



MIDC, MUMBAI

Activities of MIDC

The MIDC has been declared as an agent of the state Govt. for carrying out various activities within the framework of the MID Act and the MID Rules.

These activities are broadly divided in to 3 categories-

- Acquisition and disposal of Land
- Provision of infrastructure facilities
- Providing of services.

Organizational set up in MIDC

(A) MIDC Board

1	The Chairman	Minister of Industries (Ex Officio)
2	The Vice Chairman	Minister of State for Industries (Ex officio)
3	Principal Secretary (Industries)	Member
4	M. D. MSEDCL	Member
5	M. D. MSFC	Member
6	M. D. SICOM Ltd.	Member
7	Vice Chairman MHADA	Member
8	CEO MIDC	Member Secretary

SPECIAL INVITEES

9	MD, CIDCO	Special Invitee
10	Development Commissioner (Industries)	Special Invitee
11	Principal Secretary (Irrigation)	Special Invitee
12	Member _Secretary MPCB	Special Invitee
13	MD MSSIDC	Special Invitee
14	M.D., Maharashtra Petrochem Corporation	Special Invitee

Jt.C

Dy.C.E.O



Acquisition & Disposal of Land

1. The land for Industrial Area is acquired by Govt. in Maharashtra under chapter-VI of the MID Act, 1961.
2. Govt. may acquire such land by publishing in official Gazette a notice u/s -32(1) specifying the purpose for which such land is required.
3. Before publishing a notice under section- 32(1), the State Govt. shall call upon the owner of the land and any other person interested therein to show cause within a specified time limit why the land should not be acquired.

Acquisition & Disposal of Land

- The land for industrial area is also directly purchased as per the provisions in sec-15(B) of MID Act 1961.
- This acquired / purchased land is vested directly with the MIDC for further disposal.
- Likewise, wherever available, the Govt. Land is also handed over to the Corporation as an Industrial area (where sec. 2G is applied for the industrial purpose).
- If the proposed land under acquisition falls within a scheduled area, State Govt. consults Gramasabha and Panchayat concerned before such acquisition.
- The Govt. pays for the Corporation for the private land from its own fund.
- Income tax is exempted for MIDC u/s 10(A) of IT Act. All receipt and expenditure in Govt. Head.

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- For payment of compensation the following procedures are followed:-
 - i) agreement between State Govt. and persons to be compensated.
 - ii) where no such agreement is reached, the case is referred to the Collector for determination of the amount of compensation.

Acquisition & Disposal of Land

- The Corporation in turn plans the area and dispose the land in suitable plots by leasing out for **95 years**.
- For this purpose Corporation recovers the premium lease money at different rates for different Industrial area.
- Also the Corporation constructs built up accommodations like sheds and flatted unit and sale them out to the prospective Industrialists together with the land there under on lease basis.

LAND ACQUISITION PROCEDURE UNDER MID ACT – 1961

Land Selection

- MIDC's Initiative
- Directive from State/ Central Government.

Scrutiny of development plans and information collection on sites.

- Development plan (DP)/Regional Plan (RP) of District
- Topography Study

Visit to prospective sites

- Preliminary information Collection.
- Regional Officer/ Executive Engineer Visit

Finalization of the most suitable site by the land selection committee.

- Committee members – Dy CEO, CP, SE & RO
- Type of Industry / Type of Land
- Water source, Electricity availability - report to CEO.

Approval of MIDC HQ

- Proposal from RO.
- Approval of CEO

Preparation of proposal and submission to the government

- Land record (7/12 extract, Map, Land rates)
- Approval of Committee - High Power Committee

Approval of Government

- Submission to Government .
- Scrutiny by Industries & Law Department.

Publication of Chapter VI notification

- Publication in Government Gazette- (sec-32(1))
- Declared area as industrial area- (sec-2G)
- Empowerment to Collector for LA.

Initiation of joint measurement by the RO/LAO

- Appointment of SLAO.
- Taluk Inspector of Land Records (TILR), RO & SLAO.
- Jt. Measurement report – basic document for acquisition
- Map & Abstract.

Preparation of notice u/s 32(2) of the MID Act, 1961

- Individual notice to land owner.
- Public notice in news paper.
- Gazette notification.

Hearing of objections to notice u/s 32(2) of the MID Act, 1961

One month period for objection.
Joint report of RO & SLAO to Government.
Decision at Government Level.

Preparation of notification u/s 32(1) of the MID Act, 1961

Report to Government for approval.
Final notification published in Gazette & newspapers.

Valuation of land

- Sale statistics of land.
- Ready Reckonor.
- Approval of Collector.

Negotiations for compensation

- Negotiation based on valuation note.
- Powers – Rs. Upto 50000/- - Collector.
Upto 1,00,000/- - Divisional Commissioner.
- Agreement with farmers > 1,00,000/- - Government.

Preparation of the compensation order u/s 33(2) and 36(1) of the MID Act, 1961 and payment of compensation.

- Agreement
- Order u/s 33(2) & 36(1).
- Payment distribution to farmers.

Handing over of the land to MIDC

- Possession from farmers by SLAO.
- Hand over to MIDC.

Land acquisition under 15(B)- direct purchase

- Sale deed executed by MIDC.
- Initiated based on need.
- Approval of HPC & Government.

Resettlement and Rehabilitation Issues

- **Project affected village-** a village of 1/3rd of which acquired for the project (industrial area, industrial estate, industrial park, Special Economic area as notified by MIDC).
- Project affected family means Project Affected person, his or her spouse, minor sons, unmarried daughters, minor brothers, unmarried sisters, father, mother etc.
- Project affected Persons- an occupant whose land is acquired under the project/ who has share in the lands whether his name is recorded in such village record or not shall be treated as project affected person.

Rehabilitation & Resettlement Benefits.

1. Any land loser who has given consent for land acquisition will be eligible to get 15% developed land in proportion to the land acquired by MIDC for industrial purpose at the compensation rate paid for his acquired land. Out of such developed 15% land kept for this purpose, 33% area can be allowed for residential or commercial purpose.
2. Housing- PAF whose residential house has been acquired in the process of acquisition will be entitled for a housing plot or 250 Sq. mtr at the compensation rate of his land in the residential area of MIDC.
3. Rs. 10,000/- shifting allowance for shifting of house.

- Rs. 15,000/- for construction of cattle shed if the cattle shed has been acquired.
- PAP who has lost the entire holding shall get one time financial assistance equivalent to 750 man days of minimum agricultural wages.
- PAP who becomes the marginal farmer after acquisition will get financial assistance equivalent to 500 days of minimum agricultural wages.
- Tribal farmer get additional one time financial assistance equivalent to 500 days of minimum agricultural wages in lieu of loss of customary rights and uses of forest produce.
- Tribal PAP if more than 50% in any project will be resettled closed to their natural habitat in a compact area.
- MIDC issues priority certificate to the PAFs for employment.
- MIDC issues recommendation letter to the company to provide employment to PAPs.

Provision of Infrastructure Facilities

MIDC provides following infrastructure facilities:

- Roads, Street lights, Drainage, Water supply schemes.
- Buildings for common facilities like post & telegraphs, Canteen, Bank and Telephone etc.
- The MIDC meets this expenditure on such works (facilities) generally from the premium lease money received by it from the allottees.
- Industrial Estate / Area are being maintained by BMC / Urban Local bodies. MIDC is not collecting IMC.
- BMC is collecting holding tax from the allottee under their jurisdiction

ISSUES RELATING TO INDL. ESTATES/AREAS

ALLOTMENT OF LAND/SHED

1. Applicant to submit application for allotment of land in complete shape enclosing the required documents
2. Land Selection Committee at Head Office dealt for allotment of land/shed
3. There is **no mechanism of single window clearance** system.
4. For assessing land requirement for the company/unit, MIDC has got potential and expertise and Industries Dept. has also technical experts.
5. 20% area of IE/IA is reserved for supporting services such as open space, amenities, greenery, commercial purposes.
6. MIDC is not allotting land to Institutions.
7. The rate of commercial land is double the industrial land rate.
8. Land rate is determined on the land premium + infrastructure development cost.
9. MIDC is allotting land in Mumbai for non-polluting industries.

- For allotment of land there are three committees i.e.
 - (a) LAC headed by GM, DIC – land allotment upto 2500 sqmtr
 - (b) LAC headed by RM land allotment upto 20,000 sqmtr and
 - © beyond 20,000 sqmtr land allotment at Head office level headed by Jt. CEO.
- After recommendation of LAC, provisional allotment letter will be issued and applicant has to give 50% of land cost and execute agreement to lease as EMD. Then after 15 days of allotment letter & its compliance, allottee has to pay balance 50% land cost.
- In case of default to deposit, if any pending application no time extension is allowed and EMD amount is refunded deducting 5% service charge.

Mortgage & Issue of NOC to allottee

1. Sanction letter from Bank
2. Agreement to lease (license agreement prior to issue of final allotment)
3. Lease agreement after final allotment
4. No dues certificate from all concerned of MIDC
5. In case of 2nd mortgage, clearance certificate from the earlier Financing Institution is required
6. Fls means only Nationalized Bank as per RBI guidelines.
7. First charge is with MIDC and subsequent charges on Financing institution
8. Mortgage right permission of Rs. 1,000 crores loan from Fls allowed by RO office & above Rs. 1,000 crores loan decision taken at Head Office level.

Transfer of plot / shed

MIDC guidelines divided into two parts (formal & non-formal transfer):

A. Formal Transfer:-

1. Change of constitution / within family members viz: husband/wife/ sons / daughters / father / mother / brothers / sisters shall be permitted on recovery of the minimum process fee.
2. Transfer because of death i.e. by bequeath / will / heir ship shall be permitted without recovery of process fee / transfer charges.
3. All involuntary transfer including amalgamation, demerger etc. under the directions of competent court / tribunal / appropriate Government not being this nature of permission shall be permitted on recovery of minimum process fee.
4. change in the name without change of management shall be permitted without transfer charges.

Transfer of plot / shed

B. Non - Formal Transfer:-

- 1 Non formal transfer will be permitted subject to the recovery of 10% of differential premium where the allottee has consumed at least 10% of the permissible FSI.
- 2 If the permissible FSI consumption is less than 10% , then transfer will be permitted on recovery of 30% of differential premium.
- 3 For transfer of shed allotted by MIDC, if the allottee has started the production within 3 years then 10% of the differential premium will be charged and if the allottee has not started the production within 3 years then 30% of the differential premium will be charged.

c. Vacant land is not allowed for transfer.

Other issues:

1. **Subletting** of the premises is permitted on payment of 10% of prevailing premium rate per annum on occupied area.

Subletting charge is payable in advance for one year.

Subletting is allowed on yearly basis, renewable every year.

2. **Fire Safety** in all industries is **mandatory**.

- 3 **Land encroached** by the allottee is **not regularised**.
Special Planning Authority is removing the encroachment if any. Eviction is being carried out as per Govt. policy.

- **Cancellation of allotment:** Issue of show cause notice allowing 30 days time to submit reply – then hearing – on receipt of documentary evidence both in oral and writing , **one year time is allowed** for further development (**except vacant land**) on realisation of 5% additional charges. ~~In case of failure, land to be cancelled and resumed.~~
- For **utilisation** of the allotted land, allottee is allowed to get building plan approval from the competent authority (Planning Authority of MIDC) within 6 months time. Start factory building in the 1st year of allotment and complete the construction within 2 years time from the date of allotment and go for commercial production. To monitor regarding utilisation of the allotted land and implementation of the project, it is the responsibility of the Field divisions.
- In case the allottee **surrender the allotted** land to MIDC within implementation period the deposits will be refunded deducting 5% amount as a penalty whereas additional premium deposited for time extension to implement the project is to be forfeited.