



महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच-अ

वर्ष १०, अंक १४(२)]

मंगळवार, डिसेंबर १७, २०२४/अग्रहायण २६, शके १९४६

[पृष्ठे ७, किंमत : रुपये ३६.००

असाधारण क्रमांक ३८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the **17th December 2024**, is published under Rule 117 of the Maharashtra Legislative Assembly Rules.

L. A. BILL No. XXXI OF 2024.

A BILL

further to amend the Maharashtra Stamp Act.

WHEREAS, both Houses of the State Legislature were not in session;

AND, WHEREAS, the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Stamp Act, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Stamp (Amendment) Ordinance, 2024 on the 14th October 2024 ;

भाग पाच अ-३८-१.

एचबी-२१५३-१.

महाराष्ट्र शासन राजपत्र असाधारण भाग पाच-अ, डिसेंबर १७, २०२४/अग्रहायण २६, शके १९४६

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature ; it is hereby enacted in the Seventy-fifth Year of the Republic of India as follows :—

Short title
and
commencement.

1. (1) This Act may be called the Maharashtra Stamp (Amendment) Act, 2024.

(2) It shall be deemed to have come into force on the 14th October 2024.

Amendment of
SCHEDULE I
of LX of 1958.

2. In SCHEDULE I appended to the Maharashtra Stamp Act (hereinafter referred to as “ the principal Act”),—

LX of
1958.

(1) in article 4, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(2) in article 5, in clause (h), in sub-clause (B), in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(3) in article 8, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(4) in article 9, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(5) in article 10, in column (2), for the figures, words and letters “0.2 per cent. on share capital or increased share capital, as the case may be, subject to a maximum of Rs. 50,00,000”, the figures and words “0.3 per cent. on share capital or increased share capital, as the case may be, subject to a maximum of rupees One Crore” shall be substituted;

(6) for article 12, the following article shall be substituted, namely :—

“12. AWARD, that is to say,
any decision in writing by
an arbitrator or umpire, on
a reference made otherwise
than by an order of the Court
in the course of a suit, being
an award made as a result
of a written agreement to
submit present or future
differences to Arbitration
but not being an award
directing partition,—

(a) relating to immovable
property;

The same duty as is leviable
on a conveyance under
clause (b) of article 25.

(b) relating to movable property,—

- | | |
|--|---|
| (i) where the amount granted in the award, does not exceed rupees fifty lakhs ; | 0.75 per cent. of the amount granted in the award. |
| (ii) where the amount granted in the award, exceeds rupees fifty lakhs but does not exceed rupees five crores; | Rupees thirty seven thousand five hundred plus 0.5 per cent. of the amount granted in the award. |
| (iii) where the amount granted in the award, exceeds rupees five crores; | Two lakhs sixty two thousand five hundred rupees plus 0.25 per cent. of the amount granted in the award. ”; |

(7) in article 27, in column (2), for the words “rupees one hundred” the words “rupees five hundred” shall be substituted;

(8) in article 30, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(9) in article 38, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(10) in article 44, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(11) in article 47, in clause (1), in sub-clause (b), in column (2), for the words “fifteen thousand” the words “fifty thousand” shall be substituted;

(12) in article 49, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(13) in article 50, in column (2), for the words “One hundred rupees” the words “Five hundred rupees” shall be substituted;

(14) in article 52, in clause (a), in column (2), for the words “Two hundred rupees” the words “Five hundred rupees” shall be substituted;

(15) in article 58, in clause (a), in column (2), for the words “Two hundred rupees” the words “Five hundred rupees” shall be substituted;

(16) in article 63,—

(i) in clause (a), in column (1), for the words “ten lakh” the words “five lakh” shall be substituted;

(ii) in clause (b),—

(A) in column (1), for the words “ten lakh” the words “five lakh” shall be substituted;

(B) in column (2), for the figures and words “0.1 per cent. of the amount above rupees ten lakh” the figures and words “0.3 per cent. of the amount above rupees five lakh” shall be substituted.

Repeal of
Mah. Ord.
XII of 2024
and saving.

3. (1) The Maharashtra Stamp (Amendment) Ordinance, 2024, is hereby repealed.

Mah.
Ord. XII
of 2024.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

With a view to bring simplicity and uniformity in levy of stamp duty and to increase the Government revenue, it was proposed to amend certain articles of Schedule I appended to the Maharashtra Stamp Act (LX of 1958).

2. The salient features of the amendments to the said Act are as under :—

(i) to increase rate of stamp duty fixed long ago at the nominal amount of rupees hundred or rupees two hundred on certain instruments specified in articles 4, 5, 8, 9, 27, 30, 38, 44, 49, 50, 52 and 58 to rupees five hundred;

(ii) to increase rate of stamp duty and maximum limit of rate of stamp duty on the instrument of articles of association of a company specified in article 10;

(iii) to increase rate of stamp duty on the instrument of award by arbitrator specified in article 12;

(iv) to increase the maximum limit of rate of stamp duty on the instrument of partnership, where share contribution brought in by way of cash is in excess of rupees 50,000, specified in article 47;

(v) to increase the rate of stamp duty and maximum limit of rate of stamp duty on the instrument of works contract specified in article 63.

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Stamp Act, for the purposes aforesaid, the Maharashtra Stamp (Amendment) Ordinance, 2024 (Mah. Ord. XII of 2024), was promulgated by the Governor of Maharashtra on the 14th October 2024.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Nagpur,

Dated the 15th December 2024.

DEVENDRA FADNAVIS,

Chief Minister.

FINANCIAL MEMORANDUM

With a view to bring simplicity and uniformity in levy of stamp duty and to increase the Government revenue, certain amendments are made in articles of Schedule I appended to the Maharashtra Stamp Act (LX of 1958).

There is no provision in the Bill which would involve the recurring expenditure or non-recurring expenditure from the Consolidated Fund of the State on its enactment as an Act of the State Legislature.

GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF
THE CONSTITUTION OF INDIA

(Copy of Government of Maharashtra Order, Law and Judiciary
Department)

In exercise of the power conferred upon him by clause (1) of Article 207 of the Constitution of India, the Governor of Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly, the Introduction of the Maharashtra Stamp (Amendment) Bill, 2024.

Vidhan Bhavan :

Nagpur,

Dated the 17th December, 2024.

JITENDRA BHOLE,

Secretary (1) (I/C),

Maharashtra Legislative Assembly.