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Rushi Mehta  
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**YOUTHWING CONVENOR**  
Naman Shah

**PROCUREMENT CONVENOR**  
Nimish Ajmera

**WOMEN'S WING CHAIRPERSON**  
Mona Ajmera

**CREDAI-MCHI UNITS**  
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KALYAN-DOMBIVLI  
MIRA VIRAR  
RAIGAD  
NAVI MUMBAI  
PALGHAR BOISAR  
BHIWANDI  
SHAHAPUR-MURBAD  
URAN-DRONAGIRI  
ALIBAG  
KARJAT-KHALAPUR-KHOPOLI

To  
Shri Balasaheb Thorat  
Hon'ble. Minister of Revenue  
Government of Maharashtra  
Mantralaya, Mumbai.

*[Handwritten signature]*  
3/6/2022  
मंत्रि, महसूल वंचे कार्यालय  
महाराष्ट्र शासन  
मंत्रालय, मुंबई ४०० ०३२

**Subject: Stamp duty and compulsory registration of leave and license agreements for residential and commercial premises.**

Respected Sir,

Under Article 26A of Schedule I of Maharashtra Stamp Act 1958 of the Leave & License Agreements all attract Stamp Duty of 0.25 of total Leave & License fees payable. However, under the state law it is mandatory to have all these agreements registered with the sub registrar and Rs.1000/- is payable towards registration fees for every agreement. The Indian Registration Act Mandates compulsory registration of a document only when it transfers, creates or extinguishes any rights in an immovable property. Leave & License does nothing of it, in fact it negates any such assumption most emphatically.

- 1) There are several thousands of premises both in commercial and residential category being leased out for a duration of 12-36 months in a city like Mumbai. In fact, the total number of Leave & License transactions taking place all over the state will run into enormously huge nos. Many a times these agreements are renewed as initially they are for short duration of 12-24 months.
- 2) With redevelopment of many buildings which are now more than 30-40 years old taking place rapidly in all major cities in the state as also the SRA schemes whereintill the new building is completed wherein the tenants/existing occupants or flat owners will be provided permanent accommodation, they usually sought transit accommodation on Leave & Licenses basis in suitable place in the vicinity. In Mumbai and all other cities, the Leave & License transactions have been increasing very rapidly every year.
- 3) The very essence of Registration Act for property related transactions is to enter the right of the concerned parties. However, in Leave & Licensed premises no such purpose is being served.
- 4) If the registration formalities are done away with, it will reduce lot of hardships for citizens. It will also reduce tremendous amount of paperwork & record keeping for the sub-registrar's office. The nominal revenue loss of Rs.1000/- being charged as registration fees will be more than offset against the cost of saving in time of staffing in sub-registrar's office. Presently the tremendous workload of registration of Leave & License agreements is almost choking all the sub-registrar's office in the state.

**Maharashtra Chamber of Housing Industry**

Maker Bhavan II, 4<sup>th</sup> Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.  
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: [www.mchi.net](http://www.mchi.net)

CREDAI-MCHI request you to waive this formality of Registration in all Leave & License transactions for residential or commercial premises. It will be a right step in the duration of "EASE OF DOING BUSINESS" accepted as a policy by the State and the Central Government.

We hope that our above submission will be considered positively and necessary direction will be issued to the department.

Thanking you,

Yours faithfully,  
For CREDAI-MCHI


  
Boman Irani  
President

  
Dhaval Ajmera  
Hon. Secretary

CC

- 1) Dr. Nitin Kareer (I.A.S.)  
Additional Chief Secretary  
Revenue – Registration & Stamp Duty  
Government of Maharashtra

- 2) Shri Shravan Hardikar (I.A.S.)  
Inspector General Registration and Controller of Stamp

  
लिपिक  
जगदल (महसूल)  
महसूल व विधान  
मंत्रालय, मुंबई