

Maharashtra Industrial Development Corporation

(A Govt. of Maharashtra Undertaking)

No. MIDC/CP/ P-172380 /2024

Date :31.01.2024

CIRCULAR

Sub :- Notification issued by GoM on 12th January 2024 under Section 37 (1AA)(C) of MR & TP Act 1966 for the Modification in CDCPR-2023 of MIDC.

Ref: GoM notification No. TPB 4322/314/CR-25/2023/UD-11 Dated 12th January 2024

Govt. of Maharashtra has issued above notification under section 37 (1AA)(C) of MR & TP Act 1966 and sanctioned the modification in CDCPR-2023 of MIDC as mentioned in schedule A and schedule B.

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


Chief Planner
MIDC, Mumbai-93.

Copy submitted to the CEO, MIDC for information please.
Copy submitted to Hon. Jt. CEO (Admin)/Jt. CEO (Vidarbha), for information.
Copy fwcs to all HODs , MIDC for information.
Copy to all SEs/ EEs/ROs for information
Copy to all Sr. Town Planners /Associate Planners /Dy. Planners /Dy. Architect /Asst. Architects /Asst. Planners & all SPAs for information & necessary action.
Copy to M/s Softtect, Pune for information and necessary action



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष १०, अंक ८]

शुक्रवार, जानेवारी १९, २०२४/पौष २९, शके १९४५

[पृष्ठे ३४, किंमत : रुपये ११.००

असाधारण क्रमांक १०

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक १२ जानेवारी, २०२४

अधिसूचना

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टिपीबी-४३२२/३१४/ प्र.क्र.२५/ २०२३/ नवि-११.—ज्याअर्थी, महाराष्ट्र औद्योगिक विकास महामंडळ अधिनियम, १९६१ चे प्रकरण VI च्या तरतुदी लागू होणारे क्षेत्र किंवा इतर जमीन ज्या शासनाने महाराष्ट्र औद्योगिक विकास महामंडळास हस्तांतरित केल्या आहेत, अशा जमिनीकरिता महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ च्या (यापुढे याचा उल्लेख "उक्त अधिनियम" असा केला आहे.) कलम ४०(१अ) अन्वये महाराष्ट्र औद्योगिक विकास महामंडळास (यापुढे ज्याचा उल्लेख "उक्त प्राधिकरण" असा केला आहे.) विशेष नियोजन प्राधिकरण म्हणून नियुक्त केले आहे ;

आणि ज्याअर्थी, शासनाने उक्त अधिनियमाचे कलम ३७ चे पोट-कलम (२) नुसार प्राप्त अधिकारांचा वापर करून शासन नगर-विकास विभागाकडील अधिसूचना क्र. टिपीबी-४३२२/३१४/ प्र.क्र.२५/ २०२३/ नवि-११ द्वारे उक्त प्राधिकरणाचे सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावलीस (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा केला आहे.) मंजुरी दिली असून ती शासकीय राजपत्रात दि.१३ जुलै, २०२३ रोजी प्रसिद्ध करण्यात आली आहे ;

आणि ज्याअर्थी, महाराष्ट्र राज्यातील माहिती तंत्रज्ञान आणि माहिती तंत्रज्ञान सहाय्यभूत सेवांच्या सर्वकष व्यापक विस्ताराकरिता, शासनाचे उद्योग विभागातर्फे महाराष्ट्र राज्याचे माहिती तंत्रज्ञान आणि माहिती तंत्रज्ञान सहाय्यभूत सेवा धोरण-२०२३ (यापुढे ज्याचा उल्लेख "उक्त धोरण" असा केला आहे.) तयार करण्यात आले असून, ते शासन उद्योग विभागाकडील दि.२७/६/२०२३ रोजीचे शासन निर्णयाद्वारे जाहिर करण्यात आले आहे ; आणि ज्याअर्थी, उक्त धोरणातील संबंधित मुद्यांच्या अनुषंगाने संबंधित प्रशासकीय विभागांनी आवश्यक ते आदेश तातडीने निर्गमित करण्याबाबत उद्योग विभागाने विनंती केली आहे ;

आणि ज्याअर्थी, वरील विचारात घेता, उक्त नियमावलीतील तरतुदी उक्त धोरणातील तरतुदींशी सुसंगत असण्याकरिता उक्त धोरणातील तरतुदींचे अनुरूप उक्त नियमावलीतील संबंधित तरतुदींमध्ये सुधारणा करणे आवश्यक आहे, असे शासनाचे मत झाले आहे ;

(१)

आणि ज्याअर्थी, औद्योगिक, सार्वजनिक, निम-सार्वजनिक, संस्थात्मक, शैक्षणिक व तत्सम इतर वापराच्या इमारती ज्या ठिकाणी महिला मोठ्या प्रमाणात काम करतात अशा इमारतींमध्ये "महिला कक्ष" (Ladies Room) प्रस्तावित करणेबाबत शासनाच्या महिला व बाल विकास विभागाच्या वतीने हिरकणी कक्षाची स्थापना करण्याचे निर्देश देण्यात आलेले आहेत ;

आणि ज्याअर्थी, ज्या ठिकाणी महिला मोठ्या प्रमाणात काम करतात अशा इमारतींमध्ये स्तनपान करण्याच्या स्त्रिया, गरोदर महिला, नवजात बालकांच्या माता व ६ वर्षाखालील मुले व माता यांच्याकरिता स्वतंत्र महिला कक्ष (Ladies Room) नसल्यामुळे महिलांना अडचणी निर्माण होत असल्याचे शासनाच्या निदर्शनास आले आहे ;

आणि ज्याअर्थी, जागतिक महिला दिनाचे औचित्य साधून औद्योगिक, सार्वजनिक, निम-सार्वजनिक, संस्थात्मक, शैक्षणिक व तत्सम इतर वापराच्या इमारतींमध्ये महिला कक्ष (Ladies Room) ची सेवा पुरविणे बंधनकारक करणेकरिता उक्त नियमावलीमध्ये उक्त नियमावलीत नव्याने तरतूद समाविष्ट करणे आवश्यक आहे, असे शासनाचे मत झाले आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये प्राप्त अधिकाराचा वापर करून शासनाने समक्रमांकाची दि.४ ऑगस्ट, २०२३ रोजीची सूचना त्यासोबतचे परिशिष्ट-अ व परिशिष्ट-ब मध्ये नमूद प्रस्तावित फेरबदलावर जनतेकडून हरकती / सूचना मागविण्यासाठी प्रसिद्ध केली आहे (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आलेला आहे) आणि ज्याद्वारे प्रस्तावित फेरबदलाबाबत प्राप्त होणाऱ्या हरकती / सूचनांवर संबंधितांना सुनावणी देण्याकरिता तसेच उक्त अधिनियमाच्या कलम ३७(१कक) अन्वये विहित केलेली कार्यवाही पूर्ण करून प्रस्ताव शासनास सादर करणेसाठी संबंधित विभागीय सहसंचालक, नगररचना यांची अधिकारी (यापुढे ज्यांचा उल्लेख "उक्त अधिकारी" असा करण्यात आला आहे.) म्हणून नियुक्ती करण्यात आली आहे ;

आणि ज्याअर्थी, प्रस्तावित फेरबदलाची सादर शासन सूचना दि. ४ ऑगस्ट, २०२३ ही महाराष्ट्र शासन राजपत्र (भाग-१ कोकण विभागीय पुरवणी) मध्ये दि. १७-२३ ऑगस्ट, २०२३ रोजी प्रसिद्ध करण्यात आली होती आणि उक्त अधिकारी यांनी अधिनियमाचे कलम ३७(१कक) अन्वये वैधानिक कार्यवाही पूर्ण करून त्यांचा अहवाल नगररचना संचालनालयामार्फत शासनाचे अंतिम मंजूरीसाठी सादर केला आहे ;

आणि ज्याअर्थी, उक्त अधिकारी यांनी सादर केलेला अहवाल विचारात घेता व संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्ला-मसलत केल्यानंतर उक्त प्रस्तावित फेरबदल काही सुधारणेसह मंजूर करणे जनहिताच्या दृष्टीने आवश्यक आहे, असे शासनाचे मत झाले आहे.

आता, त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) अन्वये प्राप्त अधिकारात आणि त्या संदर्भातील सर्व शक्तींचा वापर करून शासन याद्वारे :

- (अ) उक्त प्रस्तावित फेरबदलाचे प्रस्तावास सोबतचे परिशिष्ट-अ व परिशिष्ट-ब मध्ये नमूद केलेप्रमाणे मंजूरी देत आहे.
- (ब) सादरची अधिसूचना शासकीय राजपत्रामध्ये प्रसिद्ध झालेचा दिनांक हा उक्त फेरबदल अंमलात आलेचा दिनांक असेल.
- (क) महाराष्ट्र औद्योगिक विकास महामंडळाच्या सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावलीच्या मंजूरी सोबतच्या फेरबदलाचे परिशिष्टामध्ये शेवटच्या नोंदीनंतर वर अ.क्र. (अ) मध्ये नमूद केलेले परिशिष्ट समाविष्ट करणेचे निर्देश देत आहे.

सादर अधिसूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदा / नियम) या वेबसाइटवर देखील प्रसिद्ध करण्यात येत आहे.

परिशिष्ट-अ

(शासन नगरविकास विभागाकडील अधिसूचना क्र. टिपीबी - ४३२२/ ३१४/ प्र.क्र.२५/ २०२३/ नवि-११, दिनांक १२ जानेवारी, २०२४ सोबतचे परिशिष्ट.)

Regulation No.	Existing Provision	Sanctioned Provision
<p>6.6 -- Regulations for Development of Information Technology Establishment :-</p>	<p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No.ITP-2013/CR-265/IND-2, dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-167/2016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.</p> <p>In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal</p>	<p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 2023 as declared by Industries Department vide Government Resolution No.IIP-2013/CR-265/IND-2, dated 25/08/2015 ITP-2021/CR170/IND-2, dated 27/06/2023, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-167/2016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% as mentioned below over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. as mentioned below :-</p>

Additional FSI may be provided on the basis of following

Table :

Sr. No.	Minimum Road Width	Maximum Permissible Greater Region	FSI Mumbai	Maximum Permissible FSI Rest of Maharashtra
1	12 m	Up to 3		Up to 3
2	18 m	Up to 4		Up to 3.5
3	27 m	Up to 5		Up to 4

Note :- If development potential more than the maximum permissible development potential for IT / ITES uses as per table given under 6.6 (i) above, is permissible under any other provisions of CDCPR, then in such cases, such additional development potential shall be permissible as per the respective provisions of the CDCPR.

Premium for additional Floor Space index:

- For the areas in Vidharbha, Marathwada, Dhule, Nandurbar, Ratnagiri and Sindhudurg, No premium shall be charged for additional Floor Space Index (FSI).
- For the areas in Greater Mumbai Region and rest of Maharashtra excluding (4)(a), the additional FSI over and above the basic permissible F.S.I. shall be permissible by levying premium at the rate of 50% of prevailing rate of premium as mentioned in MIDC CDCPR.
- In addition, other applicable FSI's like Ancillary FSI will be applicable as per MIDC CDCPR norms.
- The developer will be allowed to pay the premium, ancillary FSI charges and other charges for the increased additional FSI for the IT Park in installments.

policy.

Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 18 m width.

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department.

(Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

- No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State.)
- Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ ITES.
- Such new unit shall allocate at least 2% of the total proposed built-up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.
- Premium to be received by the Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ ITES Industries" and this fund shall be utilized only for

<p>creation of Critical Infrastructure for IT/ITES Industries; Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate. Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.</p> <p>vi) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.</p> <p>vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.</p> <p>viii) No amenity space shall be required to be left for development of IT/ITES buildings.</p> <p>ix) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis.</p> <p>If a private IT park has availed additional FSI as per the provisions of IT/ ITES policy and subsequently it is</p>	<p>In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.</p> <p>Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 8 m width.</p> <p>Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)</p> <p>ii) No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives 2013" of the Industries, Energy & Labour Department of the State.)</p> <p>iii) Maximum 40% of total proposed built up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built up area shall be utilized for IT/ITES.</p> <p>iv) Such new unit shall allocate at least 2% of the total proposed built up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.</p>
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<p>found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.</p> <p>a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Authority which has approved the building plans of the said private IT park.</p> <p>b) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non- IT/ ITES activities.</p> <p>c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.</p> <p>After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/ or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.</p>	<p>ii) Mixed use shall be permitted in IT parks under the following Guidelines:</p> <p>Land Use Percentage :</p> <p>a) Zone-I: Municipal Corporations in MMR & PMR area:</p> <ul style="list-style-type: none"> • 60% - IT & ITeS Units including 2% BUA for incubation centers. • 40% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities. <p>b) In area excluding Zone-I:</p> <ul style="list-style-type: none"> • 50% - IT & ITeS Units including 2% BUA for incubation centers. • 50% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities. <p>c) Standalone building/ Group of buildings in IT Parks with a minimum BUA area of 20,000 sq. ft. will also be eligible for above (i) & (ii) benefits.</p> <p>➔-iii) Premium to be received by the Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries, Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the</p>
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<p>Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate.</p> <p>Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.</p>	<p>iv) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.</p>	<p>v) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 2023 or amended from time to time, shall be allowed.</p>	<p>vi) No amenity space shall be required to be left for development of IT/ITES buildings.</p>	<p>vii) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis. The Planning Authority retained the rights to verify the details of the information furnished by the developer through inspection.</p> <p>If a private IT park has availed additional FSI as per the provisions of IT/ ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.</p>
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<p>a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Authority which has approved the building plans of the said private IT park.</p>		
<p>b) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ITES activities.</p>		
<p>c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.</p>		
<p>d) After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.</p>		
<p>e. <i>The promoter / Developer of IT Park shall not be allowed to sell / lease the builtup area reserved for IT /ITES activities to non IT user in any case.</i></p>		
<p>f. <i>Penalty to be imposed on end user/ owner of the unit / premises of IT Parks</i></p>		

Sr.No.	Occupancy	Size of tenement	Parking Spaces Required	Remarks
8	Data Centres Administrative office Core building	For 400 400 sqm built up area or fraction thereof	1 2	--
7.2.1 Off-Street Parking Requirement Table No.7C				
12.2 -- Integrated Information Technology Township (IITT)				
12.2.1				<p>12.2.1- Area Requirement Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township. The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) 10 acre at one place. (Explanation- If such minimum 10 Ha (25 acres) 10 acre area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)</p>

<p>12.2.3</p>	<p>12.2.3 - Planning Considerations. The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.</p>	<p>12.2.3 -- Planning Considerations. <i>The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.</i></p> <p><i>The project has to be an integrated project. The IITT may provide land for following users :-</i></p> <ol style="list-style-type: none"> i) IT & ITes ii) Residential iii) Commercial iv) Educational v) Amenity Spaces vi) Health Facilities vii) Parks, Gardens & Playgrounds viii) Public Utilities ix) Transport and Communication <p>Types of ITes Activities allowed in IT Parks</p> <p>a) Back-office Operations: <i>The administrative and support staff of a financial institute such as Banks, Insurance Company, Mutual Fund, Non-Banking Finance Companies which is responsible for function related to the running of the company such as Settlements, Compliance, Accounting, IT and Other Technology. Back Office Functions are also often outsourced to external companies and/or in different countries' which include:</i></p> <ul style="list-style-type: none"> • <i>Business process outsource services provided mainly with the assistance or use of information</i> • <i>Data entry, transcription, reconciliation, consolidation, co-ordination, proportion, processing review of documents</i> • <i>Accounting to reporting and Reconciliations</i> • <i>Activities excluding front offices of financial services such as corporate finance, asset and fund, Management Broking, Non-Banking Financial Company, Tax and Audit Business and Management Consultancy, Taxation Services, Treasury Operations, Risk Management and</i>
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<p><i>Credit Services, "Financial Back Office Operations, Computer/disaster recovery and including but not limited to IT operations, financial and administrative support and any other ITeS Activities as set out in Definition 15.19. of said policy</i></p>	<p><i>b) Financial Back Room operations for Corporate and Investment Bank (CIB) and Private Bank, Disaster Recovery, IT Development and Support and ancillary office which includes Back Offices of Manufacturing and other service, Startups/Companies which have no direct customer interface but provide essential support through Electronic Media but this will not include delivery Godowns / Warehouse of E-Commerce Company/Organizations.</i></p> <p><i>c) Call Centers or Contact Centre Services</i></p> <p><i>d) Data Processing or data mining</i></p> <p><i>e) Insurance Claim Processing</i></p> <p><i>f) Legal Databases</i></p> <p><i>g) Creation and maintenance of Medical Transcription Excluding advise</i></p> <p><i>h) Payroll</i></p> <p><i>i) Remote Maintenance</i></p> <p><i>j) Revenue Accounting (IT should include back office operations of all Income Tax Offices, GST offices back office operations or any other Government & semi- Government offices)</i></p> <p><i>k) Support Centers</i></p> <p><i>l) Website Services</i></p> <p><i>m) Translation Services,</i></p> <p><i>n) Data Search integration & analysis,</i></p> <p><i>o) Content generation/creation using audio, video system and extensive use of computer which can be permitted for education.</i></p> <p><i>p) Clinical database Management-Services Excluding Clinical trials but does not include any research and development services whether or not in the nature of contract research and development services.</i></p> <p><i>q) Visa Processing facilitation & back offices of Travel & Tourism facilitation, T.V. Entertainment Channels and Sports & Travel Channels</i></p>

- r) **Engineering & Designing**
s) **Geographic information System Services**
t) **Human Resource Services'**
u) **Super Specialty IT Skill Development Centers/ IT related Hi-Tech Training Centers**
V) **Co-Working Spaces / Plug and Play Infrastructure.**
- **Audio/Video Product Design**
 - **Automation Equipment and System Design**
 - **CAD/CAM/CAE Support**
 - **Communications Equipment Design**
 - **Computer related Services**
 - **Computer Systems Design**
 - **Development/Production of Software, Maintenance of software and User training**
 - **Diagnostic Product Design eg. Medical, Biotech**
 - **Electric Motors Design**
 - **Electrical appliance sand Devices Design**
 - **Electronic Control Systems Design**
 - **Electronic Instruments and And Device Design eg. IC**
 - **Oil Rig Design**
 - **Opto-Electronics Devices Design**
 - **Projection Planning & Management**
 - **Publishing**
 - **Ship Design**
 - **System customizing Center**
 - **Engineering Design**
 - **Factory Automation/CIM Design**
 - **Fashion, furniture, Jewellery and Exhibition Design**
 - **Geological Analysis on well samples and rocks**
 - **Hybrid Circuit Modules Devices Design**
 - **Industrial and IT Skills Training**
 - **Information Systems Design**
 - **Materials Applications Centre**
 - **Mechatronics Component Design**
 - **Office Automation Equipment Design**

		<ul style="list-style-type: none"> • <i>offshore Structure Design</i> • <i>Plastic Product Design</i> • <i>Product Demonstration</i> • <i>Quality Assurance, Testing Services & Technical Inspection</i> • <i>R&D Laboratories</i> • <i>Technical Service Centers</i> • <i>Tooling Design</i> <p><i>Note: The State Government will take a decision to make necessary changes in the list of services if there are any changes in the Income tax rules. In cases where the Directorate of Industries or its field offices have issued Letter of Intent or registration of an IT/ITES unit, IT Park / IT SEZ / AVGC Park, the incentives sanctioned will continue for the eligible period even if there are changes in the policy period. The ITES units carrying out activity as per above definition also will be allowed to occupy space in existing IT parks.</i></p>
<p>12.2.4</p>	<p>12.2.4 - General Norms for Different Land Use. The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis.</p>	<p>12.2.4 - General Norms for Different Land Use The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis as below:- Mixed use shall be permitted under the following Guidelines: Land Use Percentage : 50% area for IT/ ITES use and 50% area use without any restriction as per prevailing norms.</p>
<p>12.2.6</p>	<p>12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. The premium chargeable shall be as in para. 5 (ii) of Annexure-</p>	<p>12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology</p>

	<p>I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p>	<p>Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p> <p>Staggered payment facility for premium to be paid for additional FSI. This shall be allowed in two installments with the stipulation that the entire premium is paid within a year or the date of obtaining the Occupancy / part Occupancy certificate whichever is earlier.</p>
<p>12.2.13</p>	<p>12.2.13- Implementation and Completion. Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the IITT.</p>	<p>12.2.13 Implementation and Completion. Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the IITT. If the area of integrated Information Technology Township is from 10 (ten) acres to 25 (twenty-five) acres, then the period of completion of the project will be 7 ½ years (seven and half year) and if the area is more than 25 (twenty-five) acres, this period will be 10 years (ten years). In case of delay the extension will be considered subject to approval of the Committee constituted in this regard.</p>
<p>New Provision regarding 'Data Centre' is added by Clause No.10 under Regulation No.12</p>	<p>NIL</p>	<p>12.10 DATA CENTER:</p> <p>i) Data Centers shall be allowed in any zone subject to payment of premium, if any, as per Regulation no. 12.1.2(iii)(f).</p> <p>ii) Maximum permissible FSI and Premium shall be as mentioned in 6.6.(f)</p> <p>iii) If a private Data Centre Park has availed additional FSI as per the provisions of IT/</p>

ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy following action will be taken :

- a) *A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ ITES activities.*
- b) *The penalty will be recovered from the date of issue of occupancy certificate till the day non-IT use continues. After payment of the penalty to the concerned Planning Authority, the said private Data Centre will restore the use of premises to the original purpose for which LOI/ Registration was granted.*
- c) *If the Data Centre fails to pay penalty and/ or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private Data Centre under intimation to the Directorate of Industries.*
- d) *This provision will also be applicable to existing Data Centre.*
- e) *The promoter / Developer of Data Centre shall not allowed to sell / lease the builtup area reserved for IT /ITES activities to non IT user in any case.*

<p><i>f) Penalty to be imposed on end user/ owner of the Data Centre premises.</i></p> <p><i>iv) Basement parking, storage space and space used for Diesel Generator (DG) Sets installation shall be excluded for the purpose of FSI calculation along with structures / Projections specified in Regulation No.5.8 of MIDC CDCPR.</i></p>		
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परिशिष्ट-ब

(शासन नगरविकास विभागाकडील अधिसूचना क्र. टिपीबी-४३२२/३१४/ प्र.क्र.२५/ २०२३/ नवि-११, दिनांक १२ जानेवारी, २०२४ सोबतचे परिशिष्ट.)

The following New provision is added by Regulation 5.13 as given in table below :-

Regulation.	Existing Provision	Sanctioned Provision
New Regulation 5.13 is added.	---	<p>Regulation 5.13:- Hirkani Kaksha (Ladies Room) - In any Industrial, Public / Semi Public, Institutional, Educational, Commercial, Assembly, Mercantile, Business and Office building area upto 25 sqm. may be allowed for the use of ladies with their children under the age of 6 years, Pregnant women and new born child mother.</p> <p>Note :-</p> <ol style="list-style-type: none"> Hirkani Kaksha (Ladies Room) is a facility at a work place / public place where pregnant women, lactating mothers can rest and breastfeed the baby in this room. It shall be accessible from common passage / staircase / lift etc., and shall be located preferably at ground or first floor, or in case if the ground/upper floor are used as stilt / podium / parking floors, then the floor next above the said parking floor / floors. Ladies toilet shall be provided with appropriate ventilation, lighting and drainage facilities. For this purpose, all necessary infrastructures should be provided in the room. It shall not be counted in FSI. The ownership shall vest with the society / association of owners if any.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

डॉ. प्रतिभा भदाणे,
शासनाच्या सहसचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, Dated 12th January 2024.

NOTIFICATION

MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966.

No. TPB-4322/314/C.R.25/2023/UD-11.—Whereas, the 'Maharashtra Industrial Development Corporation' (hereinafter referred to as "MIDC") is deemed to have been appointed as the 'Special Planning Authority' by virtue of the provisions of sub section 1A of section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") over any area where Chapter VI of the Maharashtra Industrial Development Corporation Act, 1961 applies or any other area comprising government land transferred to the MIDC ;

And whereas, the Government of Maharashtra, in exercise of the powers conferred under sub section (2) of section 37 of the said Act, has accorded sanction to the Comprehensive Development Control and Promotion Regulations (CDCPR) of MIDC (hereinafter referred to as "the said Regulations") vide Notification No. TPB- 4322/314/C.R.25/2023/UD-11, dated 5/7/2023, which are published in *Government Gazette* dt.13th July, 2023 ;

And whereas, for comprehensive expansion of Information Technology and Information Technology Support Services in the Maharashtra state, New Information Technology and Information Technology Enabled Services Policy of Maharashtra State-2023 (hereinafter referred to as "the said Policy") has been prepared and issued by the Government in Industries Department vide Government Resolution dated 27/6/2023 ; And Whereas, Accordingly, the Department of Industries has requested the concerned administrative departments to issue the necessary orders immediately in accordance with the relevant provisions of the said policy ;

And whereas, considering the above, the Government is of the opinion, it is necessary to modify the relevant provisions of the said Regulations as per the provisions given in the said Policy, so that, the provisions of the said Regulations will be in consonance with the provisions given in the said Policy ;

And whereas, the State Government in Women And Child Development Department has directed to propose Ladies Room (Hirakni Kaksha) in the premises of Industrial, Public, Semi-Public, Institutional, Educational and other similar buildings where women work to a large extent; And whereas, it has been observed by the Government that there is no separate ladies room for lactating women, pregnant women, mothers of new born children and children under 06 years of age in buildings, where women work to a large extent ;

And Whereas, the Government is of the opinion, it is necessary to include a new provision in the said Regulations to make it mandatory to provide services of Ladies Room in buildings used for the Industrial, public, semi-public, institutional, educational and other similar purpose on the occasion of International Women's Day ;

And whereas, in exercise of the powers conferred under sub-section (1AA) of section 37 of the said Act, Government had issued Notice of even No. dated 4th August, 2023 for inviting suggestions/objections from the general public with regard to the proposed modification as mentioned in the Schedule-A & Schedule-B appended to the said Notice (hereinafter referred as "the Proposed modification") and appointed the concerned Divisional Joint Director of Town Planning as the Officer (hereinafter referred to as "the said Officer") to complete the procedure as stipulated under section 37(1AA) of the said Act and to submit a Report on the objections / suggestions received in respect of the proposed modification to the Government after giving hearing to the concerned persons ;

And whereas, the said Notice dated 4th August, 2023 was published in the *Maharashtra Government Gazette* (Part-I, Kokan Division Supplement) dated 17th to 23rd August, 2023 and the said Officer has submitted his report through the Director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under section 37(1AA) of the said Act ;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with certain changes.

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(C) of the said Act, the Government hereby:-

(A) Sanctions the proposed modification as described more specifically in the Schedule-A & Schedule-B appended herewith.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Directs MIDC that in the Schedule of Modifications sanctioning the said CDCPR, after the last entry, the Schedule referred to at (A) above shall be added.

This Notification shall also be published on the Government website www.maharashtra.gov.in (Acts/ Rules).

SCHEDULE-A

(Schedule appended to the Government in Urban Development Department's Notification No. TPB-4322/ 314/ C.R.25/ 2023/UD-11 Dated- 12th January, 2024.)

Regulation No.	Existing Provision	Sanctioned Provision
6.6 -- Regulations for Development of Information Technology Establishment :-	<p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No.ITP-2013/CR-265/IND-2, dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-167/2016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.</p> <p>In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for</p>	<p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No.ITP-2013/CR-265/IND-2, dated 25/08/2015 ITP-2021/CR170/IND-2, dated 27/06/2023, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-167/2016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% as mentioned below over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. as mentioned below :-</p>

Additional F.S.I. may be provided on the basis of following

Table :

Sr. No.	Minimum Road Width	Maximum Permissible Greater Region	Maximum Permissible FSI of Maharashtra
1	12 m	Up to 3	Up to 3
2	18 m	Up to 4	Up to 3.5
3	27 m	Up to 5	Up to 4

Note :- If development potential more than the maximum permissible development potential for IT / ITES uses as per table given under 6.6 (i) above, is permissible under any other provisions of CDCPR, then in such cases, such additional development potential shall be permissible as per the respective provisions of the CDCPR.

Premium for additional Floor Space index:

- For the areas in Vidharbha, Marathwada, Dhule, Nandurbar, Ratnagiri and Sindhudurg, No premium shall be charged for additional Floor Space Index (FSI).
- For the areas in Greater Mumbai Region and rest of Maharashtra excluding (4)(a), the additional FSI over and above the basic permissible F.S.I. shall be permissible by levying premium at the rate of 50% of prevailing rate of premium as mentioned in MIDC CDCPR.
- In addition, other applicable FSI's like Ancillary FSI will be applicable as per MIDC CDCPR norms.
- The developer will be allowed to pay the premium, ancillary FSI charges and other charges for the increased additional FSI for the IT Park in installments.

additional F.S.I., if applicable, under their land disposal policy.

Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 18 m width.

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department.

(Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

- No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State.)
- Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ ITES.
- Such new unit shall allocate at least 2% of the total proposed built-up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.
- Premium to be received by the Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/

<p>ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries; Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate. Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.</p> <p>vi) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.</p> <p>vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.</p> <p>viii) No amenity space shall be required to be left for development of IT/ITES buildings.</p> <p>ix) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis.</p> <p>If a private IT park has availed additional FSI as per the</p>	<p>In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.</p> <p>Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 8 m width.</p> <p>Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)</p> <p>ii) No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives 2013" of the Industries, Energy & Labour Department of the State.)</p> <p>iii) Maximum 40% of total proposed built up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built up area shall be utilized for IT/ITES.</p> <p>iv) Such new unit shall allocate at least 2% of the total proposed built up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.</p>
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<p>provisions of IT/ ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.</p> <p>a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Authority which has approved the building plans of the said private IT park.</p> <p>b) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non- IT/ ITES activities.</p> <p>c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.</p> <p>After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/ or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.</p>	<p>ii) Mixed use shall be permitted in IT parks under the following Guidelines:</p> <p>Land Use Percentage :</p> <p>a) Zone-I: Municipal Corporations in MMR & PMR area:</p> <ul style="list-style-type: none"> • 60% - IT & ITeS Units including 2% BUA for incubation centers. • 40% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities. <p>b) In area excluding Zone-I:</p> <ul style="list-style-type: none"> • 50% - IT & ITeS Units including 2% BUA for incubation centers. • 50% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities. <p>c) Standalone building/ Group of buildings in IT Parks with a minimum BUA area of 20,000 sq. ft. will also be eligible for above (i) & (ii) benefits.</p> <p>➔-iii) Premium to be received by the Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries, Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the</p>
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<p>Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate.</p> <p>Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.</p>	<p>iv) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.</p>	<p>v) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 2023 or amended from time to time, shall be allowed.</p>	<p>vi) No amenity space shall be required to be left for development of IT/ITES buildings.</p> <p>vii) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis. The Planning Authority retained the rights to verify the details of the information furnished by the developer through inspection.</p> <p>If a private IT park has availed additional FSI as per the provisions of IT/ ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.</p>	<p>a) The misuse shall be ascertained by physical site</p>
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		<p>verification of the said private IT park by a team of officers from the Directorate of industries and the Authority which has approved the building plans of the said private IT park.</p> <p>b) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non- IT/ ITES activities.</p> <p>c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.</p> <p>d) After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.</p> <p>e. <i>The promoter / Developer of IT Park shall not be allowed to sell / lease the builtup area reserved for IT /ITES activities to non IT user in any case.</i></p> <p>f. <i>Penalty to be imposed on end user/ owner of the unit / premises of IT Parks</i></p>
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<p>7.2.1 Off-Street Parking Requirement Table No.7C</p>	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>Occupancy</th> <th>Size of tenement</th> <th>Parking Spaces Required</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>Data Centres Administrative office Core building</td> <td>For 100 sqm built up area or fraction thereof</td> <td>1 2 Nil Nil</td> <td>--</td> </tr> </tbody> </table>	Sr.No.	Occupancy	Size of tenement	Parking Spaces Required	Remarks	8	Data Centres Administrative office Core building	For 100 sqm built up area or fraction thereof	1 2 Nil Nil	--	<table border="1"> <thead> <tr> <th>Sr.No.</th> <th>Occupancy</th> <th>Size of tenement</th> <th>Parking Spaces Required</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>Data Centres Administrative office Core building</td> <td>For 100 400 sqm built up area or fraction thereof</td> <td>1 2 Nil Nil</td> <td>--</td> </tr> </tbody> </table>	Sr.No.	Occupancy	Size of tenement	Parking Spaces Required	Remarks	8	Data Centres Administrative office Core building	For 100 400 sqm built up area or fraction thereof	1 2 Nil Nil	--
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<p>12.2 -- Integrated Information Technology Township (IITT) 12.2.1</p>	<p>12.2.1- Area Requirement Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township. The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) at one place. (Explanation- If such minimum 10 Ha (25 acre) area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)</p>	<p>12.2.1- Area Requirement Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township. The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) 10 acre at one place. (Explanation- If such minimum 10 Ha (25 acres) 10 acre area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)</p>																				

<p>12.2.3</p>	<p>12.2.3 - Planning Considerations. The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.</p>	<p>12.2.3 -- Planning Considerations. The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.</p> <p>The project has to be an integrated project. The IIT may provide land for following users :-</p> <ol style="list-style-type: none"> i) IT & ITes ii) Residential iii) Commercial iv) Educational v) Amenity Spaces vi) Health Facilities vii) Parks, Gardens & Playgrounds viii) Public Utilities ix) Transport and Communication <p>Types of ITes Activities allowed in IT Parks</p> <p>a) Back-office Operations: The administrative and support staff of a financial institute such as Banks, Insurance Company, Mutual Fund, Non-Banking Finance Companies which is responsible for function related to the running of the company such as Settlements, Compliance, Accounting, IT and Other Technology. Back Office Functions are also often outsourced to external companies and/or in different countries' which include:</p> <ul style="list-style-type: none"> • Business process outsource services provided mainly with the assistance or use of information • Data entry, transcription, reconciliation, consolidation, co-ordination, proportion, processing review of documents • Accounting to reporting and Reconciliations • Activities excluding front offices of financial services such as corporate finance, asset and fund, Management Broking, Non-Banking Financial Company, Tax and
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Audit Business and Management Consultancy, Taxation Services, Treasury Operations, Risk Management and Credit Services, "Financial Back Office Operations, Computer/disaster recovery and including but not limited to IT operations, financial and administrative support and any other ITeS Activities as set out in Definition 15.19. of said policy

b) Financial Back Room operations for Corporate and Investment Bank (CIB) and Private Bank, Disaster Recovery, IT Development and Support and ancillary office which includes Back Offices of Manufacturing and other service, Startups/Companies which have no direct customer interface but provide essential support through Electronic Media but this will not include delivery Godowns / Warehouse of E-Commerce Company/Organizations.

c) Call Centers or Contact Centre Services

d) Data Processing or data mining

e) Insurance Claim Processing

f) Legal Databases

g) Creation and maintenance of Medical Transcription Excluding advise

h) Payroll

i) Remote Maintenance

j) Revenue Accounting (IT should include back office operations of all Income Tax Offices, GST offices back office operations or any other Government & semi- Government offices)

k) Support Centers

l) Website Services

m) Translation Services,

n) Data Search integration & analysis,

o) Content generation/creation using audio, video system and extensive use of computer which can be permitted for education.

p) Clinical database Management-Services Excluding Clinical trials but does not include any research and development services whether or not in the nature of contract research and development services.

q) Visa Processing facilitation & back offices of Travel

<p>& Tourism facilitation, T.V. Entertainment Channels and Sports & Travel Channels</p> <p>r) Engineering & Designing</p> <p>s) Geographic information System Services</p> <p>t) Human Resource Services'</p> <p>u) Super Specialty IT Skill Development Centers/ IT related Hi-Tech Training Centers</p> <p>v) Co-Working Spaces / Plug and Play Infrastructure.</p>	<ul style="list-style-type: none"> • Audio/Video Product Design • Automation Equipment and System Design • CAD/CAM/CAE Support • Communications Equipment Design • Computer related Services • Computer Systems Design • Development/Production of Software, Maintenance of software and User training • Diagnostic Product Design eg. Medical, Biotech • Electric Motors Design • Electrical appliance sand Devices Design • Electronic Control Systems Design • Electronic Instruments and And Device Design eg. IC • Oil Rig Design • Opto-Electronics Devices Design • Projection Planning & Management • Publishing • Ship Design • System customizing Center • Engineering Design • Factory Automation/CIM Design • Fashion, furniture, Jewellery and Exhibition Design • Geological Analysis on well samples and rocks • Hybrid Circuit Modules Devices Design • Industrial and IT Skills Training • Information Systems Design • Materials Applications Centre

<ul style="list-style-type: none"> • <i>Mechatronics Component Design</i> • <i>Office Automation Equipment Design</i> • <i>offshore Structure Design</i> • <i>Plastic Product Design</i> • <i>Product Demonstration</i> • <i>Quality Assurance, Testing Services & Technical Inspection</i> • <i>R&D Laboratories</i> • <i>Technical Service Centers</i> • <i>Tooling Design</i> <p><i>Note: The State Government will take a decision to make necessary changes in the list of services if there are any changes in the Income tax rules. In cases where the Directorate of Industries or its field offices have issued Letter of Intent or registration of an IT/ITES unit, IT Park / IT SEZ / AVGC Park, the incentives sanctioned will continue for the eligible period even if there are changes in the policy period. The ITES units carrying out activity as per above definition also will be allowed to occupy space in existing IT parks.</i></p>		
<p>12.2.4 - General Norms for Different Land Use The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis mutandis as below:- Mixed use shall be permitted under the following Guidelines: Land Use Percentage : 50% area for IT/ ITES use and 50% area use without any restriction as per prevailing norms.</p>	<p>12.2.4 - General Norms for Different Land Use The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis mutandis.</p>	<p>12.2.4</p>
<p>12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivali, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. The premium chargeable shall be as in para. 5 (ii) of Annexure-I</p>	<p>12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivali, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50.</p>	<p>12.2.6</p>

	<p>The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p>	<p>Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p> <p>Staggered payment facility for premium to be paid for additional FSI. This shall be allowed in two installments with the stipulation that the entire premium is paid within a year or the date of obtaining the Occupancy / part Occupancy certificate whichever is earlier.</p>
<p>12.2.13</p>	<p>12.2.13-- Implementation and Completion. Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the IITT.</p>	<p>12.2.13 Implementation and Completion. Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the IITT. If the area of integrated Information Technology Township is from 10 (ten) acres to 25 (twenty-five) acres, then the period of completion of the project will be 7 ½ years (seven and half year) and if the area is more than 25 (twenty-five) acres, this period will be 10 years (ten years). In case of delay the extension will be considered subject to approval of the Committee constituted in this regard.</p>
<p>New Provision regarding 'Data Centre' is added by Clause No.10 under Regulation No.12</p>	<p style="text-align: center;">NIL</p>	<p>12.10 DATA CENTER:</p> <p>i) Data Centers shall be allowed in any zone subject to payment of premium, if any, as per Regulation no. 12.1.2(iii)(f).</p> <p>ii) Maximum permissible FSI and Premium shall be as mentioned in 6.6.(i)</p>

iii) *If a private Data Centre Park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ITES policy following action will be taken :*

a) *A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ ITES activities.*

b) *The penalty will be recovered from the date of issue of occupancy certificate till the day non-IT use continues. After payment of the penalty to the concerned Planning Authority, the said private Data Centre will restore the use of premises to the original purpose for which LOI/Registration was granted.*

c) *If the Data Centre fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private Data Centre under intimation to the Directorate of Industries.*

d) *This provision will also be applicable to existing Data Centre.*

e) *The promoter / Developer of Data Centre shall not allowed to sell / lease the builtup area reserved for IT /ITES activities to*

<p><i>non IT user in any case.</i></p> <p><i>f) Penalty to be impose on end user/ owner of the Data Centre premises.</i></p> <p><i>iv) Basement parking, storage space and space used for Diesel Generator (DG) Sets installation shall be excluded for the purpose of FSI calculation along with structures / Projections specified in Regulation No.5.8 of MIDC CDCPR.</i></p>		
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SCHEDULE-B

(Schedule appended to the Government in Urban Development Department's
Notification No. TPB- 4322/314/C.R.25/2023/UD-11 Dated- 12 January,2024.

The following New provision is added by Regulation 5.13 as given in table below : -

Regulation.	Existing Provision	Sanctioned Provision
New Regulation 5.13 is added.	---	<p>Regulation 5.13:- Hirkani Kaksha (Ladies Room) - In any Industrial, Public / Semi Public, Institutional, Educational, Commercial, Assembly, Mercantile, Business and Office building area upto 25 sqm. may be allowed for the use of ladies with their children under the age of 6 years, Pregnant women and new born child mother.</p> <p>Note : -</p> <ol style="list-style-type: none"> 1. Hirkani Kaksha (Ladies Room) is a facility at a work place / public place where pregnant women, lactating mothers can rest and breastfeed the baby in this room. 2. It shall be accessible from common passage / staircase / lift etc., and shall be located preferably at ground or first floor, or in case if the ground/upper floor are used as stilt / podium / parking floors, then the floor next above the said parking floor / floors. 3. Ladies toilet shall be provided with appropriate ventilation, lighting and drainage facilities. 4. For this purpose, all necessary infrastructures should be provided in the room. 5. It shall not be counted in FSI. 6. The ownership shall vest with the society / association of owners if any.

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

DR. PRATIBHA BHADANE,
Joint Secretary to Government.