

GOVERNMENT OF MAHARASHTRA

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No.: Stamp-2023/P.No.342/M-1 (Policy)

Date:- 29th November,

To,

Inspector General of Registration and Controller of Stamps,

State of Maharashtra, Pune

Subject :- Regarding implementing "Abhay Yojana-2023" Stamp Duty Penalty Concession in the State.

Sir,

The proposal submitted by the Revenue (Stamp Duty and Registration) Department in the meeting of the Cabinet held on November 29, 2023 regarding the above is discussed and a copy of the decision taken by the Cabinet is being sent herewith. However, as per the instructions received, it is requested to immediately submit to the Government the English and Marathi language version of the order to be published in the Government Gazette in accordance with the said decision.

Yours Respectfully!

Sd/- XXXXXXX

(Pritam Kumar Javale)

Under Secretary, Government of Maharashtra

Copy to,

Selection Committee, Working Session M-1 (Policy) Department of Revenue and Forests, Ministry,
Mumbai-400032.

Draft Minutes of Cabinet Meeting

Subject:- Regarding implementation of "Maharashtra Stamp Duty Abhay Yojana 2023" in the State of Maharashtra...

The Revenue (Stamp Duty and Registration) Department vide Cabinet Dt. In a meeting held on November 29, 2023, After discussing the proposal submitted regarding the above, the Cabinet has decided as follows :-

1) In the State of Maharashtra, "Maharashtra Stamp Duty Abhay Yojana 2023" from 01 December, 2023 to 31 January, 2024 and from 01 February, 2024 to March 31, 2024 to be implemented in two phases.

2) The said Abhay Yojana shall be valid only in the following types of documents executed on stamp paper of any amount sold by the Government recognized stamp dealers or machines authorized by the Chief Controller of Revenue or approved by a competent authority subordinate to him:

(a) deed of transfer and sale deed or lease executed for the purpose of residential or non-residential or industrial use; Certificate of Sale: Deed of Stock: Deed of Title-Deed of Deposit, Pledge or Pledge of Allegiance:

(b) Deed of transfer of lease of immovable property intended for residential use as well as residential or non-residential plots allotted by the newly created Maharashtra Housing and Area Development Board and its Subordinate Divisional Boards (MHADA) and CIDCO or allotted to the slum holder for rehabilitation under a scheme approved by the Slum Rehabilitation Authority. and deed of transfer of flats as well as deed of transfer of residential or non-residential plots and flats in registered co-operative housing societies pending for voluntary transfer:

(c) a deed of development agreement executed in pursuance of redevelopment of buildings or immovable property which is old dilapidated or otherwise required to be redeveloped or its sale or transfer or authorization to the concerned developer;

d) Articles and documents in case of amalgamation or reorganization of companies.

(e) Newly created Maharashtra Housing and Area Development Board and its Subordinate Divisional Boards (MHADA), City and Industrial Development Corporation Maharashtra Limited, Municipal Corporations/Municipalities/Municipal Councils/Nagar Panchayats, various development/planning authorities approved and constituted under the prescribed exchange through Govt. , various types of deeds executed through authorities like Maharashtra Industrial Development Corporation, Slum Rehabilitation Authority etc.:

3) Newly formed Maharashtra Housing and Area Development Board and its Subordinate Divisional Boards (MHADA), City and Industrial Development Corporation Maharashtra Limited, Municipal Corporations / Municipalities / Municipal Councils / Nagar Panchayats, various Development / Planning Authorities approved and constituted under the exchange prescribed by Govt., Co-operative Housing on Government Lands Residents through institutions or instruments and instruments other than first allotment deed or shares certificate executed for non-residential purposes, unstamped as

well as instruments and instruments executed on plain paper shall not be eligible for any benefit under "Maharashtra Stamp Duty Abhay Yojana-2023".

4) In view of the said decision, the following approval is given in connection with remission of stamp duty and penalty in the pending cases for recovery of stamp duty and penalty under various sections of the Maharashtra Stamp Act:-

(1) In respect of documents executed between **January 1, 1980 and December 31, 2000** but not registered or registered, the full stamp duty payable and recoverable and the penalty applicable thereon shall be exempted and reduced as follows. should come:-

(a) **First Phase of the Scheme:-**

Amount of stamp duty payable and recoverable	Exemption from stamp duty payable and recoverable	Exemption from penalty applicable on entire stamp duty payable and recoverable
Rs. 1/- to Rs.1,00,000/-	100 percent	A 100 percent rebate in penalty applicable on the entire stamp duty actually payable and recoverable should be granted.
Rs.1,00,001/-and above	50 percent	A 100 percent rebate in penalty applicable on the entire stamp duty actually payable and recoverable should be granted.

(b) **Second phase of the scheme:-**

Amount of stamp duty payable and recoverable	Exemption from stamp duty payable and recoverable	Exemption from penalty applicable on entire stamp duty payable and recoverable
Rs. 1/- to Rs.1,00,000/-	80 percent	A 80 percent rebate in penalty applicable on the entire stamp duty actually payable and recoverable should be granted.
Rs.1,00,001/-and above	40 percent	A 70 percent rebate in penalty applicable on the entire stamp duty actually payable and recoverable should be granted.

(2) **Date January 01, 2001 to December 31, 2020** during this period documents/instruments which were executed but whether registered or not, on such documents where full stamp duty was payable

and recoverable in respect of instruments, The following exemptions and concessions should be applied to the charges and penalties applicable thereto:-

a) First phase of the scheme:-

Amount of stamp duty payable and recoverable	Exemption from stamp duty payable and recoverable	Exemption from penalty applicable on entire stamp duty payable and recoverable
Rs. 1/- to Rs.25,00,000/-	25 percent	a) Amount of penalty actually payable If less than Rs.25,00,000/- (Rupees Twenty Five Lakhs) the penalty applicable on the entire stamp duty payable and recoverable should be given 90% discount. b) If the amount of fine exceeds Rs.25,00,000/- (Rupees Twenty Five Lakhs) only Rs. 25,00,000/- (Rupees Twenty Five Lakhs) should be accepted as fine and the remaining amount of fine should be waived off.
Rs.25,00,001/-and above	20 percent	An amount of Rs.1,00,00,000/- (Rupees One Crore) should be accepted as fine and the remaining amount of fine should be waived.

(b) Second phase of the scheme:-

Amount of stamp duty payable and recoverable	Exemption from stamp duty payable and recoverable	Exemption from penalty applicable on entire stamp duty payable and recoverable
Rs. 1/- to Rs.25,00,000/-	20 percent	If the amount of penalty actually payable is less than Rs.50,00,000/- (Rupees Fifty Lakhs), then 80% of the penalty applicable on the entire stamp duty due and recoverable should be granted. If the amount of fine is more than Rs.50,00,000/- (Rupees Fifty lakhs), only the amount of Rs.50,00,000/- (Rupees Fifty lakhs) should be accepted as fine and the remaining amount of fine should be waived.
Rs.25,00,001/-and above	10 percent	An amount of Rs.2,00,00,000/- (literal rupees two crores) should be accepted as fine and the remaining amount of fine should be waived off.

Without waiting for the finalization of the minutes of the Cabinet meeting regarding the above mentioned decision of the Cabinet, Maharashtra Issued in exercise of the power conferred by clause (a) of section 9 of the Stamp Act Orders to be made Director, Directorate of Marathi Language, Mumbai in consultation with Law and Justice Department. It is approved to be translated into Marathi language and published immediately.

SD/- XXX

(Dr. Rajagopal Devas)

Additional Chief Secretary (Revenue, Stamp Duty and Registration)

Revenue and Forest Department

Chief Secretary

* Disclaimer : This is just a attempt to translate the Marathi version, to facilitate people at large, however every individual should verify the contents with the Marathi circular and their respective legal advisors, and respective government departments before taking any decision on the above. No liability of any sort on the translator.