

Maharashtra Industrial Development Corporation

(A Government of Maharashtra Undertaking)

No. MIDC/CP/D98925/2022

Date: 02/12/2022

CIRCULAR

Subject: Regarding change of land use / modification in layout of industrial areas of MIDC.

- Reference:** 1) Circular no. MIDC/CEO/14 dt. 02/04/1997
2) Circular no. MIDC/CP/2102/2007 dt. 11/05/2007
3) Circular no. MIDC/Land/127/2009 dt. 07/09/2009
4) Circular no. MIDC/CP/503/2012 dt. 03/05/2012
5) Corrigendum no. MIDC/CP/D07717/2013 dt. 04/10/2013
6) Circular no. MIDC/Land/Desk I/B86281 dt. 25/06/2014
7) Circular no. MIDC/CP/B23754 dt. 23/04/2015
8) Circular no. MIDC/CP/B07430/2017 dt. 03/04/2017
9) Circular no. MIDC/CP/C67168/2019 dt. 19/08/2019
10) Circular no. MIDC/CP/B77799/2022 dt. 26/05/2022

Maharashtra Industrial Development Corporation (MIDC), a Government of Maharashtra undertaking, is appointed as a Special Planning Authority for notified industrial areas to facilitate and promote industries. MIDC provides land to the entrepreneurs with infrastructure such as roads, water supply, drainage facilities and street lights etc. Layout of an industrial area with different land uses as mentioned in the MIDC DCRs is prepared by the Planning Department in consultation with Engineering Department and Field Offices and the same is approved by the CEO, MIDC. As per provisions of the DCRs, MIDC reserves minimum 10.00 % area for open spaces and minimum 5.00 % area under amenity in the layout of an industrial area. Also, maximum 20.00 % area is reserved under support activity.

It is observed many times that, land pockets which are reserved as per requirements of DCRs are specifically demanded by industrialists. So as to facilitate and promote industries and also to maintain the conformity of provisions of DCRs, various guidelines / circulars are issued by MIDC from time to time, as per above mentioned circulars under reference.

Now, considering the scarcity of land, increasing demand of industrialists for expansion of their existing units, FDI & Mega projects, new investments and ease of doing business etc;



there is a need to formulate revised guidelines for change in land use so that more and more industries will be attracted in Maharashtra. Currently, various proposals of change in land use in approved layout of industrial area are received from the Regional Offices to Head Office as per request from the industrialist. All such proposals are scrutinized as per provisions of DCRs and processed by the Planning Department for approval through Land Department. As per above circulars under reference, the said proposals are submitted before Minor Modification Committee under the chairmanship of Jt. CEO and necessary approval is obtained.

In view of increasing demands in respect of change in land use of open spaces, amenity/reserved areas, plottable land, unplottable land, nallas, quarries, electrical corridors and various types of plots earmarked in the notified industrial areas of MIDC, it is hereby directed to follow revised guidelines as mentioned below for all industrial areas –

A) Regarding open space conversion:

1) Request for conversion of open spaces with existing tree plantation shall not be considered for land use change. However, for exceptional cases, to be considered in the interest of MIDC on merit basis, remarks of the concerned Tree Officer shall be obtained along with a list of existing trees, their species, age, height etc. A plan showing tree plantation and Google images shall also be submitted along with the proposal.

2) In case of open spaces allotted for gardening / tree plantation or for maintenance purpose, the concerned RO shall verify the period of development and accordingly opinion with reference to point no. 1 as above shall be obtained while submission of the proposal.

3) While processing the proposals of conversion of open spaces without any trees, care shall be taken that part of remaining open space shall have regular shape and access as per provisions of the DCRs and no new road shall be proposed while carving out of such plots.

4) In exceptional cases, if new road / nalla diversion / shifting of HT lines etc. is required to be constructed while carving out plot from the open space, then applicant needs to bear cost and construct the road / nalla / shifting of HT line in consultation with Competent Authority and the said road will be used publicly. Feasibility report (mentioning underground line / overhead line etc.) of the concerned SPA and Surveyor to that effect shall also be submitted along with the proposal.

5) All such proposals of conversion of open space shall be submitted to the Minor Modification Committee with prior approval of the CEO, MIDC.

B) Regarding amenity / reserved area conversion:

1) Request for conversion of amenity areas which are earmarked / reserved for MIDC use (e.g. MIDC Office, Staff Quarters, Waterworks, ESR, GSR, Fire Station and such other



uses) shall not be considered. However, for exceptional cases to be considered in the interest of MIDC on merit basis, a detail report of the concerned Chief Engineer regarding requirement of land for MIDC use and feasibility of conversion shall be obtained and submitted along with the proposal.

2) While processing such proposals of conversion of amenity / reserved areas, care shall be taken that regular shape is maintained for balance amenity / reserved area and no new road shall be proposed while carving out of such plots.

3) In exceptional cases, if new road / nalla / HT line etc. is required to be constructed / diverted / shifted while carving out plot from the said amenity / reserved area, then applicant needs to bear cost and construct the road / nalla / shifting of HT line in consultation with Competent Authority and the said road will be used publicly. Feasibility report (mentioning underground lines / overhead lines etc.) of the concerned SPA and Surveyor to that effect shall also be submitted along with the proposal.

4) As per MIDC policy, plots admeasuring 100 sqm (or lesser size) for project affected persons shall necessarily be carved out from suitable amenity areas. However, if amenity area is not available for carving out such PAP plots, then the proposal of conversion of available plots into amenity area shall be submitted to Head Office. Feasibility report (mentioning underground lines / overhead lines etc.) of the concerned SPA and Surveyor to that effect shall also be submitted along with the proposal.

5) All such proposals of land use change of amenity / reserved area shall be submitted to the Minor Modification Committee with prior approval of the CEO, MIDC.

C) Regarding conversion of industrial / commercial / residential / institutional / amenity / reserved plots / open spaces / plottable land or any other type of land use.

1) All proposals of change in land use for all industrial areas shall be submitted to the Minor Modification Committee (subject to condition that the necessary percentage is maintained as per rules) with prior approval of the CEO, MIDC.

2) Before submission of proposal for conversion of such plots, it shall be confirmed by the concerned Regional Offices (wherever necessary) that the said plots are proposed for auction at least 3 times and no demand has been received for the said plots.

D) For conversion of other land uses / modification in part layout.


1) The proposals of change in any land use for all industrial areas shall be submitted to the Minor Modification Committee with prior approval of the CEO, MIDC.

2) For modification in part layout / reconstitution of plots or carving out of plots from plottable land, the proposals shall be submitted to the CEO, MIDC for approval.



3) Circular no. MIDC/CP/B07430/2017 dt. 03/04/2017 and MIDC/CP/C67168/2019 dt. 19/08/2019 shall be treated as cancelled.

All concerned officers are hereby directed to strictly follow the above mentioned guidelines while submitting proposals of change in land use / modification in layout and carving out of new plots from plottable land. In order to reduce delay for approval of such proposals and considering ease of doing business, it is directed to route all the proposals regarding any change in land use / modification in part layout, received by the Planning Department from Field Offices to the CEO, MIDC through the concerned Jt. CEO for necessary approval. The said circular is applicable from the date of issuance.


02-12-22

Chief Executive Officer

MIDC, Mumbai-93.

Copy to Jt. CEO (Admin) & Chairman, MMC / Jt. CEO (SP) for information.

Copy to Dy. CEO - I / II / III / IV for information.

Copy to all HoDs / ROs / EEs / SPAs for information.

Copy to all Officers of Planning Department for information and necessary action.