

The Court Fees Act, 1870

PUNJAB

India

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Act 7 of 1870

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The Court Fees Act, 1870 Act 7 of 1870 For the Statement of Objects and Reasons, see Gazette of India. 1869, Part V.P. 57, and for proceedings in Council, see *ibid*, 1869, Supplement, pages 1179 and 1452 *ibid*, 1870, Supplement, pages 52, 378, 421 and 434. For statement of Objects and Reasons see Gazette of India Part v. Page 57, For proceeding in Council, see *ibid* Supplement pages 1179 and 1452, *ibid* 1870, Supplement pages 52, 378 and 421.

Chapter I

Preliminary

1. Short title, extent of Act, Commencement of Act.

- This Act may be called the Court-Fees Act, 1870. It extends to [the whole of India] [Substituted for the words 'all the Provinces of India' by the Adaptation of Laws Order, 1950. The words 'all the Provinces of India' had been substituted for the words 'the whole British India' by the Indian Independence, (Adaptation of Central Acts. Ordinances) Order, 1948.] except [territories which immediately before the 1st November, 1956, were comprised in Part B States] [Substituted by Adaptation of Laws (No. 2) Order, 1956, for the words 'part B States'.]; And it shall come into force on the first day of April, 1870. [1A. Definition of Appropriate Government.-In this Act the 'Appropriate Government' means in relation to fees or stamps relating to documents presented] [Inserted by Government of India (Adaptation of Indian Laws) Order, 1937.] or to be presented before any officer serving under the Central Government, that Government, and in relation to any other fees or stamps, the [State government] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.].

2. [-] [Omitted by Government of India (Adaptation of Indian Laws Orders, 1937.)]

Chapter II

Fees in the High Courts and in the Courts of Small Cause at the Presidency-Towns

3. Levy of fees in High Courts on their original sides.

- The fees payable for the time being to the clerks and officers (other than the sheriffs and attorneys) of [High Courts other than those of Kerala, Mysore and Rajasthan] [Substituted by the Adaptation of Laws (No. 2) Order, 1956.] or chargeable in each of such Courts under No. 11 of first, and Nos. 7, 12, 14, [[**] [The figure '16' was repealed by the Repealing and Amending Act 12 of 1891.] 20 and 21 of the second schedule to this Act annexed; Levy of fees in Presidency Small Cause Courts. - And the fees for the time being chargeable in the Courts of Small Causes at the Presidency towns and several offices, shall be collected in manner hereinafter appearing.

4. Fees on documents filed, etc., [Substituted by Contract Act 31 of 1966.]

[in High Court of Punjab and Haryana in its extraordinary jurisdiction]. - No document of any of the kinds specified in the first or second schedule to this Act annexed, as chargeable with fees, shall be filed, exhibited or recorded in, or shall be received or furnished by [the High Court of Punjab and Haryana] [Substituted by Contract Act 31 of 1966.] in any case coming before such Court in the exercise of its extraordinary original civil jurisdiction; or in the exercise of its extraordinary criminal jurisdiction; In their appellate jurisdiction. or in the exercise of its jurisdiction as regards appeals from the [judgments (other than judgments passed in the exercise of the ordinary original civil jurisdiction of the Court) of one] [Substituted for the words 'Judgment of two' by Act 19 of 1922, section 2.] or more Judges of the said Court or of a division Court; or in the exercise of its jurisdiction as regards appeals from the Courts subject to its superintendence; As courts of reference and revision. or in the exercise of its jurisdiction as a Court of reference or revision; In the exercise of jurisdiction to issue writs, etc. [or in the exercise of its jurisdiction to issue directions, orders or writs under the Constitution of India] [Inserted by Punjab Act 20 of 1960.]; unless in respect of such document there be paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

5. Procedure in case of difference as to necessity or amount of fee.

- When any difference arises between the officer whose duty it is to see that any fee is paid under this chapter and any suitor or attorney, as to the necessity of paying a fee or the amount thereof, the question shall, when the difference arises in any of the said High Courts, be referred to the taxing officer, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the Chief Justice of such High Court or of, such Judge of the High Court as the Chief Justice shall appoint either generally or

specially in this behalf. When any such difference arises in any of the said Courts of Small Causes, the question shall be referred to the Clerk of the Court, whose decision thereon shall be final, except when the question is, in his opinion, one of general importance, in which case he shall refer it to the final decision of the first Judge such Court. The Chief Justice shall declare who shall be the taxing officer within the meaning of the first paragraph of this section.

Chapter III

Fees in other Courts and in Public Offices

6. Fee on documents filed, etc, in Mofussil Courts or in public offices.

- Except in the Courts herein before mentioned no document of any of the kinds specified as chargeable in the first or second schedule to this Act annexed shall be filed, exhibited or recorded in any Court of Justice or shall be received or furnished by any public officer, unless in respect of such document there be paid a fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

7. Computation of fees payable in certain suits.

- The amount of fee payable under this Act in the suits As to [next hereinafter mentioned shall be computed as follows] [the valuation of suits for the purposes of determining the Jurisdiction of Courts, see the Suits Valuation Act, 1887, (VII of 1887),]:-for money(i)In suit for money (including suits for damages or compensation, or arrears of maintenance of annuities, or of other sums payable periodically - according to the amount claimed;(ii)[(a) for maintenance and annuities. - In suits for maintenance annuities or other sums payable periodically-according to the value of the subject-matter of the suit, and such value shall be deemed to be ten times the amount claimed to be payable for one year;] [Existing clause renumbered as sub-clause(a) of clause (ii) for Punjab by East Punjab Act XXVI 1949, section 3(1).](b)[In suits for reduction or enhancement of maintenance and annuities or other sums payable periodically according to the value of the subject matter of the suit and such value shall be deemed to be ten times the amount sought to the reduced or enhanced for one year] [Added for Punjab Act XXVI 1949, section 3(1).];(iii)for other movable property having a market value, - In suits for movable property other than money, where the subject matter has a market value - according to such value at the date of presenting the plaint;(iv)in suits -(a)for moveable property of no market value - for moveable property where the subject matter has no market value, as, for instance, in the case of documents relating to title,(b)to enforce a right to share in joint family property - to enforce the right to share in any property on the ground that it is joint family property,(c)for a declaratory decree and consequential relief.- to obtain a declaratory decree or order, where consequential relief is prayed,(d)for injunction- to obtain an injunction.(e)for easements.- for a right to some benefit (not herein otherwise provided for) to arise out of land, and(f)for accounts.- for accounts-according to the amount at which the relief sought is valued in the plaint or memorandum of appeal.[Provided that minimum court-fee in each shall be [thirteen rupees] [Added by East Punjab Act 26 of 1949, section 3.]. [Provided further that in suits coming

under sub-clause (c), in cases where the relief sought is with reference to any property such valuation shall not be less than the value of the property calculated in the manner provided for by clause (v) for this section.] [Proviso added by Punjab Act 31 of 1953.](v)for possession of lands, houses and gardens- in suits for the possession of land, houses and gardens according to the value of the subject- matter; and value shall be deemed to be - where the subject-matter is land, and-(a)where the land forms an entire estate of a definite share of an estate paying annual revenue to Government, or forms part of such an estate and is recorded in the Collector's register as separately assessed with such revenue;and such revenue is permanently settled - ten times the revenue so payable.(b)where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government, or forms part of such estate and is recorded as aforesaid:and such revenue is settled, but not permanently [ten] [Substituted for the word 'five' by the Punjab Courts Act, 1918 (VI of 1918) section 49.] times the revenue so payable;(c)where the land pays no such revenue or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue.and net profits have arisen from the land during the year next before the date of presenting the plaint -fifteen times such net profits:but where no such net profits have arisen therefrom - the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood;(d)where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as above mentioned the market-value of the land:For Bombay,Provided that, in the territories subject to the [State Government] [Substituted by Government of India (Adaptation of Indian laws) Order 1937 and again :Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] of Bombay the value of the land shall be deemed to be -(1)proviso as to Bombay Presidency. - where the land is held on settlement for a period not exceeding thirty years and pays the full assessment to the Government a sum equal to [ten] [Substituted for the words 'five' by Bombay Act 1 of 1922, section 2(e).] times the survey assessment;(2)where the land is held on a permanent settlement, or on a settlement for any period exceeding thirty years, and pays the full assessment to Government - a sum equal to [twenty] [Substituted by Bombay Act 1 of 1922, section 2(e).] times the survey assessment; and(3)where the whole or any part of the survey settlement is remitted - a sum computed under paragraph (1) or paragraph (2) of this proviso, as the case may be, in addition to [twenty] [Substituted by Bombay Act 1 of 1922, section 2(e).] times the assessment, or the portion of assessment, so remitted;Explanation :- The word "estate" as used in this paragraph, means any land subject to the payment of revenue, for which the proprietor or farmer or raiyat shall have executed a separate engagement to Government or which, in the absence of such engagement, shall have been separately assessed with revenue.(e)for houses and gardens. - Where the subject matter is a house or garden according to the market value of the house of garden:(vi)to enforce a right of pre-emption. - In suits to enforce a right of pre-emption according to the value [computed in accordance with paragraph (v) of this section] of the land, house or garden in respect of which the right is claimed;(vii)for interest of assignee of land revenue. - In suits of the interest of an assignee of land revenue - fifteen times his net profits as such for the year next before the date of presenting the plaint;(viii)to set aside an attachment.- In suit to set aside an attachment of land or of an interest in land or revenue - according to the amount for which the land or interest was attached;Provided that, where such amount exceeds the value of the land or interest the amount of fee shall be computed as if the suits were for the possession of such land or interest.(ix)to redeem.- In suits against a mortgagee for the recovery of the property mortgaged, [according, to half the principal money

expressed to be secured by the instrument of mortgage] [Inserted for Punjab by East Punjab Act XXVI of 1949, section 3(3).],foreclose- and in suits by a mortgagee to foreclose the mortgage, or, where the mortgage is made by conditional sale, to have the sale declared absolute-according to the principal money expressed to be secured by the instrument of mortgage;(x)for specific performance.- In suits for specific performance-(a)of a contract of sale - according to the amount of the consideration,(b)of a contract mortgage - according to the amount agreed to be secured;(c)of a contract of lease - according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term,(d)of an award-according to the amount or value of the property in dispute:(xi)between landlord and tenant. - In the following suits between landlord and tenant:-(a)for the delivery by a tenant of the counter-part of a lease,(b)to enhance the rent of a tenant having a right of occupancy,(c)for the delivery by a landlord of a lease,(cc)[for the recovery of immovable property from a tenant including a tenant holding over after the determination of a tenancy] [Inserted by the Court fees (Amendment) Act 6 of 1905 section 2(1).],(d)to contest a notice of ejectment,(e)to recover the occupancy of [(immovable property) from which a tenant has been illegally ejected by the landlord, and] [Substituted for the word 'land' by the Court-fees (Amendment) Act 6 of 1905, section 22.](f)for abatement of rent -according to the amount of the rent of the [immovable property] [Substituted for the word 'land' by the Court-fees (Amendment) Act 6 of 1905, section 22.] to which the suit refers payable for the year net before the date of presenting the plaint.

8. Fee on memorandum of appeal against order relating to compensation.

- The amount of fee payable under this Act on a memorandum of appeal against an order relating to compensation under any Act for the time being in force for the acquisition of land for public purposes shall be computed according to the difference between the amount awarded and the amount claimed by the appellant :[Provided that the fixed court fee of one hundred rupees shall be payable on the memorandum of appeal or cross-objections before the High Court arising under the Land Acquisition Act, 1894 or any other law for the time being in force for acquisition of land for public purposes.] [Added by Punjab Government Gazetted (Extra.) Notification No. 9-Leg/99 dated April 19, 1999 (CHTR 29, 1921 SAKA) page 21.]

9. Power to ascertain net profits or market value.

- If the Court sees reason to think that the annual net profits or the market value of any such land, house or garden as is mentioned in section 7, paragraphs 5 and 6, have or has been wrongly estimated, the Court may, for the purpose of computing the fees payable in any suit therein mentioned, issue commission to any proper person directing him to make such local or other investigation as may be necessary, and report thereon to the Court.

10. Procedure where net profits or market value wrongly estimated.

- (i) If in the result of any such investigation the Court finds that the net profits or market value have or has been wrongly estimated, the Court, if the estimation has been excessive, may, in its discretion, refund the excess paid as such fee; but, if the estimation has been insufficient, the Court

shall require the plaintiff to pay so much additional fee as would have been payable had the said market-value or net profits been rightly estimated.(ii)In any such case the suit shall be stayed until the additional fee is paid. If the additional fee is not paid within such time as the Court shall fix, the suit shall be dismissed.(iii)[-] [Clause (iii) was repealed by the Repealing and Amending Act, 1891 (XII of 1891).]

11. Procedure in suits for mesne profits or account when amount decreed exceeds amount- claimed.

- In suits for mesne profits or for immoveable property and mesne profits or for an account, if the profits or amount decreed are or is in excess of the profits claimed or the amount at which the plaintiff valued the relief sought, the decree shall not be [executed] [Substituted for the word 'drawn' by East Punjab Act XXVI 1949, section 4.] until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits or amount so decreed shall have been paid to the proper officer. When the amount of mesne profits is left to be ascertained in the course of the execution of the decree, if the profits so ascertained exceed the profits claimed, the further execution of the decree shall be stayed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits so ascertained is paid. If the additional fee is not paid within such time as the Court shall fix, the suit shall be dismissed.

12. Decision of question as to valuation

- (i) Every question relating to valuation for the purpose of determining the amount of any fee chargeable under this chapter on a plaint or memorandum of appeal shall be decided by the Court in which such plaint or memorandum, as the case may be, is filed, and such decision shall be final as between the parties to the suit.(ii)But whenever any such suit comes before a Court of appeal, reference or revision, if such Court considers that the said question has been wrongly decided to the detriment of the revenue, it shall required the party by whom such fee has been paid to pay so much additional fee as would have been payable had the question been rightly decided, and the provisions of section 10, paragraph (ii) shall apply.

13. Refund of fee paid on memorandum of appeal.

- If an appeal or plaint, which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure, is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in [section 351] [See now the Code of Civil Procedure, 1908 (Act V of 1908), Schedule I, Order II, rule 6.] of the same Code for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorising him to receive back from the Collector the full amount of fee paid on the memorandum of appeal; Provided that if, in the case of a remand in appeal the order of remand shall not cover the whole of the subject matter of the suit, the certificate so granted shall not authorise the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof

the suit has been remanded.

14. Refund of fee on application for review of judgment.

- Where an application for a review of judgment is presented on or after the ninetieth day from the date of decree, the Court, unless the delay was caused by the applicant's laches, may, in its discretion, grant him a certificate authorising him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such date.

15. Refund where Court reverses or modifies its former decision on ground of mistake.

- Where an application for a review of judgment is admitted, and where, on the re-hearing, the court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorizing him to receive back from the Collector so much of the fee paid on the [application] [Substituted for the words 'plead or memorandum of appeal' by Act 20 of 1870, section 1,] as exceeds the fee payable on any other application to such Court under the second schedule to this Act, No. 1, clause (b) or clause (d). But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is due, wholly or in part, to fresh evidence which might have been produced at the original hearing.

16. [Additional fee where respondent takes objection to unappealed part of decree.]

. Repealed by the Code of Civil Procedure 1908 (V of 1908).

17. Multifarious suits.

- Where a suit embraces two or more distinct subjects, the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees to which the plaints or memoranda of appeal in suits embracing separately each of such subjects would be liable under this Act. Nothing in the former part of this section shall be deemed to affect the power conferred by the Code of Civil Procedure, section 9.

18. Written examination of complainants.

- When the first or only examination of a person who complains of the offence of wrongful confinement or wrongful restraint, or of any offence other than an offence for which police-officers may arrest without a warrant, and who has not already presented a petition on which a fee has been levied under this Act, is reduced to writing under the provisions of the [Code of Criminal Procedure (V of 1898)] [This reference should now be read as referring to the Code of Criminal Procedure, 1973.], the complaint shall pay a fee of [one rupee and twenty-five Naye Paise] [Substituted for the

words 'one rupee and four annas' by Punjab Act No. 14 of 1958, section 3 which were previously substituted for the words 'one rupee' by Punjab Act 19 of 1957, section 4.] unless the Court thinks fit to remit such payment.

19. Exemption of certain documents.

- Nothing contained in this Act shall render the following documents chargeable with any fee:-(i)Power of attorney to institute or defend a suit when executed [by a member of any of the Armed Forces of the Union] [Substituted for the words 'by an officer, warrant officer, non-commissioned officer or private of Her Majesty's army' by the Adaptation of Laws Order, 1950.] not in civil employment.(ii)[-] [Repealed by the Repealing and Amending Act, 1891 (XII of 1891).](iii)Written statements called for by the Court after the first hearing of a suit.[iv] -] [Repealed by the Cantonments Act, 1889 (XIII of 1889).](v)Plaints in suits tried by Village Munsiffs in the Presidency of Fort St. George.(vi)Plaints and processes in suits before District Panchayats in the same presidency.(vii)Plaints in suits before Collectors under Madras Regulation, XII of 1816.(viii)Probate of a will, letters of administration, and, save as regards debts and securities, a certificate under Bombay Regulation VIII of 1827 where the amount or value of the property in respect of which the probate or letters or certificate shall be granted does not exceed one thousand rupees.(ix)Application or petition to a Collector or other officer making a settlement of land revenue, or to a Board of Revenue, or a Commissioner of Revenue, relating to matters connected with the assessment of land or the ascertainment of rights thereto or interests therein, if presented previous to the final confirmation of such settlement.(x)Application relating to a supply for irrigation of water belonging to Government.(xi)Application for leave to extend cultivation, or to relinquish land, when presented to an officer of land revenue by a person holding under direct engagement with government, land of which the revenue is settled, but not permanently.(xii)Application for service of notice of relinquishment of land or of enhancement of rent.(xiii)Written authority to an agent to distrain.(xiv)First application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court.(xv)Bail-bonds in criminal cases, recognizances to prosecute or give evidence, and recognizances for personal appearance or otherwise.(xvi)Petition, application, charge or information respecting any offence when presented, made or laid to or before a Police-officer, or to or before the Heads to Village or the Village Police in the territories respectively subject to the [***] [Substituted by Government of India (Adaptation of Indian Laws) Order, 1937.][[(State) Governments] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] of Madras and Bombay.(xvii)Petition by a prisoner, or other person in duress or under restraint of any Court or its officers.(xviii)Complaint of a public servant [as defined in the Indian Penal Code (XLV of 1860)], a municipal officer, or an officer or servant of a Railway Company.(xix)Application for permission to cut timber in Government forests, or otherwise relating to such forests.(xx)Application for the payment of money due by Government to the applicant.(xxi)Petition of appeal against the chaukidari assessment under Act No. XX of 1856, or against any municipal tax.(xxii)Applications for compensation under any law for the time being in force relating to the [acquisition of property for public purposes.] [See now the Land Acquisition Act, 1894 (1 of

1894).](xxiii)[Petitions presented to the Special Commissioner appointed under Bengal Act No. II of 1869 (to ascertain, regulate and record certain tenures in Chota Nagpur). [Substituted for the old clause by the Indian Christian Marriage Act of 1872, Section 2.](xxiv)[Petitions under the Indian Christian Marriage Act, 1872, sections 45 and 48].[Chapter III-A] [Chapter III-A was inserted by the Probate and Administration Act XIII of 1875, section 6.]Probates, Letters of Administration and Certificates of Administration

19A. Relief where too high a court-fee has been paid.

- Where any person on applying for a probate of a will or letters of administration has estimated the property of the deceased to be of greater value than the same has afterwards proved to be, and has consequently paid too high a court-fee thereon, if within six months after the true value of the property has been ascertained, such person produces the probate or letters to the Chief Controlling Revenue Authority [(for the local area) in which the probate or letters has or have been granted.] [Substituted for the words 'of the Province' by the Court-fee (Amendment) Act, 1901 (X of 1901), section 3(1).]and delivers to such Authority a particular inventory and valuation of the property of the deceased, verified by affidavit or affirmation, and if such Authority is satisfied that a greater fee was paid on the probate or letters than the law required, the said Authority may-(a)cancel the stamp on the probate or letter if such stamp has not already been cancelled;(b)substitute another stamp for denoting the court-fee which should have been paid thereon; and(c)make an allowance for the difference between them as in the case of spoiled stamps, or repay the same in money, at his discretion.

19B. Relief where debts due from a deceased person has been paid out of his estate.

- Whenever it is proved to the satisfaction of such authority that an executor or administrator has paid debts due from the deceased to such an amount as, being deducted out of the amount or value of the estate, reduces the same to a sum which, if it had been the whole gross amount or value of the estate, would have occasioned a less court-fee to be paid on the probate or letters of administration granted in respect of such estate than has been actually paid thereon under this Act, such authority may return the difference, provided the same be claimed within three years after the date of such probate or letters. But when, by reason of any legal proceeding, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available, and in consequence thereof the executor or administrator is prevented from claiming the return of such difference within the said term of three years, the said Authority may allow such further time for making the claim as may appear to be reasonable under the circumstances.

19C. Relief in case of several grants.

- Whenever [-] [The word 'such' was repealed by the Repealing and Amending Act, 1891 (XII of 1891).] a grant of probate or letters of administration has been or is made in respect of the whole of the property belonging to an estate, and the full fee chargeable under this Act has been, or is, paid

thereon, no fee shall be chargeable under the same Act when a like grant is made in respect of whole or any part of the same property belonging to the same estate. Whenever such a grant has been or is made in respect of any property forming part of an estate, the amount of fees then actually paid under this Act shall be deducted when a like grant is made in respect of property belonging to the same estate, identical with or including the property to which the former grant relates.

19D. Probates declared valid as to trust-property though not covered by court-fee.

- The probate of the will or the letters of administration of the effects of any person deceased heretofore or hereafter granted shall be deemed valid and available by his executors or administrators for recovering, transferring or assigning any moveable or immovable property whereof or whereto the deceased was possessed or entitled, either wholly or partially as a trustee, notwithstanding the amount or value of such property is not included in the amount or value of the estate in respect of which a court-fee was paid on such probate or letters of administration.

19E. Provision for case where too low a court-fee has been paid on probates, etc.

- Where any person on applying for probate or letters of administration has estimated the estate of the deceased to be of less value than the same has afterwards proved to be, and has in consequence paid too low a court-fee thereon, the Chief Controlling Revenue Authority [(for the local area) in which the probate or letters has or have been granted may, on the value of the estate of the deceased being verified by affidavit or affirmation, cause the probate or letters of administration to be duly stamped on payment of the full court-fee which ought to have been originally paid thereon in respect of such value and of the further penalty, if the probate or letters is or are produced within one year from the date of the grant, of five times, or, if it or they is or are produced after one year from such date, of twenty times, such proper court- fee, without any deduction of the court-fee originally paid on such probate or letters;] [Substituted for the words 'of the Province' by the Court-fees (Amendment) Act X of 1901, section 3(1).] Provided that, if the application be made within six months after the ascertainment of the true value of the estate and the discovery that too low a court-fee was at first paid on the probate or letters and if the said authority is satisfied that such fee was paid in consequence of a mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, and without any intention of fraud or to delay the payment of the proper court-fee, the said authority may remit the said penalty and cause the probate or letters to be duly stamped on payment only of the sum wanting to make up the fee which should have been at first paid thereon.

19F. Administrator to give proper security before letter stamped under section 19-E.

- In case of letters of administration on which too low a court-fee has been paid at first, the said Authority shall not cause the same to be duly stamped in manner aforesaid until the administrator

has given such security to the court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

19G. Executor etc. not paying full court-fee on probates, etc. within six months after discovery of under-payment.

- Where too low a court fee has been paid on any probate or letters of administration in consequence of any mistake, or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator acting under such probate or letters does not within six months [- -] [The words and figures 'after the first day of April, 1875 or' were repealed by the Repealing and Amending Act, 1891 (XII of 1891).] after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, apply to the said Authority and pay what is wanting to make up the court-fee which ought to have been paid at first on such probate or letters, he shall forfeit the sum of one thousand rupees and also a further sum at the rate of ten per cent, on the amount of the sum wanting to make up the proper court-fee.[19H. Notice of applications for probate or letters of administration to be given to Revenue authorities and procedure thereon. - (1) Where an application for probate for probate or letters of ministration is made to any Court other than High Court, the Court shall cause notice of the application to be given to the Collector.(2)Where such an application as aforesaid is made to a High Court, the High Court shall cause notice of the application to be given to the Chief Controlling Revenue-Authority [(for the local area) in which the High Court is situated.] [Section 19-H to 19-K, were inserted by the Court-fees Amendment Act, 1899 (XI of 1899), section 2.](3)The Collector within the local limits of whose revenue-jurisdiction the property of the deceased or any part thereof, is, may at any time inspect or cause to be inspected, and take or cause to be taken copies of, the record of any case in which application for probate or letters of administration has been made; and if on such inspection or otherwise, he is of opinion that the petitioner has under-estimated the value of the property of the deceased, the Collector may, if he thinks fit, require the attendance of the petitioner (either in person or by agent) and take evidence and inquire into the matter in such manner as he may think fit, and, if he is still of opinion that the value of the property has been under-estimated may require the petitioner to amend the valuation.(4)If the petitioner does not amend the valuation to the satisfaction of the Collector, the Collector may move the Court before which the application for probate or letters of administration was made, to hold an inquiry into the true value of the property:Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 277 of the [Indian Succession Act, 1865 (X of 1885)] [See new Indian Succession Act, 1925.], or as the case may be, by section 98 of the Probate and Administration Act, 1881 (V of 1881).(5)The Court when so moved as aforesaid, shall hold, or cause to be held, an inquiry accordingly, and shall record a finding as to the true value, as near as may be, at which the property of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.(6)For the purposes of any such inquiry, the Court or person authorised by the Court to hold the inquiry may examine the petitioner for probate or letters of administration on oath (whether in person or by commission), and may take such further evidence as may be produced to prove the true value of the property. The persons authorised as aforesaid to hold the inquiry shall return to the Court the evidence taken by him and report the result of the

inquiry, and such report and the evidence so taken shall be evidence in the proceedings, and the Court may record a finding in accordance with the report, unless it is satisfied that it is erroneous.(7)The finding of the Court recorded under sub-section (5) shall be final, but shall not bar the entertainment and disposal by the Chief Controlling Revenue Authority of any application under section 19-E.(8)The [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may make rules for the guidance of Collectors in the exercise of the powers conferred by sub-section (3).

19I. Payment of court-fees in respect of probates and letters of administration.

(1)No order entitling the petitioner to the grant of probate or letters of administration shall be made upon an application for such grant until the petitioner has filed in the Court a valuation of the property in the form set forth in the third schedule, and the Court is satisfied that the fee mentioned in No. 11 of the first schedule has been paid on such valuation.(2)The grant of probate or letters of administration shall not be delayed by reason of any motion made by the Collector under section 19-H, sub-section (4).

19J. Recovery of penalties, etc.

(1)Any excess fee found to be payable on any inquiry held under section 19- H, sub-section (6), and any penalty or forfeiture under section 19-G may, on the certificate of the Chief Controlling Revenue Authority be recovered from the executor or administrator as if it were an arrear of land revenue by any Collector. [-] [The words 'in any part of British Indian' were omitted by the India Independence (Adaptation of Central Acts and Ordinances) Order, 1948.](2)The Chief Controlling Revenue Authority may remit the whole or any part of any such penalty or forfeiture as aforesaid, or any part of any penalty under section 19-E or of any Court-fee under section 19-E in excess of the full Court-fee which ought to have been paid.

19K. Sections 6 and 28 not to apply to probates or letters of administration -

Nothing in section 6 or section 28 shall apply to probates or letters of administration.]

Chapter IV

Process-Fees

20. Rules as to costs of processes.

- The High Court shall, as soon as may be, make rules as to the following matters:-(i)The fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the order Civil [(-)] [The words 'and revenue' were repealed by the Punjab Land Revenue Act 1887 (XVII of 1887), section 2 and Schedule.] Courts established within the local limits of such

jurisdiction;(ii)the fees chargeable for serving and executing processes issued by the Criminal Courts established within such limits in the case of offences other than offences for which police officers may arrest without a warrant;(iii)the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.The High Court may from time to time alter and add to the rules so made.Confirmation and publication of rules. - All such rules, alterations and additions shall, after being confirmed by the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government [-] [The words 'and sanctioned by the Governor General of India in Council' were repealed by Act XXXVIII of 1920, section 2.] be published in the [Official Gazette] [Substituted for the words 'Local Official Gazette' by the Government of India (Adaptation of India Laws) Order, 1937.] and shall thereupon have the force of law.Until such rules shall be so made and published, the fees now leviable for serving and executing processes shall continue to be levied, and shall be deemed to be fees leviable under this Act.

20A. [Exemption from certain processes. [Added by Punjab Act IV of 1939, section 2.]

(1)Notwithstanding anything contained in the preceding section or in the rules made there under, no fees shall be charged for serving and executing processes on behalf of [(a)] the prosecution in any criminal proceedings taken on information presented or complaint made by a public Officer acting in his official capacity [and (b) a liquidator or an arbitrator appointed under the provisions of the Co-operative Societies Act, 1912.] [Added by Punjab Act 1 of 1942, section 2(b).](2)The [State] [See Adaptation of Laws Order, 1950.] Government may, by notification, determine what persons shall be deemed to be public officers for the purpose of the preceding sub-section.]

21. Tables of process-fees.

- A table in the English and Vernacular languages showing the fees chargeable for such service and execution, shall be exposed to view in a conspicuous part of each Court.

22. Number of peons in District and Subordinate Courts.

- Subject to the rules to be made by the High Court and approved by the [State] [See Adaptation of Laws Order, 1950.] Government, [-] [The words 'and sanctioned by the Governor-General of India in Council' were repealed by the Devolution Act (XXXVIII of 1920), section 2, and Schedule I.] every District Judge and every Magistrate of a District shall fix and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto.Number of Peon in Moffusil Small Causes Court. - And for the purposes of this section, every Court of Small Causes established under Act No. XI of 1865 [to consolidate and amend the law relating to Court of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of judicature] [The reference to Act XI of 1835 should now be read as the (Provincial) Small Cause Courts Act, 1887 (IX of 1887), sections (2) and (3).] shall be deemed to be subordinate to the Court of the District Judge.[23. Number of peons in Revenue Court)] [Repealed by Punjab Land Revenue Act, 1887 (XVII of 1887),

section 2 and Schedule.].[24. (Process served under this Chapter to be held to be process within meaning of Code of Civil Procedure.) [Repealed by the Repealing and Amending Act, 1891 (XII of 1891).]

Chapter V

Of the Mode of Levying Fees

25. Collection of fees by Stamps.

- All fees referred to in section 3 or chargeable under this Act shall be collected by stamps.[Provided that where the Treasury Officer or the Assistant Treasury Officer, as the case may be, by a notice in writing affixed outside his office declares that court-fee stamps of a denomination or denominations specified in the notice are not available for sale the court fee of such denomination or denominations may be paid by depositing an equivalent amount in cash in that treasury or sub-treasury through a challan upon which the treasury officer or the Assistant Treasury Officer as the case may be, shall issue a certificate in the following form and such a certificate may be used for the purposes of this Act and the rules made thereunder as if it were a stamp duty issued under this Act by the State Government for an equivalent amount.] [The proviso was added by Punjab Act 9 of 1979, section 2.]Form of certificate.Note. - Certificate that an amount of Rs. _____ has been deposited by/on behalf of _____ son of _____ of village under the proviso to section 25 of the Court Fees Act, 1870 vide treasury challan scroll No. _____ dated.

26. Stamps to be impressed or adhesive.

- The stamps used to denote any fees chargeable under this Act shall be impressed or adhesive or partly impressed and partly adhesive as the [(Appropriate Government)] [Substituted for the words 'Local Government' by the Government of India (Adaptation of Indian Laws) Order, 1937.] may, by notification in the [(Official Gazette), from time to time direct.] [Substituted for the words 'Local Official Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.]

27. Rules for supply, number, renewal and keeping accounts of stamps.

- The [(Appropriate Government)] may, from time to time, make rules regulating] [Substituted for the words 'Local Government' by the Government of India (Adaptation of Indian Laws) Order, 1937.] -(a)the supply of stamps to be used under this Act;(b)the number of stamps to be used for denoting any fee chargeable under this Act;(c)the renewal of damaged or spoiled stamps; and(d)the keeping accounts of all stamps used under this Act;Provided that in the case of stamps used under section 3 in a High Court such rules shall be made with the concurrence of the Chief Justice of such Court.All such rules shall be published in the [(Official Gazette)] and shall thereupon have the force of law.] [Substituted for the words 'Local Official Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937).]

28. Stamping documents inadvertently received.

- No document which ought to bear a stamp under this Act shall be of any validity, unless and until it is properly stamped. But, if any such document is through mistake or inadvertence received, filed or used in any Court or office without being properly stamped, the presiding Judge or the head of the Office, as the case may be or, in the case of a High Court, any Judge of such Court may, if he think fit, order that such document be stamped as he may direct, and, on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

29. Amended document.

- Where any such document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, it shall not be necessary to impose fresh stamp.

30. Cancellation of stamp.

- No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled. Such officer as the Court or the head of the office may from time to time appoint shall, on receiving any such document forthwith effect such cancellation by punching out the figure-head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

Chapter VI

Miscellaneous

31.

(Repayment of fees paid on applications to criminal courts.)[-] [Repealed by Act XVIII of 1923, section 163.].

32.

Amendment of Act VIII of 1859 and Act IX of 1869.)[-] [Repealed by Repealing and Amending Act, 1891, XII of 1891.].

33. Admission in criminal cases of documents for which proper fee has not been paid.

- Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of

justice, nothing contained in section 4 or section 6 shall be deemed to prohibit such filing or exhibition.

34. [Sale of stamps. [Substituted for the old section by the Repealing and Amending Act, 1891, (XII of 1891).]

(1)The [Appropriate Government] may from time to time make rules for regulating the sale of stamps to be used under this Act, the person by whom alone such sale is to be conducted, and the duties and remuneration of such persons.(2)All such rules shall be published in the [Official Gazette] [Substituted for the words 'Local Official Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.] and shall thereupon have the force of law.(3)Any person appointed to sell stamps who disobeys any rules made under this section, and any person not so appointed who sells or offers for sale any stamp shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both].

35. Power to reduce or remit fees

- The [Appropriate Government] [Substituted for the words 'Local Government' by the Government of India (Adaptation of Indian Laws Order, 1937.) may, from time to time by notification in the [Official Gazette] [Substituted for the words 'Local Gazette' by the Government of India (Adaptation of Indian Laws Order, 1950.) reduce or remit in the whole or in any part of [the territories under its administration] [Substituted for the words 'British India' by the Devolution Act (XXXVII of 1920), section, and schedule I.] all or any of the fees mentioned in the first and second schedules to this Act annexed, and may in like manner cancel or vary such order.

36. Saving of fees to certain officers of High Court.

- Nothing in Chapters II and V of the Act applies to the commission payable to the Accountant-General of the High Court at Fort William, or to the fees which any officer of a High Court is allowed to receive in addition to a fixed salary.

I

Ad Valorem Fees

Number		Proper fee
1	2	3
1. [Complaint-written	When the amount or value of the	Fifty naye Paise
statement pleading, a off or	subject-matter in dispute doesnot	
counter-claim or	exceed five rupees	
memorandum of appeal		
(not otherwise provided for		

in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in Section 3] [Punjab Act 14 of 1958.]

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	Fifty naye Paise
When such amount, or value exceeds one hundred rupees, but does not exceed five hundred rupees, for every ten rupees or part thereof, in excess of one hundred rupees up to five hundred rupees	One rupee
When such amount, or value exceeds five hundred rupees - for every ten rupees or part thereof, up to one thousand rupees	One rupee fifty naye Paise.
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 five thousand rupees.	Twelve rupees twenty naye Paise
When such amount or value exceeds five thousand rupees - for every two hundred and fifty rupees, or part thereof in excess of five thousand rupees, up to ten thousand rupees	Twenty-four rupees forty naye Paise.
When such amount or value exceeds ten thousand rupees - for every five hundred rupees or part thereof in excess of ten thousand rupees, up to twenty thousand rupees	Thirty-six rupees fifty naye Paise.
When such amount or value exceeds twenty thousand rupees - for every one thousand rupees or part thereof in excess of twenty thousand rupees, up to thirty thousand rupees	Forty-eight rupees eighty naye Paise.
When such amount or value exceeds thirty thousand rupees - for every two thousand rupees, or part	Forty-eight rupees eighty naye Paise.

	thereof, in excess of thirty thousand rupees, upto fifty thousand rupees	
	When such amount or value exceeds fifty thousand rupees -for every five thousand rupees, or part thereof, in excess of fifty thousand rupees	Forty-eight rupees eighty naye Paise
2. Plaint in a suit for possession under (the Specific Relief Act, 1877, Section 9)		A fee of one-half the amount prescribed in the foregoing scale.
3. (Repealed by Act VIII of 1871).		
4. Application or review of judgment, if presented on or after the ninetieth day from the date of the decree.		The fee leviable on the plaint or memorandum of appeal.
5. Application for review of judgment, if presented before the ninetieth day from the date of the decree.		One-half of the fee leviable on the plaint or memorandum of appeal.
6. Copy of translation of judgment or order not being, or having the force of a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or office, or by any other Judicial or Executive Authority.	One rupee twenty-five naye Paise.
	When such judgment or order is passed by a High Court	Two rupees sixty-five naye Paise
7. [Copy of a decree or order having the force of a decree] [Punjab Act 14 of 1958.]	When such decree or order is made by Civil Court other than the High Court or by any Revenue Court.	Two rupees sixty-five naye Paise.
	When such decree or order is made by the High Court.	Five rupees twenty-five naye Paise.
8. [(Copy of any document liable to stamp duty under the Indian Stamp-Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn, provided such copy is not	(a) When the stamp duty chargeable on the original does not exceed seventy five paise.	The amount of the duty chargeable on the original

subject to any duty under the Indian Stamp Act, 1899)] [Punjab Act 14 of 1958.]

In any other case One rupee

9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office or from the office of any chief officer charged with executive administration of a Division.

For every three hundred and sixty words or fraction of three hundred and sixty words.

[Sixty-five naye Paise.] [Punjab Act 14 of 1958.]

10. Repealed by Guardian and Wards Act, 1890.

11. Probate of a will or letters of administration with or without will annexed.

When amount or value or the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, but does not exceed ten thousand rupees.

[Two and one-half per centum on such amount or value.] [Punjab Act 14 of 1958.]

When such amount or value exceeds ten thousand rupees, but does not exceed fifty thousand rupees

[Three and one-quarter per centum on such amount or value.] [Punjab Act 14 of 1958.]

When such amount or value exceeds fifty thousand rupees. Provided that when after the grant of a certificate under the Succession Certificate Act, 1889, or under the Regulation of the Bombay Code No. VIII of 1827 in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of same estate the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant

[Four per centum on such amount or value.] [Punjab Act 14 of 1958.]

In any case

12. [Certificate under Part X of the Indian Succession Act, 1925. [Punjab Act 14 of 1958.]

Two and one-half per centum on the amount or value of any debtor security specified in the certificate under Section 374 of the Act, and four per centum on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act.]

Note.- (1) The amount of a debt is its amount, its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for so far as such value can be ascertained.

(The same fee as would be payable in respect of a certificate under the Succession Certificate Act, 1889, or in respect of an extension of such a certificate as the case may be.

12A. [Certificate under the regulation of the Bombay Code No. VIII of 1827.] [See Central Act 7 of 1910.]

(1) As regards debts and securities.

(2) As regards other property in respect of which the certificate is granted.

When the amount or value of such property exceeds one thousand rupees, but does not exceed ten thousand rupees.

[Two and one-half per centum on such amount of value.] [Punjab Act 19 of 1957.]

When such amount or value exceeds [Three and one-quarter per
ten thousand rupees but does not exceed fifty thousand rupees. centum on such amount or value.] [Punjab Act 19 of 1957.]

When such amount or value exceeds [Four per centum on such
fifty thousand rupees. amount or value).] [Punjab Act 19 of 1957.]

13. [Application to the]
[See Punjab Act 7 of
1922.],[(High Court of
Punjab and Haryana)] [Adaptation of Laws Order,
1968.]for the exercise of its
jurisdiction under Section 44 of the Punjab Courts Act, 1918, or to the Court of the (Financial Commissioner of Punjab) for the exercise of its revisional jurisdiction under Section 84 of the Punjab Tenancy Act, 1887.

When the amount or value of the subject-matter in disputedoes not exceed twenty-five rupees

Two rupees[(sixty-five Naya Paise.)) [Punjab Act 14 of 1958.]

When such amount or value exceeds twenty-five rupees.

The fee leviable on a memorandum of appeal.

14. Repealed by Adaptation of Laws Order, 1937.

15. Repealed by Act 11 of 1923.

Table of Rates of ad valorem fees leviable on the Institution of Suits.

When amount or value of the subject matter exceeds	But does not exceed	Proper fees
1	2	3
Rs.	Rs.	Rs.
-	5	0.5
5	10	1
10	15	1.5
15	20	2
20	25	2.5
25	30	3
30	35	3.5
35	40	4
40	45	4.5

The Court Fees Act, 1870

45	50	5
50	55	5.5
55	60	6
60	65	6.5
65	70	7
70	75	7.5
75	80	8
80	85	8.5
85	90	9
90	95	9.5
95	100	10
100	110	11
110	120	12
120	130	13
130	140	14
140	150	15
150	160	16
160	170	17
170	180	18
180	190	19
190	200	20
200	210	21
210	220	22
220	230	23
230	240	24
240	250	25
250	260	26
260	270	27
270	280	28
280	290	29
290	300	30
300	310	31
310	320	32
320	330	33
330	340	34
340	350	35
350	360	36

The Court Fees Act, 1870

360	370	37
370	380	38
380	390	39
390	400	40
400	410	41
410	420	42
420	430	43
430	440	44
440	450	45
450	460	46
460	470	47
470	480	48
480	490	49
490	500	50
500	510	76.5
510	520	78
520	530	79.5
530	540	81
540	550	82.5
550	560	84
560	570	85.5
570	580	87
580	590	88.5
590	600	90
600	610	91.5
610	620	93
620	630	94.5
630	640	96
640	650	97.5
650	660	99
660	670	100.5
670	680	102
680	690	103.5
690	700	105
700	710	106.5
710	720	108
720	730	109.5

The Court Fees Act, 1870

730	740	111
740	750	112.5
750	760	114
760	770	115.5
770	780	117
780	790	118.5
790	800	120
800	810	121.5
810	820	123
820	830	124.5
830	840	126
840	850	127.5
850	860	129
860	870	130.5
870	880	132
880	890	133.5
890	900	135
900	910	136.5
910	920	138
920	930	139.5
930	940	141
940	950	142.5
950	960	144
960	970	145.5
970	980	147
980	990	148.5
990	1000	150
1000	1100	162.2
1100	1200	174.4
1200	1300	186.6
1300	1400	198.8
1400	1500	211
1500	1600	223.2
1600	1700	235.4
1700	1800	247.6
1800	1900	259.8
1900	2000	272

The Court Fees Act, 1870

2000	2100	284.2
2100	2200	296.4
2200	2300	308.6
2300	2400	320.8
2400	2500	333
2500	2600	345.2
2600	2700	357.4
2700	2800	369.6
2800	2900	381.8
2900	3000	394
3000	3100	406.2
3100	3200	418.4
3200	3300	430.6
3300	3400	442.8
3400	3500	455
3500	3600	467.2
3600	3700	479.4
3700	3800	491.6
3800	3900	503.8
3900	4000	516
4000	4100	528.2
4100	4200	540.4
4200	4300	552.6
4300	4400	564.8
4400	4500	577
4500	4600	589.2
4600	4700	601.4
4700	4800	613.6
4800	4900	625.8
4900	5000	638
5000	5250	662.4
5250	5500	686.8
5500	5750	711.2
5750	6000	735.6
6000	6250	760
6250	6500	784.4
6500	6750	808.8

The Court Fees Act, 1870

6750	7000	833.25
7000	7250	857.6
7250	7500	882
7500	7750	906.4
7750	8000	930.8
8000	8250	995.2
8250	8500	979.6
8500	8750	1004
8750	9000	1028.4
9000	9250	1052.8
9250	9500	1077.2
9500	9750	1101.6
9750	10000	1126
10000	10500	11,62.50
10500	11000	1199
11000	11500	1235.5
11500	12000	1272
12000	12500	1308.5
12500	13000	1381.5
13000	13500	1345
13500	14000	1418
14000	14500	1454.5
14500	15000	1491
15000	15500	1527.5
15500	16000	1564
16000	16500	1600.5
16500	17000	1637
17000	17500	1673.5
17500	18000	1710
18000	18500	1746.5
18500	19000	1783
19000	19500	1819.5
19500	20000	1856
20000	21000	1904.8
21000	22000	1953.6
22000	23000	2002.4
23000	24000	2051.2

The Court Fees Act, 1870

24000	25000	2100
25000	26000	2148.8
26000	27000	2197.6
27000	28000	2246.4
28	29000	2295.2
29000	30000	2344
30000	32000	2392.8
32000	34000	2441.6
34000	36000	2490.4
36000	38000	2529.2
38000	40000	2588
40000	42000	2636.8
42000	44200	2685.6
44000	46000	2734.4
46000	48000	2783.2
48000	50000	2832
50000	55000	2880.8
55000	60000	2929.6
60000	65000	2,978,40
65000	70000	3027.2
70000	75000	3076
75000	80000	3124.8
80000	85000	3173.6
85000	90000	3222.4
90000	95000	3271.2
95000	1,00,000	3320
1,00,000	1,05,000	3368.8
1,05,000	1,10,000	3417.6
1,10,000	1,15,000	3466.4
1,15,000	1,20,000	3515.2
1,20,000	1,25,000	3564
1,25,000	1,30,000	3612
1,30,000	1,35,000	3661.6
1,35,000	1,40,000	3710.4
1,40,000	1,45,000	3759.2
1,45,000	1,50,000	3808
1,50,000	1,55,000	3856.8

The Court Fees Act, 1870

1,55,000	1,60,000	3905
1,60,000	1,65,000	3954.4
1,65,000	1,70,000	4003.2
1,70,000	1,75,000	4052
1,75,000	1,80,000	4100.8
1,80,000	1,85,000	4140.6
1,85,000	1,90,000	4198.4
1,90,000	1,95,000	4247.2
1,95,000	2,00,000	4296
2,00,000	2,05,000	4344.8
2,05,000	2,10,000	4393.6
2,10,000	2,15,000	4442.4
2,15,000	2,20,000	4491.2
2,20,000	2,25,000	4540
2,25,000	2,30,000	4588.8
2,30,000	2,35,000	4637.6
2,35,000	2,40,000	4686.4
2,40,000	2,45,000	4735.2
2,45,000	2,50,000	4784
2,50,000	2,55,000	4832.8
2,55,000	2,60,000	4881.6
2,60,000	2,65,900	4930.4
2,65,000	2,70,000	4979.2
2,70,000	2,75,000	5028
2,75,000	2,80,000	5076.8
2,80,000	2,85,000	5125.6
2,85,000	2,90,000	5174.4
2,90,000	2,95,000	5223.2
2,95,000	3,00,000	5272
3,00,000	3,05,000	5320.8
3,05,000	3,10,000	5369.6
3,10,000	3,15,000	5418.6
3,15,000	3,20,000	5467.2
3,20,000	3,25,000	5516
3,25,000	3,30,000	5564.8
3,30,000	3,35,000	5613.6
3,35,000	3,40,000	5662.4

3,40,000	3,45,000	5711.2
3,45,000	3,50,000	5760
3,50,000	3,55,000	5808.8
3,55,000	3,60,000	5857.6
3,60,000	3,65,000	5906.4
3,65,000	3,70,000	5925.2
3,70,000	3,75,000	6004
3,75,000	3,80,000	6072.8
3,80,000	3,85,000	6101.6
3,85,000	3,90,000	6150.4
3,90,000	3,95,000	6199.2
3,95,000	4,00,000	6248

II

Fixed Fees

Number		Proper fee
1	2	3
1. Application or Petition.	(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the government, and when the subject-matter of such application relates exclusively to those dealings; when presented to any officer of land- revenue by any person holding temporarily-settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement. or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement; or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under Act XI of 1865, or under Act No. XVI of 1868; Section 20, or to a Collector or other officer of revenue in relation to any	*Forty naya Paise.

suit or case in which the amount or value of the subject-matter is less than fifty rupees; or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy of translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or Office.

(b) When containing a complaint or charge of any offence other than an offence for which police officers may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court; [One rupee twenty-five naya Paise.] [See Punjab Act 14 of 1958 and Punjab Act 20 of 1960.]

or when presented to a Civil, Criminal or Revenue Court, or to a Collector or any Revenue Officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act; or to deposit in Court revenue or rent; or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.

(c) When presented to Chief Commissioner or other Chief Controlling, Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit or to any Chief Officer charged with the executive administration of a division and not otherwise provided for by this Act. [One rupee twenty-five naya Paise] [See Punjab Act 14 of 1958 and Punjab Act 20 of 1960.]

(d) [When presented to the High Court] [See Punjab Act 14 of 1958 and Punjab Act 20 of 1960.]-

(i) Under the Indian Companies Act, 1956, for winding up a Company. Two hundred and sixty rupees

(ii) Under the same Act for taking some other judicial action. Thirteen rupees.

(ii-A) Under Article 226 of the Constitution of India other than petitions for habeas corpus and petitions arising out of criminal proceedings. Fifty rupees

(iii) In all other cases.

Two rupees sixty-five
naya Paise.

Article 1

1-A. Application to any Civil court that records may be called for from another Court

When the Court grants the application and is of opinion that the transmission of such records involves the use of the post.

One rupees in addition to any fee levied on the application under clause (a), clause (b) or clause (d) of Article 1 of this Schedule.

Article 2

2. Application for leave to sue as a pauper,

One rupees twenty-five naya Paise.

Article 3

3. Application for leave to appeal as a pauper.

(a) When presented to a District Court.

One rupees twenty-five naya Paise.

(b) When presented to a Commissioner or a High Court.

Two rupees Sixty-five naya Paise.

Article 4

4. Complaint or Memorandum of appeal in a suit to obtain possession under Act No. XVI of 1838, of the Mamlatdars' Courts Act, 1876.

One rupee twenty-five naya Paise.

Article 5

5. Complaint or Memorandum of appeal in a suit to establish or disprove a right of occupancy.

One rupees twenty-five naya Paise.

Article 6

6. Bail-bound or other instruments of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act

Sixty-five naya Paise.

Articles 7

7. Undertaking under section 49 of the Indian Divorce Act.

One rupees
twenty-five naya
Paise.

Articles 8-9

8. (Rep. by the Repealing and Amending Act, 1891 (XII of 1891).

9. (Rep. by Act XII of 1891).

Article 10

10. Mukhtarnama or Wakalatnama.

When presented for the conducted of any one case,

One rupees
twenty-five naya
Paise.

(a) to any Civil or Criminal Court other than a High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, except such as are mentioned in clauses (b) and (c) of this number.

(b) to a Commissioner of Revenue, Circuit or Customs or to any officer charged with executive administration of a Division, not being the Chief Revenue or Executive Authority.

One rupee
twenty-five naya
Paise.

(c) to a High Court., Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or Executive Authority.

Two rupees
(sixty-five naya
Paise)

Article 11

11. 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.

One rupee
twenty-five naya
Paise

(b) to a High Court or Chief Commissioner, or other Chief Controlling Executive or Revenue Authority.

Four rupees
twenty-five naya
Paise.

Article 12

12. Caveat.

Six rupees fifty naya
Paise.

Article 13

13. Application under Act No. X of 1859, section 26,

Six rupees fifty naya
Paise

or Bengal Act No. VI of 1862,
section 9, or Bengal Act No.
VIII of 1869, section 37.

14. Petition in a suit, under the
Native Converts
Marriage Dissolution Act,
1866.

Six rupees fifty naya
Paise.

14A. Every petition or
application or memorandum
of appeal under the Special
Marriage Act (43 of 1954) or
the Hindu Marriage Act, 1955
(25 of 1955).

Nineteen rupees fifty
naya Paise.

Articles 15-16

15. Rep. by Act 5 of 1908.

16. (Rep. by Act 6 of 1869,
section 18 (1).

Article 17

17. Complaint 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 of any Revenue Court;

(ii) to alter or cancel any entry
in a register of the names of
proprietors of revenue paying
estates.

Nineteen rupees fifty
naya Paise.

(iii) to obtain a declaratory
decree where no
consequential relief is prayed;

(iv) to set aside an award;

(v) to set aside an adoption;

(vi) 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.

Article 18

18. [Application under section 20 of the Indian Arbitration Act, (10 of 1940).] [See Punjab Act 14 of 1958.1]

Thirteen rupees.

Article 19

19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.

Thirteen rupees.

Article 20

20. Every petition under Indian Divorce Act, except petitions under section 44 of the same Act, and every memorandum of appeal under section 55 of the same Act.

[Thirty-nine rupees]
[See Punjab Act 14 of 1958.1]

Article 21

21. Complaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1865.

[Thirty-nine rupees]
[See Punjab Act 14 of 1958.1]

Article 22

22. Complaint or memorandum of appeal in a suit by a reversioner under the Punjab Customary Law for declaration in respect of alienation of ancestral land.

Nineteen rupees fifty naya Paise.

Article 23

23. Application or memorandum of appeal for relief under the Punjab Urban Rent Restriction Act.

Thirteen rupees.

Article 24

24. (Claims for (whether secured or unsecured) or a claim to set off made against such claim or counter claims under the Banking Companies Act, 1949 (Act X of 1949.

[Nineteen rupees and fifty naya Paise.]
[See Punjab Act 14 of 1958.1]

(b) Where the amount exceed Rs. 2,500 but does not exceed Rs.10,000; [Thirty-nine rupees.] [See Punjab Act 14 of 1958.1]

(c) Where the amount exceeds Rs. 10,000/- [Sixty-five rupees.] [See Punjab Act 14 of 1958.1]

Article 25

25. Memorandum of appeal from an order or decision

passed under the provisions of Section 45-B of the Banking Companies Act, 1949 (Act X of 1949). (a) Where the amount exceeds Rs. 5,000 but does not exceed Rs. 10,000 Seventy-eight rupees.

(b) Where the amount exceeds Rs. 10,000.0 One hundred and thirty rupees.

III

[See Section 19-I] Form of valuation (to be used with such modifications, if any, as may be necessary) In the Court of Re : Probate of the Will of the Property and credits of (or administration of), deceased,

I, _____ | solemnly affirm make oath | and say that I am the executor (or one of the executors or one of the next-of-kin) of _____ deceased, and that I have truly set forth in Annexure A to this affidavit all the property and credits of which the above-named deceased died possessed or was entitled to at the time of his death, and which have come, or are likely to come, to my hands.

2. I further say that I have also truly set forth in Annexure B, all the items I am by law allowed to deduct.

3. I further say that the said assets, exclusive only of such last mentioned items but inclusive of all rents, interest, dividends and increased values since the date of the death of the said deceased, are under the valued of.

Annexure A Valuation of the movable and immoveable property of deceased

Cash in the house and the banks, household goods, wearing-apparel, books, plate, jewels, etc. Rs. P.

(State estimated value according to best of Executor's Administrator's belief).

Property in Government securities transferable at the Public Debt office.

(State description and value at the price of the day; also the interest separately, calculating it to the time of making the application).

Immovable property consisting of

(State description, giving, in the case of houses the assessed value, if any and the number of year's assessment the market-value is estimated at, and, in the case of land, the area, the market-value and all rents that have accrued).

Leasehold property

Rs.

P.

(If the deceased held any leases for years determinable, state the number of years purchase the profit rents are estimated to be worth and the value of such, inserting separately arrears due at the date of death and all rents received or due since that date to the time of making the application.)

Property in public companies

(State the particulars and the value calculated at the price of the day; also the interest separately, calculating it to be at the time of making the application.)

Policy of insurance upon life, money out on mortgage and other securities, such as bonds, mortgages, bills, notes and other securities for money.

(State the amount of the whole; also the interest separately, calculating its to the time of making the application.) Book debts

(Other than bad)

Stock in trade

(State the estimated value, if any)

Other property not comprised under the foregoing heads.

(State the estimated value, if any)

Total

Deduct-Amount shown in Annexure B, not subject to duty

Net Total

Annexure B

of debts, etc.

Amount of debts, due and owing from the deceased, payable by law out of the estate.

Rs.

np.

Amount of funeral expenses

Amount of mortgage encumbrances

Property held in trust not beneficially or with general power to confer a beneficial interest.

Other property not subject to duty.

Total
