  
Cls, (b) and (c) of this  
number.

(b) to a Commissioner of  
Revenue, Circuit or  
Customs officers or to  
any officer charged with  
the executive Two rupees  
administration of a and seventy  
Division, not being the five paise.  
Chief Revenue or  
Executive Authority.

(c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or executive authority or an appellate authority or an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939) or to an appellate authority Five rupees prescribed under the and fifty paise. Assam Sales Tax Act, 1947 (Assam Act XVII of 1947).

11. (a) to any Civil Court other than a High Court, or to any Revenue Court or Executive officer other than the High Court or Chief Controlling Revenue or Executive Authority except an authority specified in Cl. Three rupees and thirty paise.

(b).

Memorandum of appeal when the appeal is not from a decree or an order having the force of a decree, and is presented -

(b) to an Excise Appellate Authority under R. 340 of the Assam Excise Rules. Sixteen rupees and fifty paise.

(c) to a High Court of Chief Commissioner, or other Chief Controlling Executive or Revenue Authority except an authority prescribed in Cl. (b) Eleven rupees.

(d) to an Excise Appellate Authority under R. 341 of the Assam Excise Rules. Fifty-five rupees

(e) to a High Court in Miscellaneous revenue matters except (f) below or to an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act IV of 1939); and Sixteen rupees and fifty paise.



(f) to a High Court in appeal  
and revision matters  
arising out of settlement  
of fisheries -

(i) when the bid money is  
below ten thousand rupees Sixteen rupees  
and fifty paise.

(ii) when the bid money is  
above ten thousand rupees but below twenty thousand rupees Twenty-seven  
rupees and  
fifty paise

(iii) when the bid money is  
above twenty thousand rupees Thirty-three  
rupees

12. Caveat

Eleven rupees

13.

Application

under Act

No. 10 of

1859, S. 26,

or Bengal Act

No. 6 of

1862, S.9, or

Bengal Act

No. 8 of

1859, S 37

-----

Five rupees

and fifty paise.

14. Petition

in suit under

native

Converts'

Marriage

Dissolution

Act, 1866

(Act XXI of

1866)

-----

Five rupees

and fifty paise.

15 .....

-----

16 .....

-----

17. Plaint or memorandu m of appeal in each of the following suits-	(i) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court.	Sixteen rupees and fifty paise
	(ii) to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates.	Sixteen rupees and fifty paise
	(iii) to obtain a declaratory decree where no consequential relief is prayed	Twenty-two rupees
	(iv) to set aside and award.	Sixteen rupees and fifty paise
	(v) to set aside an adoption.	Twenty two rupees

(vi) Every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not provided for by this Act. Sixteen rupees and fifty paise.

18.

Application

under S. 14

or S. 20 of the Indian

When presented to a Munsif's Court.

Sixteen rupees and fifty paise.

Arbitration

Act, 1940

(Act X of 1940), for a

direction for

filing an

award or for

an order for

filling an

agreement.

When presented to any other Court

Fifty-five rupees

19.

Agreement in  
writing  
stating a  
question for  
the opinion  
of the Court  
under the  
Code of Civil  
Procedure,  
1908 (Act V  
of 1908).

-----

Sixteen rupees  
and fifty paise.

20. Every

petition  
under the  
Indian  
Divorce Act,  
1869 (Act IV  
of 1869)  
except  
petitions  
under S. 44  
of the same  
Act, and  
every  
memorandu-

-----

Twenty-two  
rupees

m of appeal  
under S. 55  
of the same  
Act.

21. Plaint or  
memorandu  
m of appeal  
under the  
Parsi  
Marriage and  
Divorce Act,  
1895 (Act XV  
of 1865)

-----

Twenty-two  
rupees.

## COMMENTS

### **Preamble.**

The Court-Fees Act, 1870 purported to effect a complete re-arrangement of the provision of the existing law on this subject, and a similar classification of instruments chargeable with Court-Fees to that which obtain in General Stamp Act, having been adopted and the rules for determining the value of the subject-matter of certain suits being transferred from Schedule to the body

of the Act. This principal Act was amended from time to time in its application to Assam, as follows:

- (1) Assam Court-Fees (Amendment) Act, 1922 (Act II).
- (2) Assam Court-Fees (Amendment) Act, 1922 (Act IV).
- (3) Assam Court-Fees (Amendment) Act, 1932 (Act III).
- (4) Assam Court-Fees (Amendment) Act, 1936 (Act XIV).
- (5) Assam Court-Fees (Amendment) Act, 1947 (Act XVII).
- (6) Assam Court-Fees (Amendment) Act, 1950 (Act XVIII).
- (7) Assam Court-Fees (Amendment) Act, 1954 (Act XXVII).
- (8) Assam Court-Fees (Amendment) Act, 1955 (Act XXII).
- (9) Assam Court-Fees (Amendment) Act, 1958 (Act III).
- (10) Assam Court-Fees (Second Amendment) Act, 1958 (Act XIX).
- (11) Assam Court-Fees (Amendment) Act, 1960 (Act XII).
- (12) Assam Court-Fees (Amendment) Act, 1963 (Act VIII).

(13) The Court-Fees (Assam Amendment) Act, 1972 (Act XXVII).

This Act as in force in Assam has been extended to Manipur and Tripura by G.S. R. Nos. 1119 and 1120, dated 29<sup>th</sup> June, 1963.

### **Amendment of the Court-Fees Act, 1870**

- A.** By virtue of Assam Act 3 of 1932, in Cl. (a) of para (v) of s.7 of the principal Act, the word “ten” has been substituted by the word “twenty”.
- B.** After S.7 of the principal Act, the following have been inserted, by Assam Act 18 of 1947:

***“7-A. Inquiry as to valuation of suits.*** If the court is of opinion that the subject matter of any suit has been wrongly valued, it may revise the valuation and determine the correct valuation, and may hold such inquiry as it thinks fit for such purpose.



**7-B. *Investigation to ascertain proper valuation.***

- (1) For the purpose of an inquiry under S. 7-A, the court may depute or issue a commission to any inquiry under S. 7-A, the court may depute or issue a commission to any suitable person to make such local or other investigation as may be necessary and to report thereon to the court. Such report and any evidence recorded by such person shall be evidence in the inquiry.
- (2) The court may, from time to time. Direct such party to the suit as it thinks fit to deposit such sum as the court thinks reasonable as the cost of the inquiry, and if the costs are not deposited within such time as the court shall fix, may, notwithstanding anything contained in any other Act, dismiss the suit if such party is the plaintiff or the appellant and, in any other case, may recover the costs as a public demand.

**7-C. *Power of persons making inquiry under Ss. 7-A and 7-B.***

- (1) The court, when making an inquiry under S. 7-B shall have, respectively for the purpose of such inquiry or investigation, the powers vested in a court under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

- (a) enforcing the attendance of any person and examining him on oath or affirmation;
  - (b) compelling the production of documents or material objects, and
  - (c) issuing commission for the examination of witnesses.
- (2) An inquiry or investigation referred to in sub-S. (1) shall be deemed to be a judicial proceedings within the meaning of Ss. 193 and 228 of the Indian Penal Code (Act XLV of 1860).

***7-D. Costs of inquiry as to valuation mad refund of excess fee.***

If in the result of an inquiry under S. 7-A the court finds that the subject-matter of the suit has been under-valued, the court may order the party responsible for the under-valuation to pay all or any part of the costs of the inquiry.

If in the result of such inquiry the court finds that the subject-matter of the suit has not been under-valued, the court may, in its discretion, order that all or any part of such costs shall be paid by Government or by any party to the suit at whose instance the inquiry has been undertaken, and if

any amount exceeding the proper amount of fees has been paid shall refund the excess amount so paid.”

- C.** By virtue of Assam Act 3 of 1932, for Cl. (ii) of S. 10 of the principal Act, the following clause was substituted, viz.:

“(1) In such case-

- (a) the suit shall be stayed until additional fee is paid and if additional fee is not paid within such time as the Court shall fix, the suit shall be dismissed; and
- (b) whether the additional fee is paid- the Court may, if it is of opinion that the estimation has been grossly insufficient, further order that the expenses of the commission, or such portion thereof as the Court may think reasonable, be paid by party in default to the Government, and the order so made shall have the force and effect of a decree passed by the Court.”

- D.** By virtue of Assam Act 27 of 1962, in S.19 of the principal Act, for the words “a fee of eight annas”, the words “a fee of one rupee” were substituted.

- E.** By virtue of Assam Act VIII of 1950, in item (viii) of S.19 of the Act, for the words “one thousand rupees” the words “two thousand rupees” were substituted, and item (ix) was omitted.
- F.** By virtue of Assam Act 14 of 1936 and Act 27 of 1963, after S. 19-G, the following new section has been inserted as S. 19-GG.

**“19-GG. Probate and letters of administration  
inoperative in certain cases.”**

Notwithstanding anything contained in this or any other Act. No probate granted or letters of administration heretofore or hereafter granted by any court outside the limits of the State of Assam shall operate to confer upon the grantee any title to immovable property in Assam of which he did not obtain possession prior to the 1<sup>st</sup> January, 1937, unless he holds a certificate from the Chief Controlling Revenue Authority of Assam that he has paid the Court-fee due on such probate or letters of administration in respect of the full value of such property.”

**G.** Article 11 has been substituted as follows by Assam Act 8 of 1950 (Act 27 of 1962):

“When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on such amount or value up to ten thousand rupees. Two per centum.

and

when such amount or value exceeds ten thousand rupees, on the portion of such amount or value which is in excess of ten thousand rupees, up to fifty thousand rupees. Three per centum.

and

when such amount or value exceeds fifty thousand rupees, on the portion of such amount or value which is in excess of fifty thousand rupees, up to a lakh of rupees. Four per centum

and

when such amount or value exceeds a lakh of rupees on the portion of such amount or value which is in excess of a lakh of rupees up to two lakhs and fifty thousand rupees      Five per centum

and

when such amount or value exceeds two lakhs and fifty thousand rupees, on the portion of such amount or value which is in excess of two lakhs and fifty thousand rupees up to three lakhs of rupees.      Five- and –a –half per centum

and

when such amount or value exceeds three lakhs of rupees, on the portion of such amount or value which is in excess of three lakhs of rupees up to four lakhs of rupees      Six per centum

and

when such amount or value exceeds four lakhs of rupees, on the portion of such portion of such amount or value which is in excess of four lakhs of rupees up to four lakhs of Six-and- a half per centum rupees.

and

when such amount or value exceeds five lakh of rupees, on the portion of such amount or value which is in excess of five lakhs of rupees. Seven per centum.”

**H.** By virtue of Assam Act, VIII of 1950 and Act 27 of 1962, for Act 12, the following shall be substituted:

“12	Certificate	When the amount	Two per centum on
	under the Indian	or value of any	the first thousand
	Succession Act,	debt or security	rupees.
1925		specified in the	

Certificate under S. 374 of the Act exceeds one thousand rupees

Three per centum on the next forty thousand rupees

and

Four per centum on the next fifty thousand rupees.

When the aggregate amount or value of any debt or securities specified in the certificate has been extended under S. 376 of the Act exceeds one thousand rupees.

Five per centum on the next fifty thousand rupees.

Six per centum on the next one lakh of rupees

Six And half per centum on the next one lakh of rupees

and

Seven per centum on the remainder of such amount, or value.



In respect of such portion of the aggregate amount or value as consists of the amount or value of debts or securities so specified, the fee herein before provided in that behalf in this articles

and

Three per centum on such portion of the first ten thousand rupees.

Four and a half per centum on such portion of the next forty thousand rupees.

Six per centum on such portion of the next fifty thousand rupees.

Seven and a half per centum on such portion of the next one lakh and fifty thousand rupees.

Eight and a quarter per centum on such portion of the next one lakh of rupees.

Nine per centum on such portion of the next one lakh of rupees.

Nine and three quarters per centum on such portion of the next one lakh of rupees.

and

Ten And half per centum on such portion of the remainder of such

aggregate amount or value as consists of the amount or value of debts or securities has been extended.

*Note.*

(1) The amount of debt is its amount including interest on the day on which the inclusion of the debts in the certificate is applied for as far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a certificate has

been conferred  
under the Act  
And where such  
a power has  
been so  
conferred  
whether the  
power is for the  
receiving of  
interest or  
dividends on or  
for the  
negotiation or  
transfer of the  
security, or for  
both purposes  
the value of the  
security is its  
market-value on  
the day on  
which the  
inclusion of the  
security in the  
certificate is  
applied for so far  
as such value  
can be  
ascertained.”

## **Amendment of S.2.**

Article 1 of Schedule I of the Principal Act was amended by Assam Act III of 1958 And Act 27 of 1962 and finally by the present amendment Act, And the proper fee prescribed have been gradually increased.

Article 6 has been amended from time to time by Assam Act VIII of 1963 And Act 27 of 1962 and finally by the present Act, whereby the fees payable have been gradually increased.

Article 7, 8 And 9 have also been amended by Assam Acts 8 of 1963, 27 of 1962, and finally by the present amending Act.

## **Amendment of Schedule I.**

This Schedule has been lastly amended by the present amendment Ac. There were earlier amendments by virtue of Assam Act III of 1958 And Act 27 of 1962.

## **Amendment of Schedule II.**

Schedule II of the Court-Fee Act, 1870 has been substituted lastly by the Assam Act XXVII of 1972. There were earlier amendments by Assam Act 8 of 1963 And 27 of 1962. The fees prescribed have been increased from time to time.

## **Application of the Court-Fees Act, 1870 in Manipur And Tripura.**

The Court Fees Act, 1870, as in force in the State of Assam has been extended to Manipur And Tripura by G. S. R. Nos. 1119 And 1120, dated 29-6-1963.

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# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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নং 212 দিশপুৰ, মঙ্গলবাৰ, 26 মে', 2020, 5 জেঠ, 1942 (শক)

No. 212 Dispur, Tuesday, 26th May, 2020, 5th Jaistha, 1942 (S. E.)

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT:::LEGISLATIVE BRANCH

## NOTIFICATION

The 22nd May, 2020

**No. LGL.64/2019/8.**— The following Act of the Assam Legislative Assembly which received the assent of the Governor on 15th May, 2020 is hereby published for general information.

### ASSAM ACT NO. IV OF 2020

(Received the assent of the Governor on 15th May, 2020)

**THE COURT-FEES (ASSAM AMENDMENT) ACT, 2020**

## AN ACT

further to amend the Court-Fees Act, 1870, its application to the State of Assam.

Act No. VII  
of 1870

### Preamble

Whereas it is expedient further to amend the Court-Fees Act, 1870, hereinafter referred to as the principal Act, in its application to the State of Assam in the manner hereinafter appearing :

It is hereby enacted in the Seventy-first Year of the Republic of India, as follows :-

### Short title, extent and commencement

1. (1) This Act may be called the Court-Fees (Assam Amendment) Act, 2020.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

### Amendment of section 13

2. In the principal Act, in section 13, in the fifth line, in between the words, "the Collector" and "the full" the following words, "or by way of electronic transfer in such manner as may be prescribed", shall be inserted.

### Amendment of section 14

3. In the principal Act, in section 14, in the fourth line, in between the words, "the Collector" and "so much" the words, "or by way of electronic transfer in such manner as may be prescribed", shall be inserted.

### Amendment of section 15

4. In the principal Act, in section 15, in first paragraph ,
  - (i) in the fourth line, in between the words, "the Collector" and "so much" the words, "or by way of electronic transfer in such manner as may be prescribed", shall be inserted; and
  - (ii) in the last line, for the words and symbol "clause (b) or clause (d)", the words and symbol "clause (b) or clause (e) or clause (f)", shall be substituted.

### Amendment of section 16

5. In the principal Act, in section 16, in the fourth line, in between the words and punctuation mark, "the Collector," and "the full" the words, "or by way of electronic transfer in such manner as may be prescribed", shall be inserted.



- Amendment of section 25      6. In the principal Act, in section 25, after the words, "stamps", the words, "or electronic transfer of payment to the State Government in such manner as may be prescribed" shall be inserted.
- Amendment of section 27      7. In the principal Act, in section 27, clause (a) shall be renumbered as clause (aa) and before clause (aa) so renumbered the following new clause shall be inserted, namely :-  
    "(a) the manner of electronic transfer of payment of court-fee and its refund thereof ; "
- Amendment of section 30      8. In the principal Act, in section 30 ,  
        in second paragraph, for the punctuation mark ".", appearing at the end, the punctuation mark ":" shall be substituted and thereafter the following proviso shall be inserted, namely :-  
        " Provided that, where the court-fee is paid by electronic transfer of payment, the Officer competent to cancel stamp shall verify the genuineness of the payment and after satisfying himself that the court-fee is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fee is paid and the entry shall be locked."

**S. M. BUZAR BARUAH,**

Commissioner & Secretary to the Government of Assam,  
Legislative Department, Dispur, Guwahati-6.

