



The Courts Fees (Orissa Amendment) Act, 1992

Act 34 of 1992

Keyword(s):

Court Fees, Treasury, Acquisition of Land

Amendment appended: 9 of 1993, 13 of 1997, 7 of 2002

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ORISSA ACT 34 OF 1992
THE COURT FEES (ORISSA AMENDMENT) ACT, 1992

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ORISSA ACT 34 OF 1992

***THE COURT FEES (ORISSA AMENDMENT) ACT, 1992**

[Received the assent of the Governor on the 5th December 1992, first published in an extraordinary issue of the Orissa Gazette, dated the 7th December 1992].

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 the Forty-third Year of the Republic of India as follows :--

Short title
and
commencement.

1. (1) This Act may be called the Court Fees (Orissa Amendment) Act, 1992.

(2) It shall be deemed to have come into force on the 14th day of August, 1992.

Amendment
of
Schedule I.

2. In Schedule I to the Court Fees Act, 1870 as amended in its application to 7 of 1870. the State of Orissa (hereinafter referred to as the principal Act),—

(a) in article 1, for the words "Thirty-seven rupees fifty naye paise" occurring as the last entry under the heading "proper fee" the words "One hundred rupees" shall be substituted ;

(b) in the foot note to the Table of rates of advalorem fees appearing under heading "(a) Table of rates of advalorem fees leviable on plaints, etc., mentioned in Article 1 of Schedule I", for the words "thirty-seven rupees fifty naye paise", the words "one hundred rupees" shall be substituted.

Amendment
of
Schedule II.

3. In Schedule II to the principal Act, under the heading "proper fee" for the entries as mentioned in column (2) of the following Table against the corresponding articles in column (1) thereof, the entries as mentioned against them in column (3) of the said Table shall respectively be substituted :—

*For the Bill, see *Orissa Gazette*, Extraordinary, dated the 28th October 1992 (No. 1463)

TABLE

Corresponding Article (1)	Entries Occurring under the heading "proper fee" (2)	Entries to be substituted (3)
1. (a)	Forty-five paise	One rupee
(b)	In case of criminal complaint and appeal, two rupees and twenty-five paise and in other cases one rupee and twenty-paise.	In case of criminal complaint and appeal, four rupees and in other cases two rupees.
(c)	Two rupees and fifty paise	Five rupees
(d) (i) (a)	Five rupees and fifty paise	Eleven rupees
(b)	Eleven rupees	Twenty rupees
(ii)	Two rupees and twenty paise	Four rupees
1-A	One rupee and sixty-five paise in addition to any fee levied on the application under clause (a), clause (b) or clause (d) of article-1 of this Schedule.	Three rupees in addition to any fee levied on the application under clause (a), clause (b) or clause (d) of article-1 of this Schedule.
2.	Fifty-five paise	One rupee
3. (a)	One rupee and ten paise	Two rupees
(b)	Two rupees and twenty paise	Four rupees
4.	Fifty naye paise	One rupee
5.	Fifty naye paise	One rupee
6.	Fifty naye paise	One rupee
7.	Fifty naye paise	One rupee
10. (a)	Two rupees and twenty-five paise	Four rupees
(b)	Three rupees and seventy-five paise	Seven rupees
(c)	Four rupees	Eight rupees
11. (a)	One rupee	Two rupees
(b)	Four rupees	Eight rupees
12.	Ten rupees	Twenty rupees
13.	Five rupees and fifty paise	Ten rupees
14.	Eleven rupees	Twenty-one rupees
17.	Fifteen rupees	Thirty rupees
17. A (a)	Ten rupees	Twenty rupees
(b)	Fifteen rupees if the value for purposes of jurisdiction does not exceed four thousand rupees. One hundred rupees if such value exceeds four thousand rupees.	Thirty rupees if the value for purposes of jurisdiction does not exceed four thousand rupees. Two hundred rupees if such value exceeds four thousand rupees.
18.	Sixteen rupees and fifty paise	Thirty-two rupees
19.	Fifteen rupees	Thirty rupees
20.	Thirty-three rupees	Sixty-two rupees
21.	Thirty rupees	Sixty rupees

Repeal and savings.

4. (1) The Court Fees (Orissa Amendment) Ordinance, 1992 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Orissa Ordinance No. 9 of 1992.

ORISSA ACT 9 OF 1993

* THE COURT FEES (ORISSA AMENDMENT) ACT, 1993

[Received the assent of the Governor on the 4th May 1993, first published in an extraordinary issue of the *Orissa Gazette* dated the 10th May 1993]

AN ACT FURTHER 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 the Forty-fourth Year of the Republic of India as follows :—

- Short title. 1. This Act may be called the Court Fees (Orissa Amendment) Act, 1993.
- Amendment of Schedule II, 2. In Schedule II to the Court Fees Act, 1870 as amended in its application to 7 of 1870 the State of Orissa, in article 1, for clause (d) including the entries under the second and third columns thereof, the followings shall be substituted, namely:—
- | | | |
|--|----------------|-----------|
| “(d) (i) When presented to the High Court under Section 115 of the Code of Civil Procedure, 1908. | Thirty rupees | V of 1908 |
| (ii) When presented to a District Court under Section 115 of the Code of Civil Procedure, 1908 for revision of an order; | | V of 1908 |
| (a) When the value of the suit or proceedings to which the order relates does not exceed one thousand rupees. | Eleven rupees | |
| (b) When the value of the suit or proceedings exceeds one thousand rupees. | Twenty rupees | |
| (iii) When presented to a Court otherwise than under that Section. | Four rupees.”. | |

*For the Bill See *Orissa Gazette* Extraordinary, dated the 15th March 1993 (No. 413).

ORISSA ACT 13 OF 1997

THE COURT FEES (ORISSA AMENDMENT) ACT, 1997

[Received the assent of the Governor on the 5th November 1997, first published in an extraordinary issue of the Orissa Gazette, dated the 19th November 1997]

AN ACT FURTHER 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 the Forty-eighth year of the Republic of India as follows:—

Short title
and commence-
ment.

1. (1) This Act may be called the Court Fees (Orissa Amendment) Act, 1997.

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

Amendment
of Schedule-I.

2. In Schedule-I to the Court Fees Act, 1870 as amended in its application to the State of Orissa,—

(a) for article 3, the following article shall be substituted, namely:—

Number	Proper fee
"3. Plaint or written statement pleading a set-off or counter-claim in any suit of the nature cognizable by a Court of Small Causes when the amount or value of the subject matter does not exceed two thousand and five hundred rupees.	When the amount or value of the subject matter in dispute does not exceed five rupees. Thirty-five paise
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees. Thirty-five paise
	When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees up to five hundred rupees. Seventy-five paise
	When such amount of value, exceeds five hundred rupees, for every ten rupees, or part thereof, in excess of five hundred rupees up to one thousand rupees. One rupee
	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 two thousand and five hundred rupees. Seven rupees and fifty paise"; and

[For the Bill see *Orissa Gazette*, Extraordinary, dated the 24 September, 1997 (No. 1198)]

(b) In the Table of rates of advalorem fees payable on plaints, etc., mentioned in article 3, the following entries shall be added at the end under appropriate columns, namely:—

When the amount or value of the subject matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs.
500·00	510·00	38·00
510·00	520·00	39·00
520·00	530·00	40·00
530·00	540·00	41·00
540·00	550·00	42·00
550·00	560·00	43·00
560·00	570·00	44·00
570·00	580·00	45·00
580·00	590·00	46·00
590·00	600·00	47·00
600·00	610·00	48·00
610·00	620·00	49·00
620·00	630·00	50·00
630·00	640·00	51·00
640·00	650·00	52·00
650·00	660·00	53·00
660·00	670·00	54·00
670·00	680·00	55·00
680·00	690·00	56·00
690·00	700·00	57·00
700·00	710·00	58·00
710·00	720·00	59·00
720·00	730·00	60·00
730·00	740·00	61·00
740·00	750·00	62·00
750·00	760·00	63·00
760·00	770·00	64·00
770·00	780·00	65·00
780·00	790·00	66·00

(1)	(2)	(3)
Rs.	Rs.	Rs.
790·00	800·00	67·00
800·00	810·00	68·00
810·00	820·00	69·00
820·00	830·00	70·00
830·00	840·00	71·00
840·00	850·00	72·00
850·00	860·00	73·00
860·00	870·00	74·00
870·00	880·00	75·00
880·00	890·00	76·00
890·00	900·00	77·00
900·00	910·00	78·00
910·00	920·00	79·00
920·00	930·00	80·00
930·00	940·00	81·00
940·00	950·00	82·00
950·00	960·00	83·00
960·00	970·00	84·00
970·00	980·00	85·00
980·00	990·00	86·00
990·00	1,000·00	87·00
1,000·00	1,100·00	94·50
1,100·00	1,200·00	102·00
1,200·00	1,300·00	109·50
1,300·00	1,400·00	117·00
1,400·00	1,500·00	124·50
1,500·00	1,600·00	132·00
1,600·00	1,700·00	139·50
1,700·00	1,800·00	147·00
1,800·00	1,900·00	154·50
1,900·00	2,000·00	162·00
2,000·00	2,100·00	169·50
2,100·00	2,200·00	177·00
2,200·00	2,300·00	184·50
2,300·00	2,400·00	192·00
2,400·00	2,500·00	199·50·*

ORISSA ACT 7 OF 2002

*** THE COURT-FEES (ORISSA AMENDMENT) ACT, 2002**

[Received the assent of the Governor on the 16th May 2002, first published in an extraordinary issue of the Orissa Gazette, dated the 21st May, 2002 (No. 679)]

AN ACT FURTHER 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 the Fifty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Court-fees (Orissa Amendment) Act, 2002.

Amendment of section 13.

2. In the Court-fees Act, 1870,—

7 of 1870.

(a) for the marginal heading to section 13, the following marginal heading shall be substituted, namely:—

“Refund of fee paid on memorandum of appeal and in cases where compromise or settlement has been arrived at by a Lok Adalat.”;

(b) section 13 shall be renumbered as sub-section (1) thereof and—

(i) in sub-section (1) as so renumbered, for the words and figures “the Code of Civil Procedure” and “section 351 of the same Code”, the words and figures “the Code of Civil Procedure, 1908” and “rule 23 of Order XLI of the First Schedule to the said Code” shall respectively be substituted; and

(ii) after sub-section (1) as so renumbered, the following new sub-section shall be inserted, namely:—

“(2) Where a compromise or settlement has been arrived at, by a Lok Adalat in a case referred to it under sub-section (1) of section 20 of the Legal Services Authorities Act, 1987, the Court by which the case was so referred to the Lok Adalat shall grant a certificate to the party or every party to the case who paid any court-fee in that case, authorising him to receive back from the Collector the full amount of the fee so paid.”.

39 of 1987

* For the Bill, See *Orissa Gazette*, Extraordinary, dated the 6th April, 2002 (No. 500)