L. C. BILL No. VII OF 2026.

A BILL

further to amend the Maharashtra Stamp Act.

(As passed by the Legislative Council on the 18th March, 2026)

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 :—

Short title.

1. This Act may be called the Maharashtra Stamp (Second Amendment) Act, 2026.

LX of 1958.

Amendment of section 53A of LX of 1958.

2. In section 53A of the Maharashtra Stamp Act, to sub-section (*1*), the following proviso shall be added, namely :—

"Provided that, where a notice for initiating proceedings has been issued within the abovementioned period of six years, then such proceedings shall not lapse by reason of the expiry of the said period and shall continue till the final order is passed by the Chief Controlling Revenue Authority in such proceedings.".

(G.C.P.) HB 3453—1 (455—3-2026)

STATEMENT OF OBJECTS AND REASONS

The Chief Controlling Revenue Authority (CCRA) under section 53A of the Maharashtra Stamp Act (LX of 1958) may, within a period of six years from the date of certificate of the Collector, initiate proceedings for recovery of deficit stamp duty and order the recovery of such deficit duty, if any.

2. The instruments not duly stamped are found in the inspections carried out by the Offices of the Auditor General and Inspector General of Registration and Controller of Stamps. The Collector of Stamps also reports to CCRA such instruments which are not duly stamped either by mistake or otherwise. The inspections or reports may be made or received within different periods from the date of certificate of the Collector. After such inspections or reports, the revision proceedings under the said section 53A for recovery of stamp duty are initiated at different times during the stipulated period of six years.

3. The Bombay High Court in the case of Sony Mony Electronics Limited *vs.* State of Maharashtra (Writ Petition No. 2757 of 2012) has *vide* judgement dated 7.08.2025, held that the period of six years provided in section 53A(*1*) should be read to mean that the order of recovery should be passed within the said time frame.

Although notices initiating such quasi-judicial revision proceedings are issued within the stipulated period of six years, sometimes such cases remain pending beyond the said period due to complicated issues relating to fixation of stamp duty and procedural requirements such as issuing notices, production of concerned instruments by the parties, personal hearing to parties, etc. Such revision proceedings involve large amount of revenue of the State. If such cases could not be disposed of within stipulated period after their initiation, then it would lead to substantial loss of revenue of the State.

4. Therefore, in the interest of revenue of the State, the Government considers it necessary to amend the said section 53A(*1*) to provide that where a notice initiating proceedings under section 53A(*1*) has been issued within the period of six years, then such proceedings shall not lapse and shall continue till the final order is passed.

5. The Bill seeks to achieve the above objectives.

Mumbai, CHANDRASHEKHAR BAWANKULE,
Dated the 17th March 2026. Minister for Revenue.

ANNEXURE TO THE L. C. BILL No. VII OF 2026.— THE MAHARASHTRA STAMP (SECOND AMENDMENT) BILL, 2026.

[Extracts from the Maharashtra Stamp Act, 1957.]

(Mah. LX of 1958)

1. to **53.** ** ** **

Revision of Collector's decision under sections 32, 39 and 41.

53A. (*1*) Notwithstanding anything contained in sub-section (*3*) of section 32, sub-section (*2*) of section 39 and sub-section (*2*) of section 41, when through mistake or otherwise any instrument is charged with less duty than leviable thereon or is held net chargeable with duty, as the case may be, by the Collector, the Chief Controlling Revenue Authority may, within a period of six years from the date of certificate of the Collector under sections 32, 39 or 41, as the case may be, require the concerned party to produce before him the instrument excluding an instrument in respect of which an appeal is filed before the State Government under section 53B and, after giving a reasonable opportunity of being heard to the party, examine such instrument whether any duty is chargeable, or any duty is less levied, thereon and order the recovery of the deficit duty, if any, from the concerned party. An endorsement shall thereafter be made on the instrument after payment of such deficit duty.

(*2*) ** ** **

53B. ** ** **

54. to **76.** ** ** **

SCHEDULES. ** ** **

MAHARASHTRA LEGISLATURE
SECRETARIAT

[L. C. BILL No. VII OF 2026.]

[A Bill further to amend the Maharashtra Stamp Act.]

[SHRI CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.]

[**As passed by the Legislative Council on the 18th March, 2026**.]

DR. VILAS ATHAWALE,
Secretary (III),
Maharashtra Legislative Council.

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