

Gujarat Court-Fees (Amendment) Act, 2015

10 OF 2015

[07 April 2015]

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Gujarat Court-Fees (Amendment) Act, 2015

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AN ACT

further to amend the Gujarat Court-fees Act, 2004.

It is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :-

1. Short title and commencement :-

(1) This Act may be called the Gujarat Court-fees (Amendment) Act, 2015.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 2 of Guj. 4 of 2004 :-

In the Gujarat Court-fees Act, 2004 (hereinafter referred to as "the principal Act"), in section 2, after clause (b), the following clause shall be inserted, namely :-

"(bb) "e-payment" means payment or refund of court-fees under this Act by electronic mode or a system devised for that purpose, in

the manner as may be prescribed."

3. Amendment of section 16 of Guj. 4 of 2004 :-

In the principal Act, the existing section 16 shall be renumbered as sub-section (1) of that section, and after sub-section (1) as so renumbered, the following sub-section shall be added, namely :-

"(2) The Collector shall refund such fees as provided under subsection (1), in money which may also be made by e-payment".

4. Amendment of section 17 of Guj. 4 of 2004 :-

In the principal Act, the existing section 17 shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely :-

"(2) The Collector shall refund such fees as provided under subsection (1), in money which may also be made by e-payment".

5. Amendment of section 21 of Guj. 4 of 2004 :-

In the principal Act, in section 21, after the words "or repay the same in money," the words "which may also be made by e-payment" shall be inserted.

6. Amendment of section 37 of Guj. 4 of 2004 :-

In the principal Act, in section 37, -

- (i) in sub-section (1), after the words "shall be collected by stamps", the words "or by e-payment" shall be inserted;
- (ii) in the marginal note, the words "by stamp" shall be deleted.

7. Substitution of section 38 of Guj. 4 of 2004 :-

In the principal Act, for section 38, the following section shall be substituted, namely :-

"38. Stamps to be impressed or adhesive.

In case where the payment of court-fees is made by stamps, the stamps so used shall be impressed or adhesive or partly impressed or partly adhesive, as the State Government may, by notification in the Official Gazette, from time to time, direct."

8. Amendment of section 39 of Guj. 4 of 2004 :-

In the principal Act, in section 39, -

- (i) in clause (c), the word "and" shall be deleted;

- (ii) in clause (d), the word "and" shall be added at the end;
- (iii) after clause (d), the following clause shall be inserted, namely :-
"(e) the manner of payment of court-fees and refund thereof by e-payment.".

9. Amendment of section 42 of Guj. 4 of 2004 :-

In the principal Act, to section 42, the following proviso shall be inserted, namely :-

"Provided that where court-fees is paid by e-payment, the officer competent to cancel the stamps shall verify the genuineness of the payment and after satisfying himself that the court-fees is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fees is paid and the entry is locked.".