

Bihar And Orissa Court-Fees (Amendment) Act, 1922

2 of 1922

[21 August 1922]

CONTENTS

1. Short title, extent and commencement
2. Amendment of Section 4
3. Amendment of Section 7
4. Amendment of Section 17
5. Amendment of Section 18
6. Amendment of Section 19
7. Amendment of Article 1 of Schedule I
8. Amendment of Articles 6, 7, 8 and 9 of Schedule I
9. Amendment of Article 11 of Schedule I
10. Amendment of Article 12 of Schedule I
11. Amendment of table of rates in Schedule I
12. Amendment of Schedule II
13. Exemption of certain Probates, Letters of Administration and certificates

SCHEDULE 1 :- SCHEDULE A

SCHEDULE 2 :- SCHEDULE B

SCHEDULE 3 :- SCHEDULE C

Bihar And Orissa Court-Fees (Amendment) Act, 1922

2 of 1922

[21 August 1922]

PREAMBLE

Whereas it is expedient to amend the Court-fees Act, 1870 in its application to the Province of Bihar[and Orissa] in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement :-

(1) This Act may be called the Bihar and Orissa Court-fees (Amendment) Act, 1922.

(2) It extends to the whole of Bihar [and Orissa] including the Santhal Parganas.

(3) It shall come into force on the twenty-fourth day of August, 1922.

2. Amendment of Section 4 :-

In paragraph 3 of Section 4 of the Court-fees Act, 1870 as amended by subsequent legislation and hereinafter called the Principal Act, for the word "two" shall be substituted the word "one".

3. Amendment of Section 7 :-

In clause (a) of Section 7(v) of the Principal Act, for the word "ten" shall be substituted the word "twenty" and in clause (b) of the said section for the word "five" shall be substituted the word "ten".

4. Amendment of Section 17 :-

In Section 17 of the Principal Act, after the words "of appeal" in both places where they occur the words "or of cross-objection" shall be inserted.

5. Amendment of Section 18 :-

In Section 18 of the Principal Act, for the words "a fee of eight annas" the words "a fee of twelve annas" shall be substituted.

6. Amendment of Section 19 :-

In item (viii) of Section 19 of the Principal Act, for the words "one thousand rupees" the words "two thousand rupees" shall be substituted.

7. Amendment of Article 1 of Schedule I :-

In Article 1 of Schedule I of the Principal Act, for the entry in the first column the following entry shall be substituted, namely:-

(1) Complaint, written statement, pleading, a set-off or counter-claim or memorandum of appeal or of cross-objection, not otherwise provided for in this Act, presented to any Civil or Revenue Court

except those mentioned in Section 3;

(2) For the "proper fees" set out in the third column of the said Schedule I and shown opposite Article 1 in Schedule A of this Act, the "proper fees" shown against them in the second column of the said Schedule "A" shall be substituted;

(3) The proviso in Article 1 of the said Schedule I shall be omitted.

8. Amendment of Articles 6, 7, 8 and 9 of Schedule I :-

For the "proper fees" set out in Schedule I of the Principal Act for Articles 6, 7, 8 and 9 and shown in Schedule A of this Act, the "proper fees" shown against them in the second column of the said Schedule A shall be substituted.

9. Amendment of Article 11 of Schedule I :-

For the entries above the proviso in the second column and for the entries in the third column, in Article 11 of Schedule I of the Principal Act, 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 two thousand rupees, on such amount or value up to ten thousand rupees,	Two percentum.
and	
where 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 percentum
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 one lakh of rupees,	Four percentum
and	
when such amount or value exceeds a lakh of rupees, on the portion of such amount or value which is in excess of one lakh of rupees."	Five percentum

10. Amendment of Article 12 of Schedule I :-

For the entry in the second column of Article 12 of Schedule I of the Principal Act, and for the first paragraph in the third column of the said Article, the following shall be substituted, namely:-

"When the amount or value of any debt or security specified in the certificate under Section 8 of the Act, exceeds one thousand rupees on such amount or value up to ten thousand rupees,	Two percentum, and on the amount or value of any debt or security to which the certificate is extended under Section 10 of the Act, three percentum.
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 percentum, and on the amount or value of any debt or security to which the certificate is extended under Section 10 of the Act, four-and-a-half percentum.
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 one lakh of rupees.	Four percentum, and on the amount or value of any debt or security to which the certificate is extended under Section 10 of the Act, six percentum.
and	
when such amount or value exceeds a lakh of rupees, on the portion of such amount or value which is in excess of one lakh of rupees.	Five percentum, and on the amount or value of any debt or security to which the certificate is extended under Section 10 of the Act, seven-and-a-half per centum."

11. Amendment of table of rates in Schedule I :-

For the table of rates of ad valorem fees annexed to Schedule I of the Principal Act, the table set forth in Schedule B of this Act, shall be substituted.

12. Amendment of Schedule II :-

(1) In the first column of the said Schedule II after the words "memorandum of appeal" in Articles 5, 11, 17, 20 and 21 the words "or of cross-objection" shall be inserted.

(2) For the "proper fees" set out in the said Schedule II, and shown in Schedule C of this Act, the "proper fees" shown against them in the second column of the said Schedule C shall be substituted.

13. Exemption of certain Probates, Letters of Administration and certificates :-

Nothing in this Act, shall apply to any Probate, Letters of Administration or certificate under the Succession Certificate Act, 1889 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 issued.

SCHEDULE 1

SCHEDULE A

SCHEDULE A

Proper fees set out in Schedule I of the Principal Act		Proper fees to be substituted
Twelve annas		One rupee
Five rupees		Seven rupees and
		eight annas
Article 1	Ten rupees Fifteen rupees Twenty rupees Twenty rupees Twenty-five rupees	Fifteen rupees Twenty-two rupees and eight annas Thirty rupees Thirty rupees Thirty-seven rupees and eight annas
Article 6	Four annas Eight annas One rupee	Six annas Twelve annas One rupee and eight annas
Article 7	Eight annas One rupee Four rupees	Twelve annas One rupee and eight annas Six rupees
Article 8	The amount of the duty chargeable on the original Eight annas	One-and-a-half times the amount of the duty chargeable on the original Twelve annas
Article 9	Eight annas	Twelve annas

SCHEDULE 2

SCHEDULE B

SCHEDULE B**Table of Rates of ad valorem fees leviable on the institution of suits**

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee		
Rs.	Rs.	Rs.	a.	P.
—	5	0	6	0
5	10	0	12	0
10	15	1	2	0
15	20	1	8	0
20	25	1	14	0
25	30	2	4	0
30	35	2	10	0
35	40	3	0	0
40	45	3	6	0
45	50	3	12	0
50	55	4	2	0
55	60	4	8	0
60	65	4	14	0
65	70	5	4	0
70	75	5	10	0
75	80	6	0	0
80	85	6	6	0
85	90	6	12	0
90	95	7	2	0
95	100	7	8	0
100	110	8	8	0
110	120	9	8	0
120	130	10	8	0
130	140	11	8	0
140	150	12	8	0
150	160	13	8	0
160	170	14	8	0
170	180	15	8	0
180	190	16	8	0
190	200	17	8	0
200	210	18	8	0

210	220	19	8	0
220	230	20	8	0
230	240	21	8	0
240	250	22	8	0
250	260	23	8	0
260	270	24	8	0
270	280	25	8	0
280	290	26	8	0
290	300	27	8	0
300	310	28	8	0
310	320	29	8	0
320	330	30	8	0
330	340	31	8	0
340	350	32	8	0
350	360	33	8	0
360	370	34	8	0
370	380	35	8	0
380	390	36	8	0
390	400	37	8	0
400	410	38	8	0
410	420	39	8	0
420	430	40	8	0
430	440	41	8	0
440	450	42	8	0
450	460	43	8	0
460	470	44	8	0
470	480	45	8	0
480	490	46	8	0
490	500	47	8	0
500	510	48	8	0
510	520	49	8	0
520	530	50	8	0
530	540	51	8	0
540	550	52	8	0
550	560	53	8	0
560	570	54	8	0
570	580	55	8	0
580	590	56	8	0
590	600	57	8	0
600	610	58	8	0

600	610	58	8	0
610	620	59	8	0
620	630	60	8	0
630	640	61	8	0
640	650	62	8	0
650	660	63	8	0
660	670	64	8	0
670	680	65	8	0
680	690	66	8	0
690	700	67	8	0
700	710	68	8	0
710	720	69	8	0
720	730	70	8	0
730	740	71	8	0
740	750	72	8	0
750	760	73	8	0
760	770	74	8	0
770	780	75	8	0
780	790	76	8	0
790	800	77	8	0
800	810	78	8	0
810	820	79	8	0
820	830	80	8	0
830	840	81	8	0
840	850	82	8	0
850	860	83	8	0
860	870	84	8	0
870	880	85	8	0
880	890	86	8	0
890	900	87	8	0
900	910	88	8	0
910	920	89	8	0
920	930	90	8	0
930	940	91	8	0
940	950	92	9	0
950	960	93	8	0
960	970	94	8	0
970	980	95	8	0
980	990	96	8	0
990	1,000	97	8	0
1.000	1.100	105	8	0

1,100	1,200	112	8	0
1,200	1,300	120	8	0
1,300	1,400	127	8	0
1,400	1,500	135	0	0
1,500	1,600	142	8	0
1,600	1,700	150	0	0
1,700	1,800	157	8	0
1,800	1,900	165	0	0
1,900	2,000	172	8	0
2,000	2,100	180	0	0
2,100	2,200	187	8	0
2,200	2,300	195	0	0
2,300	2,400	202	8	0
2,400	2,500	210	0	0
2,500	2,600	217	8	0
2,600	2,700	225	0	0
2,700	2,800	232	8	0
2,800	2,900	240	0	0
2,900	3,000	247	8	0
3,000	3,100	255	0	0
3,100	3,200	262	8	0
3,200	3,300	270	0	0
3,300	3,400	277	8	0
3,400	3,500	285	0	0
3,500	3,600	292	8	0
3,600	3,700	300	0	0
3,700	3,800	307	8	0
3,800	3,900	315	8	0
3,900	4,000	322	0	0
4,000	4,100	330	0	0
4,100	4,200	337	8	0
4,200	4,300	345	0	0
4,300	4,400	352	8	0
4,400	4,500	360	0	0
4,500	4,600	367	8	0
4,600	4,700	375	0	0
4,700	4,800	382	8	0
4,800	4,900	390	0	0
4,900	5,000	397	8	0
5,000	5,250	412	8	0

5,250	5,500	427	8	0
5,500	5,750	442	8	0
5,750	6,000	357	8	0
6,000	6,250	472	8	0
6,250	6,500	487	8	0
6,500	6,750	502	8	0
6,750	7,000	517	8	0
7,000	7,250	532	8	0
7,250	7,500	547	8	0
7,500	7,750	562	8	0
7,750	8,000	577	8	0
8,000	8,250	592	8	0
8,250	8,500	607	8	0
8,500	8,750	622	8	0
8,750	9,000	687	8	0
9,000	9,200	652	8	0
9,250	9,500	667	8	0
9,500	9,750	682	8	0
9,750	10,000	697	8	0
10,000	10,500	720	0	0
10,500	11,000	742	8	0
11,000	11,500	765	0	0
11,500	12,000	787	8	0
12,000	12,500	810	0	0
12,500	13,000	832	8	0
13,000	13,500	855	0	0
13,500	14,000	877	8	0
14,000	14,500	900	0	0
14,500	15,000	922	8	0
15,000	15,500	945	0	0
15,500	16,000	967	8	0
16,000	16,500	990	0	0
16,500	17,000	1,012	8	0
17,000	17,500	1,035	0	0
17,500	18,000	1,057	8	0
18,000	18,500	1,080	0	0
18,500	19,000	1,102	8	0
19,000	19,500	1,125	0	0
19,500	20,000	1,147	8	0
20,000	21,000	11,77	8	0
21,000	22,000	1,207	8	0

22,000	23,000	1,237	8	0
23,000	24,000	1,267	8	0
24,000	25,000	1,297	8	0
25,000	26,000	1,327	8	0
26,000	27,000	1,357	8	0
27,000	28,000	1,387	8	0
28,000	29,000	1,417	8	0
29,000	30,000	1,447	8	0
30,000	32,000	1,477	8	0
32,000	34,000	1,507	8	0
34,000	36,000	1,537	8	0
36,000	38,000	1,567	8	0
38,000	40,000	1,597	8	0
40,000	42,000	1,627	8	0
42,000	44,000	1,657	8	0
44,000	46,000	1,687	8	0
46,000	48,000	1,717	8	0
48,000	50,000	1,747	8	0
50,000	55,000	1,785	0	0
55,000	60,000	1,822	8	0
60,000	65,000	1,860	0	0
65,000	70,000	1,897	0	0
70,000	75,000	1,935	0	0
75,000	80,000	1,972	8	0
80,000	85,000	2,010	0	0
85,000	90,000	2,047	8	0
90,000	95,000	2,085	0	0
95,000	1,00,000	2,122	8	0
1,00,000	1,05,000	2,160	0	0
1,05,000	1,10,000	2,197	8	0
1,10,000	1,15,000	2,285	0	0
1,15,000	1,20,000	2,272	8	0
1,20,000	1,25,000	2,310	0	0
1,25,000	1,30,000	2,347	8	0
1,30,000	1,35,000	2,385	0	0
1,35,000	1,40,000	2,422	8	0
1,40,000	1,45,000	2,460	0	0
1,45,000	1,50,000	2,497	8	0
1,50,000	1,55,000	2,535	0	0
1,55,000	1,60,000	2,572	8	0
1.60.000	1.65.000	2.610	0	0

1,65,000	1,70,000	2,617	8	0
1,70,000	1,75,000	2,685	0	0
1,75,000	1,80,000	2,722	8	0
1,80,000	1,85,000	2,760	0	0
1,85,000	1,90,000	2,797	8	0
1,90,000	1,95,000	2,135	0	0
1,95,000	2,00,000	2,172	8	0
2,00,000	2,05,000	2,910	0	0

and the fee increases at the rate of thirty-seven rupees eight annas for every five thousand rupees or part thereof, for example, when the amount or value of the subject-matter exceeds-

Rs.	Rs.
3,00,000	3,660
4,00,000	4,410
5,00,000	5,160
6,00,000	5,910
7,00,000	6,660
8,00,000	7,410
9,00,000	8,160
10,00,000	8,910
11,00,000	9,660

SCHEDULE 3

SCHEDULE C

SCHEDULE C

[See Section 12(4) of the Bihar and Orissa Court-fees (Amendment) Act, 1922.]

Proper fees set out in Schedule II of the Principal Act		Proper fee to be substituted
	One anna	Two annas.
	Eight annas	Twelve annas.
Article 1 ...	One rupee	One rupee and eight annas.
	Two rupees	Three rupees.
Article 1-A...	Twelve annas in addition to any fee	One rupee in
	levied on the application under clause (a), clause (b) or clause (d) of Article 1 of the Schedule.	addition to any fee levied on the application under clause (a), clause

		(b) or clause (d) of Article 1 of this Schedule.
	Eight annas	One rupee.
Article 10...	One rupee	Two rupees.
	Two rupees	Three rupees.
	Eight annas	One rupee.
Article 11....	Two rupees	Four rupees.
Article 12...	Five rupees	Ten rupees.
Article 14...	Five rupees	Ten rupees.
Articles 17, 18 & 19	Ten rupees	Fifteen rupees.
Articles 20 & 21...	Twenty rupees	Thirty rupees.