

The Court Fees (Bihar Amendment) Act, 1995

JHARKHAND

India

The Court Fees (Bihar Amendment) Act, 1995

Act 7 of 1996

- Published on 1 January 1996
- Commenced on 1 January 1996
- [This is the version of this document from 1 January 1996.]
- [Note: The original publication document is not available and this content could not be verified.]

The Court Fees (Bihar Amendment) Act, 1995(Bihar Act 7 of 1996)An Act to amend the Court Fees Act, 1870 in its application to the State of Bihar.Be it enacted by the Legislature of the State of Bihar in the Forty-sixth Year of the Republic of India as follows :

1. Short title and commencement.

(1)This Act may be called Court Fees (Bihar Amendment) Act, 1995.(2)It shall come into force at once.

2. Substitution of Schedule I and II appended to Act VII, 1870.

- In the Court Fees Act, 1870 (Act VII of 1870) for Schedule I and II the following shall be substituted, namely-

I

Ad valorem Fees

Number

Proper Fee

1. Complaint, written statement, pleading a set-off of counterclaim or memorandum of appeal or a cross objection not otherwise provided for in this Act presented to any civil or revenue

When the amount or value of the subject matter in dispute-

Court except those mentioned in section-3.

(i) does not exceed five rupees.	Nil
(ii) When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, upto one hundred rupees.	Rupee one for every five rupees or part thereof.
(iii) When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees, upto one thousand rupees.	On one hundred rupees the fee payable under cl. (ii) and on the remainder, rupees two for every ten rupees or part thereof.
(iv) When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, upto five thousand rupees.	On one thousand rupees the fee payable under clause (iii) and on the remainder sixteen rupees for every one hundred rupees or part thereof.
(v) 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, upto ten thousand rupees.	On five thousand rupees the fee payable under clause (iv) and on the remainder, thirty two rupees for every two hundred and fifty rupees or part thereof.
(vi) When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees upto twenty thousand.	On ten thousand rupees the fee payable under clause (v) and on the remainder, forty eight rupees for every five hundred rupees or part thereof.
(vii) When such amount or value exceeds twenty thousand rupees for every one thousand rupees, or part thereof, in excess of twenty thousand rupees upto thirty thousand rupees.	On twenty thousand rupees the fee payable under clause (vi) and on the remainder, sixty four rupees for every one thousand rupees or part thereof.
(viii) When such amount or value exceeds thirty thousand rupees for every two thousand rupees or part thereof, in excess of thirty thousand rupees, upto fifty thousand.	On thirty thousand rupees the fee payable under clause (vii) and on the remainder, sixty four rupees for every two thousand rupees or part thereof.
(ix) When such amount or value exceeds fifty thousand rupees for every five thousand rupees or part	On fifty thousand rupees the fee payable under clause (viii) and on the remainder eighty rupees for

	thereof, in excess of fifty thousand. Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be Rs. 50,000/-.	every five thousand rupees or part thereof.
2. Plaint in a suit for possession under the Specific Relief Act, 1963, Section 6.		A fee of two times the amount prescribed in the foregoing scale.
3. Application for review of judgement, if presented on or after the ninetieth day from the date of decree.		The fee leviable on the plaint or memorandum of appeal as item-1.
4. Application for review of judgement, if presented before the ninetieth day from the date of decree.		Two times of the fee leviable on the plaint or memorandum of appeal.
5. Copy or translation of a judgement or order not being or having the force of a decree.	When such judgement or order is passed by any Civil Court other than a High Court or by the presiding officer of any Revenue Court office, or by any other Judicial or Executive Authority.	
	(a) If the amount or value of the subject matter is fifty or less than fifty rupees.	Rs. 5.00
	(b) If such amount or value exceeds fifty rupees.	Rs. 10.00
	(c) When such judgement or order is passed by a High Court.	Rs. 15.00
	When such decree or order made by any Civil Court other than High Court, or by any Revenue Court.-	
6. Copy of a decree or order having the force of a decree.		
	(a) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Rs. 5.00
	(b) If such amount or value exceeds fifty rupees.	Rs. 10.00

When such decree or order is made by a High Court. Rs. 15.00

7. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899 (II of 1899) when left by any party to a suit or proceeding in place of the original withdrawn.

Rs. 5.00

8. 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 of any Chief Officer charged with the executive administration of a division.

For every three hundred and sixty words or fraction of three hundred and sixty words. Rs. 10.00

9. 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 upto ten thousand rupees.

and

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 upto fifty thousand rupees.

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 upto one lakh of rupees.

When such amount or value exceeds 10 percentum.

one lakh of rupees, on the portion of such amount or value which is in excess of one lakh of rupees:

Provided that when, after the grant of a certificate under the Succession Certificate Act, 1889 (VII of 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 the latter grant shall be reduced by the amount of the fees paid in respect of the former grant:

10. Certificate under the Certificate Succession Act, 1889.

Provided further that the maximum fee leviable shall be Rs.30,000/-

3 per centum and on the amount or value of any debt or security to which the certificate is extended under section 10 of the Act, 0 per centum.

When the amount or value of any debt or security specified in the certificate under section 8 of the Act exceeds one thousand rupees, on such amount or value upto ten thousand rupees.

and

4 per centum and on the amount or value of any debt or security to which the certificate is extended under section 10 of the Act, 6 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 upto fifty thousand rupees.

and

5 per centum and on the amount or value of any debt or security to which the certificate is extended under section 10 of the Act, Seven and half per centum.

When such amount or value exceeds fifty thousand rupees on portion of such amount or value which is in excess of fifty thousand rupees upto one lakh rupees.

6 per centum, and on the amount or value of any debt or security to

which the certificate is extended
under Section 10 of the Act 9
percentum.
and

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.

Note.-1. The amount of a debt is
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
certificate has been conferred
under the Act, and where such a
power has been so conferred
whether the power is for the power
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 certificate is
applied for, so far as such value
can be ascertained.

I (Continued)

Table of rate of Ad valorem Fee Leviable on Institution of Suits.

When the amount or value or subject matter exceeds.	But does not exceed	Proper fee.
1	2	3
Rs.	Rs.	Rs.
5.00	10.00	2.00
10.00	15.00	3.00
15.00	20.00	4.00
20.00	25.00	5.00
25.00	30.00	6.00
30.00	35.00	7.00
35.00	40.00	8.00
40.00	45.00	9.00
45.00	50.00	10.00
50.00	55.00	11.00

The Court Fees (Bihar Amendment) Act, 1995

55.00	60.00	12.00
60.00	65.00	13.00
65.00	70.00	14.00
70.00	75.00	15.00
75.00	80.00	16.00
80.00	85.00	17.00
85.00	90.00	18.00
90.00	95.00	19.00
95.00	100.00	20.00
100.00	110.00	22.00
110.00	120.00	24.00
120.00	130.00	26.00
130.00	140.00	28.00
140.00	150.00	30.00
150.00	160.00	32.00
160.00	170.00	34.00
170.00	180.00	36.00
180.00	190.00	38.00
190.00	200.00	40.00
200.00	210.00	42.00
210.00	220.00	44.00
220.00	230.00	46.00
230.00	240.00	48.00
240.00	250.00	50.00
250.00	260.00	52.00
260.00	270.00	54.00
270.00	280.00	56.00
280.00	290.00	58.00
290.00	300.00	60.00
300.00	310.00	62.00
310.00	320.00	64.00
320.00	330.00	66.00
330.00	340.00	68.00
340.00	350.00	70.00
350.00	360.00	72.00
360.00	370.00	74.00
370.00	380.00	76.00

The Court Fees (Bihar Amendment) Act, 1995

380.00	390.00	78.00
390.00	400.00	80.00
400.00	410.00	82.00
410.00	420.00	84.00
420.00	430.00	86.00
430.00	440.00	88.00
440.00	450.00	90.00
450.00	460.00	92.00
460.00	470.00	94.00
470.00	480.00	96.00
480.00	490.00	98.00
490.00	500.00	100.00
500.00	510.00	102.00
510.00	520.00	104.00
520.00	530.00	106.00
530.00	540.00	108.00
540.00	550.00	110.00
550.00	560.00	112.00
560.00	570.00	114.00
570.00	580.00	116.00
580.00	590.00	118.00
590.00	600.00	120.00
600.00	610.00	122.00
610.00	620.00	124.00
620.00	630.00	126.00
630.00	640.00	128.00
640.00	650.00	130.00
650.00	660.00	132.00
660.00	670.00	134.00
670.00	680.00	136.00
680.00	690.00	138.00
690.00	700.00	140.00
700.00	710.00	142.00
710.00	720.00	144.00
720.00	730.00	146.00
730.00	740.00	148.00
740.00	750.00	150.00

The Court Fees (Bihar Amendment) Act, 1995

750.00	760.00	152.00
760.00	770.00	154.00
770.00	780.00	156.00
780.00	790.00	158.00
790.00	800.00	160.00
800.00	810.00	162.00
810.00	820.00	164.00
820.00	830.00	166.00
830.00	840.00	168.00
840.00	850.00	170.00
850.00	860.00	172.00
860.00	870.00	174.00
870.00	880.00	176.00
880.00	890.00	178.00
890.00	900.00	180.00
900.00	910.00	182.00
910.00	920.00	184.00
920.00	930.00	186.00
930.00	940.00	188.00
940.00	950.00	190.00
950.00	960.00	192.00
960.00	970.00	194.00
970.00	980.00	196.00
980.00	990.00	198.00
990.00	1000.00	200.00
1000.00	1100.00	216.00
1100.00	1200.00	232.00
1200.00	1300.00	248.00
1300.00	1400.00	264.00
1400.00	1500.00	280.00
1500.00	1600.00	296.00
1600.00	1700.00	312.00
1700.00	1800.00	328.00
1800.00.	1900.00	344.00
1900.00	2000.00	360.00
2000.00	2100.00	376.00
2100.00	2200.00	392.00

The Court Fees (Bihar Amendment) Act, 1995

2200.00	2300.00	408.00
2300.00	2400.00	424.00
2400.00	2500.00	440.00
2500.00	2600.00	456.00
2600.00	2700.00	472.00
2700.00	2800.00	488.00
2800.00	2900.00	504.00
2900.00	3000.00	520.00
3000.00	3100.00	536.00
3100.00	3200.00	552.00
3200.00	3300.00	568.00
3300.00	3400.00	584.00
3400.00	3500.00	600.00
3500.00	3600.00	616.00
3600.00	3700.00	632.00
3700.00	3800.00	648.00
3800.00	3900.00	664.00
3900.00	4000.00	680.00
4000.00	4100.00	696.00
4100.00	4200.00	712.00
4200.00	4300.00	728.00
4300.00	4400.00	744.00
4400.00	4500.00	760.00
4500.00	4600.00	776.00
4600.00	4700.00	792.00
4700.00	4800.00	808.00
4800.00	4900.00	824.00
4900.00	5000.00	840.00
5000.00	5250.00	872.00
5250.00	5500.00	904.00
5500.00	5750.00	936.00
5750.00	6000.00	968.00
6000.00	6250.00	1000.00
6250.00	6500.00	1032.00
6500.00	6750.00	1064.00
6750.00	7000.00	1096.00
7000.00	7250.00	1128.00

The Court Fees (Bihar Amendment) Act, 1995

7250.00	7500.00	1160.00
7500.00	7750.00	1192.00
7750.00	8000.00	1224.00
8000.00	8250.00	1256.00
8250.00	8500.00	1288.00
8500.00	8750.00	1320.00
8750.00	9000.00	1352.00
9000.00	9250.00	1384.00
9250.00	9500.00	1416.00
9500.00	9750.00	1448.00
9750.00	10,000.00	1480.00
10,000.00	10,500.00	1528.00
10,500.00	11,000.00	1576.00
11,000.00	11,500.00	1624.00
11,500.00	12,000.00	1672.00
12,000.00	12,500.00	1720.00
12,500.00	13,000.00	1768.00
13,000.00	13,500.00	1816.00
13,500.00	14,000.00	1864.00
14,000.00	14,500.00	1912.00
14,500.00	15,000.00	1960.00
15,000.00	15,500.00	2008.00
15,500.00	16,000.00	2056.00
16,000.00	16,500.00	2104.00
16,500.00	17,000.00	2152.00
17,000.00	17,500.00	2200.00
17,500.00	18,000.00	2248.00
18,000.00	18,500.00	2296.00
18,500.00	19,000.00	2344.00
19,000.00	19,500.00	2392.00
19,500.00	20,000.00	2440.00
20,000.00	21,000.00	2504.00
21,000.00	22,000.00	2568.00
22,000.00	23,000.00	2632.00
23,000.00	24,000.00	2696.00
24,000.00	25,000.00	2760.00
25,000.00	26,000.00	2824.00

The Court Fees (Bihar Amendment) Act, 1995

26,000.00	27,000.00	2888.00
27,000.00	28,000.00	2952.00
28,000.00	29,000.00	3016.00
29,000.00	30,000.00	3080.00
30,000.00	32,000.00	3144.00
32,000.00	34,000.00	3208.00
34,000.00	36,000.00	3272.00
36,000.00	38,000.00	3336.00
38,000.00	40,000.00	3400.00
40,000.00	42,000.00	3464.00
42,000.00	44,000.00	3528.00
44,000.00	46,000.00	3592.00
46,000.00	48,000.00	3656.00
48,000.00	50,000.00	3720.00
50,000.00	55,000.00	3800.00
55,000.00	60,000.00	3880.00
60,000.00	65,000.00	3960.00
65,000.00	70,000.00	4040.00
70,000.00	75,000.00	4120.00
75,000.00	80,000.00	4200.00
80,000.00	85,000.00	4280.00
85,000.00	90,000.00	4360.00
90,000.00	95,000.00	4440.00
95,000.00	1,00,000.00	4520.00
1,00,000.00	1,05,000.00	4600.00
1,05,000.00	1,10,000.00	4680.00
1,10,000.00	1,15,000.00	4760.00
1,15,000.00	1,20,000.00	4840.00
1,20,000.00	1,25,000.00	4920.00
1,25,000.00	1,30,000.00	5000.00
1,30,000.00	1,35,000.00	5080.00
1,35,000.00	1,40,000.00	5160.00
1,40,000.00	1,45,000.00	5240.00
1,45,000.00	1,50,000.00	5320.00
1,50,000.00	1,55,000.00	5400.00
1,55,000.00	1,60,000.00	5480.00
1,60,000.00	1,65,000.00	5560.00

1,65,000.00	1,70,000.00	5640.00
1,70,000.00	1,75,000.00	5720.00
1,75,000.00	1,80,000.00	5800.00
1,80,000.00	1,85,000.00	5880.00
1,85,000.00	1,90,000.00	5960.00
1,90,000.00	1,95,000.00	6040.00
1,95,000.00	2,00,000.00	6120.00
2,00,000.00	2,05,000.00	6200.00

And the fee increases at the rate of Rs. 80 (Eighty only) for every 5000 (Five thousand) rupees or part thereof subject to a maximum of 50,000 rupees for examples.

When the amount or value of subject matter exceeds	But does not exceed	Proper fee
1	2	3
Rs.	Rs.	Rs.
20,00,000.00	20,05,000.00	35,002.00
21,00,000.00	21,05,000.00	36,602.00
22,00,000.00	22,05,000.00	38,202.00
23,00,000.00	23,05,000.00	39,802.00
24,00,000.00	24,05,000.00	41,402.00
25,00,000.00	25,05,000.00	43,002.00
26,00,000.00	26,05,000.00	44,602.00
27,00,000.00	27,05,000.00	46,202.00
28,00,000.00	28,05,000.00	47,802.00
29,00,000.00	29,05,000.00	49,402.00
29,35,000.00	29,40,000.00	49,962.00

And for all amounts and value exceeding Rs. 29,40,000 the Court Fee is Rs. 50,000.00

II

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 Rs. 2.00 and when the subject matter of such application relates exclusively to these dealings.

(b) When presented to any officer of Land Revenue by the person holding temporarily settled land under direct engagement with Government, and Rs. 2.00

when the subject matter of the application or petition relates exclusively to such engagement.

(c) 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. Rs. 2.00

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 No. 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 suit or case in which the amount or value of the subject matter is less than fifty rupees. Rs. 2.00

When presented to any Civil, Criminal or Revenue Court or to any Board or Executive Officer for translation of any judgement, decrees or order passed by such Court Board or Officer, or of any other document or record in such Court or Office. Rs. 5.00

(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, or Rs. 5.00

When presented to a Civil, Criminal or Revenue Court, or to a Collector or any Revenue Officer having jurisdiction equal or subordinate in a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act. Rs. 5.00

or

	to deposit in Court revenue or rent,	Rs. 5.00
	or	
	for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.	Rs. 5.00
	(c) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority or to a Commissioner of Revenue of Circuit, or to any Chief Officer charged with the executive administration of a Division and not otherwise provided for by this Act.	Rs. 10.00
	(d) When presented to a High Court-	
	(i) Under Article 226 of the Constitution.	Rs. 1,000.00
	(ii) Under Article 227 of the Constitution.	Rs. 500.00
2. 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.	Rs. 5.00
3. Application for leave sue as a pauper.		Rs. 2.00
Application for leave to appeal as a pauper.	(a) When presented to District Court.	Rs. 2.00
	(b) When presented to a Commissioner or a High Court.	Rs. 5.00
4. Complaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.		Rs. 5.00
5. Bail Bond or other instruments of obligation given in pursuance of any order made by a Court, or		Rs. 5.00
6. Magistrate under any section of the Code of Criminal Procedure, 1973 or the Code of Civil Procedure 1908 and not otherwise provided for by this Act.		
7. Undertaking under section 89 of the Indian Divorce Act 1869 (4 of 1869).		Rs. 5.00
8. Mukhtarnama or Vakalatnama	(a) to any Civil or Criminal Court other than a High Court or to any Revenue Court, or to any Collector	Rs. 5.00

or Magistrate, or other Executive Officer except such as are mentioned in clause (b) and (c) of this number.

Note.- Every Vakalatnama must be stamped with Advocate Welfare stamp of Rs. 2.50 under Section 23 of Bihar State Advocate Welfare Fund Act, 1983.

	(b) to a Commissioner of Revenue Circuit or Customs or to any Officer charged with the Executive administration of a Division, not being the Chief Revenue or Executive Authority.	Rs. 10.00
	(c) to a High Court, Commissioner, Board of Revenue, or other Chief Controlling Revenue or Executive Authority.	Rs. 15.00
9. Memorandum of Appeal when the appeal is not from a decree or an order having the force of a decree, and is presented.	(a) to any Civil Court other than a High Court, or to any Revenue Court or Executive Officer other than the High Court or Chief Controlling Revenue or Executive Authority.	Rs. 5.00
	(b) to a High Court or Chief Commissioner or other Chief Controlling Executive or Revenue Authority.	Rs. 15.00
10. Caveat		Rs. 30.00
11. Application under Act No. X of 1859, section 26 of Bengal Act No. VI of 1892, Section 9, or Bengal Act No. VIII of 1869 Section 37.		Rs. 15.00
12. Petition in a suit under the Native Converts' Marriage Dissolution Act, 1866 (XX of 1866).		Rs. 40.00
13. Complaint or Memorandum of appeal in each of the followingsuits : (i) to alter or set aside a summary decision or order of any of the Civil Courts but 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, (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.

14. Application under section 72 of the Code of Civil Procedure, 1908.	Rs. 100.00
15. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	Rs. 200.00
16. Every petition under the Indian Divorce Act, 1869 (4 of 1869) except petitions under section 44 of the same Act, and every memorandum of Appeal under section 55 of the same Act.	Rs. 125.00
17. Plaint of Memorandum of Appeal under the Parsi Marriage and Divorce Act, 1865.	Rs. 125.00