

Receipt No. S 319

HIGH COURT OF PUNJAB AND HARYANA ~~At~~ CHANDIGARH 10/12/12

CORRECTION SLIP

O/o District & Sessions Judge, Muzaffargarh

No. 157 Rules/II.D4 Dated 30/11/12

- I. Rule 1 and Rule 19 of Chapter 6 Part I of Rules and Orders of Punjab and Haryana High Court, Volume-5 are amended as under:-

Rule 1

"1. Suits for debt, damages and recovery of specific property-- In suit for the recovery of specific property, or a share of specific property, whether movable or immovable, or for the breach of any contract or for damages :-

If the amount of value of the property, debt, damages or decrees does not exceed ₹1,00,000 (Rupees one lac) according to the valuation for the purpose of appeal to the court, the fee shall be ₹ 4,000 (Rupees four thousand). However, if the value exceeds ₹ 1,00,000 (Rupees one lac) but does not exceed ₹ 5,00,000 (Rupees five lacs), the fee shall be calculated at 4 per cent of the value. If the amount of value exceeds ₹ 5,00,000 (Rupees five lacs), the fee shall be calculated at ₹ 20,000 (Rupees twenty thousand) plus 1 per cent of the amount in excess of ₹ 5,00,000/- (Rupees five lacs), however, that in no case the amount of fee shall exceed ₹ 50,000 (Rupees fifty thousand)."

Rule 19

"19. Matrimonial cases- Counsel engaged in matrimonial cases in the High Court, should when filing a certificate required by rule 16, submit a detail of the work done or to be done by them for which they have charged their clients. Only those charges which are necessary to enable the parties to conduct the litigation will be allowed by the Taxing Officer who will bear in mind that the object in giving costs is to indemnify the successful party against the expenses to which he has been put by the unsuccessful party. The maximum fee in a defended matrimonial cause shall be ₹ 25,000 and half that amount in undefended causes, provided that the Judge, who tries the case may allow the full fee in a undefended cause, should the nature of the work done by counsel warrant it."

- II. Proviso to Rule 1-A, Rule 2 and Rule 2a of Chapter 16 Part B of Rules and Orders of Punjab and Haryana High Court, Volume-1 are amended as under:-

Proviso to Rule 1A

" Provided that in no case falling under this sub-rule the Advocate's fees shall be less than ₹ 1500/-."

Rule 2

"2. In suits for injuries to the person or character of the plaintiff, such as for assault or defamation or for injuries to the property, or to enforce rights where the pecuniary value of such injury or right cannot be exactly defined, as in suits for interference with a right or light or water or to enforce a right of pre-emption, or suits for the partition of joint property where partition is improperly resisted or any other suit of the kinds specified in the rules made by the High Court under Section 9 of the Suits Valuation Act, 1887 for the valuation of suits which do

not admit of being satisfactorily valued. If the plaintiff succeeds, the court may order the fee allowed to the plaintiff to be recalculated with reference either to the amount decreed or according to the valuation of the suit according to such a sum as the Court shall fix with reference to the importance of subject of dispute but the same shall not be less than ₹ 1500/- and shall not exceed ₹ 15,000/-.

Rule 2a

"2a. In any miscellaneous proceedings including arbitration proceedings, probate cases or cases under other statutory provisions or for any matter other than that of appearing acting or pleading in a suit prior to decree, the fees shall not exceed:-

- (i) ₹ 20,000/- in the court of a District Judge or of an Officer exercising the powers of a Subordinate Judge of the 1st, 2nd, 3rd and 4th class or in a court of small causes.
- (ii) ₹ 1000/- in the court of an officer exercising the powers of a Subordinate Judge in respect of cases of the value or which is below ₹ 10,000/-.

BY ORDER OF HON'BLE THE CHIEF JUSTICE AND JUDGES

Karunesh
REGISTRAR RULES

Endst.No. 41647 Rules/II.D4 dated 1.12.12

Copy (with two spare copies of the correction slip) is forwarded to the Legal Remembrancer and Secretary to Government of Punjab, Department of Legal and Legislative Affairs, Chandigarh, with the request that the correction slip be got published in the Punjab Government Gazette (Extra Ordinary). Twenty spare copies of the printed correction slip be sent for the use of this Court.

Karunesh
REGISTRAR RULES

Endst.No. 41648 Rules/II.D4 dated 1.12.12

Copy (with two spare copies of the correction slip) is forwarded to the Legal Remembrancer and Secretary to Government of Haryana, Department of Legal and Legislative Affairs, Chandigarh, with the request that the correction slip be got published in the Haryana Government Gazette (Extra Ordinary). Twenty spare copies of the printed correction slip be sent for the use of this Court.

Karunesh
REGISTRAR RULES

Endst.No. 41649 Rules/II.D4 dated 1.12.12

Copy (with two spare copies of the correction slip) is forwarded to the Legal Remembrancer-cum-Director of Prosecution, Union Territory, Chandigarh, with the request that the correction slip be got published in the Chandigarh Administration Gazette (Extra Ordinary). Twenty spare copies of the printed correction slip be sent for the use of this Court.

Karunesh
REGISTRAR RULES

Endst.No. 41650 Rules/II.D4 dated 1.12.12

Copy of the correction slip is forwarded to the following for information :-

1. The Secretary to Government of Punjab, Department of Home Affairs and

When the amount or Value of the Subject matters is upto	Proper Fees
1 to 10000	250
11000	285
12000	320
13000	355
14000	390
15000	425
16000	460
17000	495
18000	530
19000	565
20000	600
21000	645
22000	690
23000	735
24000	780
25000	825
26000	870
27000	915
28000	960
29000	1005
30000	1050
31000	1105
32000	1160
33000	1215
34000	1270
35000	1325
36000	1380
37000	1435
38000	1440
39000	1545
40000	1600
41000	1665
42000	1730
43000	1795
44000	1860
45000	192
46000	1980

47000	2055
48000	2120
49000	2185
50000	2250
51000	2325
52000	2400
53000	2475
54000	2550
55000	2625
56000	2700
57000	2775
58000	2850
59000	2925
60000	3000
61000	3065
62000	3130
63000	3195
64000	3260
65000	3325
66000	3390
67000	3455
68000	3520
69000	3585
70000	3650
71000	3715
72000	3780
73000	3845
74000	3910
75000	3975
76000	4030
77000	4085
78000	4140
79000	4195
80000	4250
81000	4305
82000	4360
83000	4415
84000	4470
85000	4525

86000	4580
87000	4635
88000	4690
89000	4745
90000	4800
91000	4855
92000	4910
93000	4965
94000	5020
95000	5075
96000	5130
97000	5185
98000	5240
99000	5295
100000	5350
110000	5700
120000	6050
130000	6400
140000	6750
150000	7100
160000	7450
170000	7800
180000	8150
190000	8500
200000	8850
210000	9075
220000	9300
230000	9525
240000	9750
250000	9975
260000	10200
270000	10425
280000	10650
290000	10875
300000	11100
310000	11325
320000	11550
330000	11775
340000	12000

350000	12225
360000	12450
370000	12675
380000	12980
390000	13125
400000	13350
410000	13575
420000	13800
430000	14025
440000	14250
450000	14475
460000	14700
470000	14925
480000	15150
490000	15375
500000	15600
510000	15825
520000	16050
530000	16275
540000	16500
550000	16725
560000	16950
570000	17175
580000	17400
590000	17625
600000	17850
610000	18075
620000	18300
630000	18525
640000	18750
650000	18975
660000	19200
670000	19425
680000	19650
690000	19875
700000	20100
710000	20325
720000	20550
730000	20775

740000	21000
750000	21225
760000	21450
770000	21675
780000	21900
790000	22125
800000	22350
810000	22575
820000	22800
830000	23025
840000	23250
850000	23475
860000	23700
870000	23925
880000	24150
890000	24375
900000	24600
910000	24825
920000	25050
930000	25275
940000	25500
950000	25725
960000	25950
970000	26175
980000	26400
990000	26625
1000000	26850

740000	21000
750000	21225
760000	21450
770000	21675
780000	21900
790000	22125
800000	22350
810000	22575
820000	22800
830000	23025
840000	23250
850000	23475
860000	23700
870000	23925
880000	24150
890000	24375
900000	24600
910000	24825
920000	25050
930000	25275
940000	25500
950000	25725
960000	25950
970000	26175
980000	26400
990000	26625
1000000	26850

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Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, THURSDAY, JANUARY 7, 2010
(PAUSA 17, 1931 SAKA)

LEGISLATIVE SUPPLEMENT

	Contents	Pages
Part I	Acts	
	The Court Fees (Punjab Second Amendment) Act, 2009 (Punjab Act No. 1 of 2010)	.. 1—16
Part II	Ordinances	
	<i>Nil</i>	
Part III	Delegated Legislations	
	Notification No. S.O.2/P.A.8/2005/S.92/ 2009, dated the 6th January, 2010, containing amendment in the Government of Punjab, Department of Excise and Taxation, Notification No. S.O.21/P.O.5/2005/S.92/ 2005, dated the 6th April, 2005	.. 3-4
Part IV	Correction Slips, Republications and Replacements	
	<i>Nil</i>	
	(ii)	

PART-I
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB

Notification

The 7th January, 2010

No. 01-Leg./2010.—The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 24th December, 2009, and is hereby published for general information :—

THE COURT FEES (PUNJAB SECOND AMENDMENT) ACT, 2009
(Punjab Act No. 1 of 2010)

AN

ACT

further to amend the Court Fees Act, 1870, in its application to the State of Punjab.

BE it enacted by the Legislature of the State of Punjab in the Sixtieth Year of the Republic of India as follows :—

1. (1) This Act may be called the Court Fees (Punjab Second Amendment) Act, 2009. Short title and commencement.

(2) It shall come into force at once.

2. In the Court Fees Act, 1870, in its application to the State of Punjab, for Schedule-I (alongwith the Table of Rates of *ad valorem* fees leviable on the Institution of Suits) and Schedule-II, the following Schedules shall be substituted, namely :— Substitution of Schedules I and II of Central Act VII of 1870.

“SCHEDULE-I

PART ‘A’

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

The amount or value of the subject matter	Proper fee	Maximum leviable fee
When the amount or value,—		
(a) exceeds one rupee, but does not exceed ten thousand rupees;	Two and one-half per centum of the amount exceeding one rupee.	Two hundred and fifty rupees.
(b) exceeds ten thousand rupees, but does not exceed twenty thousand rupees ;	Two hundred and fifty rupees plus three and one-half per centum of the amount exceeding ten thousand rupees.	Six hundred rupees.

The amount or value of the subject matter	Proper fee	Maximum leviabale fee
(c) exceeds twenty thousand rupees, but does not exceed thirty thousand rupees ;	Six hundred rupees <i>plus</i> four and one-half per centum of the amount exceeding twenty thousand rupees.	One thousand and fifty rupees.
(d) exceeds thirty thousand rupees, but does not exceed forty thousand rupees ;	One thousand and fifty rupees <i>plus</i> five and one-half per centum of the amount exceeding thirty thousand rupees.	One thousand and six hundred rupees.
(e) exceeds forty thousand rupees, but does not exceed fifty thousand rupees ;	One thousand and six hundred rupees <i>plus</i> six and one-half per centum of the amount exceeding forty thousand rupees.	Two thousand, two hundred and fifty rupees.
(f) exceeds fifty thousand rupees, but does not exceed sixty thousand rupees ;	Two thousand, two hundred and fifty rupees <i>plus</i> seven and one-half per centum of the amount exceeding fifty thousand rupees.	Three thousand, rupees.
(g) exceeds sixty thousand rupees, but does not exceed seventy five thousand rupees ;	Three thousand rupees <i>plus</i> six and one-half per centum of the amount exceeding six thousand rupees.	Three thousand, nine hundred and seventy five rupees.
(h) exceeds seventy five thousand rupees, but does not exceed one lac rupees;	Three thousand, nine hundred and seventy five rupees <i>plus</i> five and one-half per centum of the amount exceeding seventy five thousand rupees.	Five thousand, three hundred and fifty rupees.
(i) exceeds one lac rupees, but does not exceed two lac rupees;	Five thousand, three hundred and fifty rupees <i>plus</i> three and one-half per centum of the amount exceeding one lac rupees.	Eight thousand, eight hundred and fifty rupees.

The amount or value of the subject matter	Proper fee	Maximum leviable fee
(j) exceeds two lac rupees, but does not exceed three lac rupees;	Eight thousand, eight hundred and fifty rupees <i>plus</i> two and a quarter per centum of the amount exceeding two lac rupees.	Eleven thousand and one hundred rupees.
(k) exceeds three lac rupees, but does not exceed four lac rupees ; and	Eleven thousand and one hundred rupees <i>plus</i> two and a quarter per centum of the amount exceeding three lac rupees.	Thirteen thousand, three hundred and fifty rupees.
(l) exceeds four lac rupees, proper fee leviable shall be thirteen thousand, three hundred and fifty rupees <i>plus</i> two rupees and twenty five naya paise for each one hundred rupees or part thereof, exceeding four lac.		

PART 'B'

Serial No.	Purpose for which fee is to be levied	Proper fee
1	Plaint in a suit for possession under the Specific Relief Act, 1963, section 6.	Half of the fee, as specified in Part 'A' of this Schedule.
2	Application for review of judgment, if presented before the ninetieth day from the date of decree.	Half of the fee as specified in Part 'A' of this Schedule.
3	Application for review of judgment, if presented on or after the ninetieth day from the date of decree.	Equal to the fee as specified in Part 'A' of this Schedule.

Serial No.	Purpose for which fee is to be levied		Proper fee
4	Copy of judgment or order not being, or having the force of a decree.	<p>(a) When the judgment 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; and</p> <p>(b) When such judgment or order is passed by the High Court.</p>	Ten rupees.
5	Copy of a decree or order having the force of a decree passed by any Civil Court or High Court or by any Revenue Court.		Twenty rupees.
6	Copy of the order of the Rent Controller.		Twenty rupees.
7	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; provided such copy is not subject to any duty under the Indian Stamp Act, 1899.	<p>(a) When the stamp duty chargeable on the original, does not exceed seventy five paise; and</p> <p>(b) In any other case.</p>	The duty, chargeable on the original document.
			Twenty rupees.

Serial No.	Purpose for which fee is to be levied		Proper fee
8	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 from 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.	(a) for orders upto three years' old; and (b) for orders beyond three years' old	Thirty rupees. One hundred and fifty rupees.
9	Probate of a will or letters of administration with or without will annexed	(a) When the amount or value of the property in respect of which, the grant of probate or letters is made, exceeds one thousand rupees, but does not exceed ten thousand rupees; (b) When such amount or value exceeds ten thousand rupees, but does not exceed fifty thousand rupees; and	Two and one-half per centum on such amount or value. Three and one quarter per centum on such amount or value.

Serial No.	Purpose for which fee is to be levied	Proper fee
(c)	When such amount or value exceeds fifty thousand rupees :	Four per centum on such amount or value.
	<p>Provided that when after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under the Bombay Regulation No. VIII of 1827 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</p>	
10	Certificate under Part X of the Indian Succession Act, 1925 (39 of 1925)	<p>In any case</p> <p>Two and one-half per centum on the amount or value of any debt or security, specified in the certificate under section 374 of the Act and four per centum on</p>

Serial Purpose for which fee
No. is to be levied

Proper fee

the amount or value of any debt or security to which the certificate is extended under section 376 of the Act.

Note :

- (i) 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.
 - (ii) 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
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Serial No.	Purpose for which fee is to be levied		Proper fee
11	Application to the High Court for the exercise of its jurisdiction under section 44 of the Punjab Courts Act, 1918 (Punjab Act 6 of 1918) or to the Court of the Financial Commissioner for the exercise of its revisional jurisdiction under section 84 of the Punjab Tenancy Act, 1887 (Act 16 of 1887).	When the amount exceeds one thousand rupees.	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. Ten rupees.

SCHEDULE-II

Fixed fees

Sr. No.	Purpose for which fee is to be levied	Proper fee
1	Application or petition	
	(a) (i) When presented to any officer of the Customs Department or Excise Department or to any Magistrate by any person having dealings with the Government, wherein the subject matter of such application or petition relates exclusively to those dealings ;	Ten rupees.
	(ii) When presented to any Revenue Officer by any person holding temporarily settled land under direct engagement with Government, wherein the subject matter of such application or petition relates exclusively to such engagement ;	Ten rupees.
	(iii) When presented to Municipal Commissioner under the relevant Act for the time being in force for the conservancy or improvement of	Ten rupees.

Sr. No.	Purpose for which fee is to be levied	Proper fee
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any place, wherein the subject matter of such application or petition relates to such conservancy or improvement; and

(iv)	When presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy of any judgment, decree or order passed by such Court, Board or Officer, as the case may be, or of any other document or record in such Court, Board or Office.	Ten rupees.
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(b) (i)	When containing a complaint or charge of any offence other than an offence for which police officer may, under the Criminal Procedure Code, 1973, arrest without warrant and presented to any criminal court;	Ten rupees.
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(ii)	When presented to a Civil, Criminal or Revenue Court, or any revenue officer or to any Magistrate in his executive	Ten rupees.
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Sr. No.	Purpose for which fee is to be levied	Proper fee
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capacity, and not otherwise provided for by this Act ; or to deposit in court, revenue or rent ; or for determination by a Court of the amount of compensation, to be paid by a landlord to his tenant ; and

(iii)	When presented to a Commissioner or Chief Controlling Revenue Authority or Executive Authority or to a Commissioner of Revenue and not otherwise provided for by this Act ; and	Ten rupees.
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(c) When presented to the High Court,—

(i)	Under the Companies Act, 1956 for winding up a company ;	One thousand rupees.
(ii)	Under the said Act for taking some other judicial action ;	Two hundred rupees.
(iii)	Under article 226 of the Constitution of India other than the petition for habeas corpus and petition arising out of criminal proceedings ; and	One hundred rupees.
(iv)	in all other cases.	Twenty five rupees.

Sr. No.	Purpose for which fee is to be levied		Proper fee
2	Application to any Civil Court for calling records from another Court.	When the court grants the application and is of the opinion that the transmission of such records involves the use of the post.	Ten rupees.
3	Application for leave to sue as a pauper.		Ten rupees.
4	Application for leave to appeal as a pauper.	(a) When presented to a District Court ; and (b) When presented to a Commissioner or the High Court.	Ten rupees. Fifty rupees.
5	Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.		Fifty rupees.
6	Undertaking under section 49 of the Divorce Act, 1869.		Fifty rupees.
7	Mukhtarnama or Wakalatnama :—	When presented for the conduct of any one case—	Ten rupees.
		(a) to any Civil or Criminal Court or to any Revenue Court, or to any Collector or Magistrate, or other executive officer, or to a Commissioner of Revenue, or Customs, or to any officer, not being the Chief Revenue or Executive Authority, except such, as are mentioned in clause (b); and	

Sr. No.	Purpose for which fee is to be levied	Proper fee
	<i>(b)</i> to a High Court, Commissioner, Board of Revenue, or other Chief Controlling Revenue or Executive Authority.	Twenty rupees.
8	Memorandum of appeal when the appeal is not from a decree or an order having the force of a decree, and is presented—	
	<i>(a)</i> 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; and	Ten rupees.
	<i>(b)</i> to the High Court or Commissioner or other Chief Controlling Executive or Revenue Authority.	Twenty rupees.
9	Caveat.	Twenty five rupees.
10	Petition in a suit under the Converts Marriage Dissolution Act, 1866.	Twenty five rupees.
11	Every petition or application or memorandum of appeal under the Special Marriage Act, 1954 (43 of 1954) or the Hindu Marriage Act, 1955 (25 of 1955).	Fifty rupees.

Sr. No.	Purpose for which fee is to be levied	Proper fee
12	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;	Ten rupees.
	(ii) to alter or cancel any entry in a register of the names of the proprietors of revenue paying estates ;	Fifty rupees.
	(iii) to obtain a declaratory decree when no consequential relief is prayed ;	Fifty rupees.
	(iv) to set aside an award ;	Fifty rupees.
	(v) to set aside an adoption deed ; and	Fifty rupees.
	(vi) every other suit where it is not possible to estimate the money-value, the subject matter in dispute, and which is not otherwise provided for by this Act.	Fifty rupees.
13	Application under the Arbitration and Conciliation Act, 1996 (26 of 1996).	Fifty rupees.

Sr. No.	Purpose for which fee is to be levied	Proper fee
14	Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	Fifty rupees.
15	Every petition under the Divorce Act, 1869, except petition under section 44 of the aforesaid Act, and every memorandum of appeal under section 55 of the same Act.	One hundred rupees.
16	Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936 (III of 1936).	Five hundred rupees.
17	Plaint or memorandum of appeal in a suit by a reversioner under the Punjab Customary Law for declaration in respect of an alienation of ancestral land.	Five hundred rupees.
18	Application or memorandum of appeal for relief under the East Punjab Urban Rent Restriction Act, 1949.	Fifty rupees.
19	Claim for money (whether secured or unsecured) or counter claims under the Banking Regulation Act, 1949 (Act X of 1949).	Fifty rupees.
	(d) where the amount exceeds five hundred rupees, but does not exceed two thousand and five hundred rupees ;	

PUNJAB GOVT GAZ. (EXTRA.), JANUARY 7, 2010 16
(PAUSA 17, 1931 SAKA)

Sr. No.	Purpose for which fee is to be levied	Proper fee
	(b) where the amount exceeds two thousand and five hundred rupees, but does not exceed ten thousand rupees ; and	One hundred rupees.
	(c) where the amount exceeds ten thousand rupees	Two hundred rupees.
20	Memorandum of Appeal from an order or decision passed under the provisions of section 45-B of the Banking Regulation Act, 1949 (Act X of 1949)	(a) where the amount exceeds five thousand rupees, but does not exceed ten thousand rupees ; and (b) where the amount exceeds ten thousand rupees
21	Application, petition, appeal and revision before any court, public officer or authority or body, appointed under any Central or State Act for the time being in force	(a) for application or petition ; and (b) for appeal or revision
22	Complaint under section 138 of the Negotiable Instruments Act, 1881	Ten hundred rupees. Ten rupees. Fifty rupees."

3. The Court Fees (Punjab Amendment) Act, 2009 (Punjab Act No. 13 of 2009), is hereby repealed.

Repeal of Punjab Act 13 of 2009.

REKHA MITTAL,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.