

Maharashtra Industrial Development Corporation

(A Government of Maharashtra Undertaking)

No./MIDC/CP/B77799/2022

Date :- 26/05/22

CIRCULAR

Subject : Policy regarding various support activity uses permissible in the industrial areas of MIDC as per DCR-2009

Reference : 1) Circular No. MIDC/CP/503/2012 dt. 03/05/2012

2) Circular No. MIDC/CP/17921/2013 dt. 05/09/2013

3) Circular No. MIDC/CP/D07717/2013 dt. 04/10/2013

4) Circular No. MIDC/Land/C87036/2018 dt. 27/08/2018

5) Circular No. MIDC/CP/E 33609/2020 dt. 24/08/2020

6) Board Resolution no. 6333 dt. 30/11/2021

7) Circular No. MIDC/CP/A12451/2022 dt. 10/01/2022

8) Board Resolution no. 6333(Revised 6359) dt.31/01/2022

9) Circular No. MIDC/CP/A1245194517/2022 dt. 17/03/2022

As per provisions of clause no. 17.3.2 of MIDC DCR-2009. Land uses viz. residential, educational, institutional, assembly; business and mercantile are permitted as supporting MIDC DCR-2009 does not mention specific distribution of percentage amongst different land uses allowed under support activities. The extent of commercial use (business and mercantile) is restricted upto 5% as directed vide circular dt. 03/05/2012. While allowing conversion of industrial plots into commercial use as per the present policy, difference between prevailing commercial rate and prevailing industrial rate is recovered. However, many applications are being received with a request to allow more than 5% of plotted area for commercial use for all the industrial areas in 'D' and 'D+' category across the state. Applications are also received for conversion from industrial to educational use. In view of increasing demand for such conversions. It is also necessary to relook at the policy regarding conversion from industrial to other use and levy of differential premium amount for the same.

The issue was discussed in MIDC Board Meeting no. 392 dt. 31/01/2022 and it was decided to allow support activities as contemplated in the DCR-2009 without limiting the percentage for commercial use (business and mercantile) to 5% for the all the industrial areas in 'D' and 'D+' category across the state in addition to the list of industrial areas specified in annexure of circular no. MIDC/CP/A12451/2022 dated 10/01/2022. In industrial areas other than those specified in the said Annexure, the limitation for commercial use to the extent of 5% of plotted are shall continue. It is also decided to levy differential premium for conversion from industrial use to other uses as mentioned in the table below-

Sr. No.	Type of conversion	Industrial Areas	Formula for levy of premium
1	Industrial to commercial use.	All industrial areas in 'D' and 'D+' category	(Difference between prevailing commercial rate and prevailing industrial rate) X 1.25
		All industrial areas in 'A', 'B' and 'C' category	(Difference between prevailing commercial rate and prevailing industrial rate) X 1.50
2	Industrial to educational use.	All industrial areas of MIDC.	Difference between prevailing commercial rate and prevailing industrial rate

In order to have the equitable distribution of the commercial landuse/facility in the entire industrial area, the Minor Modification Committee shall follow a uniform policy based on the plot area and percentage of area as mentioned in the table below-

Sr. No.	Plot Area	% of the plot area permissible for commercial use.
1	Up to 5,000 Sq.m	100% of the plot area (subject to availability)
2	5,001 Sq.m - 20,000 Sq.m	Up to 50% of the plot area (subject to availability)
3	More than 20,000 Sq.m	Up to 30 % of the plot area (subject to availability)

This conversion in commercial use shall be allowed subject to recovery of premium as circular no. MIDC/CP/A12451/2022 dated 10/01/2022 w.r.t; depending on the type of category of the industrial area.

- As per MIDC circular dated 03/05/2012, during conversion of industrial plots into commercial use, there is policy to recover differential premium as per the difference between prevailing commercial rate (prevailing commercial rate +10%, where plots are allotted through e bidding and prevailing commercial rate where plots are allotted through direct allotment) and prevailing industrial rate.

Differential premium is calculated as-

$$[\text{Prevailing Commercial Rate} \quad (-) \quad \text{Prevailing Industrial Rate}]$$

(Prevailing commercial rate +10%,
where plots are allotted through e bidding
and prevailing commercial rate where plots
are allotted through direct allotment)

- As per MIDC circular dated 27/08/2018, considering the location of the plot, there is policy to add road width charges into prevailing rate during allotment of plot, transfer, time limit extension, sublet, change/modification in land use, re-allotment of the plot etc. Accordingly, while plot allotment, transfer, time limit extension, sublet, change/modification in land use, re-allotment, road width charges are added in the prevailing rate.
- MIDC circular dated 03/05/2012 is revised vide circular dated 10/01/2022, as per MIDC circular dated 10/01/2022, during conversion of industrial plots into commercial use, there is policy to recover differential premium as difference between prevailing commercial rate and prevailing industrial rate (x) 1.25 in industrial areas in D & D+ category and difference between prevailing commercial rate and prevailing industrial rate (x) 1.5 in industrial areas in A, B, C category.

Differential premium to be calculated as-

- 1) In industrial areas in D & D+ category

$$[\text{Prevailing Commercial Rate} \quad (-) \quad \text{Prevailing Industrial Rate}] \times 1.25$$

- 2) In industrial areas in A, B, C category

$$[\text{Prevailing Commercial Rate} \quad (-) \quad \text{Prevailing Industrial Rate}] \times 1.5$$

- MIDC recovers road width charges from the industrialists while allotment of the land. However, as per circular dated 10/01/2022, while conversion of industrial plots into commercial plot as per the difference between prevailing commercial rate and prevailing industrial rate x 1.25 in D & D+ category and difference between prevailing commercial rate and prevailing industrial rate (x) 1.5 in A, B, C category of industrial area, is recovered. Hence, again, recovery of road width charges, during conversion of industrial to commercial use, should not be recovered from the plot holder.

Henceforth, while calculating differential premium during conversion from industrial to commercial, **road with charges should not be recovered.**

Differential premium to be calculated as-

1) In industrial areas in D & D+ category

[Prevailing Commercial Rate (-) Prevailing Industrial Rate] X 1.25

2) In industrial areas in A, B, C category

[Prevailing Commercial Rate (-) Prevailing Industrial Rate] X 1.5

All concerned officers are hereby directed to take a note of the same and further necessary action shall be taken accordingly.

This circular is issued with approval of Hon. C.E.O. MIDC.



Encl :- Annexure

(Ajit Patil)

Joint Chief Executive Officer
MIDC. Mumbai-93

Copy submitted to Hon. CEO MIDC for information

Copy FWCs to Jt. CEO (IT)/ Jt. CEO (K) for information

Copy to all HODs for information

Copy to all ROs/EEs/SPAs for information and necessary action

Annexure

List of Industrial Areas

1. Nagpur (Hingna)
2. Butibori
3. Amravati
4. Yavatmal
5. Chikalthana
6. Waluj
7. Shendra
8. Latur
9. Nanded
10. Jalna (Estate)
11. Addl. Jalna Ph-I, II & III
- 12. All the industrial areas in D and D+ category across the state**