

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:4001
ANSWERED ON:18.04.2002
HIKE IN COURT FEE
SURESH PASI

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

- (a) whether there has been an exhorbitant hike in the court fee;
- (b) if so, the reasons therefor;
- (c) whether, some advocates have opposed such hikes; and
- (d) if so, the steps taken or proposed to be taken in this regard?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) and (b) : The levying of court fee on institution and trial of suits and the petitions presented to the courts is regulated under the Court Fees` Act,1870.This is aCentral enactment.However,the power to amend the Act in its application to the States has been delegated to the State Governments. Accordingly, the State Governments can amend the Court Fees`Act in its application totheir territories as and when considered necessary by them.

The Central Government has not increased the court fee during the recent years. In the All India Judges Association Case(W.P No.10~2/89), the Supreme Courtin its recent judgement of 21st March,2002 has inter alia, suggested to the States to increase the court fee, if necessary, to mobilise their resources to meet the increased expenditure on judiciary for discharging their constitutional obligations.

- (c) : No protest has been received so far in the Department of Justice in this connection.
- (d): Does not arise.