

THE ODISHA COURT FEES (SURCHARGE AMENDMENT) ACT, 1945

(7th September 1945)

AN ACT TO AMEND THE COURT FEES ACT, 1870,
IN ITS APPLICATION TO ODISHA.

WHEREAS it is expedient to enhance the fees payable under the Court Fees Act, 1870, in its application to Orissa VII of 1870 in the manner hereinafter appearing;

AND WHEREAS the Governor of Orissa has, by a Proclamation under section 93 of the Government of India Act, 1935, assumed to himself all powers vested by or under the said Act in the Provincial Legislature;

NOW, THEREFORE, the Governor of Orissa, in exercise of the powers so assumed to himself by the Proclamation aforesaid, hereby enacts as follows:—

Short title,
extent, com-
mencement
and duration

1. (1) This Act may be called the Orissa Court Fees (Surcharge Amendment) Act, 1945.

(2) It extends to the whole of the Province of Orissa.

(3) It shall come into force and shall cease to have effect on such dates as the Provincial Government may, by notification in the official Gazette, appoint in this behalf.

Enhance-
ment of
court-fees

2. Notwithstanding anything contained in the Court Fees Act, 1870 (hereinafter called the principal Act), in its application to Orissa, all fees leviable under the principal Act shall be increased by a surcharge at the rates specified in the Schedule annexed hereto.

Application
of the
principal
Act

3. The provisions of the principal Act, save in so far as they are inconsistent with anything herein contained, shall apply to this Act.

THE SCHEDULE

(See section 2)

*Rates of surcharge on fees leviable under the Court Fees Act, 1870,
in its application to Orissa*

	Rates of surcharge
1. On every whole rupee ..	Four annas per rupee
2. (a) On a fraction of a rupee up to and including 4 annas.	One anna
(b) On a fraction exceeding 4 annas, but not exceeding 8 annas.	Two annas
(c) On a fraction exceeding 8 annas, but not exceeding 12 annas.	Three annas
(d) On a fraction exceeding 12 annas, but less than 16 annas.	Four annas

Illustration—On a court-fee of Rs. 20-6-0 the surcharge will be $(20 \times 4) + 2$ annas, i.e., Rs. 5-2-0 and the total court-fee chargeable will be Rs. 25-8-0.