

The Court-Fees (Assam Amendment) Act, 1972

ASSAM

India

The Court-Fees (Assam Amendment) Act, 1972

Act 27 of 1972

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The Court-Fees (Assam Amendment) Act, 1972 Assam Act No. 27 of 1972 Last Updated 11th February, 2020 Published in the Assam Gazette, Extraordinary, dated the 13th December, 1972. [Received the assent of the Governor on the 8th December, 1972] An Act further to amend the Court-Fees Act, 1870 in its application to Assam. Preamble. - Whereas it is expedient further to amend the Court-Fees Act, 1870 (Act 7 of 1870), hereinafter called the Principal Act, in its application to Assam, in the manner hereinafter appearing; It is hereby enacted in the Twenty-third Year of the Republic of India as follows:-

1. Short title, extent and commencement.

(1) This Act may be called the Court-Fees (Assam Amendment) Act, 1972. (2) It extends to the whole of Assam. (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of Schedule I of Act 7 of 1870.

- In Schedule I to the Principal Act, - (1) for Article 1, the following shall be substituted, namely:-

Number (1)	(2)	Proper fee (3)
Plaint, written statement pleading a set-off or counter-claim or 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	When the amount or value of the subject-matter in dispute does not exceed one hundred rupees, for every five rupees or part thereof of such amount or value.	Fifty-five paise

and

When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof, in excess of one hundred rupees up to one hundred and fifty rupees	One rupees and ninety-five paise.
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and

When such amount or value exceeds one hundred and fifty rupees, for every ten rupees, or part thereof up to one hundred rupees	One rupees and forty paise.
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and

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 seven thousand five hundred rupees	Eight rupees and twenty-five paise
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and

When such amount or value exceeds seven thousand five hundred rupees, for every two hundred and fifty rupees, or part thereof, in excess of seven thousand five hundred rupees up to ten thousand rupees	Sixteen rupees and fifty paise
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and

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	Twenty-four rupees and seventy-five paise
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and

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 fifty thousand rupees	Thirty-three rupees
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and

When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof in excess of fifty thousand rupees:	Forty-one rupees and twenty-five paise
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Provided that maximum fee leviable on a plaintiff memorandum of appeal shall not exceed eleven thousand rupees".

(2) for Articles 6, 7, 8 and 9 the following shall be substituted, namely :-

<p>Copy or translation of a judgment or "6. order not being or having the force of a decree</p>	<p>When such judgment or order is passed by any Civil Court other than High Court, or by the Presiding Officer of any Revenue Court or officer or by any other Judicial or Executive Authority:</p>	
	<p>(a) if the amount or value of the subject-matter is fifty or less than fifty rupees</p>	<p>One rupee and ten paise</p>
	<p>(b) if such amount or value exceeds fifty rupees</p>	<p>Two rupees and twenty paise</p>
	<p>(c) when such judgment or order is passed by a High Court</p>	<p>Four rupees and forty paise</p>
<p>7. Copy of a decree or order having the force of a decree</p>	<p>When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court-</p>	
	<p>(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</p>	<p>Two rupees and twenty paise</p>
	<p>(b) if such amount or value exceeds fifty rupees</p>	<p>Three rupees and thirty paise</p>
	<p>(c) when such decree or order is made by High Court</p>	<p>Eight rupees and twenty-five paise</p>
<p>8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899 (Act 2 of 1899), when left by any party to a suit or proceeding in place of the original withdrawn</p>	<p>(a) when the stamp-duty chargeable on the original does not exceed one rupee</p>	<p>The amount of the duty chargeable on the original.</p>
	<p>(b) in any other case</p>	<p>One rupee and twenty paise.</p>
<p>9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of</p>	<p>For every three hundred and sixty words or fraction of three hundred and sixty words</p>	<p>One rupee and twenty-paise".</p>

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 the
executive administration of Division.

(3) the table of rates of ad valorem fees leviable on the institution of suits at the end shall be substituted by the following:- The Schedule Table of rates of ad valorem fees leviable on the institution of suits [See Section 4 of the Assam Court-Fees (Amendment) Act, 1958]

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
...	5	0.55
5	10	1.10
10	15	1.65
15	20	2.20
20	25	2.75
25	30	3.30
30	35	3.85
35	40	4.40
40	45	4.95
45	50	5.50
50	55	6.05
55	60	6.60
60	65	7.15
65	70	7.70
70	75	8.25
75	80	8.80
80	85	9.35
85	90	9.90
90	95	10.45
95	100	11.00
100	110	12.95
110	120	14.85
120	130	16.80
130	140	18.70
140	150	20.65
150	160	21.25

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160	170	23.30
170	180	24.60
180	190	25.90
190	200	27.25
200	210	28.55
210	220	29.90
220	230	31.20
230	240	32.50
240	250	33.85
250	260	35.15
260	270	36.50
270	280	37.80
280	290	39.15
290	300	40.45
300	310	41.75
310	320	43.10
320	330	44.40
330	340	45.75
340	350	47.05
350	360	48.35
360	370	49.70
370	380	51.00
380	390	52.35
390	400	53.65
400	410	54.95
410	420	56.30
420	430	57.60
430	440	58.95
440	450	60.25
450	460	61.55
460	470	62.90
470	480	64.20
480	490	65.55
490	500	66.85
500	510	68.15
510	520	69.50
520	530	70.80

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530	540	72.15
540	550	73.45
550	560	74.75
560	570	76.10
570	580	77.40
580	590	78.75
590	600	80.05
600	610	81.35
610	620	82.70
620	630	84.00
630	640	85.35
640	650	86.65
650	660	87.95
660	670	89.30
670	680	90.60
680	690	91.95
690	700	93.25
700	710	94.55
710	720	95.90
720	730	97.20
730	740	98.55
740	750	99.85
750	760	101.15
760	770	102.50
770	780	103.80
780	790	105.15
790	800	106.45
800	810	107.75
810	820	109.10
820	830	110.40
830	840	111.75
840	850	113.05
850	860	114.35
860	870	115.70
870	880	117.00
880	890	118.35
890	900	119.65

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900	910	120.95
910	920	122.30
920	930	123.60
930	940	124.95
940	950	126.25
950	960	127.55
960	970	128.90
970	980	130.20
980	990	131.50
990	1,000	132.85
1,000	1,100	141.40
1,100	1,200	142.35
1,200	1,300	157.60
1,300	1,400	165.85
1,400	1,500	174.10
1,500	1,600	182.35
1,600	1,700	190.60
1,700	1,800	191.85
1,800	1,900	207.10
1,900	2,000	215.35
2,000	2,100	223.60
2,100	2,200	231.85
2,200	2,300	240.10
2,300	2,400	248.35
2,400	2,500	256.60
2,500	2,600	264.85
2,600	2,700	273.10
2,700	2,800	281.35
2,800	2,900	289.60
2,900	3,000	297.85
3,000	3,100	306.10
3,100	3,200	314.35
3,200	3,300	322.60
3,300	3,400	330.85
3,400	3,500	339.10
3,500	3,600	347.35
3,600	3,700	355.60

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3,700	3,800	363.85
3,800	3,900	372.10
3,900	4,000	380.35
4,000	4,100	388.60
4,100	4,200	369.85
4,200	4,300	405.10
4,300	4,400	413.35
4,400	4,500	421.60
4,500	4,600	429.85
4,600	4,700	438.10
4,700	4,800	446.35
4,800	4,900	454.60
4,900	5,000	462.85
5,000	5,100	471.10
5,100	5,200	479.35
5,200	5,300	487.60
5,300	5,400	495.85
5,400	5,500	504.10
5,500	5,600	512.35
5,600	5,700	520.60
5,700	5,800	528.80
5,800	5,900	537.10
5,900	6,000	545.35
6,000	6,100	553.60
6,100	6,200	561.85
6,200	6,300	570.10
6,300	6,400	578.35
6,400	6,500	586.60
6,500	6,600	594.85
6,600	6,700	603.10
6,700	6,800	611.35
6,800	6,900	619.60
6,900	7,000	627.85
7,000	7,100	636.10
7,100	7,200	644.35
7,200	7,300	652.60
7,300	7,400	660.85

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7,400	7,500	669.10
7,500	7,750	685.60
7,750	8,000	702.10
8,000	8,250	718.60
8,250	8,500	735.10
8,500	8,750	751.60
8,750	9,000	768.10
9,000	9,250	784.60
9,250	9,500	801.10
9,500	9,750	817.60
9,750	10,000	834.10
10,000	10,500	858.85
10,500	11,000	882.60
11,000	11,500	908.35
11,500	12,000	933.10
12,000	12,500	957.85
12,500	13,000	982.60
13,000	13,500	1,007.35
13,500	14,000	1,032.10
14,000	14,500	1,056.85
14,500	15,000	1,081.60
15,000	15,500	1,106.35
15,500	16,000	1,131.10
16,000	16,500	1,155.85
16,500	17,000	1,180.60
17,000	17,500	1,205.35
17,500	18,000	1,230.10
18,000	18,500	1,254.40
18,500	19,000	1,279.60
19,000	19,500	1,304.35
19,500	20,000	1,329.10
20,000	21,000	1,356.10
21,000	22,000	1,395.10
22,000	23,000	1,428.10
23,000	24,000	1,461.10
24,000	25,000	1,494.10
25,000	26,000	1,527.10

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26,000	27,000	1,560.10
27,000	28,000	1,593.10
28,000	29,000	1,626.10
29,000	30,000	1,659.10
30,000	31,000	1,692.10
31,000	32,000	1,725.10
32,000	33,000	1,758.10
33,000	34,000	1,791.10
34,000	35,000	1,824.10
35,000	36,000	1,857.10
36,000	37,000	1,890.10
37,000	38,000	1,923.10
38,000	39,000	1,956.10
39,000	40,000	1,989.10
40,000	41,000	2,022.10
41,000	42,000	2,055.10
42,000	43,000	2,088.10
43,000	44,000	2,121.10
44,000	45,000	2,154.10
45,000	46,000	2,187.10
46,000	47,000	2,220.10
47,000	48,000	2,253.10
48,000	49,000	2,286.10
49,000	50,000	2,319.10
50,000	55,000	2,360.35
55,000	60,000	2,401.60
60,000	65,000	2,442.85
65,000	70,000	2,484.10
70,000	75,000	2,525.35
75,000	80,000	2,566.60
80,000	85,000	2,607.85
85,000	90,000	2,649.10
90,000	95,000	2,690.35
95,000	1,00,000	2,731.60
1,00,000	1,05,000	2,772.85
1,05,000	1,10,000	2,814.10
1,10,000	1,15,000	2,855.35

1,15,000	1,20,000	2,896.60
1,20,000	1,25,000	2,937.85
1,25,000	1,30,000	2,979.10
1,30,000	1,35,000	3,020.35
1,35,000	1,40,000	3,061.60
1,40,000	1,45,000	3,102.85
1,45,000	1,50,000	3,144.10
1,50,000	1,55,000	3,185.35
1,55,000	1,60,000	3,226.60
1,60,000	1,65,000	3,267.85
1,65,000	1,70,000	3,309.10
1,70,000	1,75,000	3,350.35
1,75,000	1,80,000	3,391.60
1,80,000	1,85,000	3,432.85
1,85,000	1,90,000	3,474.10
1,90,000	1,95,000	3,515.35
1,95,000	2,00,000	3,556.60
2,00,000	2,05,000	3,597.85

and the fee increases at the rate of forty-one rupees and twenty five paise for every five thousand rupees or part thereof, up to a maximum fee of eleven thousand rupees for example:-

When the amount or value of the subject matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np
	3,00,000	4,381.60
	4,00,000	5,206.60
	5,00,000	6,031.60
	6,00,000	6,856.62
	7,00,000	7,681.60
	8,00,000	8,506.60
	9,00,000	9,331.60
	10,00,000	10,981.60
	11,05,000	11,022.85

3. Amendment of Schedule II of Act 7 of 1870.

- For Schedule II to the Principal Act, the following shall be substituted, namely:- "Schedule II Fixed Fees

Number

Proper Fee

1. Application or petition	<p>(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; or</p> <p>when presented to any Municipal Board or other local authority constituted 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</p> <p>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. 11 of 1865 or under Act No. 16 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; or</p> <p>when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or 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</p>	Fifty naye paise
	<p>(b) When presented in a Regional Transport Authority or State Transport Authority containing a prayer for permit for Contract Carriage, Stage Carriage, Private Carrier or Public Carrier or for any other purpose</p>	Eight rupees and twenty-five paise
	<p>(c) When containing a complaint or charge of any offence other than an</p>	In the case of a complaint or

offence for which police officer may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court; 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 as revenue or rent; or

charge of an offence presented to a criminal court or in the case of an application or petition 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 one rupee and sixty-five paise and in other case one rupee and ten paise.

for determination by a Court of the amount of compensation to be paid by a land lord to his tenant; or when presented 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 interest therein, if presented previous to the final confirmation of such settlement; or

one rupee and ten paise

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.	
	When presented to any officer of land revenue by any person the kabulyat application for settlement of land under direct engagement with Government	Two rupees
	(d) When presented to a 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	Three rupees and thirty paise
	(e) When presented to a High Court	Fifty rupees
	(i) under Article 226 of the Constitution	
	(ii) in all other matters	Ten rupees
	(f) When presented to any officer containing prayer for settlement of fishery, ferry, forest produce, forest mahals, elephant mahals, or an officer giving terms for acceptance of Government for any construction or an application for a permit or licence to deal in controlled commodities	Eight rupees and twenty-five paise
	(g) When presented to an Appropriate Revenue Authority for demarcation of land-	
	(i) when the area of such land does not exceed one hectare	Two rupees and twenty paise
	(ii) for each subsequent area of one hectare or part thereof	One rupee and ten paise.
2.	Application to any Civil Court that that records may be called for from another Court	When the Court grants the application and is of opinion the transmission of such record involves the use of the post One rupee and sixty-five paise in addition to any fee levied on the

			application under Clause (a), Clause(c) or Clause(e) of Article 1 of this Schedule.
3.	Application for leave to sue as a pauper		One rupee and ten paise.
4.	Application for leave to appeal as a pauper	(a) When presented to a District Court (b) When presented to a commissioner or a High Court	Two rupees and twenty paise Three rupees and thirty paise.
5.	Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1898 (Act 5 of 1898) or the Code of Civil Procedure, 1908 (Act 5 of 1908) and not otherwise provided for by this Act		
6.	Undertaking under Section 49 of the Indian Divorce Act, 1869 (Act 4 of 1869).		One rupee and ten paise.
7.		
8.		
9.	Mukhtarnama or Wakalatnama	When presented for the conduct of any one case- (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.	One rupee and ten paise.

	(b) to a Commissioner of Revenue, Circuit or Customs officer or to any officer charged with the executive administration of a Division, not being the Chief Revenue or Executive Authority	Two rupees and seventy-five paise.
	(c) to a High Court, Chief Commissioner, Board of Revenue, or other Chief Controlling Revenue or executive authority or an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act 4 of 1939) or to an appellate authority prescribed under the Assam Sales Tax Act, 1947 (Assam Act 17 of 1947).	Five rupees and fifty paise.
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 except an authority specified in Clause (b)	Three rupees and thirty paise.
	(b) to an Excise Appellate Authority under Rule 340 of the Assam Excise Rules	Sixteen rupees and fifty paise.
	(c) to a High Court or Chief Commissioner, or other Chief Controlling Executive or Revenue Authority except an authority prescribed in Clause (b)	Eleven rupees.
	(d) to an Excise Appellate Authority under Rule 341 of the Assam Excise Rules	Fifty-five rupees.
	(e) to a High Court in Miscellaneous revenue matters except (f) below or to an appellate authority prescribed under the Motor Vehicles Act, 1939 (Act 4 of 1939); and	Sixteen rupees and fifty paise.
	(f) to a High Court in appeal and revision matters arising out of settlement of fisheries-	

		(i) when the bid money is below ten thousand rupees	Sixteen rupees and fifty paise.
		(ii) when the bid money is above ten thousand rupees but below twenty-thousand rupees	Twenty-seven rupees and fifty paise
		(iii) when the bid money is above twenty thousand rupees	Thirty-three rupees.
12.	Caveat.	Eleven rupees.
	Application under Act No. 10 of 1859, Section 26, or		
13.	Bengal Act No. 6 of 1862, Section 9, or Bengal Act No. 8 of 1859, Section 37		Five rupees and fifty paise.
	Petition in suit under the		
14.	Native Converts' Marriage Dissolution Act, 1866 (Act 21 of 1866)		Five rupees and fifty paise.
15.		
16.		
	Plaint 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;	Sixteen rupees and fifty paise.
17.		(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	Twenty-two rupees
		(iv) to set aside an award	Sixteen rupees and fifty paise
		(v) to set-aside an adoption	Twenty-two rupees
		(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 or by this Act	Sixteen rupees and fifty paise.
18.	Application under Section 14 of Section 20 of the	When presented to a Munsif's Court	Sixteen rupees and fifty paise.

	Indian Arbitration Act, 1940 (Act 10 of 1940), for adirection for filing an award or for an order for filing anagreement		
		When presented to any other Court	Fifty-five rupees
19.	Agreement in writing stating in question forthe opinion of the Court under the Code of Civil Procedure, 1908(Act 5 of 1908)		Sixteen rupees and fifty paise.
20.	Every petition under the Indian Divorce Act,1869 (Act 4 of 1869) except petitions under Section 44 of thesame Act, and every memorandum of appeal under Section 55 of thesame Act		Twenty-two rupees.
21.	Plaint or memorandum of appeal under the ParsiMarriage and Divorce Act, 1865 (Act 15 of 1865)		Twenty-two rupees