

**How to apply for purchase of agricultural land exceeding 10 Ha
for bonafide industrial use
(under 63(1)(A) of BTAL Act 1948 (Amended Act, 1994))**

The Applicant has to apply in the following application form to Development Commissioner (Industries), New Administrative Building, Madam Cama Road, Opp. Mantralaya, Mumbai 400 032. Tel. No. 022-22023505, Fax No. 022-22026826, E-mail: diland@maharashtra.gov.in, URL: www.maharashtra.gov.in along with the documents, as applicable, mentioned in the checklist below.

Specimen application form

1	Details of applicant			
1.1	Name (s) and address of applicant (s) in Block letters, Surname First (State whether Shri./Smt.)	:		
1.2	Name of Contact Person and his Telephone No./Fax No./E-Mail Address	:		
1.3	Name of the Concern	:		
1.4	Proposed location of land	:		
	Village	:		
	Taluka	:		
	District	:		
	Area in Hectares	:		
1.5	Constitution of the Concern (Please enclose the document i.e. MoA & AoA, Certificate of incorporation, partnership deed, registration for the Partnership firm, etc.)	:		
2	Details of the project			
2.1	Details of the bonafide activity	:		
2.2	Details of the product(s) proposed to be manufactured/Power Plant/ Wind Mill/ Tourism Project	:	1. _____	
		:	2. _____	
		:	3. _____	
2.3	Proposed installed capacity (First phase)	:	Quantity (s)	Value (s)
		:		
2.4	Details of raw materials required for manufacturing the products	:	1. _____	
		:	2. _____	
		:	3. _____	
	Details of IEM/ IL/ EM Registration obtained (Please enclosed copy).		Copy enclosed	YES/NO
2.5	Power requirement of the project			
2.6	Proposed investment in plant and machinery			
2.7	Proposed investment in building construction			
2.8	Cost of land			
2.9	Total Project Cost (Rs. in lac)			

2.10	Employment	Nos.			
	Proposed employment				
	Supervisory				
	Skilled				
	Unskilled				
	TOTAL				
2.11	Financial arrangements proposed to be made (Please enclose copy of Project Profile)				
2.12	Financial arrangements proposed to be made (Please enclose copy of Project Profile)	Own	Bank/FI	Other	Total

3	Justification for requirement of land (details required if the requirement of land is more than the general norms for requirement of land for the typical industries mentioned in the checklist below.)		
3.1	Applicable DCR	Class “A” or Class “B & C” Municipal Councils	
3.2	Applicable FSI, and open space norms as per the DCR		
3.3	Total built up area		
3.4	For factory shed		
3.5	For office block		
3.6	For Storage of raw materials		
3.7	For storage of finished products		
3.8	For utilities, ETP, etc.		
3.9	For open space, if any required to be maintained, as per the applicable DCR		
3.10	Any other requirement of land (Please Specify, Open storage of raw materials, etc.)		
3.11	Total land requirement in Ha		
4	Details of Land to be purchased		
4.1	Details of land such as Gut No. /Survey No./ Village/ Taluka / District and area of each Gut (Please enclose 7/12 Extract and mutation entries) (Annex details if the space is not sufficient)	:	
4.2	Present land use of the land proposed to be purchased (Please enclose Zone certificates of Town Planning Department for the land located in Regional Plan / Development Plan		
4.3	Enclose layout Plan of the project superimposed on the village maps to show the village wise Sr. Nos. and Gat Nos. required for the project	Enclosed	Yes/No

5	Other Project specific documents to be enclosed:
5.1	Notification of declaration of Hill Station/Tourism from Urban Development Department in respect of the Tourism project
5.2	NOC / Letter of Support issued by Energy Department, Mantralaya (For Thermal/Captive Power Plant Project)
5.3	Approved micro setting plan / Infrastructure Clearance from MEDA (For Wind Mill Project)
5.4	Letter of Reasonableness of Land requirement from MEDA (For Wind Mill Project where land requirement exceeds the Std. norm of 1 Ha/MW)
5.5	In principal Approval for Setting up of Special Economic Zone (SEZ)
5.6	TOR for EIA study in respect of the projects requiring Environment Clearance.
5.7	Letter of Intent of Govt. of Maharashtra for mining lease
5.8	Annual Thermal density (Solar Resources map) at the location from National Renewable Energy Laboratory (NREL) in respect of Solar Thermal Power project

We are aware that it is our sole responsibility to obtain necessary permissions/clearances/registrations as may be required under section 63 1A of BTAL Act 1948, section 44A of MLRC and any other law in force to put the land to use for carrying out our bonafide industrial activity.

Signature of the applicant(s)
With name in capital letter

Place :-

Date :-

**Status of applicant(s) as an
individual/ Partner of a firm or
director of the Company**

Check List of documents required to be submitted along with the application

Sr. No.	Document Specification	Page No.
(A)	Essential Documents	
1.	Application Form	
2.	IEM/LOI/EOU/IL obtain from Central Government or EM from State Government	
3.	Notarised Affidavit in the prescribed form on Rs. 100/- Stamp Paper along with annexure showing details of village, Gut & Hissa No., area of the land proposed to be purchased	
4.	Project Report /Profile with land use statement with justification of requirement of land with reference to details required in application form	
5.	Memorandum & Articles of Association/Registration Certificate of Partnership Firm/Deed or Registration Certificate of Co-operative Society	
6.	Land use statement	
7.	Project Layout plan superimposed on the village maps showing Gat & Hissa nos.	
8.	7/12 Copies of proposed land	
9.	Zone Confirmation Letter from Town Planning Department or MMRDA in respect of lands located in Regional plan area	
Project specific additional documents		
10.	Notification of declaration of Hill Station/Tourism from Urban Development Department in respect of the Tourism project	
11.	NOC / Letter of Support issued by Energy Department, Mantralaya (For Thermal/Captive Power Plant Project)	
12.	Approved micro setting plan / Infrastructure Clearance from MEDA (For Wind Mill Project)	
13.	Letter of Reasonableness of Land requirement from MEDA (For Wind Mill Project where land requirement exceeds the Std. norm of 1 Ha/MW)	
14.	In principal Approval for Setting up of Special Economic Zone (SEZ)	
15.	TOR for EIA study in respect of the projects requiring Environment Clearance.	
16.	Annual Thermal density (Solar Resources map) at the location from National Renewable Energy Laboratory	

Sr. No.	Document Specification	Page No.
	(NREL) in respect of Solar Thermal Power project	
17.	Letter of Intent of Govt. of Maharashtra for mining lease	

CERTIFICATE

Certified that all the required documents mention above are submitted with the application.

Date:-

Place:-

Signature of the Applicant/Developer

Note:

1. General norms for requirement of land in respect of typical industries:

- | | |
|---|---------------------------------------|
| a) Wind Power Generation: | 1 Ha per MW |
| b) Solar Photovoltaic Power Generation: | 2 Ha per MW |
| c) Solar Thermal Power Generation: | 2 Ha per MW |
| d) Thermal Power Plants: | 0.75 Acre per MW up to 500MW |
| (Excluding Ash dyke, Township, etc.) | 0.5 Acre per MW for 500 MW and above. |
| e) Integrated Cement Plant: | 40 Ha per MTPA |
| (Excluding Railway siding, Township etc.) | |
| f) Integrated Steel Plant: | 200 Ha per MTPA |
| (Excluding Railway siding, Township etc.) | |
| g) Sugar Factory (5000 TCD + Ethanol Project + Co-generation Project) | 48 Ha. |

2. Attach details for justifying requirement of land in case the requirement of land exceeds the general norms in respect of the aforesaid industries:-

1. Total area of the land to be required/purchased.
2. Total area available for construction.
3. Area to be occupied for main plant/production purpose.
4. Ancillary plant, area, if any
5. Laboratories, if any
6. R & D facilities, if any
7. Storage space required
8. Godown:-excise enclosures etc.
9. Office premises etc.
10. Other amenities to be provided related to the plant like effluent treatment pollution

control etc.

11. Area required, if any, for industrial workers.
12. Area required for amenities to be provided for industrial workers.
13. Open space to be left as per the rules.
14. Total built up area
15. Total area required for industrial housing.
16. Total of open area to be left out.
17. Total area for amenities to be provided for industrial workers.
18. Any other use of land related to the industrial activity.

(On Rs. 100/- Stamp Paper signed by Notary)

A F F I D A V I T

I, Mr./Mrs. _____, resident of ----, age ----- years, am Managing Director/Director/ Partner/Proprietor of M/s. ----- having office at ----
----- authorized (authorization document shall be part of affidavit) by my Company/Firm to execute this affidavit and to solemnly affirm:

1. that our Company/Firm/Concern has applied for permission under section 63 1(A) of BTAL Act 1948, as amended from time to time, to purchase agriculture land admeasuring ----- Ha for bonafide industrial purpose of setting up -----(mention details of the activity) ----- .
2. that the details of parcels of lands proposed to be purchased are mentioned in the statement annexed to this affidavit which reveal the Survey / Gat nos. and area of the parcels of lands situated at the respective villages. And that none of these parcels of land are owned by Government.
3. that we have ascertained that the bonafide industrial activity proposed by us on the agricultural land proposed to be purchased does not violate any of the provisions of Law in force. And that I am aware of the provisions under section 44A of Maharashtra Land Revenue Code, 1966 (MLRC) and the conditions stipulated at (a) to (e) and that our Company/Firm/Concern undertakes to comply with the the provisions and the conditions of the Section 44A of MLRC in respect of the agricultural lands proposed to be purchased by us.
4. that I am aware that purchase of land owned by a person belonging to the Schedule Tribe is subject to the provisions of sections 36 and 36A of the Maharashtra Land Revenue Code, 1966 and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974 and that we shall abided by the aforesaid provisions for purchasing such parcels of land.
5. that I and our Company/Firm/Concern are aware of the provisions of the section 63 1(A) and we shall be responsible to comply with and abide by these provisions.
- *7 that the agricultural land for which the permission to purchase shall be granted by Development Commissioner (Industries) under section 63 1A of BTAL Act, for its use for bonafide industrial purpose, shall be purchased and put to the aforesaid bonafide industrial use for our manufacturing activity within a period of five (05) years from the date of such permission. And that our Company/Firm/Concern has necessary financial capabilities to implement the project within the aforesaid stipulated period. Further, I am also aware that failure to do so will lead to appropriate action under section 84C of BTAL Act, 1948, as amended from time to time.
8. that the requirement of the land which is proposed to be purchased is to the extent of minimum critical requirement in view of the feasibility of the project and nothing excess and extra land is proposed to be purchased. Further that any part of land found

excess after putting the land to use for the bonafide industrial activity shall be subject to action under section 84C of BTAL Act, 1948, as amended from time to time.

9. that the project shall be executed in accordance with the Development Control Regulations and relevant statutes & rules with the approval of the competent authorities.
10. that we undertake to obtain the required clearances for the land pertaining to the green zone, No Development Zone, CRZ, RRZ, Forest Area, Eco-Sensitive Zone, Environmental Clearance, or in such other zone area, and those clearances required under the Law in force for carrying out the bonafide industrial activity, as the case may be, from the competent authorities of the concerned Departments/Agencies of the State Government and Central Government, including from the Competent Authority of the Town Planning Department in MRTP Act, 1948, before development of the project.
11. that it will obtain necessary clearances/permissions/sanctions from the competent authorities for obtaining requisite power, water, road connectivity, environmental clearance if necessary, Sanad under section 44A of MLRC, consent to operate from MPCB, grid connectivity (in respect of wind power project) and any other statutory clearances/permissions required under the Law in force in respect of for the project.
12. I am well acquainted with the lands proposed to be purchased and also with the owners of the lands. Further, that the landowners have no objection to sell the lands to us and have voluntarily agreed to sell the lands at mutually accepted price.
- *12. Our Company/Firm has obtained Letter of Intent of Govt. of Maharashtra in respect of the mining lease required for the project and the same is enclosed with the application.
- *12. Our Company/Firm has obtained micro setting plan duly approved by MEDA for installation of Wind Turbine Generators and reasonableness of requirement of land since it exceeds the standard norms of 1 Ha per MW and the same is enclosed with the application.

It is affirmed that whatever stated above is true to the best of knowledge and belief. Further, I solemnly affirm that we are aware of our responsibilities as committed in the above statements and that failure to fulfil the commitments shall be liable for appropriate penal action as per the provisions of BTAL Act, 1948, as amended from time to time and any other Law in force.

Signature
(Name of Deponent)

VERIFICATION

Verified on ----- at ----- that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed.

Solemnly affirmed at Mumbai on this day 2013.

Note: Strike out (*) whichever is not applicable.

(signature)
Name of the Deponent

Identified by me.

BEFORE ME

Signature of Noatary

Date :- __/__/____

Place :- _____

The details of the land proposed to be purchased

Sr. No.	Name of the Village	Survey No. / Gut No. / Hissa No.	Area of the land to be purchased