THE TELANGANA COURT-FEES AND SUITS VALUATION ACT, 1956.

(ACT NO. VII OF 1956.)

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THE TELANGANA COURT-FEES AND SUITS VALUATION ACT, 1956.[1]

ACT No. VII OF 1956.

CHAPTER I
PRELIMINARY.

Short title, extent and commencement.

1. (1) This Act may be called [2]the Telangana Court-fees and Suits Valuation Act, 1956.

(2) It extends to the whole of the State of [2]Telangana.

(3) It shall come into force on such date as the State Government may, by notification in the [2]Telangana Gazette appoint.

Application of Act.

2. (1) The provisions of this Act shall not apply to documents presented or to be presented before an officer serving under the Central Government.

(2) The provisions of this Act relating to the levy of fee shall be subject to the provisions of any other law relating to the levy of fee in respect of proceedings under such law.

1. This Act was extended to the territories specified in sub-section (1) of section 3 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) by section 2 of the Andhra Pradesh Court-fees and Suits Valuation (Amendment) Act, 1958 (Andhra Pradesh Act IV of 1958), repealing the corresponding law in force in those territories. The Andhra Pradesh Court-fees and Suits Valuation Act, 1956, in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

2. Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

Definitions.

3. In this Act, unless the context otherwise requires,-

(i) "appeal" includes a cross-objection;

(ii) "Court" means any Civil, Revenue or Criminal Court and includes a Tribunal or other authority having jurisdiction under any special or local law to decide questions affecting the rights of parties;

(iii) "prescribed" means prescribed by rules made under this Act; and

(iv) expressions used and not defined in this Act or in [3][the Telangana General Clauses Act, 1891 (Act I of 1891)], but defined in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), shall have the meanings respectively assigned to them in the said Code.

CHAPTER II
LIABILITY TO PAY FEE.

Levy of fee in Courts and public offices.

4. No document which is chargeable with fee under this Act shall-

(i) be filed, exhibited or recorded in, or be acted on or furnished by, any Court including the High Court, or

(ii) be filed, exhibited or recorded in, any public office, or be acted on or furnished by any public officer, except on payment of the fee chargeable in respect of such document under this Act:

Provided that a document in respect of which the proper fee has not been paid may be filed or exhibited in a Criminal

3. Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

Court if the Court deems it necessary in the interests of justice to do so.

Collection of proper fee on documents.

5. When a document on which the whole or any part of the fee payable under this Act has not been paid is produced or received in any Court or public office, the Court or the head of the office may, at any time, direct the person by whom such fee is payable to pay the fee or part thereof, as the case may be, within such time as may be fixed; and upon such payment, the document shall be dealt with as if the full fee had been paid in the first instance.

Multifarious suits.

6. (1) In any suit in which separate and distinct reliefs based on the same cause of action are sought, the plaint shall be chargeable with a fee on the aggregate value of the reliefs:

Provided that if a relief sought is only ancillary to the main relief, the plaint shall be chargeable only on the value of the main relief.

(2) Where more reliefs than one based on the same cause of action are sought in the alternative in any suit, the plaint shall be chargeable with the highest of the fees leviable on the reliefs.

(3)(a) Where a suit is based on two or more distinct and different causes of action and separate reliefs are sought in respect thereof, either alternatively or cumulatively, the plaint shall be chargeable with the aggregate amount of the fees that would be chargeable on the plaints under this Act if separate suits were instituted in respect of the several causes of action:

Provided that, where the causes of action in respect of reliefs claimed alternatively against the same person arise

out of the same transaction, the plaint shall be chargeable only with the highest of the fees chargeable on them.

(b) Nothing in this sub-section shall be deemed to affect any power conferred upon a Court by rule 6 of Order II in the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(4) The provisions of this section shall apply mutatis-mutandis to memoranda of appeals, applications, petitions and written statements.

Explanation.- For the purpose of this section, a suit for possession of immovable property and for mesne profits therefrom shall be deemed to be based on the same cause of action.

Determination of market value.

7. Save as otherwise provided, where the fee payable under this Act depends on the market value of any property, such value shall be determined as on the date of presentation of the plaint.

Set-off or counter-claim.

8. A written statement pleading a set-off or counter-claim shall be chargeable with fee in the same manner as a plaint.

Documents falling under two or more descriptions.

9. A document falling within two or more descriptions in this Act shall, where the fees chargeable thereunder are different, be chargeable only with the highest of such fees:

Provided that, where one of such descriptions is special and another general, the fee chargeable shall be the fee appropriate to the special description.

CHAPTER III
DETERMINATION OF FEE.

Statement of particulars of subject-matter of suit and plaintiff's the valuation thereof.

10. In every suit in which the fee payable under this Act on the plaint depends on the market value of the subject-matter of the suit, the plaintiff shall file with the plaint, a statement in prescribed form, of particulars of the subject-matter of the suit and his valuation thereof unless such particulars and the valuation are contained in the plaint.

Decision as to proper fee.

11. (1)(a) In every suit the Court shall, before ordering the plaint to be registered, decide on the allegations contained in the plaint and on the materials furnished by the plaintiff the proper fee payable thereon.

(b) The decision of the Court under clause (a) regarding the proper fee payable shall be subject to review from time to time as occasion requires.

(2) Any defendant may plead that the subject-matter of the suit has not been properly valued or that the fee paid is not sufficient. All questions arising on such pleas shall be heard and decided before the hearing of the suit as contemplated by Order XVIII in the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908). If the Court decides that the subject-matter of the suit is not properly valued or that the fee paid is not sufficient, the Court shall fix a date before which the subject-matter of the suit shall be valued in accordance with the Court's decision and the deficit fee shall be paid. If within the time allowed, the subject-matter of the suit is not valued in accordance with the Court's decision or if the deficit fee is not paid, the plaint shall be rejected and the Court shall pass such order as it deems just regarding costs of the suit.

(3)(a) A Court of Appeal, in which an appeal is filed, may, either of its own motion or on the application of any

party, consider the correctness of any order passed by the lower Court regarding the fee payable on the plaint or written statement or in any other proceeding in the lower Court and determine the proper fee payable thereon.

Explanation.—The power exercisable by a Court of appeal under this clause shall be exercisable even if the appeal relates only to a part of the subject-matter of the suit.

(b) If the Court of Appeal decides that the fee paid in the lower Court is not sufficient, the Court shall require the party liable to pay the deficit fee within such time as may be fixed by it.

(c) If the deficit fee is not paid within the time fixed and the default is in respect of a relief which has been dismissed by the lower Court and which

the appellant seeks in appeal, the appeal shall be dismissed, but if the default is in respect of a relief which has been decreed by the lower Court, the deficit fee shall be recoverable as if it were an arrear of land revenue.

(d) If the fee paid in the lower Court is in excess of the proper fee, the Court shall direct the refund of the excess to the party who is entitled to it.

(4) Any question relating to the value for the purpose of determining the jurisdiction of Courts shall be heard and decided before the hearing of the suit as contemplated by Order XVIII in the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

Relinquishment of portion of claim.

12. A plaintiff who has been required to pay additional fee may relinquish a part of his claim and appIy to have the plaint so amended that the fee paid is sufficient for the claim made in the plaint as amended. The Court may allow such application on such terms as it considers just, the Court may

permit the plaintiff at any later stage of the suit to add to claim the part so relinquished on payment of the additional fee.

Fee payable on written statements.

13. Where fee is payable under this Act on a written statement filed by a defendant, the provisions of section 11 shall apply to the determination and levy of the fee payable on such written statement, the defendant concerned being regarded for the said purpose as the plaintiff and the plaintiff or the co-defendant or the third party against whom the claim is made being regarded as the defendant.

Fee payable on appeals, etc.

14. The provisions of sections 10 to 12 relating to the determination and levy of fee on plaints in suits shall apply mutatis-mutandis to the determination and levy of fee in respect of a memorandum of appeal, cross-objection or other proceeding in second appeal or in an appeal under the Letters Patent.

Fee payable on petitions, applications, etc.

15. The provisions of sections 10 to 12 shall apply to the determinations and levy of fee in respect of petitions, applications and other proceedings in Courts in the same way as they apply to the determination and levy of fee on plaints in suits.

Court-fee Examiners.

16. (1) The High Court may depute officers to be designated Court-fee Examiners to inspect the records of Subordinate Courts with a view to examine the correctness of the valuation of subject-matter and sufficiency of fee in respect of proceedings in such Courts, and orders, if any passed by the Courts in relation thereto.

(2) Questions relating to valuation of subject-matter and sufficiency of fee in respect of proceedings in a Court raised in reports submitted by such Court-fee Examiners shall be heard and decided by such Courts.

Inquiry and commission.

17. For the purpose of deciding whether the subject-matter of a suit or other proceeding has heen properly valued or whether the fee paid is sufficient, the Court may hold such inquiry as it considers necessary and may, if it thinks fit, issue a commission to any person directing him to make such local or other investigation as may be necessary and to report thereon to the Court.

Notice to the State Government.

18. In any inquiry relating to the fee payable on a plaint, written statement, petition, memorandum of appeal or other document, or to the valuation of the subject-matter of the claim to which the plaint, written statement, petition, memorandum of appeal or other document relates, in so far as such valuation affects the fee payable, the Court may, if it considers it just or necessary to do so, give notice to the State Government; and where such notice is given, the State Government shall be deemed to be a party to the suit or other proceeding as regards the determination of any question in the inquiry aforesaid and the Court's decision on such question shall, where it passes a decree or final order in such suit or proceeding, form part of such decree or final order.

CHAPTER IV
COMPUTATION OF FEE.

Fee how computed.

19. The fee payable under this Act shall be computed in accordance with the provisions of this Chapter, Chapter VI, Chapter VIII and Schedules I and II.

Suits for money.

20. In a suit for money (including a suit for damages or compensation, or arrears of maintenance, of annuities, or of other sums payable periodically), fee shall be computed on the amount claimed.

Suits for immovable property.

21. Subject to the other provisions of this Act, in a suit reIating to immovable property, fee shall be computed on three-fourths of the market value of the property.

Suits for maintenance and annuities.

22. In the suits hereinafter mentioned, fee shall be computed as follows:-

(a) in a suit for maintenance on the amount claimed to be payable for one year;

(b) in a suit for enhancement or reduction of maintenance, on the amount by which the annual maintenance is sought to be enhanced or reduced;

(c) in a suit for annuities or other sums payable periodically, on five times the amount claimed to be payable for one year:

Provided that, where the annuity is payable for less than five years, the fee shall be computed on the aggregate of the sums payable.

Suits for movable property.

23. (1) In a suit for movable property other than documents of title, fee shall be computed-

(a) where the subject-matter has a market value, on such value; or

(b) where the subject-matter has no market value, on the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher.

(2)(a) In a suit for possession of documents of title, fee shall be computed on one-fourth of the amount or of the market value of the property secured by the document

where the plaintiff's title to the money or the property secured by the document is denied:

Provided that where such denial relates only to a portion of the amount or property, fee shall be computed on one-fourth of such portion of the amount or on one-fourth of the market value of such portion of the property.

(b) In a suit for possession of documents of title, where the plaintiff's title to the money or the property secured by the document is not denied, fee shall be computed on the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher.

Explanation.—The expression "document of title" means a document which purports or operates to create declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, in any property.

Suits for declaration.

24. In a suit for a declaration with or without consequential relief, not falling under section 25-

(a) where the prayer is for a declaration and for possession of the property to which the declaration relates, fee shall be computed on the market value of the movable property or three-fourths of the market value of the immovable property or on rupees three hundred, whichever is higher;

(b) where the prayer is for a declaration and for consequential injunction and the relief sought is with reference to any immovable property, fee shall be computed on one-half of the market value of the property or on rupees three hundred, whichever is higher;

(c) where the prayer relates to the plaintiff's exclusive right to use, sell, print or exhibit any mark, name, book, picture, design or other thing and is based on an infringement of such exclusive right, fee shall be computed on the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher;

(d) in other cases, whether the subject-matter of the suit is capable of valuation or not, fee shall be computed on the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher.

Adoption suits.

25. In a suit for a declaration involving a question as to the factum or validity of an adoption, fee shall be computed on one-half of the market value of the movable and immovable property involved in, or affected by such declaration or on rupees five hundred, whichever is higher.

Suits for injunction.

26. In a suit for injunction-

(a) where the relief sought relates to any immovable property, and where the plaintiff's title to the property is denied, fee shall be computed on one-half of the market value of the property or on rupees two hundred, whichever is higher;

(b) where the relief sought relates to the plaintiff's exclusive right to use, sell, print or exhibit any mark, name, book, picture, design or other thing and is based on an infringement of such exclusive right, fee shall be computed on

the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher;

(c) in any other case, whether the subject-matter of the suit has a market value or not, fee shall be computed on the

amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher.

Suits relating to trust property.

27. (1) In a suit for possession or joint possession of trust property or for a declaration, with or without consequential relief, between trustees or rival claimants to the office of trustee or between a trustee and a person who has ceased to be a trustee, fee shall he computed on one-fifth of the market value of the property subject to a maximum fee of rupees two hundred or where the property has no market value, on rupees one thousand.

(2) Where the property has no market value, value for the purpose of determining the jurisdiction of Courts shall be the amount stated in the plaint.

Explanation.—For the purpose of this section, property comprised in a Hindu, Muslim or other religious or charitable endowment shall be deemed to be trust property and the manager of any such property shall be deemed to be the trustee thereof.

Suits for possession under the Specific Relief Act, 1877.

28. In a suit for possession of immovable property under section 9 of the Specific Relief Act, 1877 (Central Act 1 of 1877), fee shall be computed on one-half of the market value of the property or on rupees two hundred, whichever is higher.

Suits for possession not otherwise provided for.

29. In a suit for possession of immovable property not otherwise provided for, fee shall be computed on three-fourths of the market value of the property or on rupees three hundred, whichever is higher.

Suits relating to easements.

30. In a suit relating to an easement by the dominant or the servient owner, fee shall be computed on the amount at which the relief sought is valued in the plaint or at which such relief is valued by the Court, whichever is higher:

Provided that, where compensation is claimed in addition to the relief relating to such easement, fee shall be paid on the amount claimed as compensation in addition to the fee payable on the relief relating to the easement.

Suits relating to mortgages.

31. (1) In a suit to recover the money due on a mortgage, whether the sale of the mortgaged property is prayed for or not, fee shall be computed on the amount claimed.

(2) If the holder of a prior mortgage or charge impleaded as a defendant in such a suit prays in his written statement for the determination of the amount due on his mortgage or charge and for a direction in the decree for the payment of such amount to him, fee shall be payable on the written statement computed on the amount claimed:

Provided that, where the holder of the prior mortgage or charge has paid a fee in any other proceeding on the claim to which his written statement relates, credit shall be given for the fee paid by him in such other proceeding.

(3) Where, in such a suit, the mortgaged property is sold and the holder of a prior or subsequent mortgage or charge applies for payment to him, out of the sale proceeds, of the amount due on his mortgage or charge, such holder of the prior or subsequent mortgage or charge shall pay on his application a fee computed on the amount claimed by him:

Provided that, where the holder of a prior or subsequent mortgage or charge is a party to the suit in which the sale was held and has paid fee on the written statement filed by him in the suit, no fee shall be payable by him on the application for payment out of the sale proceeds:

Provided further that, where the holder of a prior or subsequent mortgage or charge, not being a party to the suit in which the sale is held, has paid a fee in any other

proceeding on the claim to which his application relates, credit shall be given for the fee paid by him in such other proceeding.

(4) In a suit by a co-mortgagee, fee shall be computed on the amount claimed on the entire mortgage:

Provided that, where any other co-mortgagee impleaded as defendant in such suit claims on the entire mortgage a sum larger than that claimed in the plaint, the difference between the fee computed on the entire sum claimed in such defendant's written statement and the fee computed on the entire sum claimed in the plaint shall be payable on the written statement.

(5)(a) In a suit by a sub-mortgagee to recover the amount claimed on the sub-mortgage by sale of the mortgagee's interest in the mortgaged property, fee shall be computed on the amount claimed under the sub-mortgage.

(b) In a suit by a sub-mortgagee, if the prayer is for the sale of the property mortgaged to the original mortgagee and the original mortgagor is also impleaded as a defendant, fee shall be computed on the entire amount claimed on the original mortgage which is sub-mortgaged to him.

(6) Where the holder of a prior or subsequent mortgage or charge is impleaded in a suit by a co-mortgagee to which sub-section (4) applies, or in a suit by a sub-mortgagee to which sub-section (5) applies, the provisions of sub-sections (2) and (3) shall apply mutatis-mutandis to a written statement or an application filed by such holder of mortgage or charge.

(7) Where the original mortgagee who is impleaded in a suit to which the provisions of sub-section (5) (b) apply

claims on the mortgage sub-mortgaged by him a larger amount than is claimed in the plaint, the provisions of sub-section (4) shall apply mutatis-mutandis to the written statement of such original mortgagee.

(8) In a suit against a mortgagee for redemption of a mortgage, fee shall be computed on the amount due on the mortgage as stated in the plaint or on one-fourth of the principal amount secured under the mortgage, whichever is higher:

Provided that, where the amount due on the mortgage is found to be more than the amount on which fee has been paid by the plaintiff, no decree shall fee passed until the deficit fee is paid:

Provided further that, in the case of any usufructuary or anomalous mortgagee, if the plaintiff prays for redemption as well as for accounts of surplus profits, fee shall be levied separately on the relief for accounts as in a suit for accounts.

(9) In a suit by a mortgagee to foreclose the mortgage or, in the case of a mortgage by conditional sale, to have the sale declared absolute, fee shall be computed on the amount claimed in the plaint.

Suits for accounts.

32. (1) In a suit for accounts, fee shall be computed on the amount estimated in the plaint.

(2) Where the amount payable to the plaintiff as ascertained in the suit is in excess of the amount as estimated in the plaint, no decree directing payment of the amount as so ascertained shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the amount so ascertained, is paid.

(3) Where in any such suit it is found that any amount is payable to the defendant, no decree shall be passed in his favour until he pays the fee due on the amount.

(4) Whether or not a decree is passed under sub-section (2) or sub-section (3), the fee payble under either of the said sub-sections shall be recoverable as if it were an arrear of land revenue.

Suits for dissolution of partnership.

33. (1) In a suit for dissolution of partnership and accounts or for accounts of dissolved partnership, fee shall be computed on the value of the plaintiff's share in the partnership as estimated by the plaintiff.

(2) If the value of the plaintiff's share as ascertained in the suit exceeds the value as estimated in the plaint, no decree, or where there has been a preliminary decree, no final decree shall be passed in favour of the plaintiff, no payment shall be made out of the assets of the partnership and no property shall be allotted towards the plaintiff's share, until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the value so ascertained, is paid.

(3) No final decree shall be passed in favour of a defendant, no payment shall be made out of the assets of the partnership and no property shall be allotted towards his share in any such suit until the fee computed on the amount or value of his share of the assets of the partnership is paid.

(4) Whether or not a decree is passed, payment made or property allotted under sub-section (2) or sub-section (3), the fee payable under either of the said sub-sections shall be recoverable as if it were an arrear of land revenue.

Partition suits.

34. (1) In a suit for partition and separate possession of a share of joint family property or of property owned, jointly or

in common, by a plaintiff who has been excluded from possession of such property, fee shall be computed on the market value of the movable property or three-fourths of the market value of the immovable property included in the plaintiff's share.

(2) In a suit for partition and separate possession of joint family property or property owned, jointly or in common, by a plaintiff who is in joint possession of such property, fee shall be paid at the following rates:-

When the plaint is presented to-

(i) a District Munsif's Court .. Rupees fifty

(ii) a Subordinate Judge's Court or a District Court. Rupees one hundred if the value of plaintiff's share is less than Rs.10,000.

Rupees two hundred if the value is not less than Rs. 10,000.

(3) Where, in a suit falling under sub-section (1) or sub-section (2), the plaintiff or the defendant seeks also cancellation of decree or other document of the nature specified in section 37, separate fee shall be payable on the relief of cancellation in the manner specified in that section.

Suits for joint possession.

35. In a suit for joint possession of joint family property or of property owned, jointly or in common, by a plaintiff who has been excluded from possession, fee shall be computed on the market value of the movable property or three-fourths of the market value of the immovable property included in the plaintiff's share.

Administration suits.

36. (1) In a suit for the administration of an estate, fee shall be levied on the plaint at the rates specified in section 47.

(2) Where any amount or share or part of the assets of the estate is found due to the plaintiff, and the fee computed on the amount or the market value of such share or part of the assets exceeds the fee paid on the plaint, no payment shall be made and no decree directing payment of money or confirming title to such share or part of the assets shall be passed until the difference between the fee actually paid and the fee computed on the amount or value of such share or part of such assets is paid.

(3) No payment shall be made and no decree directing payment of money or confirming title to any share or part of the assets of the estate shall be passed in favour of a defendant in a suit for administration until the fee computed on the amount or value of such share or part of such assets is paid by such defendant.

(4) In computing the fee payable by a plaintiff or by a defendant under sub-section (2) or sub-section (3), credit shall be given for the fee, if any, paid by such plaintiff or by such defendant in any other proceeding in respest of the claim on the basis of which such amount or share or part of the assets of the estate becomes due to such plaintiff or to such defendant.

(5) Whether or not payment is made or decree passed under sub-section (2) or sub-sectien (3), the fee payable under either of the said sub-sections shall be recoverable as if it were an arrear of land revenue.

Suits for cancellation of decrees, etc.

37. (1) In a suit for cancellation of a decree for money or other property having a money value, or other document

which purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title

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or interest in money, movable or immovable property, fee shall be computed on the value of the subject-matter of the suit, and such value shall be deemed to be-

(a) if the whole decree or other document is sought to be cancelled, the amount or value of the property for which the decree was passed or other document was executed;

(b) if a part of the decree or other document is sought to be cancelled, such part of the amount or of the value of the property.

(2) If the decree or other document is such that the liability under it cannot be split up and the relief claimed relates only to a particular item of property belonging to the plaintiff or to the plaintiff's share in any such property, fee shall be computed on the value of such property or share or on the amount of the decree, whichever as less.

Explanation.—A suit to set aside an award shall be deemed to be a suit for cancellation of a decree within the meaning of this section.

Suits to set aside attachment, etc.

38. (1) In a suit to set aside an attachment by a Civil or Revenue Court of any movable or immovable property or of any interest therein or of any interest in revenue, or to set aside an order passed on an application made to set aside the attachment, fee shall be computed on the amount for which the property was attached or on one-fourth of the market value of the property attached, whichever is less.

(2) In a suit to set aside any other summary decision or order of a Civil or Revenue Court, if the subject-matter of the suit has a market value, fee shall be computed on one-fourth of such value, and in other cases, fee shall be payable at the rates specified in section 47.

20 [Act No. VII of 1956]

Explanation.—For the purpose of this section, the Registrar of Co-operative Societies shall be deemed to be a Civil Court.

Suits for specific performance.

39. In a suit for specific performance, with or without possession, fee shall be payable-

(a) in the case of a contract of sale, computed on the amount of the consideration;

(b) in the case of a contract of mortgage, computed on the amount agreed to be secured by the mortgage;

(c) in the case of a contract of lease, computed on the aggregate amount of the penalty or premium, if any, and of the average of the annual rent agreed to be paid;

(d) in the case of a contract of exchange, computed on the amount of the consideration, or as the case may be, on the market value of the movable property or three-fourths of the market value of the immovable property sought to be taken in exchange;

(e) in other cases, where the consideration for the promise sought to be enforced has a market value, computed on the market value of the movable

property or three-fourths of the market value of the immovable property or where such consideration has no market value, at the rates specified in section 47.

Suits between landlord and tenant.

40. (1) In the following suits between landlord and tenant, namely:—

(a) for the delivery by a tenant of the counterpart of a lease or for acceptance of patta in exchange for a muchilika;

(b) for the enhancement of rent;

(c) for the delivery by a landlord of a lease or for obtaining a patta in exchange for a muchilika;

(d) for the recovery of possession of immovable property from which a tenant has been illegally ejected by the landlord;

(e) for establishing or challenging a right of occupancy;

fee shall be levied on the amount of rent for the immovable property to which the suit relates, payable for the year next before the date of presenting the plaint.

(2) In a suit for recovery of immovable property from a tenant including a tenant holding over, fee shall be computed on the premium, if any and on the rent payable for the year next before the date of presenting the plaint.

Explanation.—Rent includes also damages for use and occupation payable by a tenant holding over.

(3) In an appeal from a suit to contest a distraint under sub-section (1) or sub-section (2) of section 95 of [4][the Andhra Pradesh (Andhra Area) Estates Land Act, 1908 (Act I of 1908),] or to contest the right of sale under section 112 of that Act, fee shall be charged on the amount of the arrears for which the distraint has been made or the sale is proposed to be held.

Suits for mesne profits.

41. (1) In a suit for mesne profits or for immovable property and mesne profits therefrom, fee shall, in respect of mesne profits, be computed on the amount claimed as mesne profits. If the profits ascertained to be due to the plaintiff are

4. Substituted for the original short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).

in excess of the profits as claimed, no decree shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the profits so aseertained is paid.

(2) Where a decree directs an enquiry as to the mesne profits which have accrued on the property, whether prior or subsequent to the institution of the suit, no final decree shall be passed until the difference between the fee actually paid and the fee that would have been payable had the suit comprised the whole of the profits accrued due till the date of such decree is paid.

(3) Where, for a period subsequent to the date of the decree or final decree, such decree or final decree directs payment of mesne profits at a

specified rate such decree or final decree shall not be executed until the fee computed on the amount claimed in execution is paid.

(4) Whether or not a decree is passed under sub-section (1) or sub-section (2) or executed under sub-section (3), the fee payable under any of the said sub-sections, shall be recoverable as if it were an arrear of land revenue.

Suits under the Telangana Survey and Boundaries Act, 1923.

42. In a suit under section 14 of [5][the Telangana Survey and Boundaries Act, 1923 (Act VIII of 1923),] fee shall be computed on one-half of the market value of the property affected by the determination of the boundary or on rupees three hundred, whichever is higher.

Suits to alter or cancel entry in a register.

43. In a suit to alter or cancel any entry in a register of the names of proprietors of revenue-paying estates, the fee payable shall be fifteen rupees.

5. Adapted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

Suits relating to public matters.

44. In a suit for relief under section 14 of the Religious Endowments Act, 1863 (Central Act 20 of 1863), or under section 91 or section 92 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), the fee payable shall be fifty rupees.

Interpleader suits.

45. (1) In an interpleader suit, fee shall be payable on the plaint at the rates specified in section 47.

(2) Where issues are framed regarding contentions of the claimants, fee shall be computed on the amount of the debt or the money or the market value of the movable property or three-fourths of the market value of the immovable property, which forms the subject-matter of the suit. In levying such fee, credit shall be given for the fee paid on the plaint; and the balance of the fee shall be paid in equal shares by the claimants who claim the debt or the sum of money or the property adversely to each other.

(3) Value for the purpose of determining the jurisdiction of courts shall be the amount of the debt, or the sum of money or the market value of the movable property or three-fourths of the market value of the immovable property to which the suit relates.

Third party proceedings.

46. In third party proceedings, fee shall be levied on one-half of the value of the contribution or indemnity claimed against a third party or against a co-defendant if a claim is made against him:

Provided that, if the suit against the defendant who has filed the third party notice is dismissed, wholly or in part, he shall be entitled to a refund of the whole or a proportionate part of the fee paid by him.

Explanation.- The provisions of this section shall also apply to counter-claims made in third party proceedings.

Suits not otherwise provided for.

47. ln suits not otherwise provided for, fee shall be payable at the following rates:—

When the amount or value of the subject-matter in dispute—

(i) is less than Rs. 3,000. .. Rupees fifty

(ii) is not less than.Rs. 3,000 but does not exceed Rs. 5,000. Rupees one hundred.

(iii) exceeds Rs. 5,000 but does not exceed Rs. 10,000. Rupees two hundred.

(iv) exceeds Rs. 10,000. .. Rupees three hundred.

Fee on memorandum of appeal against order relating to compensation.

48. The fee payable under this Act on a memorandum of appeal against an order relating to compensation under any Act for the time being in force for the acquisition of property for public purposes shall be computed on the difference between the amount awarded and the amount claimed by the appellant.

Appeals.

49. The fee payable in an appeal shall be the same as the fee that would be payable in the Court of first instance on the subject-matter of the appeal:

Provided that, in levying fee on a memorandum of appeal against a final decree by a person whose appeal against the preliminary decree passed by the Court of first instance or by the Court of appeal is pending, credit shall be given for the fee paid by such person in the appeal against the preliminary decree.

Explanation (1).— Whether the appeal is against the refusal of a relief or against the grant of the relief, the fee payable in the appeal shall be the same as the fee that would be payable on the relief in the Court of first instance.

Explanation (2).— Costs shall not be deemed to form part of the subject-matter of the appeal except where such costs form themselves the subject-matter of the appeal or relief is claimed as regards costs on grounds additional to, or independent of, the relief claimed regarding the main subject-matter in the suit.

Explanation (3).— In claims which include the award of interest subsequent to the institution of the suit, the interest accrued during the pendency of the suit till the date of decree shall be deemed to be part of the subject-matter of the appeal except where such interest is relinquished.

Explanation (4).— Where the relief prayed for in the appeal is different from the relief prayed for or refused in the Court of first instance, the fee payable in the appeal shall be the fee that would be payable in the Court of first instance on the relief prayed for in the appeal.

Explanation (5).— Where the market value of the subject-matter of the appeal has to be ascertained for the purpose of computing or determining the fee payable, such market value shall be ascertained as on the date of presentation of the plaint.

CHAPTER V
VALUATION OF SUITS.

Suits not otherwise provided for.

50. (1) If no specific provision is made in this Act or in any other law regarding the value of any suit for the purpose of determining the jurisdiction of Courts, value for that purpose

and value for the purpose of computing the fee payable under this Act shall be the same.

(2) In a suit where fee is payable under this Act at a fixed rate, the value for the purpose of determining the jurisdiction of courts shall be the market value of the movable property

or three-fourths of the market value of the immovable property or where it is not possible to estimate it at a money value the amount stated in the plaint.

Procedure where objection is taken on appeal or revision that a suit or appeal was not properly valued for jurisdictional purposes.

51. (1) Notwithstanding anything contained in section 99 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), an objection that, by reason of the over-valuation or under-valuation of a suit or appeal, a Court of first instance or lower appellate Court, which had no jurisdiction with respect to the suit or appeal, exercised jurisdiction with respect thereto shall not be entertained by an appellate Court, unless-

(a) such objection was taken in the Court of first instance at or before the hearing at which issues were first framed or in the lower appellate Court in the memorandum of appeal to that Court, or

(b) the appellate Court is satisfied, for reasons to be recorded by it in writing, that the suit or appeal was over-valued or under-valued and that the over-valuation or under-valuation thereof has prejudicially affected the disposal of the suit or appeal on its merits.

(2) Where such objection was taken in the manner mentioned in clause (a) of sub-section (1), but the appellate Court is not satisfied as to both the matters mentioned in clause (b) of that sub-section, it shall, if it has before it the materials necessary for the determination of the other grounds of appeal to itself, dispose of the appeal as if there had been no defect of jurisdiction in the Court of first instance or lower appellate Court.

(3) Where such objection was taken in that manner and the appellate Court is satisfied as to both those matters, it shall, if those materials are not before it, proceed to deal

with the appeal or remand the suit or appeal for disposal in accordance with the directions of the appellate Court.

(4) The provisions of this section with respect to an appellate Court shall, so far as may be, apply to a Court exercising revisional jurisdiction under any law for the time being in force.

CHAPTER VI
PROBATES, LETTERS OF ADMINISTRATION AND CERTIFICATES OF ADMINISTRATION.

Application for probate or letters of administration.

52. (1) Every application for the grant of probate or letters of administration shall be accompained by a valuation of the estate in duplicate in the Form set forth in Part I of

Schedule III.

(2) On receipt of such application, the Court shall send a copy thereof and of the valuation to the Collector of the district in which the estate is situated, or if the estate is situated in more than one district, to the Collector of the district in which the portion of the estate, the aggregate value of which is the highest is situated.

Levy of fee. of

53. (1)The fee chargeable for the grant of probate or letters administration shall be calculated at the rate or rates specified in Article 6 of Schedule I-

(a) where the application is made within one year of the date of death of the deceased, on the market value of the estate on such date; or

(b) where the application is made after the expiry of one year from such date, on the market value of the estate on the date of application:

Provided that no fee shall be leviable under this Chapter on any property held in trust not beneficially or with general power to confer a beneficial interest.

Explanation.— Any member of a joint Hindu family governed by the Mitakshara Law who applies for probate or letters of administration in respect of the estate of a deceased member of the joint family shall pay a fee on the value of the share in the joint property which the deceased would have received if a partition of the property had been made immediately before his death.

(2) For the purpose of the computation of fee-

(a) the value of the items mentioned in Annexure B to Part I of Schedule III shall be deducted from the value of the estate:

Provided that, when an application is made for probate or letters of administration in respect of only part of an estate, no debt, no expenses connected with any funeral rites or ceremonies and no mortgage encumbrance on any part of the estate other than that in respect of which the application is made shall be deducted:

Provided further that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925 (Central Act 39 of 1925), regarding 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 for the latter grant shall be reduced by the amount of the fee paid for the former grant;

(b) the power of appointment which the deceased had over any property or which was created under a will shall be taken into account, the value being taken to be the

forming the subject-matter of the power.

Grant of probate.

54. (1) The grant of probate or letters of administration shall not be delayed by reason of the reference to the Collector under sub-section (2) of section 52; but the Court shall not grant probate or letters of administration unless it is satisfied that the fee chargeable under this Act has been paid on the basis of the net value of the estate as furnished in the valuation accompanying the application or in the amended valuation filed under sub-section (3) of section 56.

(2) Notwithstanding anything contained in sub-section (1), the Court may, without the payment of the proper fee, grant probate or letters of administraiion to the Administrator-General in his official capacity on his giving an undertaking to the satisfaction of the Court that the said fee will be paid within such time as may be fixed by the Court.

Relief in cases of several grants.

55. (1) Whenever a grant of probate or letters of administration has been made in respect of the whole of the property belonging to an estate and the full fee payable under this Act in respect of the application for such grant has been paid thereon, no fee shall be payable when a like grant is made in respect of the whole or any part of the same property belonging to the same estate.

(2) Whenever such grant has been made in respect of any property forming part of an estate, the amount of fee actually paid under this Act for such grant shall be deducted when a like grant is made in respect of the property belonging to the same estate identical with or including the property to which the former grant relates.

Inquiry by the Collector.

56. (1) The Collector to whom a copy of the application and valuation has been sent under sub-section (2) of section 52, shall examine the same and may make or cause

to be made by any officer subordinate to him such inquiry, if any, as he thinks fit as to the correctness of the valuation or where a part only of the property is situated in his district, of the valuation of that part, and may require the Collector of any other district in which any part of the property is situated to furnish him with the correct valuation thereof.

(2) Any Collector required under sub-section (1) to furnish the correct valuation of any property shall comply with the requisition after making or causing to be made by any officer subordinate to him such inquiry, if any, as he thinks fit.

(3) If the Collector is of opinion that the applicant has under-estimated the value of the property of the deceased, he may, if he thinks fit, require the attendance of the applicant, either in person or by his agent, and take evidence and inquire into the matter in such manner as he may think fit, and if he is still of opinion that the value of the property has been under-estimated, may require the applicant to amend the valuation, and, if the application for probate or letters of administration is pending in Court, to file a copy of the amended valuation in such Court.

(4) If, in any such case, the probate or letters of administration has or have been granted and the applicant amends the valuation to the satisfaction of the Collector and the Collector finds that the fee payable according to the true value of the estate has not been paid in full, he shall proceed under sub-section (4) of section 58; and if the fee paid is in

excess of that payable according to the true value of the estate, the excess fee shall be refunded to the applicant.

(5) (a) If the applicant does not amend the valuation to the satisfaction of the Collector, the Collector shall move the Court to which the application for probate or letters of

administration was made for holding an inquiry into the true value of the property;

(b) The Collector shall not move the Court under clause (a) after the expiry of six months from the date on which the inventory required by section 317 of the Indian Succession Act, 1925 (Central Act 39 of 1925), is exhibited.

Application to Court and powers of Court.

57. (1) The Court shall, when moved by the Collector under sub-section (5) of section 56, hold or cause to be held by any Court or officer subordinate to it an inquiry as to the true value at which the estate of the deceased should have been estimated. The Collector shall be deemed to be a party to the inquiry.

(2) For the purposes of any such inquiry the Court, or any Court or officer subordinate to it authorised by the Court to hold the inquiry, may examine the applicant on oath either in person or by commission, and may take such further evidence as may be produced to prove the true value of the estate, and where the inquiry has been entrusted to a subordinate Court or officer, such Court or officer shall return to the Court the evidence taken and report the result of the inquiry and such report and the evidence so taken shall be evidence in the proceedings.

(3) The Court on the completion of the inquiry or on receipt of the report referred to in sub-section (2), as the case may be shall record a finding as to the true value at which the estate should have been estimated and such finding shall be final.

(4) The Court may make such order as to the costs of the inquiry as it thinks fit.

Provision for cases where insufficient fee has been paid.

58. (1) Where insufficient fee has been paid on any probate or letters of administration on account of any mistake or of want of knowledge at the time that some particular part of the estate belonged to the deceased, if any executor or administrator, acting under such probate or letters, applies to the Collector in the Form set forth in Part II of Schedule III and pays within six months of the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, the difference between the fee which ought to have been paid in the first instance on such probate or letters and the fee actually paid, the Collector shall, if satisfied that insufficient fee was paid in the first instance on account of a mistake and without any intention to defraud or to delay the payment of the proper fee, cause the probate or letters to be duly stamped.

(2) If, in a case falling under sub-section (1), the executor or administrator does not, within the six months referred to in that sub-section, pay the deficit fee, he shall forfeit a sum equal to five times the deficit fee.

(3) If, on application being made under sub-section (1), the Collector is satisfied that the application was not made within six months of the discovery of the mistake or of further effects not included in the original valuation or that the payment of insufficient fee in the first instance was not due to a bona fide mistake, he shall cause the probate or letters to be duly stamped on payment of the deficit fee together with a penalty not exceeding five times such fee.

(4) If, after the grant of probate or letters of administration of an estate, it is found by the Collector that a fee less than that payable according to the true value of the estate has been paid, he shall cause the probate or letters to be properly stamped on payment of the deficit fee, and if he is satisfied that the original undervaluation was not

bonafide, he shall levy in addition a penalty not exceeding five times the deficit fee.

(5) The Board of Revenue may remit the whole or any part of the amount forfeited under sub-section (2) or of any penalty under sub-section (3) or sub-section (4).

Administrator to give proper security before letters are stamped.

59. Where insufficient fee has been paid in the first instance on letters of administration, the Collector shall not cause the same to be duly stamped in the manner aforesaid unless the administrator has given such security to the Court granting the letters of administration as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had then been ascertained.

Relief when fee has been paid in excess.

60. (1) If, at any time after the grant of the probate or letters of administration of an estate, it is discovered that fee has been paid in excess of what was payable according to the true value of the estate, the executor or administrator, as the case may be, may apply for a refund to the Collector to whom a copy of the valuation of the estate was sent under sub-section (2) of section 52. The application shall be accompanied by an amended valuation in the Form set forth in Part II of Schedule III together with the probate or letters of administration upon which a refund is sought.

(2) If the Collector is satisfied that the amended valuation is correct, he shall-

(i) endorse a certificate on the stamped probate or letters of administration to the effect that so much of the fee represented by the stamp or stamps used has been refunded; and

(ii) refund the difference between the fee originally paid and that which should have been paid:

Provided that no refund shall be granted under this section unless the application for refund is made within three years of the date of the grant of the probate or letters of administration or within such further period as the Collector may allow:

Provided further that if, by reason of any legal proceedings, the debts due from the deceased have not been ascertained and paid or his effects have

not been recovered and made available and in consequence thereof the executor or administrator is prevented from claiming the return of such difference within the said period of three years, the Collector may allow such further time for making the claim as may appear to him to be reasonable under the circumstances.

(3) If the Collector refuses to grant a refund, the executor or administrator, as the case may be, may apply to the Board of Revenue for an order of refund. An application for such refund shall be accompanied by an amended valuation in the Form set forth in Part II of Schedule III.

Recovery of penalties, etc.

61. Any fee found to be payable by an applicant for probate or letters of administration or by an executor or administrator, or any costs under sub-section (4) of section 57 or any penalty or forfeiture payable by any such executor or administrator may, on the certificate of the Board of Revenue, be recovered from the executor or administrator as if it were an arrear of land revenue.

Powers of Board of Revenue.

62. The powers and duties of the Collector under this Chapter shall be subject to the control of the Board of Revenue.

CHAPTER VII
REFUNDS AND REMISSIONS.

Refund in cases of rejection of plaint, etc., for delay.

63. (1) Where a plaint or memorandum of appeal is rejected on the ground of delay in its re-presentation or where the fee paid on a plaint or memorandum of appeal is insufficient and the deficit fee is not paid within the time allowed by the Court, or the delay in payment of the deficit fee is not condoned and the plaint or memorandum of appeal is consequently rejected, the Court may, in its discretion direct the refund to the plaintiff or the appellant, of the fee, either in whole or in part, paid on the plaint or memorandum of appeal which was rejected.

(2) Where a memorandum of appeal is rejected on the ground that it was not presented within the time allowed by the law of limitation, one-half of the fee shall be refunded.

Refund in cases of remand.

64. (1) Where a plaint or memorandum of appeal rejected by the lower court is ordered to be received, or where a suit is remanded in appeal for a fresh decision by the lower Court, the Court making the order or remanding the appeal may direct the refund to the appellant of the full amount of fee paid on the memorandum of appeal; and, if the remand is on second appeal, also on the memorandum of appeal in the first appellate Court, and, if the remand is in Letters Patent Appeal, also on the memorandum of second appeal and memorandum of appeal in the first appellate Court.

(2) Where an appeal is remanded in Second Appeal or Letters Patent Appeal for a fresh decision by the lower appellate Court, the High Court remanding the appeal may direct the refund to the appellant of the full amount of fee paid on the memorandum of Second Appeal if the remand is in Second Appeal, and of the full amount of fee paid on the memorandum of Second Appeal and the Memorandum

of Letters Patent Appeal if the remand is in Letters Patent Appeal:

Provided that no refund shall be ordered if the remand was due to the fault of the party who would otherwise be entitled to a refund:

Provided further that, if the order of remand does not cover the whole of the subject-matter of the suit, the refund shall not extend to more than so much fee as would have been originally payable on that part of the subject-matter in respect whereof the suit has been remanded.

Refund in cases of review.

65. Where an application for a review of judgment is admitted on the ground of some mistake or error apparent on the face of the record and on rehearing, the Court reverses or modifies its former decision on that ground, it shall direct refund to the applicant of so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under Article 11 (g) and (u) of Schedule II.

Refund of fee paid by mistake or inadvertance.

66. The fee paid by mistake or inadvertance shall be ordered to be refunded.

Refund of Fee.

[6][66-A. Where the Court refers the parties to the suit to any one of the mode of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 or the refund to Court fee permitted under the provisions referred herein before, the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector, the full amount of the fee paid in respect of such plaint or to transfer the amount to the party equivalent to the fee paid by way of e-challan or by NEFT or by RTGS or any

Central Act 5 of 1908.

6. Substituted with marginal heading by Act No.17 of 2020.

other mode as permitted by High Court from time to time by issuing necessary Circulars/Proceedings.]

Exemption of certain documents.

67. Nothing contained in this Act shall render the following documents chargeable with any fee:-

(i) memorandum of appearance filed by advocates or pleaders when appearing for persons proceeded against in criminal cases;

(ii) application or petition to a Collector or other offfcer making a settlement of land revenue, or to the Board of Revenue relating to matters connected with the assessment of land, or with the ascertainment of rights thereto or interest therein, if presented previous to the final confirmation of such settlement;

(iii) application for supply of water belonging to Government for irrigation;

(iv) application for leave to extend cultivation or to relinquish land, when presented to an officer of land revenue by a person holding, under a direct engagement with Government, land of which revenue is settled but not permanently;

(v) application for service of notice of relinquishment of land or of enhancement of rent;

(vi) written authority to an agent to distrain;

(vii) first application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to give evidence or to produce a document or for the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court;

(viii) bail bonds in criminal cases other than bail bonds in village courts, recognizances to prosecute or give evidence and recognizances for personal appearance or otherwise;

(ix) petition, application, charge or information respecting any offence when presented, made or laid to or before a police officer, or to or before the heads of villages or the village police;

(x) petition by a prisoner or other person in duress or under restraint of any Court or its officer;

(xi) complaint of a public servant as defined in the Indian Penal Code (Central Act 45 of 1860) or an officer of the State Railway relating to matters arising out of, or in connexion with, the discharge of his official duty;

(xii) application for the payment of money due by the Government to the applicant, other than an application for refund of lapsed deposit made six months after the date on which the amount lapsed to the Government;

(xiii) petition of appeal against any municipal tax;

(xiv) application for compensation under any law for the time being in force relating to the acquisition of property for public purposes;

(xv) petition or appeaI by a Government servant or a servant of the Court of Wards when presented to any superior officer or Government against orders of dismissal, reduction or suspension; copies of such orders filed with such appeals, and applications for obtaining such copies;

7[(xvi) Plaints, memorandum of appeal, all types of petitions and applications, memorandum of appearance and vakalatnamas filed by the State Government or its lawyers before any court, tribunal or other authority.]

Power to reduce

68. The State Government may, by notification in the part of the territory of this State, all or any of the fees chargeable under this Act, and may, in like manner, cancel or vary such notification.

CHAPTER VIII
MISCELLANEOUS.

Collection of fees by stamps.

9[69. All fees chargeable under this Act shall be collected in stamps or by way of e-challan or by NEFT or by RTGS or any other mode as permitted by the High Court from time to time by issuing necessary Circulars/Proceedings.]

Stamps to be impressed or adhesive.

10[70. If any fee chargeable under this Act is permitted to be paid by the stamps instead or by way of e-challan or by NEFT or by RTGS or any other mode as permitted by the High Court from time to time by issuing necessary Circulars/ Proceedings, then the stamps (used to denote any fees chargeable under this Act) shall be impressed or adhesive or partly impressed and partly adhesive as the State

Government may, by notification in theTelangana Gazette, from time to time direct.]

Amended document.

71. Where any document which ought to bear a stamp under this Act is amended merely for correcting a mistake and making it conform to the original intention of the parties,

7. Added by Act No.20 of 1992.

8. Substituted for the words "Andhra Pradesh" by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

9. Substituted with marginal heading by Act No.17 of 2020.

10. Substituted with marginal heading by Act No.17 of 2020.

it shall not be necessary to impose a fresh stamp [11][or transfer equivalent amount by way of e-challan or NEFT or RTGS.]

Cancellation of stamps.

72. [12][(1) If fee under this Act is permitted to be paid by way of stamp, or by way of e-challan or by NEFT or by RTGS or any other mode as permitted by High Court from time to time by issuing necessary Circulars/Proceedings, no document requiring a stamp under this Act shall be filed or acted upon in any proceedings in any Court or office until the stamp has been cancelled.]

(2) The officer appointed from time to time by the Court or the head of the office shall, on receiving any such document effect forthwith such cancellation by punching out the figure head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be destroyed.

Deduction to be made.

73. Where allowance is made in this Act for damaged or spoiled stamps, or where fee already paid is directed to be refunded to any person by an order of Court, the Collector may, on the application of the person concerned, pay to him the amount of fee or where damaged or spoiled stamps are produced, he may, after satisfying himself about their genuineness, give in lieu thereof the same amount or value in stamps of the same or any other description, or if the applicant so desires, the same amount or value in money provided that in all cases where money is paid in cash, a deduction shall be made of [13][six naye paise for each rupee or fraction thereof]. No such deduction shall, however, be

11. Added by Act No.17 of 2020.

12. Substituted by Act No.17 of 2020.

13. Substituted for the words "one anna for each rupee or fraction thereof" by section 2 of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

made where refund is claimed in respect of any fee paid in pursuance of an order of Court which has been varied or reversed in appeal.

Penalty.

74. Any person appointed to sell stamps, who disobeys any rule made under this Act, and any person, not so appointed, who sells or offers for sale any stamps, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Punishment.

[14][74-A. Any party to the suit or proceedings paid Court-fee by illegal or fraudulent transfer by NEFT or RTGS or by e-challan or by used or fake Court-fee stamps, such offence

is cognizable and shall be liable for punishment with imprisonment for a term which may extend to three years, or with fine which may equivalent to the Court fee paid by playing fraud, or with both.]

Power of High Court to make rules.

75. (1) The High Court may make rules to provide for or regulate all or any of the following matters, namely:—

(a) the fees chargeable for serving and executing processes issued by the High Court in its appellate jurisdiction and by the Civil and Criminal Courts subordinate thereto;

(b) the remuneration of persons employed by the courts mentioned in clause (a) in the service or execution of processes;

(c) the fixing by District and Sessions Judges and District Magistrates of the number of process servers necessary to be employed for the service and execution of

14. Inserted with marginal heading by Act No.17 of 2020.

processes issued from their respective Courts and the Courts subordinate thereto;

(d) the display in each Court of a table in English and in the local language or languages showing the fees payable for the service and execution of processes.

(2) All rules made under sub-section (1) shall be subject to confirmation by the State Government with or without modification and on such confirmation they shall be published in the [15]Telangana Gazette and shall thereupon have effect as if enacted in this Act.

Power of Board of Revenue to make rules.

76. (1) The Board of Revenue may, with the previous sanction of the State Government, make rules consistent with this Act to provide for or regulate all or any of the following matters, namely:—

(a) the fees chargeable for serving and executing processes issued by the Board of Revenue and by the Revenue courts;

(b) the remuneration of persons employed for the service and execution of such processes;

(c) the fixing by Collectors of the number of persons necessary to be employed for the service and execution of such processes;

(d) the guidance of Collectors in the exercise of their powers under Chapter VI;

(e) the supply of stamps to be used under this Act;

15. Substituted for the words “Andhra Pradesh” by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

(f) the number of stamps to be used for denoting any fee chargeable under this Act;

(g) the keeping of accounts of all stamps used under this Act;

(h) the circumstances in which stamps may be held to be damaged or spoiled;

(i) the circumstances in which, the manner in which, and the authorities by which, allowance for used, damaged or spoiled stamps may be made;

(j) the regulation of the sale of stamps to be used under this Act, the persons by whom alone such stamps may be sold and the duties and remuneration of such persons:

Provided that, in the case of stamps used in the High Court, such rules shall be made with the concurrence of the Chief Justice.

(2) All rules made under this section shall be published in the [16]Telangana Gazette and on such publication, shall have effect as if enacted in this Act.

Power of [16]Telangana Government to make rules.

77. (1) The State Government may, by notification in the Gazette, make rules to carry out generally the purposes of this Act.

(2) All notifications and rules made under this section shall, as soon as may be, after they are made, be placed on the table of the Legislature for fifteen days, and shall be subject to such modification, whether by way of repeal or

16. Substituted for the words "Andhra Pradesh" by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

amendment, as the Legislature may make during the session in which they are so laid.

Continuance in force of existing rules.

78. Until rules are framed under sections 75, 76 and 77 and until notifications are issued under section 68, the rules and notifications now in force in respect of matters referred to in those sections, shall, in so far as they are not inconsistent with this Act, continue in force.

Repeal and saving.

79. (1) The Court-fees Act, 1870 (Central Act 7 of 1870), in its application to the State of Andhra and in relation to the fees and stamps other than fees and stamps relating to documents presented or to be presented before an officer serving under the Central Government and the Suits Valuation Act, 1887 (Central Act 7 of 1887), in its application to the State of Andhra are hereby repealed.

(2) All suits and proceedings instituted before the commencement of this Act and all proceedings by way of appeal, revision or otherwise arising therefrom, whether instituted before or after such commencement, shall, notwithstanding the repeal of the Court-fees Act, 1870 (Central Act 7 of 1870), and the Suits Valuation Act, 1887 (Central Act 7 of 1887), be governed by the provisions of the said Acts and the rules made thereunder.

SCHEDULE I.

(See section 19.)

AD VALOREM FEES.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
[17][1(a)	Plaint or written statement pleading a set-off or counter-claim in any suit of the nature cognizable by Courts of Small Causes, when the amount or value of the subject-matter does not exceed five hundred rupees if the suit is actually filed and tried as a small cause suit-	
	When the amount or value of the subject-matter in dispute:-	
	(i) does not exceed one rupee.	Forty naye paise.
	(ii) exceeds one rupee but does not exceed five hundred rupees, for every ten rupees or part thereof in excess of one hundred rupees.	Eighty naye paise

17. Substituted for the original clauses (a) and (b) and the entries relating thereto, by section 3 (i) of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
(b)	Plaint or written statement pleading a set-off or counter-claim in any suit of the nature cognizable by Courts of Small Causes, when the amount or value of the subject-matter exceeds five hundred rupees but does not exceed one thousand rupees-	
	When the amount or value of the subject-matter in dispute-	
	(i) does not exceed one hundred rupees, for every five rupees or part thereof	Sixty naye paise.
	(ii) exceeds one hundred rupees, but does not exceed one thousand rupees, for every ten rupees or part thereof in excess of one hundred rupees.]	One rupee and ten naye paise.
(c)	Plaint or written statement pleading a set-off or counter-claim or memorandum of appeal presented to any Court-	
	When the amount or value of the subject-matter in dispute-	

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	[18][(i) does not exceed one hundred rupees, for every five rupees or part thereof.	Sixty naye paise.
	(ii) exceeds one hundred rupees, but does not exceed one thousand rupees, for every ten rupees or part thereof in excess of one hundred rupees.	One rupee and ten naye paise.
	(iii) exceeds one thousand rupees, but does not exceed ten thousand rupees, for every one hundred rupees or part thereof, in excess of one thousand rupees.	Seven rupees and fifty naye paise.]
	(iv) exceeds ten thousand rupees, but does not exceed twenty thousand rupees, for every five hundred rupees or part thereof, in excess of ten thousand rupees.	Thirty rupees.
	(v) exceeds twenty thousand rupees, but does not exceed thirty thousand rupees for every one thousand rupees or part thereof, in excess of twenty thousand rupees.	Forty rupees.

18. Substituted for original items (i), (ii) and (iii) and the entries against them, by section 3 (ii) of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 Andhra Pradesh XVII of 1958).

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(vi) exceeds thirty thousand rupees, but does not exceed fifty thousand rupees, for every two thousand rupees or part thereof, in excess of thirty thousand rupees.	Sixty rupees.
	(vii) exceeds fifty thousand rupees, but does not exceed one lakh rupees, for every four thousand rupees or part thereof, in excess of fifty thousand rupees.	Eighty rupees.
	(viii) exceeds one lakh rupees, for every ten thousand rupees or part thereof, in excess of one lakh rupees.	One hundred rupees.
2 (a)	Application under section 26 of the Provincial Insolvency Act, 1920, or under section 95 of the Code of Civil Procedure, 1908.	Five rupees.
(b)	Appeal against order on an application falling under clause (a).	Five rupees.
3 (a)	Petition under section 53 or 54 of the Provincial Insolvency Act, 1920.	Five rupees.
(b)	Appeal against order on a petition falling under clause (a), whether by the Official Receiver or by the unsuccessful party.	Five rupees.

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
4	Memorandum of appeal against order in proceedings under the Indian Succession Act, 1925.	An amount of one-half the scale of fee specified in article 1 on the amount or value of the subject-matter.
5	Application for review of judgment.	One-half of the fee payable on the plaint or memorandum of appeal comprising the relief sought in the application for review.
6	Probate of a will or letters of administration with or without will annexed—	
	When the amount or value of the estate in respect of which the grant of probate or letters is made exceeds one thousand rupees, but does not exceed five thousand rupees.	Two per centum on such amount or value.

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	When such amount or value exceeds five thousand rupees, but does not exceed fifty thousand rupees.	Three per centum on such amount or value.
	When such amount or value exceeds fifty thousand rupees, but does not exceed one lakh rupees.	Four per centum on such amount or value.
	When such amount or value exceeds one lakh rupees.	Five per centum on such amount or value.
7	Certificate under the Indian Succession Act, 1925-	
	Where the amount or value of the debt or security or the aggregate amount or value of the debts and securities specified in the certificate-	
	(i) does not exceed five thousand rupees.	Two per centum on such amount or value.

SCHEDULE I-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(ii) exceeds five thousand rupees, but does not exceed twenty-five thousand rupees.	Three per centum on such amount or value.
	(iii) exceeds twenty-five thousand rupees, but does not exceed fifty thousand rupees.	Four per centum on such amount or value.
	(iv) exceeds fifty thousand rupees, but does not exceed one lakh rupees.	Five per centum on such amount or value.
	(v) exceeds one lakh rupees	.. Six per centum on such amount or value.

Explanation I.— Where a certificate is extended under section 376 of the Indian Succession Act, 1925, fee shall be computed on the amount for which certificate is sought to be extended and the amount for which a certificate or certificates has or have already been issued at one and a half times the rates specified above, credit being given for the fee already paid.

Explanation II.— The amount of a debt includes 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.

Explanation III.— (a) Where any power with respect to a security specified in a certificate for the receiving of interest or dividends on, or for the negotiation or transfer of, the security, or for both purposes, is conferred.

(b) Whether no such power is conferred in either of the cases mentioned above, 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.

SCHEDULE II

(See section 19)

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
1	(i) Petition in a suit under the Converts Marriage Dissolution Act, 1866.	Ten rupees.
	(ii) Petition, plaint or memorandum of appeal when presented to a Court under the Dissolution of Muslim Marriages Act, 1939.	Ten rupees.
	(iii) Petition under the Indian Divorce Act excluding petitions under section 44 of that Act, and every memorandum of appeal under section 55 of that Act.	Thirty rupees.
	(iv) Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936, or a counter claim made under section 37 of that Act.	Thirty rupees.
	(v) Plaint or memorandum of appeal in a suit under the Indian Colonial Divorce Jurisdiction Act, 1926.	Fifty rupees.
	(vi) Petition or memorandum of appeal under the Special Marriage Act, 1954.	Thirty rupees.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(vii) Petition or memorandum of appeal under the Hindu Marriage Act, 1955.	Ten rupees.

Explanation:- If, in a suit falling under any of these clauses, there is a specific claim for damages, separate fee at the rates specified in article 1 of Schedule I shall be charged on the amount of damages claimed.

2	Undertaking under section 49 of the Indian Divorce Act, 1869.	One rupee.
3	Memorandum, of appeal from an order inclusive of an order determining any question under section 47 or section 144 of the Code of Civil procedure, 1908, and not otherwise provided for when presented—	
	(i) to any Court other than the High Court or to any Executive Officer other than the Board of Revenue or Chief Executive Authority.	Three rupees.
	(ii) to the Board of Revenue or Chief Executive Authority.	Five rupees.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(iii) to the High Court-	
	(A) From an order other than an order under [19][the Andhra Pradesh (Andhra Area) Agriculturist's Relief Act, 1938]-	
	(1) Where the order was passed by a Subordinate Court or other authority-	
	(a) If the order relates to a Ten suit or proceeding, the value of which rupees. exceeds one thousand rupees.	
	(b) In any other case. Five rupees.	
	(2) Where the appeal is under clause 15 of the Letters Patent-	
	(a) From an order passed in Ten exercise of appellate jurisdiction. rupees.	
	(b) In any other case.	One hundred rupees.
	(3) Where the appeal is under section 45-B of the Banking Companies Act, 1949.	One hundred rupees.

19. Substituted for the original short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(B) From an order under [20][the Two Andhra Pradesh (Andhra Area) Agriculturist's Relief Act, 1938.]	rupees.
	(iv) to the Government in pursuance of a statutory right to appeal for which no court-fee is leviable under any enactment.	Five rupees.
[21][4	Memorandum of appeal under Arbitration and Conciliation Act, 1996.	
	1. Appeal against order on application under section 9.	Two hundred and fifty rupees.
	2. Appeal against order on application under section 34,-	
	(a) Where the value of the subject matter does not exceed Rs.1,00,000/-.	Three hundred rupees.
	(b) Where the value exceeds Rs.1,00,000/- but does not exceed Rs.5,00,000/-.	Six hundred rupees.

20. Substituted for the original short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).

21. Article 4 substituted by Act No.40 of 2006.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(c) Where the value exceeds Rs.5,00,000/- but does not exceed Rs.1,00,00,000/-. and	One thousand five hundred rupees.
	(d) Where the value exceeds Rs.1,00,00,000/-.	Two thousand five hundred rupees.
	(3) Appeal under section 50 against the order refusing to refer the parties to arbitration under sections 45 or to refuse to enforce a foreign award under section 48.	Five hundred rupees.
	(4) Appeal under section 59 against the order refusing to refer the parties to arbitration under section 54 or refusing to enforce a foreign award under sub-section (2) of section 57.	Five hundred rupees.
	(5) Any other appeal under the Arbitration and Conciliation Act, 1996.	Two hundred and fifty rupees.]
5	Copy or translation of a judgment or order not being a decree or having the force of a decree-	

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	When such 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 Court or judicial or executive authority.	One rupee.
	When such judgment or order is passed by the High Court.	Two rupees.
6	Copy or translation of a judgment or order of a Criminal Court.	One rupee.
7	Copy of a decree or order having the force of a decree-	
	When such decree or order is made by any Court other than the High Court-	
	(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;	One rupee.
	(ii) if such amount or value exceeds fifty rupees;	Two rupees.
	When such decree or order is made by the High Court.	Five rupees.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
8	Copy of any document liable to stamp duty under the Indian Stamp Act, 1899, when substituted by any party to a suit or proceeding in place of the original withdrawn-	
	(a) When the stamp duty chargeable on the original does not exceed 22[fifty naye paise;]	The amount of the duty chargeable on the original.
	(b) in any other case.	One rupee.
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 Court or Office of any public officer-	
	For every three hundred and sixty words or fraction of three hundred and sixty words.	One rupee.

22. Substituted for the words “eight annas” by section 4 (i) of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
10	(a) 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.
	(b) Application or petition presented to any officer of land revenue relating to the grant of land on darkhast.	One rupee.
	(c) Application to a Collector for lease of land for agricultural or non-agricultural purposes.	One rupee.
	(d) Application or petition presented to any Executive Officer 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.	One rupee.
	(e) Application or petition presented to any board or Executive Officer for a copy or translation of any order passed by such board or Officer or of any other document on record in such office.	One rupee.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(f) Application to a Forest Officer by a forest contractor for extension of the period of lease-	
	(i) if the value of the subject-matter of the lease is Rs.5,000 or less;	Five rupees.
	(ii) if such value exceeds Rs.5,000,	One rupee. for every Rs.1,000 or part thereof, in excess of Rs. 5,000.
	(g) Application for attestation of [23][Fifty rupees.] private documents intended to be used outside India.	
	(h) Application for lapsed deposit presented after six months after the date on which the amount lapsed to the Government.	
	(i) when the amount or deposit does not exceed Rs.1,000;	One rupee.
	(ii) when it exceeds Rs.1,000.	Two rupees.
	(i) Application or petition presented to the Government and not otherwise provided for-	

23. Substituted by Act No.20 of 2001.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(i) which involves the exercise or non-exercise of power conferred by law or rule havIng the force of law;	Two rupees.
	(ii) in other cases.	One rupee.
	(j) Application or petition presented to the Board of Revenue or Chief Executive Authority and not otherwise provided for-	
	(i) which involves the exercise or non-exercise of power conferred by law or rule having the force of law;	Two rupees.
	(ii) in other cases.	One rupee.
	(k) Application or petition not falling under clause (i) or (j) and presented to a public officer or in a public office and not otherwise provided for.	One rupee.
11	[24][(a) Application or petition presented to any Court for a copy or translation of any judgment, decree or any proceeding of, or order passed by, such Court or of any other document on record in such Court.	[25][Fifty] paise.

24. Substituted for the original clauses (a) and (b) and the entries relating thereto, by section 4 of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

25. Substituted by Act No.25 of 1984 w.e.f.19.07.1984.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(b) Application or petition 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 Rs. 50]	Twenty-five naye paise.
	(c) Application to any Court that records may be called from another Court, when the Court grants the application and is of opinion that the transmission of such records involves the the use of the post.	One rupee in addition to the fee leviable on application.
	(d) Application for permission to deposit revenue or rent either in the office of the Collector or in the Court.	One rupee.
	(e) Application or petition presented to a Court for determination of the amount of compensation to be paid by a landlord to his tenant.	One rupee.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee
(1)	(2)	(3)
	(f) A written complaint or charge of any offence other than an offence which a Police officer, may, under the Code of Criminal Procedure, 1898, arrest without warrant and presented to any Criminal Court and an oral complaint of any such offence reduced to writing under the Code of Criminal Procedure, 1898.	Two rupees.
	(g) Application or petition presented to any Court, or to any Magistrate in his executive capacity and not otherwise provided for in this Act.	One rupee.
	(h) Application for arrest or attachment before judgment or for temporary injunction—	
	(i) when presented to a Civil Court or Revenue Court other than the High Court in relation to any suit or proceeding-	
	(1) if the value of the subject-matter is less than Rs.50;	One rupee.
	(2) if the value is Rs.50 and above;	Two rupees.
	(ii) when presented to the High Court.	Five rupees.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(i) Application or petition under section 47 and Order XXI, rules 58 and 90 of the Code of Civil Procedure, 1908-	
	(i) when filed in a Revenue Court or a District Munsif's Court;	One rupee.
	(ii) when filed in a Subordinate Judge's Court or a District Court;	Two rupees.
	(iii) when filed in the High Court.	Five rupees.
	(j) Application or petition under sections 34, 72, 73 and 74 of the Indian Trusts Act, 1882.	Five rupees.
	(k) (i) Application for probate or letters of administration to have effect throughout India.	Twenty-five rupees.
	(ii) Application for probate or letters of administration not falling under clause (i)-	
	(1) if the value of the estate does not exceed Rs.1,000;	One rupee.
	(2) if the value exceeds Rs.1,000;	Five rupees:

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)

Provided that if a caveat is entered and the application is registered as a suit, one-half the scale of fee specified in Article I of Schedule I on the market value of the estate less the fee already paid on the application shall be levied.

(l) Original petitions not otherwise provided for when filed in-

(i) a District Munsif's Court- One rupee.

(1) under [26][the Andhra Pradesh (Andhra Area) Village Courts Act, 1888];

(2) in other cases. Three rupees.

(ii) a Subordinate Judge's Court or Five a District Court; rupees.

(iii) the High Court Twenty rupees.

[27][(m) Application to set aside an Award under section 34 of the Arbitration and Conciliation Act, 1996,-

26. Substituted for the original short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).

27. Article 11 (m) & (n) substituted by Act No.40 of 2006.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(a) Where the value of the subject matter does not exceed Rs.1,00,000/-.	Two hundred rupees
	(b) Where the value exceeds Rs.1,00,000/- but does not exceed Rs.5,00,000/-.	Five hundred rupees.
	(c) Where the value exceeds Rs.5,00,000/- but does not exceed Rs.1,00,00,000/-.	One thousand rupees.
	(d) Where the value exceeds Rs.1,00,00,000/-	Two thousand rupees.
(n)(a) application under sub-section (2) of section 14 or section 27 or sub-section (2) of section 39 or sub-section (3) of section 43 of the Arbitration and Conciliation Act, 1996;		Two hundred rupees.
	(b) Application under section 9 other than in a pending proceedings under the Arbitration and Conciliation Act, 1996;	Two hundred and fifty rupees.
	(c) Any other application;	One hundred rupees.]

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(o) Petition to the High Court for the admission of an Advocate, Attorney or Vakil.	Twenty rupees.
	(p) Application presented to the High Court under section 24 of the Press (Objectionable Matter) Act, 1951.	Fifty rupees.
	(q) Revision petition presented to the High Court under section 115 of the Code of Civil Procedure, 1908, or under section 25 of the Provincial Small Cause Courts Act, 1887, or under the provisions of any other Act, arising out of a suit or proceeding-	
	(i) if the value of the suit or proceeding to which the order sought to be revised relates does not exceed Rs.1,000;	Five rupees.
	(ii) if such value exceeds Rs.1,000.	Ten rupees.
	(r) Petition under sections 153, 166 and 221 of [28][the Indian Companies Act, 1913], in connection with the winding up of a company.	Two hundred rupees.

28. See now the Companies Act, 1956 (Central Act I of 1956.) Repealed by Companies Act, 2013 (Act No.18 of 2013).

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(s) Petition to the High Court under Article 226 of the Constitution for a writ other than the writ of Habeas Corpus or a petition under Article 227 of the Constitution.	One hundred rupees.
	(t) Application under section 45 of the Specific Relief Act, 1877.	One hundred rupees.
	(u) Application or petition presented to the High Court and not otherwise specifically provided for.	Two hundred rupees.
	(v) Election petition questioning the election of a person in respect of-	
	(i) the offfice of member of a panchayat;	Twenty-five rupees.
	(ii) the office of president of panchayat;	Fifty rupees.
	(iii) the office of member of a municipal council or a district board;	One hundred rupees.
	(iv) the office of chairman of a municipality or president of district board.	Two hundred rupees.

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
	(w) Application under section 145 of [29]the Code of Criminal Procedure, 1898.	Five rupees.
12	Application for leave to sue as a pauper.	One rupee.
13	Application for leave to appeal as a pauper-	
	(i) when presented to a District Court or a Subordinaee Judge's Court	One rupee.
	(ii) when presented to the High Court	Two rupees.
14	(i) Bail bond or other instrument of obligation when filed in village courts.	One rupee.
	(ii) 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, or the Code of Civil Procedure, 1908, and not otherwise provided for in this Act.	One rupee.
15	Every copy of power-of-attorney when filed in any suit or proceeding.	One rupee.

29. See now the provisions under the Code of Criminal Procedure, 1973 (Act 2 of 1974).

SCHEDULE II-contd.

Article.	Particulars.	Proper fee.
(1)	(2)	(3)
16	Mukhtarnama, Vakalatnama or any paper signed by an advocate signifying or intimating that he is retained for a party-	
	when presented-	
	(i) to any Court other than the High court or to any Collector or Magistrate or other executive officer;	Two rupees.
	(ii) to the Board of Revenue or a Chief Executive Authority;	Three rupees.
	(iii) to the High Court;	Five rupees.
	(iv) to the Government.	Five rupees.
17	Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908-	
	(i) when presented to a District Munsif's Court.	Fifteen rupees.
	(ii) in any other case.	One hundred rupees.
18	Caveat	Ten rupees.

SCHEDULE III.

PART I.

(See sections 52 and 53).

Form of Valuation (to be used with such modifications, if any, as may be necessary) of Estate.

IN THE COURT OF

RE: PROBATE OF THE WILL OF OR ADMINISTRATION OF THE ESTATE OF), DECEASED.

1. I (A.B.) , solemnly affirm/make oath and say that I am the executor (or one of the executors or one of the next-of-kin) of deceased, and that I have truly set forth in Annexure A to this Form of Valuation all the estate of which the above named deceased died possessed or to which he was entitled at the time of his death, and which has come or is likely to come, to my hands.

2. I further say that I have also truly set forth in Annexure B to this Form of Valuation all the items which I am by law allowed to deduct.

3. I further declare that the said estate exclusive only of the last was on the date of the death of the said deceased
mentioned items _____ under is the value of

4. I (A.B.) further declare that what is stated in this Form of Valuation is true to the best of my information and belief.

(signed) A.B.------

. This Form to be used where the application is made after one year from the date of death.

SCHEDULE III-contd.

PART I-contd.

ANNEXURE A.

Valuation of the movable and immovable property of deceased.

[30][Rs. nP.]

Cash in hand and at the bank, household goods, wearing apparel, books, plate, jewels and the like.

(State estimated value according to best of Executors or Administrators belief.)

Property in Government securities transferable at the Public Debt Office.

(State description and value on the date of the death of the deceased or on the date of the application, as the case may be).

Immovable property, consisting of .. .. ..

(State description and market value on the date of the death of the deceased or on the date of the application, as the case may be).

Leasehold property .. ..

(If the deceased held any leases for years determinable, state the period of the lease and the estimated amount of rent inserting separately arrears due on the date of the death or on the date of the application as the case may be).

30. Substituted for the group of letters "Rs. A.P." by section 5 of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

Property in public companies .. ..

(State the particulars and the value calculated at the price on the date of the death or on the date of the application, as the case may be).

Policies of insurance upon life, money out on mortgages and other securities, such as bonds, bills, notes and other securities for money.

(State the amount of the whole on the date of the death or on the date of the application as the case may be).

Debts .. ..

(other than bad debts).

Stock in trade .. ..

(State the estimated value, if any). -------

Other property not comprised under the foregoing heads

Total

(State the estimated value, if any). ---------

Deduct items shown in Annexure B in the manner provided in sub-section (2) of section 53 .. .. -------

Net value of the Estate --------

SCHEDULE III-contd.

PART I-contd.

ANNEXURE B.

SCHEDULE OF DEBTS, ETC.

[31][Rs. nP.] Amount of debts due and owing from the deceased, legally payable out of the estate .. ..

Amount of expenses connected with funeral rites and ceremonies .. .. ..

Amount of mortgage and encumbrances..

Property held in trust not beneficially or with general power to confer a beneficial interest ..

Other property not subject to duty ..

Total ..

PART II

AMENDED FORM OF VALUATION OF ESTATE.

(See sections 58 and 60)

IN THE COURT OF

RE: PROBATE OF THE WILL OF (OR ADMINISTRATION OF THE ESTATE OF DECEASED.)

31. Substituted for the group of letters "Rs. A.P." by section 5 of the Andhra Pradesh Court-fees and Suits Valuation (Second Amendment) Act, 1958 (Andhra Pradesh Act XVII of 1958).

1. I (A.B.) am the executor (or one of the executors or one of the next-of-kin, as the case may be) of

2. Probate was (or letters of administration were) granted to me on

3. It has now been discovered that the net value of the estate on which court-fee was paid was not correctly ascertained.

4. I have now truly set forth in Annexure A to this amended Form of Valuation all the estate of the deceased at the date of his death

_____ which has

the application for probate (or letters of administration)

comeor is likely to come to my hands.

5. I further have now truly set forth in Annexure B all the items which I am by law allowed to deduct.

6. I further declare that the said estate, exclusive only of the last-mentioned items, at the date of the death of the deceased was

_____ under the value of-

this application is

7. I (A.B.) further declare that what is stated in this amended Form of Valuation is true to the best of my information and belief.

(signed) A.B.----------

SCHEDULE III-contd.

PART II-contd.

ANNEXURE A.

AMENDED VALUATION OF THE ESTATE OF DECEASED.

Valuation on which court-fee was paid.	Increase.	Decrease.	Valuation as now amended.
Total ..	..	..	..

Deduct items shown in Annexure B in the manner provided in sub-section (2) of section 53.

Amended net value of estate ..

ANNEXURE B.

AMENDED SCHEDULE OF DEBITS, ETC.

Valuation on which court-fee was paid.	Increase.	Decrease.	Valuation as now amended.
Total ..	..	..	..

* * *