

U.P. Court Fees (Remission) Act, 1950

UTTAR PRADESH

India

U.P. Court Fees (Remission) Act, 1950

Act 9 of 1951

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U.P. Court Fees (Remission) Act, 1950(U.P. Act No. 9 of 1951)Statement of Objects and Reasons. - The relevant extract from the Statement of Objects and Reasons is reproduced below : "Recently, difficulty was felt in remitting the Court-fees payable on application filed under section 137 of the Uttar Pradesh Tenancy Act. Court-fee is payable on such applications in accordance with provisions of the Uttar Pradesh Tenancy Act which, unlike section 35 of the Court Fees Act, does not contain any provisions for remission of such Court-fee. It was with this object in view that the Governor of Uttar Pradesh promulgated the Uttar Pradesh Court Fees (Remission) Ordinance Notification 1949, in December last. "The Ordinance has now to be replaced by an Act of the Legislature. The Bill is with this object in view" [vide Notification No. 974/XVII, dated March 16, 1950, published in U.P. Gazette (Extraordinary), dated March 16, 1950, page 7.](As passed by the Uttar Pradesh Legislature)An Act to provide for powers to remit court-fee payable upon any class of documentsPreamble. - Whereas by the Uttar Pradesh Court Fees (Remission) Ordinance, 1949, provision was made for powers to remit court-fee payable on any class of documents in Uttar Pradesh ;And whereas the said Ordinance, being limited in duration will expire on the expiry of six seeks from the re-assembly of the Uttar Pradesh Legislature;And whereas it is necessary to provide for the continuance of the said powers;It is hereby enacted as followed :

1. Short title, extent and commencement.

(1)This Act may be called the Uttar Pradesh Court Fees (Remission) Act, 1950.(2)It extends to the whole of Uttar Pradesh.(3)It shall come into force at once.

2. Power to order remission.

- The State Government may, by notification in the Gazette, remit in whole or in part the court-fee payable on any class of documents, any provision in any law notwithstanding.

3. Repeal.

- The Uttar Pradesh Court Fees (Remission) Ordinance, 1949, is hereby repealed and the provisions of Sections 6 and 24 of the U. P. General Clauses Act, 1904 shall apply as if it had been an Act repealed by an Uttar Pradesh Act. Legislative changes. - The words "Uttar Pradesh" has been substituted for "United Provinces" by A.O. 1950.