

The Court-fees (Orissa Amendment) Act, 1967

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Act 11 of 1967

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

1. Short title.

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

2. Enactments repealed.

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enactments mentioned in the Schedule, in so far as they are applicable to any part of the State of Orissa, are hereby repealed.

3. Amendment of Section 19, Act 7 of 1870.

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

4. Amendment of Schedule I, Act 7 of 1870.

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

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

value which is in excess of ten thousand rupees up to fifty thousand rupees

the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, four and a half per centum

and

When such amount or value exceeds fifty thousand rupees, on the portion of such amount or value which is in excess of fifty thousand rupees up to one lakh of rupees

Four per centum, and on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, six per centum

When such amount or value exceeds a lakh of rupees, on the portion of such amount or value which is in excess of one lakh of rupees.

Five per centum, and on the amount or value of any debt or security to which the certificate is extended under Section 376 of the Act, seven and a half per centum."

Schedule

[See Section 2]

Number and year	Short title
(1)	(2)
Bihar and Orissa Act I of 1922	Bihar and Orissa Court-fees (Amendment) Act, 1922.
Madras Act V of 1922	Madras Court-fees (Amendment) Act, 1922.

Central Provinces Act XVI of 1935 Court-fees (Central Provinces Amendment) Act, 1935.