

**L. A. BILL No. LXXIII OF 2017.**

*A BILL*

*further to amend the Maharashtra Court-fees Act.*

XXXVI of  
1959. 5 WHEREAS it is expedient further to amend the Maharashtra Court-  
fees Act, for the purposes hereinafter appearing; it is hereby enacted in the  
Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Court-fees (Amendment) Act, 2017.

Short title  
and  
commencement.

(2) It shall come into force on such date as the State Government  
10 may, by notification in the *Official Gazette*, appoint.

Insertion of  
section 16A in  
XXXVI of  
1959.

2. After section 16 of the Maharashtra Court-fees Act (hereinafter referred to as "principal Act"), the following section shall be inserted, namely :—

XXXVI  
of  
1959.

Refund of fee  
where court  
disposes of  
suit in view of  
section 89 of  
Code of Civil  
Procedure,  
1908.

"16A. Where the court refers the parties to the suit to any one of the modes of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 and suit is disposed of by the court by adaptation of any of the modes prescribed under the said section, the plaintiff shall be entitled to a certificate from the court authorising him to receive back from the collector, the full amount of the fee paid in respect of such plaint." 5 V of 1908. 10

Amendment  
of  
SCHEDULE I  
to XXXVI of  
1959.

3. In SCHEDULE I appended to the principal Act,—

(a) for Article 1, the following Article shall be substituted, namely :—

"1. Plaintiff or memorandum of appeal (not otherwise provided for in this Act) or, of cross objection presented to any Civil or Revenue Court.	When the amount or value of the subject matter in dispute does not exceed one thousand rupees.	Two hundred rupees.	15
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, upto five thousand rupees.	Twelve rupees.	20
	When such amount or value exceeds five thousand rupees, for every hundred rupees, or part thereof, in excess of five thousand rupees, upto ten thousand rupees.	Fifteen rupees.	25
	When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, upto twenty thousand rupees.	Seventy-five rupees.	30
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, upto thirty thousand rupees.	One hundred rupees.	35
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, upto fifty thousand rupees.	One hundred rupees.	40
	When such amount or value exceeds fifty thousand rupees, for every two thousand rupees, or part thereof, in excess of fifty thousand rupees, upto one lakh rupees.	One hundred rupees.	45

When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees, upto one lakh of rupees. Two hundred rupees.

When such amount or value exceeds one lakh of rupees, for every ten thousand rupees, or part thereof, in excess of one lakh of rupees, upto ten lakh of rupees. Four hundred rupees.

When such amount or value exceeds ten lakh of rupees, for every one lakh of rupees, or part thereof, in excess of ten lakh of rupees upto twenty-five lakh of rupees. Four thousand five hundred rupees.

When such amount or value exceeds twenty-five lakh of rupees, for every one lakh of rupees, or part thereof, in excess of twenty-five lakh of rupees : Five thousand rupees.”;

Provided that, the maximum fee leviable on the plaint or memorandum of appeal or of cross objection shall be ten lakh of rupees.

(b) for Article 10, the following Article shall be substituted, namely :—

- “10. Probate of a will or letters of administration with or without will annexed.
- |                                                                                                                                                                                                                                 |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the amount or value upto fifty thousand rupees.                                            | Two per-cent.  |
| When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees upto two lakh rupees. | Four per-cent. |
| When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakh of rupees, on the part of the amount or value in excess of two lakh rupees upto three lakh of rupees.     | Six per-cent.  |

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakh of rupees, on the part of the amount or value in excess of three lakh rupees upto ten lakh.

Seven and half per cent.

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds ten lakh rupees, on the part of the amount or value in excess of ten lakh of rupees :

Nine per cent. subject to the maximum of 3,00,000 rupees.”;

Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under the Bombay Regulation VIII of 1827 or any corresponding law for the time being in force, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the later grant shall be reduced by the amount of the fee paid in respect of the former grant.

XXXIX of 1925.

(c) in Article 13, in column 3, for the words “one hundred rupees” the words “two hundred rupees” shall be substituted ;

(d) in Article 15, in column 3, for the words “fifty rupees” the words “two hundred rupees” shall be substituted ;

(e) in Article 16, in column 3, for the words “one hundred twenty-five rupees” the words “two hundred rupees” shall be substituted ;

(f) in Article 16A, in column 3, for the letters and figures “Rs. 10,000” the letters and figures “Rs. 20,000” shall be substituted ;

(g) in Article 16B, in column 3, for the letters and figures “Rs. 5,000” the letters and figures “Rs. 10,000” shall be substituted ;

(h) in Article 17, in column 3, for the words “one hundred fifty rupees” the words “two hundred rupees” shall be substituted ;

(i) for Article 18, the following Article shall be substituted, namely :-

“18. Application or petition containing complaint or charge of an offence under section 138 of the Negotiable Instruments Act, 1881.

(A) When the amount of cheque does not exceed ten thousand rupees.

Four hundred rupees.

(B) When the amount of cheque exceeds ten thousand rupees. Three hundred rupees for every ten thousand rupees or part thereof subject to the maximum of rupees three lakh.”;

(j) after Article 18, for the existing Table of rates of *ad valorem* fees leviable on the institution of suits, etc., the following Table shall be substituted, namely :—

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

When the amount or value of the subject matter exceeds. (1)	But does not exceed. * (2)	Proper fee. (3)
Rs.	Rs.	Rs.
...	1,000	200
1,000	1,100	212
1,100	1,200	224
1,200	1,300	236
1,300	1,400	248
1,400	1,500	260
1,500	1,600	272
1,600	1,700	284
1,700	1,800	296
1,800	1,900	308
1,900	2,000	320
2,000	2,100	332
2,100	2,200	344
2,200	2,300	356
2,300	2,400	368
2,400	2,500	380
2,500	2,600	392
2,600	2,700	404
2,700	2,800	416
2,800	2,900	428
2,900	3,000	440

(1)	(2)	(3)
Rs.	Rs.	Rs.
3,000	3,100	452
3,100	3,200	464
3,200	3,300	476
3,300	3,400	488
3,400	3,500	500
3,500	3,600	512
3,600	3,700	524
3,700	3,800	536
3,800	3,900	548
3,900	4,000	560
4,000	4,100	572
4,100	4,200	584
4,200	4,300	596
4,300	4,400	608
4,400	4,500	620
4,500	4,600	632
4,600	4,700	644
4,700	4,800	656
4,800	4,900	668
4,900	5,000	680
5,000	5,100	695
5,100	5,200	710
5,200	5,300	725
5,300	5,400	740
5,400	5,500	755
5,500	5,600	770
5,600	5,700	785
5,700	5,800	800
5,800	5,900	815
5,900	6,000	830
6,000	6,100	845
6,100	6,200	860
6,200	6,300	875
6,300	6,400	890
6,400	6,500	905
6,500	6,600	920
6,600	6,700	935
6,700	6,800	950
6,800	6,900	965
6,900	7,000	980
7,000	7,100	995
7,100	7,200	1,010

(1)	(2)	(3)
Rs.	Rs.	Rs.
7,200	7,300	1,025
7,300	7,400	1,040
7,400	7,500	1,055
7,500	7,600	1,070
7,600	7,700	1,085
7,700	7,800	1,100
7,800	7,900	1,115
7,900	8,000	1,130
8,000	8,100	1,145
8,100	8,200	1,160
8,200	8,300	1,175
8,300	8,400	1,190
8,400	8,500	1,205
8,500	8,600	1,220
8,600	8,700	1,235
8,700	8,800	1,250
8,800	8,900	1,265
8,900	9,000	1,280
9,000	9,100	1,295
9,100	9,200	1,310
9,200	9,300	1,325
9,300	9,400	1,340
9,400	9,500	1,355
9,500	9,600	1,370
9,600	9,700	1,385
9,700	9,800	1,400
9,800	9,900	1,415
9,900	10,000	1,430
10,000	10,500	1,505
10,500	11,000	1,580
11,000	11,500	1,655
11,500	12,000	1,730
12,000	12,500	1,805
12,500	13,000	1,880
13,000	13,500	1,955
13,500	14,000	2,030
14,000	14,500	2,105
14,500	15,000	2,180
15,000	15,500	2,255
15,500	16,000	2,330
16,000	16,500	2,405
17,000	17,500	2,555
17,500	18,000	2,630
18,000	18,500	2,705
18,500	19,000	2,780
19,000	19,500	2,855

(1)	(2)	(3)
Rs.	Rs.	Rs.
19,500	20,000	2,930
20,000	21,000	3,030
21,000	22,000	3,130
22,000	23,000	3,230
23,000	24,000	3,330
24,000	25,000	3,430
25,000	26,000	3,530
26,000	27,000	3,630
27,000	28,000	3,730
28,000	29,000	3,830
29,000	30,000	3,930
30,000	32,000	4,030
32,000	34,000	4,130
34,000	36,000	4,230
36,000	38,000	4,330
38,000	40,000	4,430
40,000	42,000	4,530
42,000	44,000	4,630
44,000	46,000	4,730
46,000	48,000	4,830
48,000	50,000	4,930
50,000	55,000	5,130
55,000	60,000	5,330
60,000	65,000	5,530
65,000	70,000	5,730
70,000	75,000	5,930
75,000	80,000	6,130
80,000	85,000	6,330
85,000	90,000	6,530
90,000	95,000	6,730
95,000	1,00,000	6,930
1,00,000	1,10,000	7,330
1,10,000	1,20,000	7,730
1,20,000	1,30,000	8,130
1,30,000	1,40,000	8,530
1,40,000	1,50,000	8,930
1,50,000	1,60,000	9,330
1,60,000	1,70,000	9,730
1,70,000	1,80,000	10,130
1,80,000	1,90,000	10,530
1,90,000	2,00,000	10,930
2,00,000	2,10,000	11,330
2,10,000	2,20,000	11,730
2,20,000	2,30,000	12,130
2,30,000	2,40,000	12,530
2,40,000	2,50,000	12,930



(1)	(2)	(3)
Rs.	Rs.	Rs.
2,50,000	2,60,000	13,330
2,60,000	2,70,000	13,730
2,70,000	2,80,000	14,130
2,80,000	2,90,000	14,530
2,90,000	3,00,000	14,930
3,00,000	3,10,000	15,330
3,10,000	3,20,000	15,730
3,20,000	3,30,000	16,130
3,30,000	3,40,000	16,530
3,40,000	3,50,000	16,930
3,50,000	3,60,000	17,330
3,60,000	3,70,000	17,730
3,70,000	3,80,000	18,130
3,80,000	3,90,000	18,530
3,90,000	4,00,000	18,930
4,00,000	4,10,000	19,330
4,10,000	4,20,000	19,730
4,20,000	4,30,000	20,130
4,30,000	4,40,000	20,530
4,40,000	4,50,000	20,930
4,50,000	4,60,000	21,330
4,60,000	4,70,000	21,730
4,70,000	4,80,000	22,130
4,80,000	4,90,000	22,530
4,90,000	5,00,000	22,930
5,00,000	5,10,000	23,330
5,10,000	5,20,000	23,730
5,20,000	5,30,000	24,130
5,30,000	5,40,000	24,530
5,40,000	5,50,000	24,930
5,50,000	5,60,000	25,330
5,60,000	5,70,000	25,730
5,70,000	5,80,000	26,130
5,80,000	5,90,000	26,530
5,90,000	6,00,000	26,930
6,00,000	6,10,000	27,330
6,10,000	6,20,000	27,730
6,20,000	6,30,000	28,130
6,30,000	6,40,000	28,530
6,40,000	6,50,000	28,930
6,50,000	6,60,000	29,330
6,60,000	6,70,000	29,730
6,70,000	6,80,000	30,130
6,80,000	6,90,000	30,530
6,90,000	7,00,000	30,930
7,00,000	7,10,000	31,330

(1)	(2)	(3)
Rs.	Rs.	Rs.
7,10,000	7,20,000	31,730
7,20,000	7,30,000	32,130
7,30,000	7,40,000	32,530
7,40,000	7,50,000	32,930
7,50,000	7,60,000	33,330
7,60,000	7,70,000	33,730
7,70,000	7,80,000	34,130
7,80,000	7,90,000	34,530
7,90,000	8,00,000	34,930
8,00,000	8,10,000	35,330
8,10,000	8,20,000	35,730
8,20,000	8,30,000	36,130
8,30,000	8,40,000	36,530
8,40,000	8,50,000	36,930
8,50,000	8,60,000	37,330
8,60,000	8,70,000	37,730
8,70,000	8,80,000	38,130
8,80,000	8,90,000	38,530
8,90,000	9,00,000	38,930
9,00,000	9,10,000	39,330
9,10,000	9,20,000	39,730
9,20,000	9,30,000	40,130
9,30,000	9,40,000	40,530
9,40,000	9,50,000	40,930
9,50,000	9,60,000	41,330
9,60,000	9,70,000	41,730
9,70,000	9,80,000	42,130
9,80,000	9,90,000	42,530
9,90,000	10,00,000	42,930
10,00,000	11,00,000	47,430
11,00,000	12,00,000	51,930
12,00,000	13,00,000	56,430
13,00,000	14,00,000	60,930
14,00,000	15,00,000	65,430
15,00,000	16,00,000	69,930
16,00,000	17,00,000	74,430
17,00,000	18,00,000	78,930
18,00,000	19,00,000	83,430
19,00,000	20,00,000	87,930
20,00,000	21,00,000	92,430
21,00,000	22,00,000	96,930
22,00,000	23,00,000	1,01,430
23,00,000	24,00,000	1,05,930
24,00,000	25,00,000	1,10,430

and the fees increases at the rate of Rs. 5,000 for every Rs. 1,00,000 or part thereof over Rs. 25,00,000 upto a maximum fees of Rs. 10,00,000, for example :—

Rs.	Rs.	Rs.	Rs.
25,00,000	1,10,430	33,00,000	1,50,430
26,00,000	1,15,430	34,00,000	1,55,430
27,00,000	1,20,430	35,00,000	1,60,430
28,00,000	1,25,430	36,00,000	1,65,430
29,00,000	1,30,430	37,00,000	1,70,430
30,00,000	1,35,430	38,00,000	1,75,430
31,00,000	1,40,430	39,00,000	1,80,430
32,00,000	1,45,430	40,00,000	1,85,430.”

4. For SCHEDULE II appended to the principal Act, the following SCHEDULE shall be substituted, namely :—

Substitution  
of  
SCHEDULE  
II to XXXVI of  
1959.

“SCHEDULE II

*Fixed Fees.*

Number (1)	.... (2)	Proper fee (3)
1. Application or petition.	(a) When presented to any officer of Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings;	Twenty-five rupees.
	or	
	when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement;	
	or	
	when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement;	
	or	
	when presented to any Civil Court other than a principal Civil Court of Original jurisdiction;	

(1)	(2)	(3)
	or	
	to any Court of Small Causes constituted under the Provisional Small Causes Courts Act, 1887, or to a Collector or other officer of revenue or to a public officer in relation to any suit or case in which the amount of value of subject-matter is less than fifty rupees ;	IX of 1887.
	or	
	when presented to any Civil, Criminal or Revenue Court, or any Board or executive officer for the purpose of obtaining a copy or translation of any judgement, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or office.	
	(b) When containing a complaint or charge of any offence other than the offence under the Negotiable Instruments Act, 1881.	Twenty-five rupees. 26 of 1881.
	(c) When presented to any competent authority for the purpose of obtaining a certificate of domicile.	Twenty rupees.
	(d) When presented to a Chief Controlling Revenue or Executive Authority or to a Commissioner of Revenue or to any Chief Officer charged with the executive administration of a division and not otherwise provided for by this Act.	Fifty rupees.
	(e) When presented to the High Court—	Six
	(i) for directions, orders or writs under article 226 of the Constitution of India or for any purpose other than the enforcement of the fundamental rights conferred by Part III thereof.	hundred twenty-five rupees.
	(ii) for directions, orders or writs, under article 226 for the enforcement of any of the fundamental rights conferred by Part III of the Constitution or for the exercise of its jurisdiction under article 227 thereof.	One thousand two hundred and fifty rupees.
	(iii) in any other case not otherwise provided for by this Act.	One hundred rupees.

	(1)	(2)	(3)
IX of 1887. V of 1908.	2. Revision application when presented to the High Court under section 25 of the Provincial Small Causes Courts Act, 1887 or section 115 of the Code of Civil Procedure, 1908.		Two hundred fifty rupees.
	3. Application to any Civil Court that records may be called for from another Court.	When the Court grants the application and is of the opinion that the transmission of such records involves the use of the post.	Twenty-five rupees in addition to any fees levied on the application under clause (a), clause (b) or clause (e) of Article 1 of this Schedule.
	4. First Application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court.	....	Twenty-five rupees.
	5. Application for leave to sue as a pauper.	....	Twenty-five rupees.
	6. Application for leave to appeal as a pauper.	(a) When presented to a District Court. (b) When presented to a Commissioner or the High Court.	Twenty-five rupees. One Hundred rupees.
II of 1906.	7. Complaint or memorandum of appeal in a suit to obtain possession under the Mamlatdar's Courts Act, 1906.	....	One hundred twenty-five rupees.
	8. Complaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.	....	Fifty rupees.

(1)	(2)	(3)	
9. Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under the Code of Criminal Procedure, 1973, or under the Code of Civil Procedure, 1908.	....	Twenty rupees.	2 of 1974. V of 1908.
10. All other bail-bonds given under the Code of Criminal Procedure, 1973, and re-cognizance to prosecute and re-cognizance for personal appearance or otherwise.	....	Ten rupees.	2 of 1974.
11. Undertaking under section 49 of the Indian Divorce Act, 1869.	....	Fifty rupees.	IV of 1869.
12. <i>Mukhtarnama</i> or <i>Wakalat-nama</i> .	When presented for the conduct of any one case—		
	(a) to any Civil or Criminal Court other than the High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer ;	Twenty rupees.	
	(b) to the High Court.	Thirty rupees.	
13. Memorandum of appeal when the appeal is not from the decree or an order having the force of a decree, and is presented.	(a) to any Civil Court other than the High Court or to any Revenue Court, or Executive Officer other than the High Court or Chief Controlling Revenue or Executive Authority ;	Twenty-five rupees.	
	(b) to the Chief Controlling Executive or Revenue Authority.	Fifty rupees.	
	(c) to the High Court.	One hundred twenty-five rupees.	
14. <i>Caveat</i> ...	(i) When presented to the High Court.	Two hundred fifty rupees.	
	(ii) When presented to the Court other than High Court.	One hundred twenty-five rupees.	
15. Application for permission to cut timber in Government forests, or otherwise relating to such forests.	....	Twenty-five rupees.	

	(1)	(2)	(3)
	16. Memorandum of appeal presented to-	....	
	(a) the State Government	....	One Hundred rupees.
XVI of 1927.	(b) any Forest Officer, where such appeal is provided for, by or under the Indian Forest Act, 1927 or any other corresponding law in force.	....	Twenty rupees.
	17. Petition in a suit under the Native Converts' Marriage Dissolution Act, 1866.	....	Five hundred rupees.
XXI of 1866.			
	18. Application-		
X of 1940.	(a) under section 20 of the Arbitration Act, 1940 or section 8 of the Arbitration and Conciliation Act, 1996.	....	Two hundred fifty rupees.
26 of 1996.			
XXXIX of 1925.	(b) for probate or letters of administration or for revocation thereof under the Indian Succession Act, 1925.	When the amount or value of the estate does not exceed ten thousand rupees.	Fifty rupees.
XXXIX of 1925.	(c) for a certificate under part X of the Indian Succession Act, 1925, or the Bombay Regulation VIII of 1827 or any corresponding law for the time being in force.	When it exceeds ten thousand rupees, but does not exceed fifty thousand rupees.	Two hundred fifty rupees.
		When it exceeds fifty thousand rupees.	Five hundred rupees.
II of 1882.	(d) for opinion or advice or for the discharge from a Trust, or for appointment of new Trustees under section 34, 72, 73 or 74 of the Indian Trusts Act, 1882.	....	Two hundred fifty rupees.
V of 1908.	(e) under rule 58 of Order XXI of the Code of Civil Procedure, 1908 regarding a claim to attached property.	When the amount or value of the property exceeds five thousand rupees.	Two hundred fifty rupees.

(1)	(2)	(3)	
19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	....	Three hundred seventy-five rupees.	V of 1908.
20. Every petition under the Indian Divorce Act, 1869 except petitions under section 44 of that Act and every memorandum of appeal under section 55 of that Act.	....	Five hundred rupees.	IV of 1869.
21. Complaint, application, petition, or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936, the Special Marriage Act, 1954 or the Hindu Marriage Act, 1955:	...	Five hundred rupees.	III of 1936. XLIII of 1954. XXV of 1955.
Provided that, where in addition to divorce damages are claimed.	.	A fee as above <i>plus</i> a fee on the amount of damages claimed according to the scale prescribed under Article 1 of Schedule I.	
22. Petitions under the Indian Christian Marriage Act, 1872, sections 45 and 48.	....	Fifty rupees.	XV of 1872.
23. Complaint, petition or application (including memorandum of appeal) which is capable of being treated as a suit—			
(a) for annulment of marriage ;	....	Five hundred rupees.	
(b) for dissolution of marriage ;	....	Five hundred rupees.	
(c) in suit for custody of minor;	....	Three hundred seventy-five rupees.	
(d) for restitution of conjugal rights ;	....	Five hundred rupees.	
(e) for judicial separation;	....	Five hundred rupees.	



(1)	(2)	(3)
(f) in or to any Civil Court not otherwise provided for and the subject-matter of which is not capable of being estimated in money value.	....	<i>Ad valorem</i> fee payable, as if the amount or value of the subject-matter was one thousand rupees.
24. Copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is given or made by any Civil Court other than the High Court, or by any Revenue Court.	Twenty-five rupees.
	When such judgment or order is given or made by the High Court.	Fifty rupees.
25. Copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than the District Court or High Court, or by any Revenue Court.	Fifty rupees.
	When such decree or order is made by the District Court.	One hundred rupees.
	When such decree or order is made by the High Court.	One hundred twenty-five rupees.
26. Copy of any document (including power of attorney) liable to stamp/duty under the Maharashtra Stamp Act, or the Indian Stamp Act, 1899 or any corresponding law in force, as the case may be, when left 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 five hundred rupees.	Ten rupees.
LX of 1958.	(b) In any other case.	One hundred rupees.
II of 1899.		
27. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any amount, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office, or from the office of any Chief Officer charged with the executive administration of a division.	For every three hundred and sixty words or fraction of three hundred and sixty words.	Twenty-five rupees.

(1)	(2)	(3)	
28. Application made under the Maharashtra Money-Lending (Regulation) Act, 2014 or under any corresponding law in force.	....	Fifty rupees.	Mah. VIII of 2014.
29. Application presented to any Registration Officer for search of registration records.	....	Twenty-five rupees.	
30. Appeal or application to the Registrar under section 72 or, 73, as the case may be, of the Registration Act, 1908.	....	Twenty-five rupees.	XVI of 1908.
31. (a) Application for a licence under sub-clause (i) of clause (w).	....	Twenty-five rupees.	XVI of 1908.
(b) Application for certificate of registration under clause (xa), of sub-section (1) of section 33 of the Maharashtra Police Act.	....	Twenty-five rupees.	XXII of 1951.
32. Application or appeal to the Regional or State Transport Authority or the State Government under Chapter IV of the Motor Vehicles Act, 1988.	....	One hundred rupees.	59 of 1988.
33. Election petition questioning the election of a person in respect of the office—			
(a) of <i>Sarpanch</i> or <i>Upa-Sarpanch</i> or member of a <i>Panchayat</i> .	....	Two hundred fifty rupees.	
(b) of Councillor or member of a Municipal Council, <i>Zilla Parishad</i> , <i>Panchayat Samiti</i> or such other Local Authority.	....	Seven hundred fifty rupees.	
(c) of Mayor or Councillor of the Municipal Corporation of	....	Two thousand five hundred rupees.	

	(1)	(2)	(3)
LIX of 1949.	<i>Brihan Mumbai</i> or Mayor or Deputy Mayor or Councillor of the Corporation of the City of Nagpur or a Municipal Corporation established under the Maharashtra Municipal Corporations Act, or President, Vice-President, Chairman or Deputy Chairman of any local authority referred to in clause (b).	....	One thousand rupees.
I of 1956.	34. Application or petition to the Court under section 391,439 or 522 of the Companies Act, 1956.	....	Two hundred rupees.
	Any other application or petition to the Court for Judicial action or relief under the said Act, not otherwise provided for under this Act.	....	Two hundred rupees.
	35. Application—		
	(a) for order of arrest or attachment before judgment or for temporary injunction.	....	Fifty rupees.
	(b) for compensation for arrest or attachment before judgment or in respect of temporary injunction obtained on insufficient grounds.	....	Fifty rupees.
	(c) for the appointment of a receiver in a case in which the applicant has no present right of possession of the property in dispute.	....	One hundred rupees.
	(d) for setting aside decree passed <i>ex-parte</i> or for review of order dismissing suit for default.	....	Twenty-five rupees.

(1)	(2)	(3)
36. Appeal or application to the Co-operative Tribunal.	....	One hundred twenty-five rupees.
37. Application made by a party to the Magistrate under section 145 of the Code of Criminal Procedure, 1973.	....	Fifty rupees.
38. Memorandum of appeal or application for revision or review presented under Chapter XIII of the Maharashtra Land Revenue Code, 1966 to—		2 of 1974.
(a) Appellate Authority.	....	Two hundred fifty rupees.
(b) State Government.	....	Two hundred fifty rupees.
39. Application, reference, complaint, appeal or, as the case may be, revision application filed under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971,—		Mah. I of 1972.
(a) application to the Labour Court under section 25,—		
(i) by the employer for declaration that the strike is illegal ;	....	One thousand two hundred fifty rupees.
(ii) by a recognised union that the lockout is illegal.	....	Five hundred rupees.
(b) complaint under section 28 to the Labour Court with reference to item 1 of Schedule IV to the Act,—		
(i) by any union ;	....	Two hundred fifty rupees.
(ii) by any employee.	....	One hundred rupees.
(c) complaint to the Industrial Court under section 28 regarding any item in Schedule II, III or IV to the Act,—		
(i) when by any union ;	....	Two hundred fifty rupees.
(ii) by any employee.	....	One hundred rupees.

	(1)	(2)	(3)
	(d) appeal under section 42 and revision under section 44 to the Industrial Court.	...	Two hundred fifty rupees.
	(e) application filed under section 50.	....	One hundred rupees.
	(f) other miscellaneous matters not provided in the Act or any of the above entries.	....	One hundred rupees.
14 of 1947.	40. Application or reference under the Industrial Disputes Act, 1947,—		
	(a) under section 2 (k).	....	One thousand two hundred fifty rupees.
	(b) to the Labour Court under section 2-A in any dispute or difference between workman and his employer connected with or arising out of discharge, dismissal, retrenchment or termination of the workman.	....	Two hundred fifty rupees.
	(c) regarding any strikes and lock-outs to the Labour Court under section 24.	....	Five hundred rupees.
	(d) during the conciliation proceedings under section 33.	....	Two hundred fifty rupees.
	(e) in any other miscellaneous cases other than referred above.	....	One hundred rupees.
XI of 1947.	41. Application or reference, under the Maharashtra Industrial Relations Act,—		
	(a) in arbitration proceeding to the Industrial Court under sections 69, 71 and 73A.	....	One thousand two hundred fifty rupees.
	(b) to the Labour Court under section 78 read with section 79.	....	Two hundred fifty rupees.

(1)	(2)	(3)	
(c) appeals filed to the Industrial Court under section 84 or revision applications filed under section 85.	....	Two hundred fifty rupees.	
(d) in any other miscellaneous cases other than those specified above.	....	One hundred rupees.	
42. Claim or reference under section 6A of the Maharashtra Labour Welfare Fund Act.	....	One hundred rupees.	XL of 1953.
43. Application or reference under the Payment of Gratuity Act, 1971.	....	One hundred rupees.	39 of 1972.
44. Complaint and Appeal under the Maharashtra <i>Mathadi, Hamal</i> and other Manual Workers (Regulation of Employment and Welfare) Act, 1969.	....	One hundred rupees.	Mah. XXX of 1969.
45. Save as otherwise provided in this Act or any other law, memorandum of appeal or application for revision or review presented to the State Government under any Provincial or State Act or under any rules or orders issued thereunder.	....	Two hundred fifty rupees.	
46. All adjournment applications in Civil and Criminal Courts.	....	Fifty rupees.”.	

## STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Court-fees Act (XXXVI of 1959) is in force from the 1st August 1959. Under this Act, the court-fees are charged to meet to some extent the expenditure being incurred by the State Government on the administration of justice. Over the years, the expenditure on the administration of justice is increased enormously. To meet part of this huge expenditure, the rates of the court-fees were increased in the year 2002.

The Maharashtra being a welfare State, all possible efforts have been taken for speedy disposal of cases by improving the infrastructure of subordinate Judiciary in the State of Maharashtra. Besides this, there has been constant demand for establishing new courts including fast track courts and special courts, which results in escalation in the expenditure on the administration of justice.

As directed by the Aurangabad Bench of the Bombay High Court, *vide* its order dated 5th February 2002, passed in Writ Petition Nos. 4589, 4606, 4625 of 2001 and 504 of 2002, the State Government had constituted a Committee to revise the court-fees under the Chairmanship of the then Ld. Advocate General. The said committee has submitted its report in June 2004 to the Government. Considering the report submitted by the Committee and to keep pace with the inflationary trends in the economy and escalating expenditure required to be incurred by the State, the Government of Maharashtra considers it expedient to revise the existing rates of court-fees chargeable under the Maharashtra Court-fees Act, as mentioned in Schedule I and Schedule II appended to the said Act and accordingly, the suitable amendments are proposed to the said Act. The proposed amendments and revision in the rate of court-fees would partially meet the huge expenditure on the administration of justice.

In addition, in order to bring parity with the provisions of section 21 of the Legal Services Authorities Act, 1987 (39 of 1987) and section 16 of the Court-fees Act, 1870 (VII of 1870), it is proposed to incorporate a new section 16A in the Maharashtra Court-fees Act, in respect of refund of court-fees to the extent of 100% in respect of all the matters which are disposed of by the courts on adaptation of any of the modes prescribed under section 89 of the Code of Civil Procedure, 1908 (V of 1908).

2. The Bill seeks to achieve the above objectives.

Nagpur,

Dated the 15<sup>th</sup> December, 2017.

DEVENDRA FADNAVIS,

Chief Minister.

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## MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

*Clause 1(2).*—Under this clause, power is taken to the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

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**ANNEXURE TO THE L. A. BILL No. LXXIII OF 2017-THE  
MAHARASHTRA COURT FEES (AMENDMENT) BILL, 2017.**

(Extracts from the Maharashtra Court Fees Act, 1959)

**(Mah. XXXVI of 1959)**

1. to 52.

\* \* \* \*

**SCHEDULE I**

Ad valorem fees

Number (1)	.... (2)	Proper fee (3)
1.	<p>Plaint or memorandum of appeal (not otherwise provided for in this Act) or, of cross objection presented to any Civil or Revenue Court.</p> <p>When the amount or value of the subject matter in dispute does not exceed one thousand rupees.</p> <p>When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, upto five thousand rupees.</p> <p>When such amount or value exceeds five thousand rupees, for every hundred rupees, or part thereof, in excess of five thousand rupees, upto ten thousand rupees.</p> <p>When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, upto twenty thousand rupees.</p> <p>When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, upto thirty thousand rupees.</p> <p>When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, upto fifty thousand rupees.</p> <p>When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees, upto one lakh of rupees.</p> <p>When such amount or value exceeds one lakh of rupees, for every ten thousand rupees, or lakh of rupees upto eleven lakh of rupees.</p>	<p>Two hundred rupees.</p> <p>Twelve rupees.</p> <p>Fifteen rupees.</p> <p>Seventy-five rupees</p> <p>One hundred rupees</p> <p>One hundred rupees.</p> <p>One hundred and fifty rupees.</p> <p>Two hundred rupees.</p>

## SCHEDULE I—Contd.

(1)	(2)	(3)
	<p>When such amount or value exceeds eleven lakh of rupees, for every one lakh of rupees, or part thereof, in excess of eleven lakh of rupees :            Provided that, the maximum fee leviable on the plaint or memorandum of appeal or of cross objection shall be three lakh of rupees.</p>	<p>One Thousand and two hundred rupees</p>
2. to 9.	*	*
10. Probate of a will or letters of administration with or without will annexed.	<p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the amount or value upto fifty thousand rupees.</p>	<p>Two per cent.</p>
	<p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees upto two lakh rupees.</p>	<p>Four per cent.</p>
	<p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakh rupees, on the part of the amount or value in excess of two lakh rupees upto three lakh of rupees.</p>	<p>Six per cent.</p>
	<p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakh rupees, on the part of the amount or value in excess of three lakh of rupees :</p>	<p>Seven and half per cent, subject to the maximum of 75,000 rupees.</p>
	<p>Provided that When, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827 or any corresponding law for the time being in force, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the later grant shall be reduced by the amount of the fee paid in respect of the former grant.</p>	

SCHEDULE I—*Contd.*

(1)	(2)	(3)
11. and 12.	*	*
13. Plaint presented with an originating summons under the Rules of the High Court of Bombay (Original Side), 1980.	*	The fee leviable on a plaint in a suit or the same relief, subject to a minimum fee of one hundred rupees.
14. Deleted by Mah. 18 of 1960.		
15. Application to the Collector for a reference to the Court under section 18 of the Land Acquisition Act, 1894, in its application to the Bombay area or the Vidarbha region of the State of Maharashtra or section 14 of the Land Acquisition Act, in its application to the Hyderabad area of that State, as the case may be.		One-half of ad-valorem fee on the difference, if any between the amount awarded by the Collector and the amount claimed by the applicant, according to the scale prescribed under Article 1 of Schedule I, subject to a minimum fee of fifty rupees.
16. Application or petition made by any assessee to the High Court under sub-section (2) of section 256 of the Income Tax Act, 1961.		One-half ad-valorem fee leviable on the amount in dispute (namely, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee payable by him) subject to the minimum fee of 10 [one hundred twenty five rupees.

## SCHEDULE I—Contd.

(1)	(2)	(3)
<p>16A. An appeal filed after the 1st June 1999 and pending before the High Court against the order passed in appeal by the Appellate Tribunal, under section 260A(2) of the Income Tax Act, 1961.</p>		<p>Ad valorem fee leviable on the amount in dispute, that is the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him, subject to maximum fee of Rs. 10,000.</p>
<p>16B. An appeal filed after the 1st June 1999 and pending before the High Court against the order passed in appeal by the Appellate Tribunal, under section 27A of the Wealth Tax Act, 1957.</p>		<p>One-half of the ad valorem fee leviable on the amount of dispute that is, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him subject to the maximum of Rs. 5,000.</p>
<p>17. Application or petition made by any person (other than the Collector or the Commissioner) to the High Court under any provision of the sales tax law for the time being in force in any part of the State of Maharashtra.</p>		<p>One-half of ad valorem fee leviable on the amount in dispute (namely, the difference between the amount of tax actually assessed and the amount of tax admitted by the assessee as payable by him), subject to the minimum fee of one hundred fifty rupees.</p>

**SCHEDULE I—Contd.**

(1)	(2)	(3)
18. Application or petition containing complaint or charge of an offence under section 138 of the Negotiable Instruments Act, 1881.	(A) When the amount of cheque does not exceed ten thousand rupees.	Two hundred rupees.
	(B) When the amount of cheque exceeds ten thousand rupees,	Two hundred rupees for every ten thousand rupees or part thereof, subject to the maximum of rupees one lakh fifty thousand.

**SCHEDULE**

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

When the amount or value of the subject matter exceeds. (1)	But does not exceed. (2)	Proper fee. (3)
Rs.	Rs.	Rs.
...	1,000	200
1,000	1,100	212
1,100	1,200	224
1,200	1,300	236
1,300	1,400	248
1,400	1,500	260
1,500	1,600	272
1,600	1,700	284
1,700	1,800	296
1,800	1,900	308
1,900	2,000	320
2,000	2,100	332
2,100	2,200	344
2,200	2,300	356
2,300	2,400	368
2,400	2,500	380
2,500	2,600	392
2,600	2,700	404
2,700	2,800	416
2,800	2,900	428
2,900	3,000	440

## SCHEDULE —Contd.

(1)	(2)	(3)
3,000	3,100	452
3,100	3,200	464
3,200	3,300	476
3,300	3,400	488
3,400	3,500	500
3,500	3,600	512
3,600	3,700	524
3,700	3,800	536
3,800	3,900	548
3,900	4,000	560
4,000	4,100	572
4,100	4,200	584
4,200	4,300	596
4,300	4,400	608
4,400	4,500	620
4,500	4,600	632
4,600	4,700	644
4,700	4,800	656
4,800	4,900	668
4,900	5,000	680
5,000	5,100	695
5,100	5,200	710
5,200	5,300	725
5,300	5,400	740
5,400	5,500	755
5,500	5,600	770
5,600	5,700	785
5,700	5,800	800
5,800	5,900	815
5,900	6,000	830
6,000	6,100	845
6,100	6,200	860
6,200	6,300	875
6,300	6,400	890
6,400	6,500	905
6,500	6,600	920
6,600	6,700	935
6,700	6,800	950
6,800	6,900	965
6,900	7,000	980
7,000	7,100	995



## SCHEDULE —Contd.

(1)	(2)	(3)
7,100	7,200	1,010
7,200	7,300	1,025
7,300	7,400	1,040
7,400	7,500	1,055
7,500	7,600	1,070
7,600	7,700	1,085
7,700	7,800	1,100
7,800	7,900	1,115
7,900	8,000	1,130
8,000	8,100	1,145
8,100	8,200	1,160
8,200	8,300	1,175
8,300	8,400	1,190
8,400	8,500	1,205
8,500	8,600	1,220
8,600	8,700	1,235
8,700	8,800	1,250
8,800	8,900	1,265
8,900	9,000	1,280
9,000	9,100	1,295
9,100	9,200	1,310
9,200	9,300	1,325
9,300	9,400	1,340
9,400	9,500	1,355
9,500	9,600	1,370
9,600	9,700	1,385
9,700	9,800	1,400
9,800	9,900	1,415
9,900	10,000	1,430
10,000	10,500	1,505
10,500	11,000	1,580
11,000	11,500	1,655
11,500	12,000	1,730
12,000	12,500	1,805
12,500	13,000	1,880
13,000	13,500	1,955
13,500	14,000	2,030
14,000	14,500	2,105
14,500	15,000	2,180
15,000	15,500	2,255
15,500	16,000	2,330
16,000	16,500	2,405
16,500	17,000	2,480
17,000	17,500	2,555
17,500	18,000	2,630
18,000	18,500	2,705

## SCHEDULE —Contd.

(1)	(2)	(3)
18,500	19,000	2,780
19,000	19,500	2,855
19,500	20,000	2,930
20,000	21,000	3,030
21,000	22,000	3,130
22,000	23,000	3,230
23,000	24,000	3,330
24,000	25,000	3,430
25,000	26,000	3,530
26,000	27,000	3,630
27,000	28,000	3,730
28,000	29,000	3,830
29,000	30,000	3,930
30,000	32,000	4,030
32,000	34,000	4,130
34,000	36,000	4,230
36,000	38,000	4,330
38,000	40,000	4,430
40,000	42,000	4,530
42,000	44,000	4,630
44,000	46,000	4,730
46,000	48,000	4,830
48,000	50,000	4,930
50,000	55,000	5,080
55,000	60,000	5,230
60,000	65,000	5,380
65,000	70,000	5,530
70,000	75,000	5,680
75,000	80,000	5,830
80,000	85,000	5,980
85,000	90,000	6,130
90,000	95,000	6,280
95,000	1,00,000	6,430

and the fees increases at the rate of Rs. 200 for every Rs. 10,000 or part thereof over Rs. one lakh upto Rs. 11,00,000 and over Rs. 11,00,000 at the rate of Rs. 1,200 for every Rs. 1,00,000 or part thereof, upto a maximum fees of Rs. 3,00,000, for example :—

Rs.	Rs.	Rs.	Rs.
1,00,000	6,430	9,00,000	22,430
2,00,000	8,430	10,00,000	24,430
3,00,000	10,430	11,00,000	26,430
4,00,000	12,430	12,00,000	27,630
5,00,000	14,430	13,00,000	28,830
6,00,000	16,430	14,00,000	30,030
7,00,000	18,430	15,00,000	31,230
8,00,000	20,430		

## SCHEDULE II

## FIXED FEES

Number (1)	.... (2)	Proper fee (3)
1. Application or petition.	<p>(a) When presented to any officer of the Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings ;</p> <p>or when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or a petition relates exclusively to such engagement;</p> <p>or when presented to any Municipal Commissioner 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;</p> <p>or when presented to any Civil Court other than a principal Civil Court of original jurisdiction;</p> <p>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 or to a public officer in relation to any suit or case in which the amount of value of the subject-matter is less than fifty rupees.</p> <p>or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree of order passed by such Court, Board or Officer, or of any other document on record in such Court or office.</p> <p>(c) (i) When containing a complaint or charge of any offence other than the offence under the Negotiable Instruments Act, 1881.</p>	Five rupees.
		Five rupees.

## SCHEDULE II—Contd.

(1)	(2)	(3)
	(d) When presented to any competent authority for the purpose of obtaining a certificate of domicile.	Ten rupees
	(e) When presented to any Chief Controlling Revenue or Executive Authority or to a Commissioner of Revenue or to any Chief Officer charged with the executive administration of a division and not otherwise provided for by this Act.	Ten rupees
	(f) When presented to the High Court—	
	(i) for directions, orders or writs, under article 226 of the Constitution for any purpose other than the enforcement of the fundamental rights conferred by Part III thereof;	One hundred twenty five rupees.
	(ii) for directions, orders or writs, under article 226 for the enforcement of any of the fundamental rights conferred by Part III of the Constitution or for the exercise of its jurisdiction under article 227 thereof;	Two hundred and fifty rupees.
	(iii) in any other case not otherwise provided for by this Act.	Twenty rupees.
2.	Revision application when presented to the High Court under section 25 of the Provincial Small Cause Court Act, 1887 or section 115 of the Code of Civil Procedure, 1908.	..... Five rupees.
3.	Application to any Civil Court that records may be called for from another Court.	When the Court grants the application and is of opinion that the transmission of such records involves the use of the post. Five rupees in addition to any fee levied on the application under clause (a), clause (c) or clause (f) of Article 1 of this Schedule.
4.	First Application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or	..... Five rupees.

## SCHEDULE II—Contd.

(1)	(2)	(3)
to produce a document or in respect of the production or filing of an exhibit not being an affidavit made for the immediate purpose of being produced in Court.		
5. Application for leave to sue as a pauper.	.....	Five rupees.
6. Application for leave to appeal as a pauper.	(a) When presented a District Court.  (b) When presented to a Commissioner or the High Court.	Five rupees.  Twenty rupees.
7. Complaint or memorandum of appeal in a suit to obtain possession under the Mamlatdars Court Act, 1906.	.....	Twenty-five rupees.
8. Complaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.	.....	Ten rupees.
9. Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under the Code of Criminal Procedure, 1973, or under the Code of Civil Procedure, 1908.	.....	Ten rupees.
10. All other bail-bonds given under the Code of Criminal Procedure, 1973, and recognizance to prosecute and recognizances for personal appearance or otherwise.	.....	Five rupees.
11. Undertaking under section 49 of the Indian Divorce Act, 1869.	.....	Ten rupees.
12. Mukhtarnama or Wakalat-nama.	When presented for the conduct of any one case— (a) to any Civil or Criminal Court other than the High Court, or to any Revenue Court, or to any Collector or Magistrate, or other executive officer; (b) to the High Court.	Ten rupees.  Fifteen rupees.

## SCHEDULE II—Contd.

(1)	(2)	(3)
13. Memorandum of appeal when the appeal is not from decree or an order having the force of a decree, and is presented—	(a) to any Civil Court other than the High Court or to any Revenue Court, or Executive Officer other than the High Court or Chief Controlling Revenue or Executive Authority;	five rupees.
	(b) to the Chief Controlling Executive or Revenue Authority;	Ten rupees.
	(c) to the High Court.	Twenty-five rupees.
14. Caveat ....	(i) When presented to the High Court.	Fifty rupees.
	(ii) When presented to the Court other than High Court;	Twenty-five rupees.
15. Application for permission to cut timber in Government forests, or otherwise relating to such forests.	.....	Five rupees.
16. Memorandum of appeal presented to—		
(a) the State Government..	.....	Twenty rupees.
(b) any Forest Officer, where such appeal is provided for, by or under the Indian Forest Act, 1927 or any corresponding law in force.	.....	Four rupees.
17. Petition in a suit, under the Native Converts' Marriage Dissolution Act, 1866.	.....	One hundred rupees.
18. Application—		
(a) under section 20 of the Arbitration Act, 1940;	.....	Fifty rupees.
(b) for probate or letters of administration or for revocation thereof under the Indian Succession Act, 1925.	When the amount or value of the estate does not exceed two thousand rupees.	Ten rupees.
(c) for a certificate under part X of the Indian Succession Act, 1925, or Bombay Regulation VIII of 1827 or any corresponding law for the time being in force;	When it exceeds two thousand rupees, but does not exceed five thousand rupees.	Thirty rupees.

## SCHEDULE II—Contd.

(1)	(2)	(3)
(d) for opinion or advice or for discharge from a Trust, or for appointment of new trustees under section 34, 72, 73 or 74 of the Indian Trusts Act, 1882;	.....	Fifty rupees.
(e) under rule 58 of Order XXI of the Code of Civil Procedure, 1908 regarding a claim to attached property.	When the amount or value of the property exceeds five hundred rupees.	Fifty rupees.
19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	.....	Seventy-five rupees.
20. Every petition under the Indian Divorce Act, 1869 except petition under section 44 of that Act and every memorandum of appeal under section 55 of that Act.	.....	One hundred rupees.
21. Complaint, application, petition, or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936, the Special Marriage Act, 1954 or the Hindu Marriage Act, 1955 :	.....	One hundred rupees.
Provided that, where in addition to divorce damages are claimed.		A fee as above plus fee on the amount of damages claimed according to the scale prescribed under Article 1 of Schedule I.
22. Petitions under the Indian Christian Marriage Act, 1872, section 45 and 48.	.....	Ten rupees.
23. Complaint, petition or application (including memorandum of appeal) which is capable of being treated as a suit—		
(a) for annulment of marriage;	.....	One hundred rupees.

## SCHEDULE II—Contd.

(1)	(2)	(3)
(b) for dissolution of marriage;		One hundred rupees.
(c) in suit for custody of minor;		Seventy-five rupees.
(d) for restitution of conjugal right;		One hundred rupees.
(e) for judicial separation;	.....	One hundred rupees.
(f) in or to any Civil Court not otherwise provided for and the subject-matter of which is not capable of being estimated in money value.	.....	Ad valorem fee payable, as if the amount or value of the subject-matter was three hundred rupees.
24. Copy or translation of a judgment or order not being, or having the force of, a decree.	When such judgment or order is given or made by any Civil Court other than the High Court, or by any Revenue Court.	Five rupees.
	When such judgment or order is given or made by the High Court.	Ten rupees.
25. Copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than the District Court or High Court, or by any Revenue Court;	Ten rupees.
	When such decree or order is made by the District Court;	Twenty rupees.
	When such decree or order is made by the High Court.	Twenty-five rupees.
26. Copy of any document (including power of attorney) liable to stamp-duty under the Bombay Stamp Act, 1958 or the Indian Stamp Act, 1899 or any corresponding law in force, as the case may be, when left 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 Twenty rupees.	Two rupees.
	(b) In any other case.	Twenty rupees.
27. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any amount, statement, report or the like, taken out of any Civil or Criminal or Revenue Court or office, or from the	For every three hundred and sixty words or fraction of three hundred and sixty words.	Five rupees.



**SCHEDULE II—contd.**

(1)	(2)	(3)
28. Application made under the Bombay Money-lenders Act, 1946 or under any corresponding law in force.		Ten rupees.
29. Application presented to any Registration officer for search of registration records.	..	Five rupees.
30. Appeal or application to the Registrar under section 72 or 73, as the case may be, of the Registration Act, 1908.	..	Five rupees.
31. (a) Application for a licence under sub-clause (i) of clause (w) ; (b) Application for certificate of registration under clause (xa), of sub-section (1) of section 33 of the Bombay Police Act, 1951.	..	Five rupees.
32. Application or appeal to the Regional or State Transport Authority or the State Government under Chapter IV of the Motor Vehicles Act, 1988.	..	Twenty rupees.
33. Election petition questioning the election of a person in respect of the office—		
(a) of Sarpanch or Up-Sarpanch or member of a Panchayat ;		fifty rupees.
(b) of councillor or member of a Municipal Council, Zilla Parishad, Panchayat Samiti or such other Local Authority ;	..	One hundred fifty rupees
(c) of Mayor or Councillor of the Municipal Corporation of Greater Bombay or Mayor or Deputy Mayor or Councillor of the Corporation of the City of Nagpur or a Municipal Corporation established under the Bombay		Five hundred rupees

**SCHEDULE II—contd.**

(1)	(2)	(3)
Provincial Municipal Corporations Act, 1949, or President, Vice-President, Chairman or Deputy Chairman of any local authority referred to in clause (b).		
34. Application or petition to the Court under section 391, 439 or 522 of the Companies Act, 1956.		Two hundred rupees.
Any other application or petition to the Court for Judicial action or relief under the said Act, not otherwise provided for under this Act.		
35. Application—		
(a) for order of arrest or attachment before judgment or for temporary injunction ;		Ten rupees.
(b) for compensation for arrest or attachment before judgment or in respect of temporary injunction obtained on insufficient grounds ;		Ten rupees.
(c) for the appointment of a receiver in a case in which the applicant has no present right of possession of the property in dispute ;		Twenty rupees.
(d) for setting aside decree passed ex-parte or for review of order dismissing suit or default.		Five rupees.
36. Appeal or application to the Co-operative Tribunal.		Twenty-five rupees.
37. Application made by a party to the Magistrate under section 145 of the Code of Criminal Procedure, 1973.		Ten rupees.
38. Memorandum of appeal or application for revision or review presented under Chapter XIII of the Maharashtra Land Revenue Code, 1966 to —		
(a) Appellate Authority		Fifty Rupees.
(b) State Government		Fifty Rupees.

**SCHEDULE II—contd.**

(1)	(2)	(3)
38A. Application reference, . . . complaint, appeal or, as the case may be, revision application filed under the Maharashtra Recognition of Trade Unions and Pre- vention of Unfair Labour Practices Act, 1971,—		
(a) application to the Lab- our Court under section 25,—		
(i) by the employer for de- . . claration that the strike is illegal.	Two hundred and fifty rupees.	
(ii) by a recognised union . . that the lockout is illegal.		Hundred rupees.
(b) complaint under Sec- tion 28 to the Labour Court with reference to item 1 of Schedule IV to the Act.		
(i) by any union . . .		Fifty rupees.
(ii) by any employee. . .		Twenty rupees.
(c) complaint to the Indu- . . strial Court under Sec- tion 28 regarding any item in Schedule II, III or IV to the Act.		Fifty rupees.
(i) when by any union . . .		Fifty rupees.
(ii) by any employee. . .		Twenty rupees.
(d) appeal under Section 42 . . and revision under section 44 to the Industrial Court.		Fifty rupees.
(e) application filed under . . section 50.		Twenty rupees.
(f) other miscellaneous . . matters not provided in the Act or any of the above entries.		Twenty rupees.
38B. Application or reference under the Industrial Dis- putes Act, 1947, —		
(a) under section 2 (k) . . .	Two hundred and fifty rupees.	
(b) to the Labour Court . . under section 2-A in any dispute or difference bet- ween workman and his employer connected with or arising out of discharge, dismissal, retrenchment or termination of the workman.		Fifty rupees.

**SCHEDULE II—contd.**

(1)	(2)	(3)
(c) regarding any strikes and lock-outs to the Labour Court under section 24.		One hundred rupees.
(d) during the conciliation proceeding under section 33.		Fifty rupees.
(e) in any other miscellaneous cases other than referred above.		Twenty rupees.
38C. Application or reference, under the Bombay Industrial Relations Act, 1946—		
(a) in arbitration proceeding to the Industrial Court under section 69, 71 and 73A.	Two hundred and fifty rupees.	
(b) to the Labour Court under section 78 read with section 79.		Fifty rupees.
(c) appeals filed to the Industrial Court under section 84 or revision applications filed under section 85.		Fifty rupees.
(d) in any other miscellaneous cases other than those specified above.		Twenty rupees.
38D. Claim or reference under section 6A of the Bombay Labour Welfare Fund Act, 1953.		Twenty rupees.
38E. Application or reference under the Payment of Gratuity Act, 1971.		Twenty rupees.
38F. Complaint and Appeal under the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation at Employment and Welfare) Act, 1969.		Twenty rupees.
39. Save as otherwise provided in this Act or any other law, memorandum of appeal or application for revision or review presented to the State Government under any Provincial or State Act or under any rules or orders issued thereunder.		Fifty rupees.
40. All adjournment applications in Civil and Criminal Courts.		Ten rupees.

**SCHEDULE III and IV**

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**MAHARASHTRA LEGISLATURE  
SECRETARIAT**

**[L. A. BILL No. LXXIII OF 2017.]**

**[A Bill further to amend the  
Maharashtra Court-fees Act.]**

**[ SHRI DEVENDRA FADNAVIS,  
Chief Minister.]**

**Dr. ANANT KALSE,  
Principal Secretary,  
Maharashtra Legislative Assembly.**