



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १०, अंक १७(२)]

मंगळवार, जुलै ९, २०२४/आषाढ १८, शके १९४६

[पृष्ठे ६, किंमत : रुपये २७.००

असाधारण क्रमांक ५०

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 Tax Laws (Amendment) Bill, 2024 (L. A. Bill No. XVIII of 2024), introduced in the Maharashtra Legislative Assembly on the 9th July 2024, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XVIII OF 2024.

A BILL

*further to amend certain tax laws in operation
in the State of Maharashtra.*

WHEREAS it is expedient further to amend certain tax laws in operation in the State of Maharashtra, for the purposes hereinafter appearing ; it is hereby enacted in the Seventy-fifth Year of the Republic of India as follows :—

(१)

CHAPTER I

PRELIMINARY.

Short title and
commencement.

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

(2) Sections 2, 3 and 4 shall come into force on the date of publication of this Act in the *Official Gazette* and section 5 shall come into force from such date as the State Government may, by notification in the *Official Gazette*, appoint.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA STAMP ACT.

Amendment
of section 39
of LX of 1958.

2. In section 39 of the Maharashtra Stamp Act (hereinafter, in this Chapter, referred to as “the Stamp Act”), in sub-section (1),—

LX of
1958.

(1) for the word and figures “section 33”, the word, figures and letter “section 33 or 33A” shall be substituted;

(2) the words “not being an instrument chargeable with a duty of twenty *naye paise*, or less,” shall be deleted;

(3) in clause (b), for the words and figure “of an amount equal to 2 per cent.”, the words and figures “in case of registered instrument an amount equal to 1 per cent. and in other cases an amount equal to 2 per cent.” shall be substituted.

Amendment
of section 48
of LX of 1958.

3. In section 48 of the Stamp Act,—

(1) in sub-section (1),—

(a) for the words “six months”, the words “one year” shall be substituted;

(b) in the proviso, for the words “six months”, the words “one year” shall be substituted;

(2) in sub-section (2), for the words “six months”, the words “one year” shall be substituted;

(3) in sub-section (3), for the words “six months”, the words “one year” shall be substituted.

Amendment
of section 50
of LX of 1958.

4. In section 50 of the Stamp Act, in sub-section (2), for the words “six months”, at both the places where they occur, the words “one year” shall be substituted.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA STATE TAX ON PROFESSIONS,
TRADES, CALLINGS AND EMPLOYMENTS ACTS, 1975.

Amendment
of section 27A
of Mah. XVI of
1975.

5. In section 27A of the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975, for clause (h), the following clause shall be substituted, namely:—

Mah.
XVI of
1975.

“(h) the armed members, serving in the State, of,—

(i) the Central Reserve Police Force constituted under the Central Reserve Police Force Act, 1949 ;

66 of
1949.

- 47 of
1968. (ii) the Border Security Force constituted under the Border Security Force Act, 1968 ;
- 50 of
1968. (iii) the Central Industrial Security Force constituted under the Central Industrial Security Force Act, 1968 ;
- 47 of
1986. (iv) the National Security Guard constituted under the National Security Guard Act, 1986 ;
- 35 of
1992. (v) the Indo Tibetan Border Police Force constituted under the Indo Tibetan Border Police Act, 1992 ;
- 47 of
2006. (vi) the Assam Rifles constituted under the Assam Rifles Act, 2006 ; and
- 53 of
2007. (vii) the Sashastra Seema Bal constituted under the Sashastra Seema Bal Act, 2007.”.

STATEMENT OF OBJECTS AND REASONS

With a view to give effect to the proposals contained in the Budget Speech for the year 2024-25, the Government considers it expedient to amend the Maharashtra Stamp Act (LX of 1958) (hereinafter referred to as “the Stamp Act”) and the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975) as follows :—

(1) section 39 of the Stamp Act is proposed to be amended with a view to reduce the penalty levied, in case of registered document, on the difference in stamp duty amount from the date of execution of such document from 2 per cent. to 1 per cent., per month ;

(2) sections 48 and 50 of the Stamp Act are proposed to be amended with a view to increase time limit for filing refund application from six months to one year from the date of stamp purchase ;

(3) section 27A of the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975, is proposed to be amended to exempt the profession tax payable by the armed members of the Central Industrial Security Force, the National Security Guard, the Indo Tibetan Border Police Force, the Assam Rifles and the Sashastra Seema Bal, serving in the State.

2. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 8th July 2024.

AJIT PAWAR,
Deputy Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely:—

Clause 1(2).—Under this clause, power is taken to the State Government, to bring into force section 5 of the Act on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

FINANCIAL MEMORANDUM

The Bill proposes to amend the Maharashtra Stamp Act (LX of 1958) and the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975), with a view to give effect to the proposals contained in the Budget Speech for the year 2024-25.

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.