

# Maharashtra Industrial Development Corporation

(A Government of Maharashtra undertaking)

Ow. No. MIDC/Chief Planner/C83301/2021

Date: 30/06/2021

**Subject: Regarding the lands allotted for industrial purposes under section 20 of Urban Land (Ceiling and Regulation) Act, 1976 in the jurisdiction of Maharashtra Industrial Development Corporation.**

**References:**

- 1) Government Resolution no. ULC 1007/Case no. 222/ULC-2 dated 21/11/2007
- 2) Government Resolution no. ULC 2018/Case no. 05/ULC-2 date 03/02/2018
- 3) MIDC circular no. MIDC/Chief Planner/B83259/2019 dated 11/06/2019
- 4) Government Resolution no. ULC 2018/Case no. 51/ULC-1 dated 01/08/2019
- 5) MIDC circular no. MIDC/Chief Planner/C17427/2021 dated 28/04/2021
- 6) Government Resolution no. ULC-2018/case no. 51/Part-2/ULC-1 dated 23/06/2021

MIDC has issued the above reference circular nos. 3 and 5 according to the policy decided as per the government resolution dated 03/02/2018 and 01/08/2019 for the transfer of land exempted from land acquisition as well as the vacant lands for industrial purposes as per section 20 of Urban Land (Ceiling and Regulation) Act, 1976.

Pursuant to the above reference no. 6, as per the government resolution received with respect to the land exempted for the purpose of industrial purpose as per section 20 of the Urban Land (Ceiling and Regulation) Act, 1976 within the jurisdiction of MIDC, the government resolution dated 03/02/2018 is displaced with the following resolution.

- 1) There is no requirement of recovering transfer charges under Urban Land (Ceiling and Regulation) Act, 1976 for the land which was exempted under section 20 if the land was only transferred for the industrial purpose without the change of use for the land which was exempted for the industrial purpose and if there was no requirement of removing the entry 'area under industrial purpose as per section 20 of Urban Land (Ceiling and Regulation) Act, 1976' which is recorded in other rights section of the land.
- 2) If the land exempted for industrial purposes under section 20 of Urban Land (Ceiling and Regulation) Act, 1976 will be used/transferred for other purposes then out of the (15%) of the amount of premium which is recovered as per the provisions in the government resolution dated 01/08/2019, 60% amount will deposited with the government and the remaining 40% amount will deposited with MIDC. The entry 'Area under industrial exemption as per section 20 of Urban Land (Ceiling and Regulation) Act, 1976' which is recorded in other rights column for such lands will be removed and the land will be developed as per the terms & conditions of MIDC and the provisions of DC rules.
- 3) 60% of the amount of premium fixed as per government resolution dated 01/08/2019 with respect to the land exempted under section 20 for the industrial purposes, will be credited to the government under the account header fixed as per GR dated 10/10/2019, while the remaining 40% amount will be credited under the account header of MIDC. The government has authorized CEO MIDC for the same.

This circular is being issued with the approval of the Hon'ble CEO, MIDC. All concerned parties should take proper note of the decision and act accordingly.

Enclosed: GR dated 23/06/2021

Regarding land exempted for industrial purposes under section 20 of Urban Land (Ceiling and Regulation) Act, 1976 in the jurisdiction of Maharashtra Industrial Development Corporation.

**Government of Maharashtra**  
**Department of Housing and Urban Planning**

**Government Resolution No: ULC -2018/Case no. 51/Part-II/ULC-1**

Hutatma Rajguru Chowk, Madam Kama Marg,  
Mantralaya, Mumbai-400 032

Date: June 23, 2021

**Read:**

- 1) Government Resolution No. ULC-2018/Case no.5/ULC-2, dated on 03/02/2018
- 2) Report dated 09/08/2018 by two-member committee of Mr.B.N.Shrikrushna and Shri.B.N.Makhija
- 3) Government Resolution No. ULC-2018/Case no. 51/ULC-1, dated on 01/08/2019
- 4) Government Resolution No. ULC-2018/Case no. 51/ULC-1, dated on 10/10/2019.

**Introduction:**

The Central Government has repealed the Urban Land (Ceiling and Regulation) Act, 1976 by The Urban land (Ceiling and Regulation) Repeal Act, 1999 which has been adopted by the State Government on 29/11/2007. As per The Urban land (Ceiling and Regulation) Repeal Act, 1999, exemption orders under section 20 of the original Act, any action taken under the same and proceedings on lands acquired under Sections 10 (3) and 10 (5) of the original Act are protected.

A policy decision has been taken by the government as per the government resolution dated 01/08/2019 after considering the report submitted by a two-member committee constituted on 09/08/2018 to suggest necessary measures for the development of lands which have been exempted under Section 20 of the ULC Act and the judgment by the Hon'ble Supreme Court in Appeal No. 558/2017 dated 02/07/2019. In view of this resolution, the government has taken the following decision with the approval of the Cabinet, taking into consideration the consent given by the Department of Industry, Energy, and Labor regarding the lands exempted for industrial purposes under the section 20 of ULC Act leased to industrial units under the jurisdiction of MIDC.

**Government resolution:**

As per the government resolution received with respect to the land exempted for the purpose of industrial purpose as per section 20 of the Urban Land (Ceiling and Regulation) Act, 1976 within the jurisdiction of MIDC, the government resolution dated 03/02/2018 is displaced with the following resolution.

- 1) There is no requirement of recovering transfer charges under Urban Land (Ceiling and Regulation) Act, 1976 for the land which was exempted under section 20 if the land was only transferred for the industrial purpose without the change of use for the land which was exempted for the industrial purpose and if there was no requirement of removing the entry 'area under industrial purpose as per section 20 of Urban Land (Ceiling and Regulation) Act, 1976' which is recorded in other rights section of the land.
- 2) If the land exempted for industrial purposes under section 20 of Urban Land (Ceiling and Regulation) Act, 1976 will be used/transferred for other purposes then out of the (15%) of the amount of premium which is recovered as per the provisions in the government resolution dated 01/08/2019, 60% amount will deposited with the government and the remaining 40% amount will deposited with MIDC. The entry 'Area under industrial exemption as per section 20 of

Urban Land (Ceiling and Regulation) Act, 1976' which is recorded in other rights column for such lands will be removed and the land will be developed as per the terms & conditions of MIDC and the provisions of DC rules.

- 3) 60% of the amount of premium fixed as per government resolution dated 01/08/2019 with respect to the land exempted under section 20 for the industrial purposes, will be credited to the government under the account header fixed as per GR dated 10/10/2019, while the remaining 40% amount will be credited under the account header of MIDC. The government has authorizing CEO MIDC for the same.

This Government Resolution has been made available on the website of the Government of Maharashtra [www.maharashtra.gov.in](http://www.maharashtra.gov.in) and its code is 202106231245516125. This government resolution is being issued with attested digital signature.

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

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## Priya Translation Service

### Certification of Translation Accuracy

Translation of following documents from Marathi to English

- 1) **Letter bearing Ow. No. MIDC/Chief Planner/C83301/2021 dated 30/06/2021**
- 2) **GR # ULC -2018/Case no. 51/Part-II/ULC-1 dated June 23, 2021**

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