

THE PUDUCHERRY CIVIL COURTS (AMENDMENT)
BILL, 2022

(Bill No. 4 of 2022)

A
BILL

**further to amend the Puducherry Civil Courts Act,
1966.**

BE it enacted by the Legislative Assembly of Puducherry in the Seventy-third Year of the Republic of India as follows :—

Short title,
extent and
commencement.

1. (1) This Act may be called the Puducherry Civil Courts (Amendment) Act, 2022.

(2) It extends to the whole of the Union territory of Puducherry.

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

Amendment of
section 8.

2. In the Puducherry Civil Courts Act, 1966 (hereinafter referred to as the Principal Act), for section 8, the following shall be substituted, namely:-

Act
No. 12
of
1966.

“8. Jurisdiction of District Judge, Subordinate Judge and District Munsif in original suits. - (1) The jurisdiction of the District Judge shall, subject to the rules of procedure contained in the Code of Civil Procedure, 1908 (hereinafter referred to in this section as the said Code) for the time being in force, extend to all original suits and proceedings of a civil nature, of which the amount or value of the subject matter exceeds rupees ten lakhs.

Act
No. 5
of
1908.

(2) The jurisdiction of the Subordinate Judge shall, subject to the rules of procedure contained in the said Code for the time being in force, extend to all original suits and proceedings of a civil nature, of which the amount or value of the subject matter exceeds rupees one lakh, but, does not exceed rupees ten lakhs.

Provided that the jurisdiction of the Subordinate Judge's Court at Mahe and Yanam extends subject to the provisions of the said Code to all original suits and proceedings of civil nature.

(3) The jurisdiction of the District Munsif shall extend to all like suits and proceedings not otherwise exempted from his cognizance of which the amount or value of the subject matter does not exceed rupees one lakh.

Provided that the Government may by notification in the Official Gazette increase the jurisdiction as and when exigency arises.

3. (1) In the Principal Act, in section 9, in the proviso to sub-section (3), for the words "rupees five lakhs", the words "rupees ten lakhs", shall be substituted. Amendment of section 9.

(2) In the Principal Act, in section 9, the Transitory provisions contained in sub-section (7), for the existing clauses (1) and (3), the following shall be substituted, namely:-

"(1) All suits pending in the District Courts at Puducherry and Karaikal, when the amount or the value of the subject matter of the suit is up to rupees ten lakhs shall stand transferred to the respective Subordinate Courts at Puducherry and Karaikal having jurisdiction.

(3) All first appeals from the Decrees and Orders of the Subordinate Courts at Puducherry, Karaikal, Mahe and Yanam and pending on the file of the High Court of Judicature at Madras and when the amount or the value of the subject matter of such appeals does not exceed rupees ten lakhs shall stand transferred to the respective District Courts at Puducherry and Karaikal having jurisdiction."

STATEMENT OF OBJECTS AND REASONS

The Puducherry Civil Courts Act, 1966 (Act No. 12 of 1966) was enacted by the Legislative Assembly of this Union territory of Puducherry for consolidating and amending the law relating to Civil Courts in the Union territory of Puducherry.

2. It is proposed to amend sections 8 and 9 of the Puducherry Civil Courts Act, 1966 so as to confer pecuniary jurisdiction to the District Judges and Subordinate Judges in original suits in this Union territory of Puducherry. For this purpose a Bill titled as “The Puducherry Civil Courts (Amendment) Bill, 2022” is proposed to be enacted.

3. The Bill seeks to achieve the above objects.

K. LAKSHMINARAYANAN,
Law Minister.

FINANCIAL MEMORANDUM

There is no financial implication involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Proviso clause under sub-section (3) of section 8 of the Puducherry Civil Courts Act, 1966 (Act No. 12 of 1966) proposed to be inserted by clause 2 of the Bill authorise the Government to issue notification to carry out the purposes as specified therein.

2. The powers delegated are normal and not of an exceptional character.