

Lease Agreement: Transfer of Property Act

Leave and Licence Agreement is based on **Indian Easement Act 1882**

According to **Section 52 of Indian Easement Act 1882** ,
Tenant gets only right to use property for particular time but not Ownership.

Union of India - Section

Section 52 in The Indian Easements Act, 1882

52. License defined

Where one person grants to another, or to a definite number of other persons, a right to do, or continue to do, in or upon the immovable property of the grantor, something which would, in the absence of such right, be unlawful and such right does not amount to an easement or an interest in the property, the right is called a license.

Defination Of leave and license:

A leave and license agreement is an agreement that is signed between the licensor and a licensee in which

the licensor permits the licensee the right to use his property for a fixed duration of time in exchange for a fixed rent.

ASP Licence:

In a circular issued by the Inspector General of Registration and Controller of Stamps (IGR) Ravindra Binwade (IAS), it has been announced that there will not be any Authorised Service Providers (ASPs) anymore. The ASPs help the tenants with registering their agreement with the Maharashtra government.

Stamp Duty:

The payment of stamp duty on leave and licence agreements, is covered under Article 36A of the Bombay Stamp Act, 1958.

Stamp Duty %:

Leave n license agreement in Maharashtra- stamp duty
0.25%

Refundable deposit: Notional annual interest of 10% on stamp duty will be charged

Non-refundable deposit: Stamp duty at the same rate shall be charged on such non-refundable deposits

The registration fee:

Rs 1,000 /- if the property is under any municipal corporation area and Rs 500 /- if the same is in a rural area.

Stamp duty on rental agreement:

Example of stamp duty on rental agreement in Maharashtra :

Up to 5 years

- **0.25% of total rent - Rs 20,000**
- **Rs 20,000 x 11x 0.25% = Rs 550**

How to calculate stamp duty on registered rent agreement in 2025?

For example, if you enter into a leave and licence agreement for 11 months, with a monthly rent of Rs 20,000 and a refundable deposit of Rs 50000 rs, then **you will have to pay a stamp duty of Rs 562 rs**

Monthly rental x No of months = A

$$20000 \times 11 = 220000$$

Advance rent for the period/non-refundable deposit = B

$$11 \text{ months} / 50000 = 0.00022$$

10% x Refundable deposit x No of years of the agreement = C

$$10\% \times 50000 \times 1 = 5000$$

Total amount subject to stamp duty = D = A+B+C

$$D = 220000 + 0.00022 + 5000$$

$$D = 225000$$

Stamp duty = E = 0.25% x D

$$E = 0.25\% \times 225000$$

$$E = 562 \text{ rs}$$

Devices Required:

Secugen HU20

Mantra L1 Device

web camera

Laptop Setup

Documents required :

For registration of the agreement :

Aadhar N Pan Card Of Owner & Tenants

Electricity bill / Index II / tax receipt/MOU of the property.

Check List :

Agreement Duration: 11 month - 60 Months

Entity: Individual, HUF, Proprietor, LLP, PVT LTD

POA

Lock in Period

Items List

Miscellaneous Points

Cancellation Clause: 1 month Advance Notice

<https://efilingigr.maharashtra.gov.in/ereg/>

<https://leaveandlicense.igrmaharashtra.gov.in/Users/welcome>

How to Make Grass Stamp duty Challan :

<https://gras.mahakosh.gov.in/>



Inspector General of Registration

Pay Without Registration

Citizen

Make Payment to Register Your Document

Pay Stamp Duty & Registration Fee Together

District Pune

Haveli 10

36A – Leave and Licence Agreement