

Maharashtra Industrial Development Corporation
(A government of Maharashtra undertaking)

no. MIDC/Encroachment/Circular/01

Udyog Sarathi
Marol Industrial Area,
Mahakali Caves Road,
Andheri (East), Mumbai-400093,
Date : 01/01/2020
A00431

Circular

Subject : **Regarding encroachment on the premises of Maharashtra Industrial Development Corporation.**

- References :**
1. Circular no. MIDC/CP/700/1999 dated 06/05/1999
 2. Circular no. MIDC/CEO/86/1999 dated 25/05/1999
 3. Circular no. MIDC/CP/692/2001 dated 20/06/2001
 4. Circular no. 74/2003 dated 12/03/2003
 5. Circular no. MIDC/CE (HQ)/1083/2009 dated 16/06/2009

It is observed that encroachments are constantly taking place in the industrial area of Maharashtra Industrial Development Board. Increasing encroachment in the industrial sector is causing damage to the MIDC's assets. Therefore, the encroachment on the premises of MIDC needs to be stopped immediately. However, due to lack of proper action by the regional authorities to stop the encroachments, the encroachments are increasing rapidly. It is the responsibility of all field officers to protect the property of MIDC which has been informed in an earlier reference letter, clearly stating the instructions as to what kind of action should be taken by the Special Planning Authority in case of encroachment. However, it has been found that the reference circulars are not strictly enforced by the authorities and therefore the encroachment has not been stopped. In view of all these factors, the following instructions are being given as per the revised circular on the basis of all the previous circulars,

1. In case of encroachment in the industrial area, a written notice is given to the Joint Pune Area Manager and if there is any encroachment in the industrial area allotted to him by the Surveyor and Assistant Engineer / Junior Engineer of the Engineering Department in the Regional Officer's Office. The Deputy Engineer should immediately notify the Regional

Officer and Executive Engineer / Deputy Engineer / Assistant Designer or Assistant Architect who is a Special Planning Authority.

2. Notice of Encroachment from Surveyor and Assistant Engineer / Junior Engineer Relevant Regional Officer and Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect The Special Planning Authority should lodge a complaint with the nearest police station as per the provisions of MRTP Section 53 Form 'A'. The Regional Officer and Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect should be the Special Planning Authority. Remove encroachments by drawing up a program for removal. The Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect Special Planning Authority shall be solely responsible for providing the manpower and machinery required to remove the encroachment. Also, the Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect who are the special planning authority should follow up with the police department to remove the encroachment on the plot and take action to remove the encroachment.
3. If the encroached area has not been demarcated, the Regional Officer's Office should demarcate it immediately. If it is not possible to remove the encroachment due to lack of demarcation or increase the encroachment due to it, it will be the joint responsibility of the Regional Officer and the concerned officer / staff.
4. In case of any encroachment in the industrial area, the Chief Surveyor or Surveyor of the Regional Officer's Office should submit a report to the Regional Officer through the Area Manager after ascertaining whether the encroached land belongs to MIDC or how. After that the Regional Officer should take active part in removing the encroachment by launching a joint campaign with the participation of Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect who is the Special Planning Authority. This joint operation requires the participation of Regional Officers, Area Managers, Chief Surveyors / Surveyors as well as Executive Engineers / Deputy Engineers of the Special Planning Authority, who are Special Planning Authorities, Deputy Engineers, Assistant Engineers / Junior Engineers and Technical Assistants. If found, action will be taken against the concerned.
5. In case of non-receipt of police assistance, the Regional Officer and Executive Engineer / Deputy Engineer / Assistant Designer / Assistant Architect who are the special planning

authority should seek the assistance of the concerned Commissioner of Police and District Collector in accordance with the provisions of Section 89 of MRTP ACT. Prompt action should be taken regarding removal.

The responsibility for removal of encroachment rests solely with the Regional Officer / Executive Engineer / Deputy Engineer / Assistant Designer o/ Assistant Architect who is the Special Planning Authority and not the joint responsibility. Engineers and concerned Deputy Engineers, Assistant Engineers / Junior Engineers and Technical Assistants as well as Assistant Designers, Assistant Architects who are special planning authorities will be held jointly responsible and any further encroachment will be taken seriously.

The instructions given in the above circular should be strictly implemented.

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