

THE TRIPURA ACT NO. 17 OF 2020

**THE COURT FEES
(TRIPURA AMENDMENT) ACT, 2020**

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Agartala, Friday, November 13, 2020 A. D. Kartika 22, 1942 S. E.

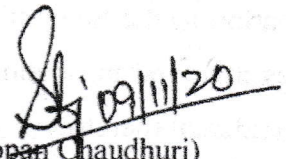
**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA.**

No.F.8(22) Law/Leg-I/2020(L)

Dated, Agartala, the 9th November, 2020.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 6th of November, 2020 and is hereby published for General information.


(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura

THE COURT FEES (TRIPURA AMENDMENT) ACT , 2020

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ACT

further to amend the Court Fees Act, 1870 (Central Act No. 7 of 1870), in its application to the State of Tripura.

WHEREAS, the Court Fees Act, 1870 (here-in-after referred to as the Principal Act), as was in force in the State of Assam, was adapted in the State of Tripura, with effect from 21st January, 1972, by North-Eastern Areas (Reorganisation) (Tripura) Adaptation of Laws Order, 1973 Vide No.F.3(4)-Law/Leg/72 Dated 27th October, 1973;

AND WHEREAS, pursuant to the suggestion of the Supreme Court e-Committee, the High Court of Tripura has requested for amendment of the Principal Act, with a view to facilitate online payment of Court fees, penalties, fines etc.;

AND WHEREAS, it is felt expedient to amend the Court-fees Act, 1870, in its application to the State of Tripura, for providing convenience of paying court fees without hassles involved in obtaining physical judicial stamps and other matters connected therein and incidental thereto;

BE it enacted by the Tripura Legislative Assembly in the Seventy First Year of the Republic of India as follows:-

1. Short title and commencement:

- (1) This may be called the "The Court Fees (Tripura Amendment) ACT, 2020";
- (2) It shall come into force on the date of its publication in the Tripura Gazette.

2. Amendment of Section 13:

In section 13 of the principal Act, the expression "the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector the full amount of fee paid on the memorandum of appeal", shall be substituted with the expression "**the Appellate Court shall grant to the appellant a certificate, authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, the full amount of fee paid on the memorandum of appeal**".

3. **Amendment of Section 14:**

In Section 14 of the principal Act, the expression "grant him a certificate authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day", shall be substituted with the expression "**grant him a certificate authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.**"

4. **Amendment of Section 15:**

In section 15 of the principal Act, the expression "the applicant shall be entitled to a certificate from the court authorizing him to receive back from the Collector so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under the second schedule to this Act", shall be substituted with the expression "**the applicant shall be entitled to a certificate from the court authorizing him to receive back from the Collector or by way of electronic transfer in such manner as may be prescribed, so much of the fee paid on the application as exceeds the fee payable on any other application to such court under the second schedule to this Act.**"

5. **Amendment of Section 16:**

In Section 16 of the principal Act, the expression "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", shall be substituted with the expression "**the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector or by way electronic transfer in such manner as may be prescribed, the full amount of the fee paid in respect of such plaint.**"

6. **Amendment of Section 25:**

In Section 25 of the principal Act, the expression "stamps", shall be substituted with the expression "**stamps or electronic transfer of payment to State Government in such manner as may be prescribed.**"

7. **Amendment of Section 27:**

Clause (a) of Section 27 of the principal Act, shall be substituted with the following-

"(a) the manner of supply of stamps or electronic transfer of payment of court-fee and refund thereof;"

8. Amendment of Section 30:

In Section 30 of the principal Act, after the existing text, the following proviso shall be added-

“Provided that, where court-fee is paid by electronic transfer of payment, the officer competent to cancel stamp shall verify the genuineness of the payment and after satisfying himself that the court-fee is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fee is paid and the entry is locked”.

9. Repeal and Savings:-

(1) The Court Fees(Tripura Amendment) Ordinance, 2020 (The Tripura Ordinance No.8 of 2020) as was promulgated by the Governor of Tripura on 24th July, 2020 and was published in the Tripura Gazette on 03rd August, 2020, is hereby repealed;

(2) Notwithstanding such repeal, any action taken, any order or Notification issued or any proceeding initiated under the Ordinance, so repealed, shall be deemed to have taken, issued or initiated under the corresponding provision of this Act.

(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura.

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