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## **Court-Fees (Orissa Amendment) Act, 1967**

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## **Court-Fees (Orissa Amendment) Act, 1967**

An Act to amend the Court-fees Act, 1870, in its application to the State of Orissa. Be it enacted by the legislature of the State of Orissa in Eighteenth Year of the Republic of India, as follows :  
Statement of Objects and Reason.--Articles 11 and 12 of Schedule I to the Court-fees Act, 1870, are at present applicable to the different parts of the State in different forms. This has resulted in making the rates of Court-fees leviable under the said articles in different parts of the State differ from one another. It is, therefore, necessary to amend the articles suitably so as to make the rate of Court-fees uniform throughout the State. The bill seeks to achieve the above objects. Published vide Orissa Gazette Ext.No. 11 of 1967 - O.A. No. 11 of 1967. For Statement of Objects and Reasons see Orissa Gazette Ext. No. 697/19.6.1967.

### **1. Short Title :-**

This Act may be called the Court-fees (Orissa Amendment) Act, 1967.

### **2. Enactments Repealed :-**

The enactments mentioned in the Schedule, in so far as they are applicable to any part of the State of Orissa, are hereby repealed.

### **3. Amendment Of Section 19 :-**

In Section 19 of the Court-fees Act, 7 of 1870 ( Act 7 of 1870) (hereinafter referred to as the principal Act) in Clause (viii) for the words "one thousand rupees" the words "two thousand rupees"

shall be substituted.

#### **4. Amendment Of Schedule I :-**

In Schedule I to the principal Act for Articles 11 and 12, the following articles shall be substituted, namely :

Number (1)	(2)	Proper fee (3)
"11. Probate of a will or letters of administration with or without will, annexed	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 and	Two per centum
	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 and	Three per centum
	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 rupees and	Four per centum
	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 rupees : Provided that when, after the grant of a certificate under the Indian Succession Act, 1925, or under the Regulation of Bombay Code, No. 8 of 1827 in respect of any property included in and estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect in respect of the letter grant shall be reduced by the amount of the fee paid in respect of the former grant.	Five per centum
12. Certificate under the Indian Succession Act, 1925.	When the amount or value of any debt or security specified in the certificate under Section 374 of the Act exceeds one thousand rupees, on such-amount or value up to ten thousand rupees and	Two per centum, and on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, three per centum
	When such amount or value exceeds ten thousand rupees, on the portion of such	Three per centum, and on

	amount or value which is in excess of ten thousand rupees up to fifty thousand rupees	the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, four and a half per
	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	centum Four per centum, and on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, six per centum
	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 per centum, and on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, seven and a half per centum."

#### SCHEDULE 1

#### SCHEDULE I

[See Section 2]

<b>Number and year (1)</b>	<b>Short title (2)</b>
Bihar and Orissa Act I of 1922 Madras Act V of 1922 Central Provinces Act XVI of 1935	Bihar and Orissa Court-fees (Amendment) Act, 1922. Madras Court-fees (Amendment) Act, 1922. Court-fees (Central Provinces Amendment) Act, 1935.