

Fourteenth Kerala Legislative Assembly

Bill No. 24

**THE KERALA COURT FEES AND SUITS VALUATION
(AMENDMENT) BILL, 2016**



Kerala Legislature Secretariat

2016

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further to amend the Kerala Court Fees and Suits Valuation Act, 1959.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Court Fees and Suits Valuation Act, 1959 (10 of 1960), for the purposes hereinafter appearing;

BE it enacted in the Sixty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Court Fees and Suits Valuation (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of section 76.*—In the Kerala Court Fees and Suits Valuation Act, 1959 (10 of 1960), in section 76, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Notwithstanding anything contained in any other law for the time being in force, an amount equal to seventy per cent of the Legal Benefit Fund collected under sub-section (2) shall be set apart every year towards the Fund constituted under section 3 of the Kerala Advocates’ Welfare Fund Act, 1980 and an amount equal to thirty per cent of the Legal Benefit Fund collected shall be set apart towards the Fund constituted under section 3 of the Kerala Advocates’ Clerks Welfare Fund Act, 2003:

Provided that the amount so set apart shall be transferred to such Funds after retaining an amount equal to ten per cent each from the amount set apart to the Funds specified in sub-section (3) for providing infrastructure to the litigants.”.

STATEMENT OF OBJECTS AND REASONS

The Government have decided to set apart an amount equal to 70 per cent of the Kerala Legal Benefit Fund to the Kerala Advocates' Welfare Fund and 30 per cent to the Advocates' Clerks Welfare Fund and to transfer such amount to the said Funds after retaining 10 per cent each from the above amount for providing infrastructure to the litigants. Accordingly the Government have decided to amend the Kerala Court Fees and Suits Valuation Act, 1959 (10 of 1960).

The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any additional expenditure from the Consolidated Fund of the State.

A. K. BALAN

EXTRACT FROM THE RELEVANT PORTIONS OF THE KERALA
COURT FEES AND SUITS VALUATION ACT, 1959
(10 OF 1960)

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76. Legal Benefit Fund.....

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(3) The fund constituted under sub-section (2) shall be applied and utilised for the purpose of providing an efficient legal service for the people of the State and to provide social security measures for the legal profession.

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