

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)/C05579

Date : 21/06/2019

Circular

Subject: Building Completion Certificate (BCC) has been obtained by constructing less than 40% of the plot as per the Development Control Regulations of MIDC, in which case the remaining area of the plot is to be developed.

As per the policy issued by MIDC in its Circular dated 17.04.2012, it has been made mandatory to obtain Building Completion Certificate using at least 20% carpet indicators (FSI) as well as to go into component production. Previously, Building Completion was Certified using 10% or less carpet indicators. Also, some entrepreneurs, as they do not need any additional assistance for construction and do not have to pay extra, get the Building Completion Certificate by approving the construction plans of less area and then do not build on the plot. Therefore, it is observed that most of the landowners construct on less area and do not develop the rest of the area immediately. Therefore, the area remains vacant for many years. Allocated plots are not available in most of the Industrial Areas of MIDC, so if the unused area is not developed by the land holder, it can be taken back and allotted to the needy entrepreneurs. The matter was discussed in the 379th meeting of the Board of Directors held on 11.02.2019 and Resolution No. 5851 was passed. As per the Resolution passed, the following policy is being issued.

1. Landlords who have obtained Building Completion Certificate, however, have less than 40% construction on the plot and the remaining area on the plot is vacant, such plot holders will be required to use at least 40% carpet indicators on the plot within 2 years from the date of the Circular.
2. Unless action is taken as mentioned above, until at least 40 % of the carpet indicators are used for the next period, except for the FSI area used as per the approved Building Completion Certificate at 10% of the prevailing rate for that year, Non Utilisation charges will have to be paid to MIDC for the remaining vacant plots. These Non Utilisation charges should be recovered by the end of the month on which the plot holder obtains the Building Completion Certificate using at least 40% of the carpet indicators.
3. The above mentioned Non Utilisation charges will be payable for the next 2 years, after giving 2 years opportunity for full utilisation of the plot and these should be recovered.

4. In the period of 2 years from the date of Circular or in the incremental period of 2 years if the plot holder could not use at least 40% of the carpet indicators, therefore without sanctioning any further extension, the FSI used on the plot should be deducted from the required area and reclaimed as much as possible in terms of planning as per Section 42(1)(A) of the MIDC Act, 1961.
5. It will be mandatory to use at least 40% FSI on all allotted plots within the stipulated time and such entry should be made by MIDC in all the documents such as tender, allotment, preliminary agreement.
6. The government allocates space for Mega Project stage-wise development, in this regard, if the company has taken effective action regarding the development of the plot, they should not apply the provisions of this Circular.
7. In this case, the entrepreneurs who need to keep more space according to their project, for such plots, they will be exempted from using 40% carpet index with the approval of the Chief Executive Officer after seeking the opinion of the Technical Adviser and Planning Department in the relevant case.
8. Within 1 month from the date of issuance of the Circular, the Regional Authorities should survey the plots using less than 40% carpet index and give notice to the concerned plot holders in accordance with this Circular.
9. For the plots for which a preliminary agreement is yet to be signed, it should be mentioned that 40% mat index will be used in the preliminary agreement.
10. The Regional Officer and Special Planning Authority should regularly review the unused vacant land and submit a report to the Hon'ble Chief Executive Officer.

All concerned should take note of the revised policy and take action accordingly.

This Circular is being issued with the concurrence of the Law and Order Department and with the approval of the Hon'ble Chief Executive Officer.