



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ६१]

गुरुवार, ऑगस्ट ३, २०१७/श्रावण १२, शके १९३९

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असाधारण क्रमांक ११८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Stamp (Second Amendment) Bill, 2017 (L. A. Bill No. XLIX of 2017), introduced in the Maharashtra Legislative Assembly on the 3rd August 2017, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

N. J. JAMADAR,
Principal Secretary and R. L. A. to Government,
Law and Judiciary Department.

L. A. BILL No. XLIX OF 2017.

A BILL

further to amend the Maharashtra Stamp Act.

LX of 1958. WHEREAS it is expedient further to amend the Maharashtra Stamp Act, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Stamp (Second Amendment) Short title. Act, 2017.

(१)

2. In SCHEDULE I appended to the Maharashtra Stamp Act,—

(a) in Article 25, in clause (b),—

(i) in sub-clause (ii), in column 2, for the figure and words “ 4 per cent. ” the figure and words “ 5 per cent. ” shall be substituted ;

(ii) in sub-clause (iii), in column 2, for the figure and words “ 3 per cent. ” the figure and words “ 4 per cent. ” shall be substituted ;

(b) in Article 34, in column 2, in the proviso,—

(i) for the words “ at the same rate as specified in this article or at the rate of rupees ten for every rupees five hundred or part thereof on the market value ” the words and figure “ at the rate of 3 per cent. on the market value ” shall be substituted ;

(ii) the words “ whichever is less ” shall be deleted.

STATEMENT OF OBJECTS AND REASONS.

The Maharashtra State being a welfare State is always ahead in the implementation of various development schemes for the citizens. As per the Directive Principles of State Policy in the Constitution of India, for securing welfare of the society at large, the Government has to implement various projects and development schemes for the citizens, for which the Government needs substantial resources. To generate resources for implementing various development schemes, projects and programmes by increasing the revenue of the Government, it is considered expedient to amend the Article 25 and Article 34 of Schedule I appended to the Maharashtra Stamp Act (LX of 1958), suitably.

2. (a) Currently under the caption ' Conveyance ' in Article 25 of Schedule I of the said Act, under clause (b), under sub-clause (i) thereof, stamp duty is charged at the rate of 5 per cent. of the market value of the property, for the conveyance relating to the immovable property situated within the limits of Municipal Corporations or Cantonment area annexed to it. Under sub-clause (ii) thereof, stamp duty is charged at the rate of 4 per cent. of the market value of the property for the conveyance relating to the immovable property situated within the limits of Municipal council or *Nagar Panchayat* or Cantonment area annexed to it, or any rural area within the limits of Mumbai Metropolitan Region Development Authority, or the influence area ; and under sub-clause (iii) thereof, stamp duty is charged at the rate of 3 per cent. of the market value of the property for the conveyance relating to the immovable property situated within the limits of *Gram Panchayat* area or any such area not mentioned in the sub-clause (ii), as per the annual statement of rates. To increase the revenue of the Government, it is expedient to amend the sub-clauses (ii) and (iii) of clause (b) of the said Article 25, suitably, for enhancing stamp duty.

(b) Under the caption, ' Gift ' in Article 34 of Schedule I, the stamp duty is chargeable at the rate of rupees ten for every rupees five hundred of the market value of the property or at the rate prescribed under Article 25 of Schedule I, whichever is less, if a property is gifted to a family member, being the husband, wife, brother or sister of the donor or any lineal ascendant or descendant of the donor. With a view to increasing the revenue of the Government and to simplifying the rate of stamp duty to be charged under the said clause, it is expedient to amend the said provision so as to charge stamp duty at the rate of 3 per cent. of the market value of such property.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 31st July 2017.

CHANDRAKANT (DADA) PATIL,
Minister for Revenue.

FINANCIAL MEMORANDUM

Clause 2 of the Bill propose to amend SCHEDULE I of the Maharashtra Stamp Act (LX of 1958) with a view to increase the rate chargeable on the Conveyance deed of the immovable property situated within the limits of any Municipal Council or *Nagar Panchayat* or Cantonment area annexed to it, or any rural area within the limits of the Mumbai Metropolitan Region Development Authority, or the Influence Areas and within the limits of any *Grampanchayat* area. For the purposes no new administrative expenses will be incurred and thus there is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on its enactment as an Act of the State Legislature.