

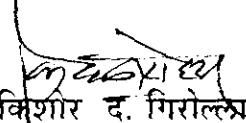
महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६
चे कलम २० (४) अन्वये अधिसूचना प्रसिध्द करण्याबाबत...
राज्यातील प्रादेशिक योजनेच्या विकास नियंत्रण आणि प्रोत्साहन
नियमावलीतील विनियम २४.७ मध्ये माहिती तंत्रज्ञान धोरण २०१५ च्या
अनुषंगाने मंजूर फेरबदल

महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई-३२
दिनांक : १५ जुलै २०१६

शासन निर्णय क्र.टिपीबी ४३१६/प्र.क्र.१६७/२०१६/(२)/नवि-११

शासन निर्णय :- सोबतची सूचना महाराष्ट्र शासनाच्या साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करण्यात
यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,


(किशोर द. गिरोल्लाल)
अवर सचिव, महाराष्ट्र शासन.

प्रत,

- १) मा.मुख्यमंत्री यांचे सचिव, मंत्रालय, मुंबई.
- २) मा.राज्यमंत्री, (नगर विकास) यांचे खाजगी सचिव, मंत्रालय, मुंबई.

प्रति,

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- २) संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ३) सह संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ४) सह संचालक, नगर रचना, अंमलबजावणी कक्ष / मुल्यांकन / पुणे / कोकण / नाशिक / नागपूर /
औरंगाबाद / अमरावती विभाग.
- ५) सहायक संचालक, नगर रचना / नगर रचनाकार, सर्व शाखा कार्यालये, नगर रचना विभाग.
- ६) अवर सचिव, नवि-१३/नवि-३० / कक्ष अधिकारी, नवि-९/नवि-१२, नगर विकास विभाग, मंत्रालय, मुंबई.
- ७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई.

त्यांना विनंती करण्यात येते की, सोबतची शासकीय सूचना महाराष्ट्र शासनाच्या, साधारण
राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करून त्याच्या प्रत्येकी ५० प्रती नगर विकास विभागास तसेच ५०० प्रती
संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे, यांना पाठवाव्यात.

- ८) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण
- ९) मुख्य कार्यकारी अधिकारी, पुणे महानगर प्रदेश विकास प्राधिकरण.
- १०) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सोबतची सूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करावी.

- १२) निवड नस्ती (कार्यासन-११).

**Maharashtra Regional & Town Planning Act,
1966.**

**Sanctioned Modification to Regulation 24.7 of
Standardized Development Control and Promotion
Regulations for Regional Plan areas in
Maharashtra state in respect of IT/ITES Policy-
2015 under sub-section 4 of Section 20 of the Act.**

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumabi 400 032.
Dated : 15th July 2016.**

NOTIFICATION

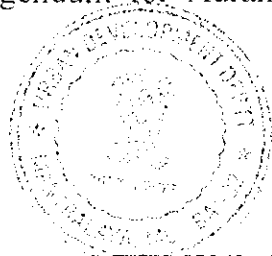
No. TPB 4316 /CR-167/2016/(2)/UD-11:

Whereas the Standardized Development Control and Promotion Regulations for Regional Plan areas in Maharashtra (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under section 20(4) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. TPS-1812/157/CR-71/12/Reconstruction No.34/12/RP/UD-13 dated 21st November 2013, which also came into force from the 21st November 2013;

And whereas, Regulation 24.7 of the said Regulations deals with Information Technology Establishments in respect of additional F.S.I. for Information Technology /Information Technology Enabled Service units (hereinafter referred to as "IT/ITES"), permissible uses in IT/ITES units and payment of premium for additional F.S.I.

And whereas, the State Govt. in the Industry, Energy and Labour Department, vide Notification of ITP-2013/(CR-265)/Ind-2 Dated 25th August 2015, has declared new Maharashtra's IT/ITES Policy-2015.

And whereas, in accordance with the provisions of new Maharashtra's IT/ITES Policy-2015, it was necessary to carry out urgently a suitable modification to the existing Regulation 24.7 of the said Regulation. A Notice No. TPB 4315/CR-146/2015(2)/UD-11, dated 10th December 2015 under sub-section (3) of Section 20 of the said Act was published by the Government, which appeared in the Maharashtra Government ordinary Gazette, Part-I, Konkan Division Supplementary dated 7-13 January 2016 (hereinafter referred to as "the said Notice"), for inviting suggestions and/or objections in respect of modifications proposed in the Schedule-A (hereinafter referred to as "the proposed modification") for sanctioned Regional Plan mentioned in Schedule-B, for which corrigendum for Aurangabad Region and addendum for Solapur District



Region has been issued on 16.4.2016 and 30.6.2016 respectively, appended to the said Notice from the general public within 30 days from the date of publication of the said Notice in the Official Gazette and appointed Joint Director of Town Planning, concerned Divisions (hereinafter referred to as "the said Officers") by the Government to hear suggestions and/or objections which may be received within the aforesaid prescribed period and submit their report to the Government.

And whereas, after considering the report submitted by the said Officers and after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that, the proposed modification needs to be sanctioned with changes for sanctioned Regional Plans mentioned in Schedule-B. In case of Regional Plan for Aurangabad Region and Solapur District Region, legal formalities is yet to be completed, therefore sanction to the proposed modification is kept in abeyance.

Now therefore in exercise of the powers conferred under sub-section (4) of Section 20 of the said Act, the State Government hereby :-

- A) Sanctions, the proposed modification published vide the said Notice dated 10th December 2015, in respect of the Regulation 24.7 of the said Regulations as described more specifically in the Schedule appended hereto, and for that purpose modify the said Regulation of the sanctioned Regional Plans, as mentioned in Schedule-B appended hereto.
- B) Fixes the date of publication of this Notification in the Official Gazette as date of coming into force of this modification.


A copy of the sanctioned modification in respect of the Regulation 24.7 of the said Regulations for the sanctioned Regional Plan shall be kept open for inspection by the general public in the offices of the following officers for one month:-

- 1) Director of Town Planning, Maharashtra State, Central Building, Pune 411 001.
- 2) Joint Director of Town Planning, Konkan / Pune / Nashik / Aurangabad / Amravati / Nagpur Division.

This notice shall also be available on the Government web site www.maharashtra.gov.in

By order and in the name of Governor of Maharashtra,




(Kishor D. Girolla)

Under Secretary to Government.

SCHEDULE -A

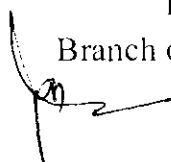
(Accompaniment to Notification No. No. TPB 4316/CR-167/2016/(2)/UD-11, Dated 15th July 2016.)

- 1) The Authority/Collector 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 ") with or without charging premium as follows :-

Sr. No.	Location of the said unit in the State	Rate of Premium to be charged for permitting additional F.S.I. over and above the basic permissible F.S.I.
1)	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.	NIL
2)	Other areas of the State excepting mentioned in (a) above.	10 % 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.

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

Provided further that, such premium shall be deposited in concerned Branch office of the Town Planning Department.





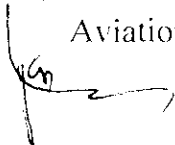
(Explanation :- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR). These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the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

- 2) The maximum total permissible F.S.I. shall not exceed limit of 3.00.
- 3) Maximum 40% of total proposed Built-up area (excluding parking area) by inclusive of such additional F.S.I. may be permitted for support services as defined in IT/ITES Policy 2015, in IT Parks and remaining built-up area shall be utilised for IT/ITES.
- 4) New said units 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.
- 5) Premium to be received by the Authority/Collector 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/Collector 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/Collector shall also prescribe the standards for the work. After completion of the works, the Authority/Collector 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.

- 6) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015, shall be allowed.
- 7) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the Authority / Collector as per the



procedure followed by for development permission or otherwise as may be decided by the Government .

- 8) Notwithstanding anything contained in the Development Control Regulations, no amenity space is required to be left for development of plot/land upto 2.00 Hect. for IT/ITES.
- 9) 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.

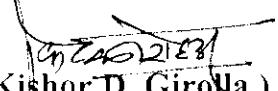
If a private IT park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ITES / commercial activities / any other activity not permitted as per the IT/ITES policy under which the said park was approved, a penal action as below will be taken. the payment shall be shared between the concerned Authority/Collector and the Government in the ratio of 3:1.

- 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/Collectpr which has approved the building plans of the said private IT park.
- b) A per day penalty equal to 0.3% of the prevailing ready reckoner value of the built-up area that has been found to be used for non- IT/ITES activities.
- c) The penalty will be recovered from the date of commencement of unauthorized use till the day non IT use continues.

After payment of the penalty to the concerned Authority/Collector which has sanctioned the building plans of the concerned private IT park, 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 concerned Authority/Collector 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.

These provisions will be over and above the penal provisions of the MRTTP ACT, 1966 .




(Kishor D. Girolla)

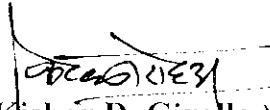
Under Secretary to Government.

SCHEDULE -B

**(Accompaniment to Notification No. No. TPB 4316 /CR-167/2016/(2)/UD-11, Dated
15th July 2016.)**

Sr.No.	Division	Name of Sanctioned Regional Plan
1)	Konkan	1)Ratnagiri-Sindhudurg District Region Sindhudurg Dist.(Tourism Development Plan) 2) Raigad Region 3) Mumabi Metropolitan Region
2)	Pune	1)Pune District Region 2)Kolhapur-Ichalkaranji Region 3)Sangli-Miraj District Region 4) Solapur District Region (Kept in abeyance)
3)	Nashik	1) Nashik Region 2) Ahmadnagar District Region 3) Jalgaon Bhusawal Region
4)	Aurangabad	1)Aurangabad-Jalna Region 2)Aurangabad Region (Kept in abeyance)
5)	Amravati	1) Amravati District Region
6)	Nagpur	1)Nagpur District Region 2)Chandrapur-Ballarpur Region.




(Kishor D. Girota)

Under Secretary to Government.