

Court Fees (Bihar Amendment) Act, 2007

4 of 2008

[07 January 2008]

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Court Fees (Bihar Amendment) Act, 2007

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An Act to amend the Court Fees Act, 1870 in its application to the State of Bihar Be it enacted by the Legislature of the State of Bihar in the Fifty eighth year of the Republic of India as follows:- 1. Published in Bihar Gazette (Extra-Ord.), dated 8.1.2008.

1. Short Title, Extent And Commencement :-

- (1) It shall be called Court Fees (Bihar Amendment) Act, 2007.
- (2) It shall extend to the whole of the State of Bihar.
- (3) It shall come into force at once.

2. Substitution Of Schedules I And Ii Appended To Act Vii, 1870 :-

In the Court Fees Act, 1870 [Act VII of 1870] as amended by Court Fees [(Bihar Amendment) Act, 1995] Schedules I and II shall be substituted, by the following:-

SCHEDULE 1

SCHEDULE I

Ad Valorem Fees

No.	Subject	Description	Rates
1.	Plaint, written	When the amount or	

	statement, pleading of an adjustment or counter claim or memorandum of appeal or a cross objection, or plaint or memorandum of appeal to set aside an award not otherwise provided in this Act, presented to any Civil or Revenue Court except those mentioned in Sec-tion-3.	value of the subject matter in dispute-	
		(i) up to Rs. 30,000/- (Rupees thirty thousand)	15% of the amount or value
		(ii) exceed Rs. 30,000/- (Rupees thirty thousand) but does not exceed Rs. 5,00,000/- (Rupees five lac).	Rs. 4,500/- (Rupees four thousand five hundred) + 10% of amount or value exceeding Rs. 30,000/- (Rupees thirty thousand).
(iii) exceeds Rs. 5,00,000/- (five lac) but does not exceed Rs. 20,00,000/- (twenty lac).	Rs. 51,500 (fifty one thousand five hundred) + 5% of amount or value exceeding Rs. 5,00,000/- (five lac).		
		(iv) exceeds Rs. 20,00,000/- (Rupees twenty lac), Rs. 1 (one) crore.	Rs. 1,26,500 (Rupees one lac twenty six thousand five hundred) + 1% of the amount or value exceeding Rs. 20,00,000/- (Rupees twenty lac).
		(v) exceeds Rs. 1 (one) crore	Rs. 2,06,500/- (Rupees two lac six thousand

			five hundred) + 1/2% of the amount or value exceeding Rs. 1 (one) crore. Maximum Rs. 3,00,000/- (rupees three lac).
2.	Plaint in a suit for possession under Section 6 of Specific Relief Act, 1963.		According to rates as prescribed in item no.1.
3.	Probate of a will or letters of administration with or without will annexed.		10% of the amount or value [minimum Rs. 500/- (Rupees five hundred) & maximum Rs. 3,00,000/- (Rupees three lac)].
4.	Certificate under the Succession Certificate Act, 1889.		As prescribed in item no. 3 on amount or value indicated on certificate.

SCHEDULE 2

SCHEDULE II

Fixed Fees

No.	Subject	Description	Fee
1.	(1) Application or petition	When presented to an administrative or revenue officer of State Government or Central Government or local	Rs. 20/- (Rupees twenty)

No.	Subject	body or in a civil or Description	Rates
		criminal or small cause court other than High Court and which is not otherwise provided—	
	(2) When presented to the High Court-	(i) Under Article 226, 227 or under Article 226 and 227 of the Constitution— (a) To file a general application. (b) To file a Public Interest Litigation.	Rs. 500/- (Rupees five hundred). Rs. 1000/- (Rupees one thousand).
		(ii) On other applications	Rs. 250/- (Rupees two hundred fifty).
	(3) Application for Civil Revision under Section 115 of Civil Procedure Code or Criminal Revision under Section 397 read with Section 399/401 of Criminal Procedure Code.		Rs. 250/- (Rupees two hundred fifty).
2.	Application to call for records from any other Court.		Rs. 50/- (Rupees fifty).
3.	Application for leave to sue as a pauper or for leave to appeal as pauper.		Rs. 20/- (Rupees twenty).
4.	Plaint or memorandum of appeal to establish or prove a right of occupancy.		Rs. 100/- (rupees one hundred).
5.	Bail Bond or other instruments of obligation given in pursuance of any order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1973 or the Code of Civil Procedure, 1908 and not otherwise provided by this Act.		Rs. 20/- (Rupees twenty).
6.	Undertaking under		Rs. 100/- (Rupees one

	Section 49 of the Indian Divorce Act, 1869 (4 of 1869).		hundred)-
6.	Undertaking under Section 49 of the Indian Divorce Act, 1869 (4 of 1869).		Rs. 100/- (Rupees one hundred)-
7.	Affidavit	(i) In all other courts except the High Court.	Rs. 20/- (Rupees twenty Rupees).
		(ii) In the High Court.	Rs. 30/- (Rupees thirty).
6.	Undertaking under Section 49 of the Indian Divorce Act, 1869 (4 of 1869).		Rs. 100/- (Rupees one hundred)-
7.	Affidavit	(i) In all other courts except the High Court.	Rs. 20/- (Rupees twenty Rupees).
		(ii) In the High Court.	Rs. 30/- (Rupees thirty).
8.	Vakalatnama	(i) In all other courts except the High Court.	Rs. 30/- (Rupees thirty) [Court fee Rs. 20/- + Advocate Welfare stamps Rs. 10/-].
		(ii) In the High Court.	Rs. 50/- (Rupees fifty) [Court fee Rs. 30/-+ Advocate Welfare stamp Rs. 20/-].
9.	All kinds of copies of any judgment, decree, order, proceeding, the documents filed in a proceeding etc.		Rs. 10/- (Rupees ten) per page.
10.	Caveat		Rs. 100/- (Rupees one hundred)-
11.	Application for review of judgment.		Rs. 500/- (Rupees five hundred) only.
12.	Memorandum of Appeal when the appeal 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.	Rs. 50/-(Rupees fifty).
		(b) To High Court or Chief Controlling Executive or Revenue	Rs. 100/- (Rupees one hundred).

		Authority.	
13.	Plaint or Memorandum 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 not a Revenue Court)	Rs. 500/- (Rupees five hundred).
		(ii) To alter or cancel any entry in a register of the names of proprietors of revenue paying estates.	Rs. 500/- (Rupees five hundred).
		(iii) To obtain a declaratory decree where no consequential relief is prayed.	Rs. 1000/- (Rupees one thousand).
		(iv) To set aside an award.	Rs. 1000/- (Rupees one thousand).
		(v) To set aside an adoption.	Rs. 1000/- (Rupees one thousand).
		(vi) For 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.	Rs. 1000/- (Rupees one thousand).
14.	Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.		Rs. 200/- (Rupees two hundred).
15.	(1) Every petition under the Indian Divorce Act, 1869 except under Section 44 of the same Act and every Memorandum of Appeal under Section 55 of the same Act.		Rs. 500/- (Rupees five hundred).
	(2) Plaint or Memorandum of Appeal under the Parsi Marriage and Divorce Act, 1865.		

