

Maharashtra Industrial Development Corporation

(A government of Maharashtra undertaking)

“Udyog Sarathi”, Marol Industrial Area, Mahakali Caves Road, Andheri (East), Mumbai-93

no.MIDC/M.V.(land)/B88147

Date : 07/06/2019

Circular

Subject: To amend the policy regarding allotment of plots for industrial expansion in the metropolitan area or for the entrepreneurs in the metropolitan regional development plan area.

- References :**
- 1. MIDC/Law and Procedure Department/153/2012 dated 27.04.2012.**
 - 2. MIDC/Land Department/Desk-1/3322/2012 dated 19.12.2012.**

According to the Circular dated 27.04.2012 of MIDC, the demand of the applicant for the extension of the plot should be considered only for allotment of plots in the same industrial area. However, in MMR / PMR zone and other developed industrial areas in the Municipal Corporation area as well as elsewhere in such long developed industrial areas, allotment of plots is not available. Therefore, those entrepreneurs who really need space for business expansion, are deprived of their business expansion or migrate to other states. Therefore, since there is a demand for allotment of plots in the nearby industrial area for the expansion of the industry to the industrialists of the long-developed industrial zone, this issue was discussed in the 378th meeting of the Board of Directors held on 28.12.2018 and Resolution no. 5827 was passed. As per the above Resolution, in the Circular dated 27.04.2012 regarding allotment of plots for industrial expansion in the industrial area of MIDC, the following amendments are being made to allow allotment of plots to the industrialists in the adjoining industrial area under MIDC / Development Authority.

1. MMR (including Tarapur, Patalganga Industrial Area) / PMR sector industrial sector who have used 60% or more FSI on existing plots and those plot holders who want to invest more than Rs 100 crore in MMR (including Tarapur, Patalganga Industrial Area) / PMR sector under industry expansion, in their context MIDC in the MMR sector should be considered in the MMR sector, while entrepreneurs in the MIDC sector in the PMR sector should be considered as per the prevailing rules regarding industry expansion for any industrial sector in the PMR sector.
2. In other municipal areas who have used 60% or more FSI on existing plots. They have also obtained Occupancy Certificate and Building Completion Certificate (BCC) and would like to invest more than Rs. 50 crore in industry expansion. In such a case, consideration should be given

as per the prevailing rules regarding the expansion of industry for the adjoining industrial area in the district in which the said municipal area is included.

3. This policy will remain only for the entrepreneurs who have already allotted plots in the priority list mentioned in the Circular dated 19.12.2012 of MIDC. In this, if there is a demand from the entrepreneurs for the expansion of industry in the adjoining industrial area, it should be considered in accordance with the policy of MIDC regarding the expansion of industry.
4. Such entrepreneurs are required to go into production for a period of 2 years by making a minimum investment for a period of 2 years as per 1 and 2 above and obtaining Occupancy Certificate as well as Building Completion Certificate (BCC) using 50% FSI.
5. Thus, when allocating plots for industrial expansion, first priority will be given to the land holders in the area where the plot is located. Preference should be given to adjoining land holders for industrial expansion, but they will not be entitled to such plots.
6. As per the Circular dated 27.04.2012, sr. no. 10, as the development period of plots under industrial expansion is 2 years, in their case, the first extension after 2 years was fixed at 50% non-refundable amount. However, as per the sr. no. 2 in the Circular dated 22.01.2013, the amount of such extension has been increased to 25% in the first year and 50% in the second year. Therefore, the provision dated 22.01.2013 should be considered in this regard.
7. The plot area should be determined by ensuring investment based and 60% FSI used in allotment of plots for industrial expansion. However, the area under industrial expansion should not be allocated more than double the area of the original plot. In exceptional cases, if the Technical Consultant proves the need for more area considering the investment and project report and if there are compelling reasons, prior approval of the Chief Executive Officer should be sought for allotment of plots for expansion of the industry.
8. In such case, the following additional terms and conditions will apply in case of allotment of land for expansion in another industrial area.
 - a. Transfer of land will not be allowed for 5 years and only after obtaining the Building Completion Certificate (BCC) in the subsequent period if the plot holder has gone into production, in such case 50% difference will be charged as transfer fee.

- b. It will be mandatory to start production using 50% FSI and obtain Building Completion Certificate (BCC) in 2 years on the land allotted as industrial expansion.
 - c. Also, Construction Completion Certificate should not be issued in such cases unless the expected investment is made within the prescribed period of 2 years. In this regard, the relevant Special Planning Authority (SPA) should take a decision after proper verification.
9. No change has been made in the remaining provisions of the Circular dated 27.04.2012.

This policy will be effective from the date of this Circular. All concerned should take note of the revised policy and take action accordingly.

This Circular is being issued with the approval of Hon'ble Chief Executive Officer.