RNI No. MAHENG /2009/35528

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १२, अंक ३३(२)] मंगळवार, जून ३०, २०२६/आषाढ ९, शके १९४८ [पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ७२

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 (Third Amendment) Bill, 2026 (L. A. Bill No. XLV of 2026), introduced in the Maharashtra Legislative Assembly on the 30th June 2026, is hereby published under the authority of the Governor.

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

SUPRIYA DHAWARE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XLV OF 2026.

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 Seventy-seventh Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Stamp (Third Amendment) Act, 2026. Short title.

LX of 1958. **2.** In section 48 of the Maharashtra Stamp Act, in clause (*1*), to the proviso, the following *Explanation* shall be added, namely :— Amendment of section 48 of LX of 1958.

“Explanation.— The provisions of this proviso shall not be applicable to any other instruments including Development Agreement, chargeable with the same amount of stamp duty as is chargeable for agreement to sale. ”.

STATEMENT OF OBJECTS AND REASONS

Proviso to clause (*1*) of section 48 of the Maharashtra Stamp Act (LX of 1958) provides that, where an agreement to sale is cancelled by a registered cancellation deed for whatsoever reasons before taking the possession of the property, within a period of five years from the date of its execution, then the application for refund under section 47 may be made within a period of one year from the date of registration of cancellation deed.

2. Instruments such as Development Agreements, Certificate of sale, agreement of leases, etc. are also chargeable with the same amount of stamp duty as an agreement to sale as per various articles of Schedule I of the said Act. The applications for refunds of stamp duty paid are made to the Collector under the said proviso in respect of such instruments if they are cancelled, revoked, rescinded or terminated on the ground that the amount of stamp duty is same as agreement to sale. The intention of granting refund in case of agreement to sale under the said proviso is to give stamp duty relief to individual buyers where, even after execution and payment of stamp duty, possession of property is not taken and such agreement is duly cancelled.

3. The Government, therefore, in the interest of revenue, considers it expedient to clarify that, the provisions of proviso to clause (*1*) of section 48 of the said Act shall not be applicable to any other instruments including Development Agreement, chargeable with the same amount of stamp duty as is chargeable for agreement to sale by amending the said section, suitably.

4. The Bill seeks to achieve the above objectives.

CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.

Mumbai,
dated the 29th June 2026.

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