ASSAM ACT III OF 1958

THE ASSAM COURT-FEES (AMENDMENT) ACT, 1958

(As passed by the Assembly)

(Received the assent of the Governor on the 26th March 1958)

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An

Act

further to amend the Court-fees Act, 1870 (Act VII of 1870) in its application to Assam

Preamble.—Whereas it is expedient further to amend the Court-fees Act, 1870 (Act VII of 1870), hereinafter called the Principal Act, in its application to Assam, in the manner hereinafter appearing ;

It is hereby enacted in the Ninth Year of the Republic of India as follows:—

1. **Short title, extent and commencement.**—(*i*) This Act may be called the Assam Court-fees (Amendment) Act, 1958.

(*ii*) It extends to the whole of the State of Assam

(*iii*) It shall come into force with effect from the 1st of April, 1958.

2. **Amendment of Schedule I, Article I.**—For Article 1 in the first schedule to the principal Act, the following shall be substituted, namely :—

"1. 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 naye 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 rupee and seventy-five naye paise.
	and	
	When such amount or value exceeds one hundred and fifty rupees, for every ten rupees or part thereof up to one thousand rupees,	One rupee and twenty naye paise.
	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,	Seven rupees and fifty naye paise.
	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,	Fifteen rupees.
	and	

[*Price 00·25 N.P. or 5d.*]

"1. 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 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-[illegible] rupees and fifty naye paise.
	and	
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, upto fifty thousand rupees,	Thirty rupees.
	and	
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees:	Thirty-seven rupees and fifty naye paise.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall not exceed ten thousand rupees."	

3. **Amendment of Schedule 1, Article 6.**—In the third column in Article 6 of Schedule 1 for the words "eight annas" opposite clause (*a*) in the second column the words 'fifty naye paise'' shall be substituted.

4. **Amendment of table of rates of** *ad valorem* **fees.**—For the table of rates of *Ad valorem* fees leviable on the institution of suits, at the end of Schedule 1 to the Principal Act, the table set forth in the Schedule to this Act shall be substituted.

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	0.50
5	10	1.00
10	15	1.50
15	20	2.00
20	25	2.50
25	30	3.00
30	35	3.50
35	40	4.00
40	45	4.50
45	50	5.00
50	55	5.50
55	60	6.00

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
60	65	6.50
65	70	7.00
70	75	7.50
75	80	8.00
80	85	8.50
85	90	9.00
90	95	9.50
95	100	10.00
100	110	11·75
110	120	13.50
120	130	15.25
130	140	17.00
140	150	18.75
150	160	19.95
160	170	21.15
170	180	22.35
180	190	23.55
190	200	24.75
200	210	25.95
210	220	27.15
220	230	28.35
230	240	29.55
240	250	30.75
250	260	31.95
260	270	33.15
270	280	34.35
280	290	35.55
290	300	36.75
300	310	37.95
310	320	39.15
320	330	40.35
330	340	41.55
340	350	42.75
350	360	43.95
360	370	45.15
370	380	46.35
380	390	47.55
390	400	48.75
400	410	49.95
410	420	51.15
420	430	52.35
430	440	53.55
440	450	54·75
450	460	55·95
460	470	57.15
470	480	58·35

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
480	490	59·55
490	500	60·75
500	510	61·95
510	520	63·15
520	530	64·35
530	540	65·55
540	550	66·75
550	560	67·95
560	570	69·15
570	580	70·35
580	590	71·55
590	600	72·75
600	610	73·95
610	620	75·15
620	630	76·35
630	640	77·55
640	650	78·75
650	660	79·95
660	670	81·15
670	680	82·35
680	690	83·55
690	700	84·75
700	710	85·95
710	720	87·15
720	730	88·35
730	740	89·55
740	750	90·75
750	760	91·95
760	770	93·15
770	780	94·35
780	790	95·55
790	800	96·75
800	810	97·95
810	820	99·15
820	830	100·35
830	840	101·55
840	850	102·75
850	860	103·95
860	870	105·15
870	880	106·35
880	890	107·55
890	900	108·75
900	910	109·95
910	920	111·15
920	930	112·35
930	940	113·55

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
940	950	114·75
950	960	115·95
960	970	117·15
970	980	118·35
980	990	119·55
990	1,000	120·75
1,000	1,100	128·25
1,100	1,200	135·75
1,200	1,300	143·25
1,300	1,400	150·75
1,400	1,500	158·25
1,500	1,600	165·75
1,600	1,700	173·25
1,700	1,800	180·75
1,800	1,900	188·25
1,900	2,000	195·75
2,000	2,100	203·25
2,100	2,200	210·75
2,200	2,300	218·25
2,300	2,400	225·75
2,400	2,500	233·25
2,500	2,600	240·75
2,600	2,700	248·25
2,700	2,800	255·75
2,800	2,900	263·25
2,900	3,000	270·75
3,000	3,100	278·25
3,100	3,200	285·75
3,200	3,300	293·25
3,300	3,400	300·75
3,400	3,500	308·25
3,500	3,600	315·75
3,600	3,700	323·25
3,700	3,800	330·75
3,800	3,900	338·25
3,900	4,000	345·75
4,000	4,100	353·25
4,100	4,200	360·75
4,200	4,300	368·25
4,300	4,400	375·75
4,400	4,500	383·25
4,500	4,600	390·75
4,600	4,700	398·25
4,700	4,800	405·75
4,800	4,900	413·25

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
4,900	5,000	420·75
5,000	5,100	428·25
5,100	5,200	435·75
5,200	5,300	443·25
5,300	5,400	450·75
5,400	5,500	458·25
5,500	5,600	465·75
5,600	5,700	473·25
5,700	5,800	480·75
5,800	5,900	488·25
5,900	6,000	495·75
6,000	6,100	503·25
6,100	6,200	510·75
6,200	6,300	518·25
6,300	6,400	525·75
6,400	6,500	533·25
6,500	6,600	540·75
6,600	6,700	548·25
6,700	6,800	555·75
6,800	6,900	563·25
6,900	7,000	570·75
7,000	7,100	578·25
7,100	7,200	585·75
7,200	7,300	593·25
7,300	7,400	600·75
7,400	7,500	608·25
7,500	7,750	623·25
7,750	8,000	638·25
8,000	8,250	653·25
8,250	8,500	668·25
8,500	8,750	683·25
8,750	9,000	698·25
9,000	9,250	713·25
9,250	9,500	728·25
9,500	9,750	743·25
9,750	10,000	758·25
10,000	10,500	780·75
10,500	11,000	803·25
11,000	11,500	825·75
11,500	12,000	848·25
12,000	12,500	870·75
12,500	13,000	893·25
13,000	13,500	915·75
13,500	14,000	938·25

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
14,000	14,500	960·75
14,500	15,000	983·25
15,000	15,500	1,005·75
15,500	16,000	1,028·25
16,000	16,500	1,050·75
16,500	17,000	1,073·25
17,000	17,500	1,095·75
17,500	18,000	1,118·25
18,000	18,500	1,140·75
18,500	19,000	1,163·25
19,000	19,500	1,185·75
19,500	20,000	1,208·25
20,000	21,000	1,238·25
21,000	22,000	1,268·25
22,000	23,000	1,298·25
23,000	24,000	1,328·25
24,000	25,000	1,358·25
25,000	26,000	1,388·25
26,000	27,000	1,418·25
27,000	28,000	1,448·25
28,000	29,000	1,478·25
29,000	30,000	1,508·25
30,000	31,000	1,538·25
31,000	32,000	1,568·25
32,000	33,000	1,598·25
33,000	34,000	1,628·25
34,000	35,000	1,658·25
35,000	36,000	1,688·25
36,000	37,000	1,718·25
37,000	38,000	1,748·25
38,000	39,000	1,778·25
39,000	40,000	1,808 25
40,000	41,000	1,838·25
41,000	42,000	1,868·25
42,000	43,000	1,898·25
43,000	44,000	1,928·25
44,000	45,000	1,958·25
45,000	46,000	1,988·25
46,000	47,000	2,018·25
47,000	48,000	2,048·25
48,000	49,000	2,078·25
49,000	50,000	2,108·25
50,000	55,000	2,145·75
55,000	60,000	2,183 25
60,000	65,000	2,220·75
65,000	70,000	2,258·25

THE SCHEDULE

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
70,000	75,000	2,295·75
75,000	80,000	2,333·25
80,000	85,000	2,370·75
85,000	90,000	2,408 25
90,000	95,000	2,445·75
95,000	1,00,000	2,483 25
1,00,000	1,05,000	2,520·75
1,05,000	1,10,000	2,558·25
1,10,000	1,15,000	2,595·75
1,15,000	1,20,000	2,633·25
1,20,000	1,25,000	2,670·75
1,25,000	1,30,000	2,708·25
1,30,000	1,35,000	2,745·75
1,35,000	1,40,000	2,783·25
1,40,000	1,45,000	2,820·75
1,45,000	1,50,000	2,858·25
1,50,000	1,55,000	2,895·75
1,55,000	1,60,000	2,933·25
1,60,000	1,65,000	2,970·75
1,65,000	1,70,000	3,008·25
1,70,000	1,75,000	3,045·75
1,75,000	1,80,000	3,083·25
1,80,000	1,85,000	3,120·75
1,85,000	1,90,000	3,158·25
1,90,000	1,95,000	3,195·75
1,95,000	2,00,000	3,233·25
2,00,000	2,05,000	3,270·75

and the fee increases at the rate of thirty-seven rupees fifty naye paise for every five thousand rupees, or part thereof, up to a maximum fee of ten 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	3,983·25
	4,00,000	4,733·25
	5,00,000	5,483·25
	6,00,000	6,233·25

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
(1)	(2)	(3)
Rs.	Rs.	Rs. Np.
	7,00,000	6,983·25
	8,00,000	7,733·25
	9,00,000	8,483·25
	10,00,000	9,233·25
	11,00,000	9,983·25
	11,05,000	10,020·75

5. **Amendment of Schedule II, Article I.**—(1) In the third column in Article I of Schedule II of the Principal Act, for the words "four annas" opposite clause (*a*) the words "twenty-five naye paise" shall be substituted.

(2) In the third column in Article I of Schedule II of the Principal Act, for the words "twelve annas" opposite clause (*b*) the words "seventy-five naye paise" shall be substituted.

A G. P. (Leg.) No.2/58—1575—24-4-1958.