

Ref. No. MCHI/PRES/24-25/077

Date: 14/8/2024



To,
Dr. Bhushan Gagrani (I.A.S.),
Municipal Commissioner,
Brihanmumbai Municipal Corporation,
Fort, Mumbai - 400 0001

Sub: Request to send recommendation letter to IGR regarding ambiguity in payment of stamp duty for the lands which are reserved for public purposes in sanctioned development plan of Mumbai City and Suburban.

Ref: Copy of Representation to IGR vide MCHI/PRES/24-25/067 dated 29/07/2024 RECEIVED ON 06/08/2024

Respected Sir,

With reference to the above subject, we have received a number of representations from our fraternity/landowners that there is some ambiguity in understanding the above referred GR by stamp office.

As per earlier policy prior to above GR, all lands whether freehold or lease hold lands if affected by public purpose reservations as per sanctioned DP plan are handed over by owners or lessees free of cost to planning authority for public purpose then no stamp duty would be liable. On Rs 100/- stamp paper a transfer deed can be executed, and land can be transferred in the name of planning authority free of cost.

However, post issue of GR dated 20th April 2022 there seems some ambiguity as the word lease is not mentioned in the GR. The GR states conveyance word only.

Due to above ambiguity, there is delay in handing over of reservations as per sanctioned development plan and resulting in delay in implementation of sanction development plan.

The stake holder/landowners are reluctant to hand over the lease hold plots as per sanctioned development plan for public purpose.

We have to request your good self to kindly send a recommendation letter to IGR to suitably clarify the following.

"Even if land is transferred by way of lease to planning Authority as per sanctioned development plan, no stamp duty should be applicable."

The above recommendation from your office to IGR would really help the entire fraternity and encourage all landowners/developers to handover/transfer the reservations much faster which would help to implement development plan free of cost to BMC.

Thanking you,

Yours sincerely,
For CREDAI-MCHI

Domnic Romell
President

Dhaval Ajmera
Hon. Secretary

PS: Contact Person Mr. Sanjay Phope - +91 9619345193

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th 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

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WOMEN'S WING CHAIRPERSON
Jesal Shah

To,
Shri H. S. Sonawane (I.A.S.),
Inspector General of Registration & Controller of Stamps,
Ground Floor, Opposite Vidhan Bhavan (Council Hall),
New Administrative Building,
Pune - 411001, Maharashtra

Sub: Clarification regarding ambiguity in payment of stamp duty for the lands which are reserved for public purposes in sanctioned development plan of Mumbai City and Suburban.

Ref: Mudrank-2022/C.R.72/M-1(Policy) dated 20th April 2022

Respected Sir,

With reference to the above subject, we have received number of representations from our fraternity/landowners that there is some ambiguity in understanding the above referred GR by stamp office.

As per earlier policy prior to above GR, all lands weather freehold or lease hold lands if affected by public purpose reservations as per sanctioned DP plan are handed over by owners or lessees free of cost to planning authority for public purpose then no stamp duty would be liable. On Rs 100/- stamp paper a transfer deed can be executed, and land can be transferred in the name of planning authority free of cost.

However, post issue of GR dated 20th April 2022 there seems some ambiguity as the word lease is not mentioned in the GR. The GR states conveyance only, so to clarify above aspect we have to request your good self to kindly issue necessary clarification to stamp office by adding following.

"Even if land is transferred by way of lease to planning Authority as per sanctioned development plan, no stamp duty should be applicable."


The above clarification would really help all landowners, developers who would be encouraged to hand over reservations faster which would help in implementation of development plan free of cost.


Your kind intervention and a clarification on the above will be highly appreciated.

Thanking you,

Yours sincerely,
For CREDAI-MCHI


Domnic Romell
President


Dhaval Ajmera
Hon. Secretary


आवक लिपीक
नोंदणी महसुलीसक व मुद्रांक नियंत्र
म.रा.पुणे.

PS: Contact Person Mr. Sanjay Phope - +91 9619345193

Maharashtra Chamber of Housing Industry

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VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ८, अंक ५३]

बुधवार, एप्रिल २०, २०२२/चैत्र, ३०, शके १९४४

[पृष्ठ २, किंमत : रुपये ९.००

असाधारण क्रमांक १३२

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

महसूल व वन विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय,
मुंबई ४०० ०३२, दिनांक २० एप्रिल २०२२.

आदेश

महाराष्ट्र मुद्रांक अधिनियम.

क्रमांक मुद्रांक- २०२२/प्र.क्र.-७२/एम-१(धोरण).—महाराष्ट्र मुद्रांक अधिनियम, १९५८ (१९५८ चा ६०) (यात यापुढे ज्याचा निर्देश, "उक्त अधिनियम" असा केला आहे) याच्या कलम ९ च्या खंड (अ) द्वारे प्रदान केलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, जनहितार्थ तसे करणे आवश्यक असल्याची खात्री पटल्याने, याद्वारे, महानगरपालिकांच्या, नगरपरिषदांच्या, नगर पंचायतीच्या, जिल्हा परिषदांच्या, पंचायत समित्यांच्या, ग्रामपंचायतीच्या, शासकीय विशेष नियोजन प्राधिकरणांच्या, महाराष्ट्र शासनाच्या उपक्रमांच्या व महामंडळांच्या आणि राज्य शासनाची मालकी असलेल्या, नियंत्रण असलेल्या किंवा त्यांच्याकडून भरीव अर्थसहाय्य मिळत असलेल्या संस्थेच्या नावे कोणत्याही व्यक्तीने, सार्वजनिक प्रयोजनार्थ स्थावर मालमत्तेच्या बाबतीत निष्पादित केलेल्या विनामोबदला अभिहस्तांतरणाच्या किंवा बक्षिसाच्या, या दोन्हीच्या संलेखावर, उक्त अधिनियमास जोडलेल्या अनुसूची-एक च्या अनुच्छेद २५ च्या खंड (ब) व अनुच्छेद ३४ या अन्वये आकारणीयोग्य असलेले मुद्रांक शुल्क माफ करित आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

श्रीधर डुबे पाटील,
शासनाचे सह सचिव.

REVENUE AND FORESTS DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 20th April 2022.

Order**MAHARASHTRA STAMP ACT.**

No. Mudrank-2022/C.R.72/M-1(Policy).—In exercise of the powers conferred by clause (a) of section 9 of the Maharashtra Stamp Act (LX of 1958) (hereinafter referred to as “the said Act”) the Government of Maharashtra, being satisfied that it is necessary to do so in the public interest, hereby remits the stamp duty chargeable under clause (b) of article 25 and article 34 of the Schedule-I of the said Act on the instruments of Conveyance and Gift, both without consideration, in respect of immovable property for public purpose, executed by any person in favour of Municipal Corporations, Municipal Councils, Nagar Panchayats, Zilla Parishads, Panchayat Samitis, Gram Panchayats, Government Special Planning Authorities, Government of Maharashtra undertakings and Corporations and the body owned, controlled or substantially financed by the State Government.

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

SHRIDHAR DUBE PATIL,
Joint Secretary to Government.