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PART III—Acts of the West Bengal Legislature.

**GOVERNMENT OF WEST BENGAL**

**LAW DEPARTMENT**

**Legislative**

**NOTIFICATION**

No. 2381-L.—31st December, 2002.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

**West Bengal Act XIX of 2002**

**THE WEST BENGAL COURT-FEES (AMENDMENT)  
ACT, 2002.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Kolkata Gazette,  
Extraordinary, of the 31st December, 2002.]*

*An Act to amend the West Bengal Court-fees Act, 1970.*

WHEREAS it is expedient to amend the West Bengal Court-fees Act, 1970, for the purposes and in the manner hereinafter appearing:

West Ben. Act X  
of 1970.

It is hereby enacted in the Fifty-third Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal Court-fees (Amendment) Act, 2002.

(2) It shall be deemed to have come into force on the 28th day of October, 2002.

Substitution of  
new Schedule for  
Schedule I to  
West Ben. Act X  
of 1970.

2. For Schedule I to the West Bengal Court-fees Act, 1970 (hereinafter referred to as the principal Act), the following Schedule shall be substituted:—

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

"SCHEDULE I

*Ad valorem Fees*

Sl. No.	Particulars	Fees
(1)	(2)	(3)
1.	<p>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 the High Court or any Civil or Revenue Court, except the Court mentioned in section 3.</p>	<p>(a) When the amount or value of the subject-matter in dispute does not exceed one thousand rupees, for every one hundred rupees or part thereof of such amount or value; and Ten rupees.</p> <p>(b) when such amount or value exceeds one thousand rupees, for every one hundred rupees or part thereof, in excess of one thousand rupees, upto seven thousand five hundred rupees; and Eight rupees.</p> <p>(c) 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 upto ten thousand rupees; and Sixteen rupees.</p> <p>(d) when such amount or value exceeds ten thousand rupees, for every five hundred rupees or part thereof, in excess of ten thousand rupees upto twenty thousand rupees; and Thirty rupees.</p> <p>(e) 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; and Fifty rupees.</p> <p>(f) when such amount or value exceeds fifty thousand rupees, for every five thousand rupees or part thereof, in excess of fifty thousand rupees upto one lakh rupees; and Three hundred and fifty rupees.</p> <p>(g) when such amount or value exceeds one lakh rupees, for every five thousand rupees or part thereof, in excess of one lakh rupees upto two lakh rupees; and Three hundred and seventy rupees.</p>

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
	(h) when such amount or value exceeds two lakh rupees, for every five thousand rupees or part thereof, in excess of two lakh rupees upto three lakh rupees; and	Two hundred and ten rupees.
	(i) when such amount or value exceeds three lakh rupees, for every ten thousand rupees or part thereof, in excess of three lakh rupees:	One hundred rupees.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be fifty thousand rupees.	
2.	(a) Petition under section 26 of the Provincial Insolvency Act, 1920 or application under section 95 of the Code of Civil Procedure, 1908;	An amount of the half the scale of fee prescribed in Sl. No. 1 on the amount or compensation claimed. 5 of 1920.  5 of 1908.
	(b) appeal against order on a petition or application falling under clause (a).	On the scale prescribed under Sl. No. 1 on the amount in dispute.
3.	(a) Petition under sections 53 and 54 of the Provincial Insolvency Act, 1920;	An amount of one-half of the scale of fee prescribed in Sl. No. 1 on the market value of the subject-matter subject to a maximum fee of rupees two thousand five hundred.
	(b) appeal against order on a petition falling under clause (a) whether by the Official Receiver or by the unsuccessful party.	An amount of one-half of the scale of fee prescribed in Sl. No. 1 on the market value of the subject-matter subject to a maximum fee of rupees two thousand five hundred.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
4.	Application for re-view of judgement, if presented on or after the ninetieth day from the date of the decree.	The fee leviable on the plaint or memorandum of appeal.
5.	Application for re-view of judgement, if presented before the ninetieth day from the date of the decree.	One-half of the fee leviable on the plaint or memorandum of appeal.
6.	Copy or translation of a judgement or order not being, or having the force of, a decree.	<p>(1) When such judgement or order is passed by any Civil Court, other than the High Court, or by the presiding officer of any Revenue Court or Office, or by any other Judicial or Executive Authority—</p> <p>(a) if the amount or value of the subject-matter does not exceed rupees five hundred; Two rupees.</p> <p>(b) if such amount or value exceeds rupees five hundred. Five rupees.</p> <p>(2) When such judgement or order is passed by the High Court. Ten rupees.</p>
7.	Copy of a decree or order having the force of a decree.	<p>(1) When such decree or order is made by any Civil Court other than the 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, does not exceed rupees five hundred; Three rupees.</p> <p>(b) if such amount or value exceeds rupees five hundred. Five rupees.</p> <p>(2) When such decree or order is made by the High Court. Twenty rupees.</p>
8.	Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn.	<p>(a) When the stamp-duty chargeable on the original does not exceed three rupees; The amount of the duty chargeable on the original.</p> <p>(b) in any other case. Three rupees.</p>

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
9.	Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act or copy of 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 a Division.	For every three hundred and sixty words or fraction of three hundred and sixty words. Two rupees.
10.	Probate of a will or letters of administration with or without will annexed.	<p>(a) When the amount or the value of the property in respect of which the grant of probate or letters of administration is made, exceeds ten thousand rupees, on such amount or value up to twenty five thousand rupees; and Three <i>per centum</i>.</p> <p>(b) when such amount or value exceeds twenty five thousand rupees, on the portion of such amount or value which is in excess of twenty five thousand rupees, upto one lakh of rupees; and Three and a half <i>per centum</i>.</p> <p>(c) when such amount or value exceeds one lakh of rupees, on the portion of such amount or value which is in excess of one lakh of rupees, upto five lakh of rupees; and Four and a half <i>per centum</i>.</p> <p>(d) when such amount or value exceeds five lakhs of rupees, on the portion of such amount or value which is in excess of five lakhs of rupees: Five and a half <i>per centum</i>.</p>

Provided that when, after the grant of certificate under the Indian Succession Act, 1925, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
11. Certificate under the Indian Succession Act, 1925.	(a) When the amount or value of any debt or security specified in the certificate under section 374 of the Act exceeds one thousand rupees; and	<p>(i) Three <i>per centum</i> on the first ten thousand rupees,</p> <p>(ii) four <i>per centum</i> on the next forty thousand rupees,</p> <p>(iii) five <i>per centum</i> on the next fifty thousand rupees,</p> <p>(iv) six <i>per centum</i> on the next one lakh and fifty thousand rupees,</p> <p>(v) six and a half <i>per centum</i> on the next fifty thousand rupees,</p> <p>(vi) seven <i>per centum</i> on the next one lakh of rupees,</p> <p>(vii) seven and a half <i>per centum</i> on the next one lakh of rupees, and</p> <p>(viii) eight <i>per centum</i> on the remainder of such amount or value.</p>
	(b) when the aggregate amount or value of any debt or security specified in the certificate and of any debt or security has been extended under section 376 of the Act, exceeds one thousand rupees.	<p>In respect of such portion of the aggregate amount or value as consists of the amount or value of debt or security so specified, the fee herein before provided in that behalf in this Sl. No., and—</p> <p>(i) four <i>per centum</i> on such portion of the first ten thousand rupees,</p>

39 of 1925.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
		(ii) four and a half <i>per centum</i> on such portion of the next forty thousand rupees,
		(iii) six <i>per centum</i> on such portion of the next fifty thousand rupees,
		(iv) seven and a half <i>per centum</i> on such portion of the next one lakh and fifty thousand rupees,
		(v) eight and a quarter <i>per centum</i> on such portion of the next fifty thousand rupees,
		(vi) nine <i>per centum</i> on such portion of the next one lakh rupees,
		(vii) nine and three-quarter <i>per centum</i> on such portion of the next one lakh of rupees, and
		(viii) ten and a half <i>per centum</i> on such portion of the remainder of such aggregate amount or value,

as consists of the amount or value of debt or security to which the certificate has been extended.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)

(2)

(3)

*Note 1.*—The amount of a debt is its amount including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.

*Note 2.*—Whether or not any power with respect to a security specified in a certificate has been conferred under the Act and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market-value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.

*Note 3.*—The maximum fee leviable under clause (a) or clause (b) of this sl. No. shall be fifty thousand rupees.

12. *Plaint presented with an originating summons under the Rules of the High Court at Calcutta (Original Side), 1914.*

The fee leviable on a plaint in a suit for the same relief, subject to a minimum fee of two hundred rupees.



*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

*Table of rates of ad valorem fees leviable on the institution of suits*

When the amount or value of the subject- matter exceeds—	But does not exceed	Proper Fees
(1)	(2)	(3)
(Rs.)	(Rs.)	(Rs.)
..	100	10
100	200	20
200	300	30
300	400	40
400	500	50
500	600	60
600	700	70
700	800	80
800	900	90
900	1000	100
1000	1100	108
1100	1200	116
1200	1300	124
1300	1400	132
1400	1500	140
1500	1600	148
1600	1700	156
1700	1800	164
1800	1900	172
1900	2000	180
2000	2100	188
2100	2200	196
2200	2300	204
2300	2400	212
2400	2500	220
2500	2600	228
2600	2700	236
2700	2800	244
2800	2900	252
2900	3000	260
3000	3100	268
3100	3200	276
3200	3300	284
3300	3400	292
3400	3500	300
3500	3600	308
3600	3700	316
3700	3800	324
3800	3900	332
3900	4000	340
4000	4100	348
4100	4200	356
4200	4300	364
4300	4400	372
4400	4500	380

*The West Bengal Court-fees (Amendment)  
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(Section 2.)

(1)	(2)	(3)
(Rs.)	(Rs.)	(Rs.)
4500	4600	388
4600	4700	396
4700	4800	404
4800	4900	412
4900	5000	420
5000	5100	428
5100	5200	436
5200	5300	444
5300	5400	452
5400	5500	460
5500	5600	468
5600	5700	476
5700	5800	484
5800	5900	492
5900	6000	500
6000	6100	508
6100	6200	516
6200	6300	524
6300	6400	532
6400	6500	540
6500	6600	548
6600	6700	556
6700	6800	564
6800	6900	572
6900	7000	580
7000	7100	588
7100	7200	596
7200	7300	604
7300	7400	612
7400	7500	620
7500	7750	636
7750	8000	652
8000	8250	668
8250	8500	684
8500	8750	700
8750	9000	716
9000	9250	732
9250	9500	748
9500	9750	764
9750	10000	780
10000	10500	810
10500	11000	840
11000	11500	870
11500	12000	900
12000	12500	930
12500	13000	960
13000	13500	990
13500	14000	1020
14000	14500	1050
14500	15000	1080
15000	15500	1110
15500	16000	1140

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
(Rs.)	(Rs.)	(Rs.)
16000	16500	1170
16500	17000	1200
17000	17500	1230
17500	18000	1260
18000	18500	1290
18500	19000	1320
19000	19500	1350
19500	20000	1380
20000	21000	1430
21000	22000	1480
22000	23000	1530
23000	24000	1580
24000	25000	1630
25000	26000	1680
26000	27000	1730
27000	28000	1780
28000	29000	1830
29000	30000	1880
30000	31000	1930
31000	32000	1980
32000	33000	2030
33000	34000	2080
34000	35000	2130
35000	36000	2180
36000	37000	2230
37000	38000	2280
38000	39000	2330
39000	40000	2380
40000	41000	2430
41000	42000	2480
42000	43000	2530
43000	44000	2580
44000	45000	2630
45000	46000	2680
46000	47000	2730
47000	48000	2780
48000	49000	2830
49000	50000	2880
50000	55000	3230
55000	60000	3580
60000	65000	3930
65000	70000	4280
70000	75000	4630
75000	80000	4980
80000	85000	5330
85000	90000	5680
90000	95000	6030
95000	100000	6380
100000	105000	6750
105000	110000	7120
110000	115000	7490
115000	120000	7860

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 2.)

(1)	(2)	(3)
(Rs.)	(Rs.)	(Rs.)
120000	125000	8230
125000	130000	8600
130000	135000	8970
135000	140000	9340
140000	145000	9710
145000	150000	10080
150000	155000	10450
155000	160000	10820
160000	165000	11190
165000	170000	11560
170000	175000	11930
175000	180000	12300
180000	185000	12670
185000	190000	13040
190000	195000	13410
195000	200000	13780
200000	205000	13990
205000	210000	14200
210000	215000	14410
215000	220000	14620
220000	225000	14830
225000	230000	15040
230000	235000	15250
235000	240000	15460
240000	245000	15670
245000	250000	15880
250000	255000	16090
255000	260000	16300
260000	265000	16510
265000	270000	16720
270000	275000	16930
275000	280000	17140
280000	285000	17350
285000	290000	17560
290000	295000	17770
295000	300000	17980

and the fees increase at the rate of rupees one hundred for every ten thousand rupees or part thereof, upto a maximum fee of fifty thousand rupees, for example:—

400000	18980
500000	19980
600000	20980
700000	21980
800000	22980
900000	23980
1000000	24980
1100000	25980

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

Substitution of new  
Schedule for  
Schedule II.

3. For Schedule II to the principal Act, the following Schedule shall be substituted:—

“SCHEDULE II

Fixed Fees

Sl. No.	Particulars	Proper Fees
(1)	(2)	(3)
1.	Application or petition.	
	(1) (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	Five rupees.
	(b) 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; or	Five rupees.
	(c) when presented to any Municipal Commissioner or member of a <i>Zilla Parishad</i> 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	Five rupees.
	(d) when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under the Provincial Small Cause Courts Act, 1887, 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	Five rupees.



*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)
	(4) For arrest or attachment before judgement or for temporary injunction—	
	(a) when presented to a Civil Court other than the High Court in relation to any suit or proceeding—	
	(i) if the value of the subject-matter is less than Rs. 500;	Ten rupees.
	(ii) if the value is Rs. 500 and above;	Fifteen rupees.
	(b) when presented to the High Court.	Thirty rupees.
	(5) Under section 47 and order XXI, rules 58 and 90 of the Code of Civil Procedure, 1908—	5 of 1908.
	(a) when filed in Revenue Court or in the Court of Civil Judge (Junior Division);	Ten rupees.
	(b) when filed in the City Civil Court, Calcutta, a Court of Civil Judge (Senior Division) or a District Court;	Fifteen rupees.
	(c) when filed in the High Court.	Thirty rupees.
	(6) Under section 94 and order XXXIX, rules 1 and 2 of the Code of Civil Procedure, 1908—	
	(a) when filed in Revenue Court or in the Court of Civil Judge (Junior Division);	Thirty rupees.
	(b) when filed in the City Civil Court, Calcutta, a Court of Civil Judge (Senior Division) or a District Court;	Fifty rupees.
	(c) when filed in the High Court.	One hundred rupees.
	(7) Under section 94 and order XL of the Code of Civil Procedure, 1908—	
	(a) when filed in Revenue Court or in the Court of Civil Judge (Junior Division);	Fifty rupees.
	(b) when filed in the City Civil Court, Calcutta, a Court of Civil Judge (Senior Division) or a District Court;	One hundred rupees.
	(c) when filed in the High Court.	Two hundred rupees.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)
	(8) Under sections 34, 72, 73 and 74 of the Indian Trusts Act, 1882.	Thirty rupees. 2 of 1882.
	(9) (a) For probate or letters of administration to have effect throughout India;	One hundred and twenty-five rupees.
	(b) application for probate or letters of administration not falling under clause (a)—	
	(i) if the value of the estate does not exceed Rs. 1,000;	Ten rupees.
	(ii) if the value exceeds Rs. 1,000:	Thirty rupees.
	Provided that if a caveat is entered and the application is registered as a suit, one-half the scale of fee prescribed in serial No. 1 of Schedule I on the market value of the estate less the fee already paid on the application shall be levied.	
	(10) Application under section 12 or section 34 of the Arbitration and Conciliation Act, 1996, for a direction for filing an award or for an order for filing an agreement and application for enforcing foreign awards—	26 of 1996.
	(a) when presented to a Court of Civil Judge (Junior Division);	One hundred rupees.
	(b) when presented to the City Civil Court, Calcutta or a Court of the Civil Judge (Senior Division) or a District Court or the High Court—	
	(i) if the value of the subject-matter of the award does not exceed Rs. 10,000;	Five hundred rupees or one <i>per centum</i> of award, whichever is more.
	(ii) if such value exceeds Rs. 10,000 but does not exceed Rs. 50,000;	One thousand rupees or one and half <i>per centum</i> of award, whichever is more.
	(iii) if such value exceeds Rs. 50,000.	Five thousand rupees or one and half <i>per centum</i> of award, whichever is more.



*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)
	(11) Petition to the High Court for the admission of an Advocate or Attorney.	Two hundred and fifty rupees.
	(12) When presented to the High Court under section 115 of the Code of Civil Procedure, 1908, for revision of an order—	5 of 1908.
	(a) when the value of the suit to which the order relates does not exceed Rs. 50,000;	Fifty rupees.
	(b) when the value of the suit exceeds Rs. 50,000.	One hundred rupees.
	(13) When presented to the High Court—	
	(a) for directions, orders or writs, other than the writs in the nature of <i>habeas corpus</i> and the writs arising out of cases challenging any matter on taxation, under article 226 of the Constitution of India for any purpose other than enforcement of the fundamental rights conferred by Part III thereof;	Two hundred rupees.
	(b) for writs in the nature of <i>habeas corpus</i> ;	No fee.
	(c) for writs under article 226 of the Constitution of India in cases challenging any matter on taxation;	Five hundred rupees.
	(d) for directions, orders or writs under article 226 of the Constitution of India for the enforcement of any of the fundamental rights conferred by Part III thereof;	Two hundred rupees.
	(e) for the exercise of its jurisdiction under article 227 of the Constitution of India;	Two hundred rupees.
	(f) in any other case not provided for by this Act.	Two hundred rupees.
2. Original petition not otherwise provided for.	When filed in—	
	(a) a Court of Civil Judge (Junior Division),	Ten rupees.
	(b) the City Civil Court, Calcutta or a Court of Civil Judge (Senior Division) or a District Court,	Thirty rupees.
	(c) the High Court.	One hundred and twenty rupees.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)	
3.	Application to any Civil Court that records may be called for from another Court.	When the Court grants the application and is of opinion that the transmission of such records involves the use of the post.	Ten rupees.
4.	Application for leave to sue as a pauper.	..	Five rupees.
5.	Application for leave to appeal as a pauper.	When presented— (a) to a District Court; (b) to a Commissioner or the High Court.	Ten rupees. Twenty rupees.
6.	Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.	..	Ten rupees.
7.	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, 1973 or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act.	..	Ten rupees.
			2 of 1974. 5 of 1908.
8.	Undertaking under section 49 of the Indian Divorce Act, 1869.	..	Ten rupees.
			4 of 1869.
9.	<i>Mukhtarnama</i> , <i>Vakalatnama</i> or any paper signed by an advocate signifying or intimating that he is retained for a party.	When presented for the conduct of any one case— (a) to the High Court, (b) to any Civil or Criminal Court, (c) to any Revenue Court, (d) to any Collector or Magistrate or to any executive officer including any officer charged with the executive administration of a Division. (e) to any tribunal or quasi-judicial authority of a Corporation or a Municipality.	Twenty rupees. Ten rupees. Ten rupees. Ten rupees. Ten rupees.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)
10.	Adjournment application.	When filed in— (a) a Civil Court; Ten rupees. (b) a Criminal Court. Five rupees.
11.	Hazira in Civil Court.	Two rupees.
12.	Every copy of power-of-attorney when filed in any suit or proceeding.	Ten rupees.
13.	Memorandum of appeal from an order inclusive of an appealable order determining any question under section 47 or section 144 of the Code of Civil Procedure, 1908, and not otherwise provided for.	When presented— (a) to any Court other than the High Court or to any Executive Officer other than the Chief Executive Authority; Ten rupees. (b) to the Chief Executive Authority; Fifteen rupees. (c) to the High Court— (i) where the order was passed by a Civil Judge (Senior Division) or other authority— (A) if the order relates to a suit or proceeding, the value of which exceeds one thousand rupees, Fifty rupees. (B) in any other case, Thirty rupees. (ii) where the appeal is under clause 15 of the Letters Patent— (A) from an order passed in exercise of original jurisdiction, which would be appealable under the Code of Civil Procedure, 1908 had it been passed by Court of the Civil Judge (Senior Division), Fifty rupees. (B) from an order on a writ petition under article 226 of the Constitution of India, Four hundred rupees. (C) from an order on a writ petition or application arising out of any case challenging any matter on taxation, One thousand rupees.

5 of 1908.

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

(Section 3.)

(1)	(2)	(3)
	(D) in any other case,	Five hundred rupees.
	(iii) where the appeal is under section 45B of the Banking Regulation Act, 1949,	Five hundred rupees. 10 of 1949.
	(iv) where the appeal is under section 374 of the Code of Criminal Procedure, 1973;	Thirty rupees. 2 of 1974.
	(d) to the Government in pursuance of a statutory right to appeal for which no court fee is leviable under any other enactment.	Thirty rupees.
14.	Memorandum of appeal under sections 37 and 50 of the Arbitration and Conciliation Act, 1996.	(1) where the appeal is from an order of a Court of the Civil Judge (Junior Division), Eighty rupees. 26 of 1996. (2) in any other case. Five hundred rupees.
15.	Caveat	Fifty rupees.
16.	Application under section 9 of Ben. Act No. VI of 1862.	Thirty rupees.
17.	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,	Eighty rupees.
	(ii) to alter or cancel any entry in a register of the names of proprietors of revenue paying estates,	Eighty rupees.

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(1)	(2)	(3)
	..	One hundred rupees.
(iii) to obtain a declaratory decree where no consequential relief is prayed,	..	Eighty rupees.
(iv) to set aside an award,	..	One hundred rupees.
(v) to set aside an adoption,	..	Eighty 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 for by this Act.	..	
18. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	When presented— (a) to any court subordinate to the High Court, (b) to the High Court.	Fifty rupees. Five hundred rupees.
		5 of 1908.
19. Petition in a suit under the Converts' Marriage Dissolution Act, 1866.	..	Thirty rupees.
		21 of 1866.
20. Every petition under the Indian Divorce Act, 1869, except petitions under section 44 of the same Act, and every memorandum of appeal under section 55 of the same Act.	..	One hundred rupees.
		4 of 1869.
21. Every petition for restitution of conjugal rights, judicial separation, divorce or divorce by mutual consent under the Special Marriage Act, 1954, and every memorandum of appeal under section 39 of the said Act.	..	One hundred rupees.
		43 of 1954.

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Act, 2002.*

(Section 3.)

(1)	(2)	(3)
22.	Every petition for restitution of conjugal rights, judicial separation or divorce under the Hindu Marriage Act, 1955, and every memorandum of appeal under section 28 of the same Act.	One hundred rupees.  25 of 1955.
23.	Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936.	One hundred rupees.  3 of 1936.
24.	Petitions under the Indian Christian Marriage Act, 1872.	One hundred rupees.  15 of 1872.
25.	Plaint or memorandum of appeal when presented to a Court under the Dissolution of Muslim Marriages Act, 1939.	One hundred rupees.  8 of 1939.
26.	Petition—	
	(a) questioning the validity of an election under the West Bengal Municipal Elections Act, 1994, when presented to a District Judge under section 75 of the said Act to decide dispute relating to such elections;	Eighty rupees.  West Ben. Act XXXIV of 1994.
	(b) questioning the validity of an election under the West Bengal Zilla Parishad Act, 1963, when presented to a District Judge under section 102 of the said Act to decide dispute relating to such elections.	Eighty rupees.  West Ben. Act XXXV of 1963.

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(Section 3.)

(1)	(2)	(3)
27. (1) Application or petition to the Court under sections 391, 439 or 522 of the Companies Act, 1956.	..	Two hundred and fifty rupees.  1 of 1956.
(2) Any other application or petition to the Court for judicial action or relief under the said Act, not otherwise provided for under this Act.	..	Fifty rupees.
28. (1) Application under section 8 of the West Bengal Taxation Tribunal Act, 1987.	..	Five hundred rupees.  West Ben. Act VIII of 1987.
(2) Any other application or petition to the Tribunal for judicial action or relief under the said Act, not otherwise provided for under this Act.	..	Ten rupees.
29. (1) Application under section 10 of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997.	..	Fifty rupees.  West Ben. Act XXV of 1997.
(2) Any other application or petition to the Tribunal for judicial action or relief under this Act.	..	Ten rupees."

*The West Bengal Court-fees (Amendment)  
Act, 2002.*

*(Section 4.)*

Repeal and saving.

4. (1) The West Bengal Court-fees (Amendment) Ordinance, 2002, is hereby repealed.

West Ben. Ord. III  
of 2002.

(2) Notwithstanding such repeal,—

- (a) anything done or any action taken under the said Ordinance shall be deemed to have been validly done or taken under the corresponding provisions of this Act;
- (b) any amount of court-fees paid under the said Ordinance in excess of the amount which is legally chargeable under Schedule I and Schedule II of this Act, shall be refunded to the applicant or appellant, as the case may be, and the Court shall, on an application made to it by the applicant or appellant, as the case may be, within six months from the date of coming into force of this Act, grant to such applicant or appellant a certificate authorizing him to receive back such excess amount of court-fees from the Collector.

By order of the Governor,

A. K. BHATTACHARYA,  
*Principal Secy. to the Govt. of West Bengal  
& Secy., Law Department.*