




**COURT FEES ACT 1870**  
**OBJECT OF COURT FEES ACT**  
ANSWER OUTLINE



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## **Q.1 OBJECT OF court FEES ACT, ARE THERE ANY DOCUMENTS EXEMPTED FROM COURT FEES.?**

### **1. INTRODUCTION:**

Now's a day every state relies on certain fiscal enactment to ensure the collection of revenue. The main purpose of court fee Act is to levy fesses for the services to be rendered by the court. The Act not only prescribed fee but also provide how they are to be ascertained. Section 19 of court fees Act prescribe a list of documents which are expressly exempted from court fee.

### **2. RELEVANT SECTON:**

**Section 19 of court fees act 1870:**

### **3. NATURE OF COURT FEES ACT:**

**Mst. Walayat khatoon case:**

**PLD 1979 SC 821**

“Court Fees Act is a fiscal enactment entitled only to secure revenue, it is a form of taxation.

### **4. REASON BEHAIND COURT FEES ACT:**

**Gazette of India 1869 Part V page 57**

“The court fee Act is only for proceedings in the court”

### **5. OBJECT OF COURT FEES ACT:**

Following are the objects of court fees Act.

- I. COLLECTION IF REVENUE:**
- II. COLLECTION PRIOR TO LITIGATION**
- III. TO CURTAIL UNNECESSARY LITIGATION:**
- IV. TO TEST THE BONAFIDE INTENTION:**
- V. LAY DOWN RULES FOR COLLECTION:**
- VI. TO DETERMINATION COURT FEE:**
- VII. TO CHECK FRIVVOLOUS LITIGATION:**
- VIII. COST AND BENEFITS OF PARTIES:**
- IX. TO LAY DOWN EXEMPTION:**

### **6. SCOPE OF COURT FEES ACT:**

- I. FEDERAL ENACTMENT:**
- II. AMENDMENT IN COURT FEE ACT:**

### III. SUBSTANTIAL AS WILL AS PROCEDURAL:

#### 7. COURT FEES ACT AS UN ISLAMIC LAW:

**Mahmood Ur Rahman vs ministry of law  
PLD 1992 SC 1951**

“Court fees is violation of injunction of Islam as laid down in the Holy Quran and Sunnah”

#### 8. DOCUMENT EXEMPTED FROM COURT FEE ACT:

I. WRITTEN STATEMENT:

II. LETTER OF ADMINISTRATION:

III. PETITION IN MATTER CONNECTED WITH LAND:

IV. APPLICATION FOR SERVICE OF NOTICE:

V. APPLICATION FOR LEAVE TO EXTEND CULTIVATION:

VI. WRITTEN AUTHORITY:

VII. BAIL BONDS IN CRIMINAL CASES:

VIII. PETITION OF APPEAL:

IX. COMPLAINT OF A PUBLIC SERVANT:

X. APPLICATION FOR COMPENSATION UNDER ANY LAW:

XI. PETITION UNDER CRISTION MARREGE ACT:

XII. APPLICATION FOR RECEIVE MONEY:

XIII. POWER OF ATTORNEY:

#### 9. MEANING OF DOCUMENT:

i. **According to black’s law:**

ii. “An instrument on which is recorded by means of letter, figures or marks, the original, official or legal form of something which may be evidentially used”

iii. **Case law meaning:**

**PLJ 2005 Lah. 1485**

Documents means any matter expressed or described upon in substance by means of letter, figures or marks on by more than one of these means intended to be used or which may be used for purpose of recording the matter

#### 10. WRITTEN STATEMENT:

**Note:** A wakalatnama is also a kind of power of attorney.

11. POWER OF ATTORNEY:
12. LETTER OF ADMINISTRATION:
13. PETITION IN MATTER CONNECTED WITH LAND:
14. APPLICATION FOR SERVICE OF NOTICE:
15. APPLICATION FOR LEAVE TO EXTEND CULTIVATION:
16. BAIL BONDS IN CRIMINAL CASES:
17. PETITION OF APPEAL:
18. COMPLAINT OF A PUBLIC SERVANT:
19. APPLICATION FOR COMPENSATION UNDER ANY LAW:
20. PETITION UNDER CRISTION MARREGE ACT:
21. APPLICATION FOR RECEIVE MONEY:
22. Application for permission to cut timber:
23. CONCLUSION: