L. A. BILL No. XXXIII OF 2026.

A BILL

further to amend the Maharashtra Goods and Services Tax Act, 2017.

(As passed by the Legislative Assembly on the 23rd June, 2026)

Mah. XLIII of 2017.

WHEREAS it is expedient further to amend the Maharashtra Goods and Services Tax Act, 2017, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-seventh Year of the Republic of India as follows :—

Short title and commencement.

1. (*1*) This Act may be called the Maharashtra Goods and Services Tax (Amendment) Act, 2026.

(*2*) It shall come into force on such date, with prospective or retrospective effect, as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of this Act.

Amendment of section 15 of Mah. XLIII of 2017.

2. In section 15 of the Maharashtra Goods and Services Tax Act, 2017 (hereinafter referred as "the principal Act"), in sub-section (*3*), for clause (*b*), the following clause shall be substituted, namely :—

Mah. XLIII of 2017.

"(*b*) after the supply has been effected, if for such discount, a credit note has been issued by the supplier and input tax credit as is attributable to such discount has been reversed by the recipient of the supply, in accordance with the provisions of section 34.".

Amendment of section 34 of Mah. XLIII of 2017.

3. In section 34 of the principal Act, in sub-section (*1*), after the words "both supplied are found to be deficient", the words, brackets, letter and figures "or where a discount referred to in clause (*b*) of sub-section (*3*) of section 15 is given" shall be inserted.

Amendment of section 54 of Mah. XLIII of 2017.

4. In section 54 of the principal Act,—

(*a*) in sub-section (*6*), after the words "supply of goods or services or both", the words, brackets and figures "or of unutilised input tax credit allowed under clause (*ii*) of the first proviso to sub-section (*3*)" shall be inserted ;

(*b*) in sub-section (*14*), after the words, brackets and figures "sub-section (*5*) or sub-section (*6*)", the words, "other than cases where refund of tax is claimed on account of goods exported out of India with payment of tax," shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Various decisions have been taken by the Goods and Services Tax Council in its meeting requiring amendments in Goods and Services Tax Laws. Accordingly, the Central Goods and Services Tax Act, 2017 (12 of 2017) has been amended by the Parliament by the Finance Act, 2026 (4 of 2026). In order to implement the decision taken by the Goods and Services Tax Council in the aforesaid meeting and to maintain the uniformity in applicability of the provisions of the Central Goods and Services Tax Act, 2017 and the Maharashtra Goods and Services Tax Act, 2017 (Mah. XLIII of 2017), it is expedient to amend the Maharashtra Goods and Services Tax Act, 2017.

2. The salient features of the proposed amendments are as follows:-

(*i*) to substitute clause (*b*) of sub-section (*3*) of section 15, to do away with the requirement of linking post-sale discount with an agreement and to refer to issuance of credit note under section 34 where input tax credit is reversed by the recipient;

(*ii*) to amend sub-section (*1*) of section 34, to include reference to section 15 in the said provision relating to credit and debit notes;

(*iii*) to amend sub-section (*6*) of section 54, to extend the facility of provisional refund to refunds arising out of inverted duty structure;

(*iv*) to amend sub-section (*14*) of section 54, to remove the threshold limit for sanction of refund claims in respect of goods exported out of India with payment of tax.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 15th June, 2026.

DEVENDRA FADNAVIS,
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 the provisions of this Act on such date, with prospective or retrospective effect, as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of this Act.

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

FINANCIAL MEMORANDUM

In order to implement the decisions taken by the Goods and Services Tax Council and to maintain uniformity in applicability of the provisions of the Central Goods and Services Tax Act, 2017 (12 of 2017) and the Maharashtra Goods and Services Tax Act, 2017 (Mah. XLIII of 2017), certain amendments are made in various sections of the Maharashtra Goods and Services Tax Act, 2017.

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.

(G.C.P.) HB 577-3 (465—6-2026)

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 Goods and Service Tax (Amendment) Bill, 2026.

**ANNEXURE TO THE L.A. BILL No. XXXIII OF 2026—
THE MAHARASHTRA GOODS AND SERVICES TAX
(AMENDMENT) BILL, 2026**

[Extracts from the Maharashtra Goods And Services Tax Act, 2017]

(Mah. XLIII of 2017)

1. to **14.** ** ** ** **

15. (*1*) and (*2*) ** ** ** ** Value of taxable supply.

(*3*) The value of the supply shall not include any discount which is given-

(*a*) ** ** ** **

(*b*) after the supply has been effected, if—

(*i*) such discount is established in terms of an agreement entered into at or before the time of such supply and specifically linked to relevant invoices; and

(*ii*) input tax credit as is attributable to the discount on the basis of document issued by the supplier has been reversed by the recipient of the supply.

(*4*) and (*5*) ** ** ** **

16. to **33.** ** ** ** **

Credit and Debit Notes.

34. (*1*) Where one or more tax invoices have been issued for supply of any goods or services or both and the taxable value or tax charged in that tax invoice is found to exceed the taxable value or tax payable in respect of such supply, or where the goods supplied are returned by the recipient, or where goods or services or both supplied are found to be deficient, the registered person, who has supplied such goods or services or both, may issue to the recipient a one or more credit notes for supplies made in a financial year containing such particulars as may be prescribed.

(*2*) to (*4*) ** ** ** **

35. to **53.** ** ** ** **

54. (*1*) to (*4*) ** ** ** ** Refund of tax.

(*5*) If, on receipt of any such application, the proper officer is satisfied that the whole or part of the amount claimed as refund is refundable, he may make an order accordingly and the amount so determined shall be credited to the Fund referred to in section 57.

(*6*) Notwithstanding anything contained in sub-section (*5*), the proper officer may, in the case of any claim for refund on account of zero-rated supply of goods or services or both made by registered persons, other than such category of registered persons as may be notified by the Government on the recommendations of the Council, refund on a provisional basis, ninety per cent. of the total amount so claimed, in such manner and subject to such conditions, limitations and safeguards as may be prescribed and thereafter make an order under sub-section (*5*) for final settlement of the refund claim after due verification of documents furnished by the applicant.

(*7*) to (*13*) ** ** ** **

(*14*) Notwithstanding anything contained in this section, no refund under sub-section (*5*) or sub-section (*6*) shall be paid to an applicant, if the amount is less than one thousand rupees.

(*15*) ** ** ** **

55. to **174.** ** ** ** **

SCHEDULES ** ** ** **

MAHARASHTRA LEGISLATURE SECRETARIAT

[L. A. BILL No. XXXIII OF 2026.]

[A Bill further to amend the Maharashtra Goods and Services Tax, Act, 2017.]

[SHRI DEVENDRA FADNAVIS,
Chief Minister.]

(As passed by the Legislative Assembly on the 23rd June, 2026)

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.

GOVERNMENT CENTRAL PRESS, MUMBAI.