

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4454
ANSWERED ON:17.12.2009
AMENDMENT IN COURT FEE AND INDIAN STAMP ACT
Joshi Shri Pralhad Venkatesh

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

- (a) whether the Law Commission has recommended to the Government to bring about an amendment in the Court Fees Act and the Indian Stamp Act in order to check revenue loss;
- (b) if so, the details thereof; and
- (c) the reaction of the Government thereto?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR. M. VEERAPPA MOILY)

(a) & (b) The Law Commission in its 231st Report on "Amendments in Indian Stamp Act, 1899 and Court-Fee Act, 1870 permitting different modes of payment." has recommended that in order to save the Government huge costs of printing judicial and non-judicial stamps and commission to stamp vendors as also to prevent fraud and avoidable hassles to the public, the Indian Stamp Act, 1899 and the Court-fees Act, 1870 need suitable amendments to provide for payment of stamp duty on instruments and court-fee on documents to be filed in courts through alternative modes of payment, namely, demand draft, banker's cheque, pay order, money order, postal order, challan, cash. Stamp duty and court-fee account should be in round figures.

(c) The Parliamentary Standing Committee while deliberating upon the Judges (Inquiry) Bill, 2006 drew the attention of the executive and the judiciary to arrive at a decision regarding differential court fees for the Commercial/corporate matter immediately; and to amend the Supreme Court Rules, High Court Rules and other Court fees Acts accordingly. The Law Commission has accordingly been requested to consider this and submit its recommendations. With regard to the amendment in the Indian Stamp Act, 1899, the report has been forwarded to all the States/UTs for seeking their views as the matter falls within purview of State Governments.