

# The U.P. Court Fees (Payment in Cash) Act, 1975

UTTAR PRADESH

India

## The U.P. Court Fees (Payment in Cash) Act, 1975

### Act 9 of 1975

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The U.P. Court Fees (Payment in Cash) Act, 1975(U.P. Act No. 9 of 1975)Statement of Objects and Reasons. - There was great shortage of court fee stamps different treasuries of Uttar Pradesh. According to the Controller of Stamps, Nasik Security Press he was unable to supply these stamps in sufficient quantity on account of scarcity of paper used for these stamps. In view of these circumstances it was considered necessary for the convenience of the general public to make a provision in the Court Fees Act, 1870 to the effect that in case of temporary shortage of court fees stamps the fees payable on any document could be paid in cash.2. As the State Legislature was not in session and it was necessary to take immediate action, the Uttar Pradesh Court Fees (Payment in Cash) Ordinance, 1975, was promulgated on January 31, 1975.3. This Bill is accordingly introduced to replace the said Ordinance.(As passed by the Uttar Pradesh Legislature)Received the assent of Governor on 23-3-1975, and was published in U.P. Gazette, Extraordinary, dated 25th March, 1975.An Act to provide for payment of Court fees payable under the Court Fees Act, 1870, in cash in certain circumstances.It is hereby enacted in the Twenty-sixth Year of the Republic of India as follows :

#### 1. Short title and extent.

(1)This Act may be called the Uttar Pradesh Court Fees (Payment in Cash) Act, 1975.(2)It extend to the whole of Uttar Pradesh.

#### 2. Insertion of new Section 25-A in Act No. 7 of 1870.

- After Section 25 of the Court Fees Act, 1870, the following section shall be inserted, namely-"25-A. Payment of court fee in cash. - (1) Notwithstanding anything contained in Section 25, in case of temporary shortage of court fees stamps of required denominations, the court fee due on a document not exceeding fifty rupees, may be paid in cash to such subordinate officer or clerk of the High Court or of the subordinate court or of the authority or officer receiving the document, as may be specified by such court, authority, or officer, and such subordinate officer or clerk shall grant a

receipt for the same which shall be affixed on the document concerned and such affixation shall have the same effect, as if the court fee of that amount has been duly paid in accordance with this Act.(2)The clerk or the officer receiving the cash in lieu of the court fee shall deposit it as revenue from judicial stamps under the head "O-30. Stamps and Registration Fee" in the treasury or the bank, as the case may be.(3)The State Government may by general order make rules regarding the maintenance of accounts of the amount so paid in cash.(4)The rules and orders relating to punching and cancellation of court fee stamps shall mutatis mutandis apply in relation to the receipt referred to in sub-section (1).(5)In the case of court fee due on a document exceeding fifty rupees, it may, in like circumstances, be paid in cash into the treasury (including a sub-treasury), and on such payment, the officer-in-charge of the treasury shall certify by endorsement on the document, (he amount of court fee so paid in cash, and such endorsement shall have the same effect as if the court fee has been duly paid in accordance with this Act."

### **3. Repeal and saving.**

(1)The Uttar Pradesh Court Fees (Payment in Cash) Ordinance, 1975 (U.P. Ordinance No. 6 of 1975), is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken, under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on January 31, 1975.