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తెలంగాణ రాజపత్రము
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No.17] HYDERABAD, MONDAY, SEPTEMBER 14, 2020.

TELANGANA BILLS
TELANGANA LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Telangana Legislative Assembly on 14th September, 2020.

L. A. BILL No. 17 OF 2020.

A BILL FURTHER TO AMEND THE TELANGANA COURT-FEES AND SUITS VALUATION ACT, 1956.

Be it enacted by the Legislature of the State of Telangana in the Seventy-First Year of the Republic of India, as follows:-

1. (1) This Act may be called the Telangana Court-fees and Suits Valuation (Amendment) Act, 2020.

Short title
and
commence-
ment.

[1]

B. 60 (NG)

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

Substitution
of section
66-A.
Act VII of
1956.

2. In the Telangana Court-fees and Suits Valuation Act, 1956 (hereinafter referred to as principal Act), for section 66-A, the following shall be substituted, namely,-

Central
Act 5 of
1908.

“66-A. Refund of Fee :- 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 other mode as permitted by High Court from time to time by issuing necessary Circulars/Proceedings.”.

Substitution
of section
69.

3. In the principal Act, for section 69, the following shall be substituted, namely,-

“69. Collection of fees by stamps:- 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.”.

Substitution
of section
70.

4. In the principal Act, for section 70, the following shall be substituted, namely,-

“70. Stamps to be impressed or adhesive:- 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 the Telangana Gazette, from time to time direct.”.

5. In the principal Act, in section 71, after the words “it shall not be necessary to impose a fresh stamp” the following shall be added, namely,-

Amendment
of section
71.

“or transfer equivalent amount by way of e-challan or NEFT or RTGS.”.

6. In the principal Act, in section 72, for sub-section (1), the following shall be substituted, namely,-

Amendment
of section
72.

“(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.”.

7. In the principal Act, after section 74, the following new section shall be inserted, namely,-

Insertion
of new
section
74-A.

74-A. Punishment :- 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.”.

STATEMENT OF OBJECTS AND REASONS

The proposal is to merge payment of Court Fee and Process Fee in a single transaction in the Commercial Courts and allow for payment of Court Fee and Process Fee in a single transaction, by way of e-challan or by NEFT or by RTGS or any other mode as permitted by High Court from the time by issuing necessary Circulars/ Proceedings in order to facilitate the litigants approaching the Courts. The Registrar General, High Court for the State of Telangana, has stated that the proposal has been placed before the committee of Hon'ble Judge's of the High Court and the committee proposed amendments to the relevant provisions of Telangana Court Fees and Suits Valuation Act, 1956 and the same was approved by the full Court of Hon'ble Judge's of the High Court for the State of Telangana.

The Government after careful consideration of the proposal agreed to accept the proposal and decided to amend the Act as proposed.

This Bill seeks to give effect to the above decision.

A. INDRAKARAN REDDY,
Minister for Forest & Environment,
Science & Technology, Endowments and Law.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(2) and 4 of the Bill authorizes the Government to issue notification or to make rules in respect of matters specified therein and generally to carry out the purposes of the Act and such rules so made or notifications issued which are intended to cover matters mostly of procedural in nature are to be laid on the table of the Legislature of the State and will be subject to any modifications made by the Legislature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and re mainly intended to cover matter of procedure.

A. INDRAKARAN REDDY,
Minister for Forest & Environment,
Science & Technology, Endowments and Law.

**MEMORANDUM UNDER RULE 95 OF THE RULES OF
PROCEDURE AND CONDUCT OF BUSINESS IN THE
TELANGANA LEGISLATIVE ASSEMBLY.**

The Telangana Court-fees and Suits Valuation (Amendment) Bill, 2020, after it is passed by both the Houses of State Legislature may be submitted to the Governor for her assent under article 200 of the Constitution of India.

A. INDRAKARAN REDDY,
Minister for Forest & Environment,
Science & Technology, Endowments and Law.

Dr. V. NARASIMHA CHARYULU,
Secretary to State Legislature.