

**महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६**  
महाराष्ट्र औद्योगिक विकास महामंडळाच्या सुधारीत विकास नियंत्रण नियमावलीमध्ये एकात्मिक माहिती तंत्रज्ञान नगरासाठी नवीन विनियम अंतर्भूत करणेसंदर्भात फेरबदल मंजूरीची कलम ३७(२) खालील अधिसूचना.

**महाराष्ट्र शासन**  
**नगर विकास विभाग**

क्रमांक :- टिपीबी ४३१६/९२४/प्र.क्र. १८०/२०१७/नवि-११

मंत्रालय, मुंबई : ४०० ०३२,

दिनांक - १८ मे, २०१८

**शासन निर्णय :** सोबतची इंग्रजी व मराठी अधिसूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



( प्रदीप गोहिल )

अवर सचिव, महाराष्ट्र शासन.

प्रत,

मा. मुख्यमंत्री महोदयांचे सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) प्रधान सचिव, उद्योग, उर्जा व कामगार विभाग, मंत्रालय, मुंबई-३२.
- (२) मुख्य कार्यकारी अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ.
- (३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (४) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
- (५) मुख्य नियोजनकार, महाराष्ट्र औद्योगिक विकास महामंडळ.
- (६) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.  
( त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या १० प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई : ४०० ०३२ व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांना पाठविण्यात याव्यात.)
- (७) अवर सचिव, नवि-१३, ३०.
- (८) कक्ष अधिकारी, नवि-९, १२.
- (९) कक्ष अधिकारी, कार्यासन माहिती व तंत्रज्ञान विभाग( त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी. )
- (१०) निवड नस्ती (नवि-११)

**Maharashtra Regional and Town Planning Act, 1966.**  
**Sanctioned Modification under Section 37(2) to the Revised Development Control Regulations of M.I.D.C. Notified Area to incorporate new regulation regarding Integrated IT Township.**

**GOVERNMENT OF MAHARASHTRA**  
**Urban Development department,**  
**Mantralaya, Mumbai 400032.**  
**Date :- 18<sup>th</sup> May, 2018.**

**NOTIFICATION**

**No. TPB 4316/924/CR-180/2017/UD-11**

Whereas, the Maharashtra Industrial Development Corporation is deemed to have been appointed as the Special Planning Authority (hereinafter referred to as "the said Corporation"), 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 Act, 1961 applies or any other area comprising government land transferred to the Maharashtra Industrial Development Corporation;

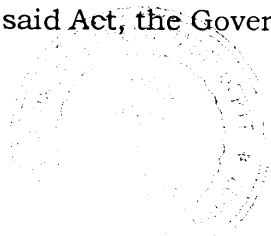
And whereas, the said Corporation has revised the Development Control Regulations (hereinafter referred to as "the said Revised Regulations ") which have been sanctioned by the Government in the Urban Development Department vide Notification No.TPB4308/465/CR-64/08/UD-11, dated 31<sup>st</sup> August 2009 so as to take effect from 24<sup>th</sup> September 2009;

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

And whereas, the said Corporation in its Board Meeting No. 362, dated 22<sup>nd</sup> June 2015, vide Resolution No. 5503 has decided to incorporate new regulation regarding Integrated Information Technology Township as per Maharashtra's IT/ITES Policy-2015 and submitted a modification proposal vide letter dt. 26<sup>th</sup> August 2016 to the Govt. for its sanction, after completing the legal procedure under Section 37(1) of the said Act, (hereinafter referred to as "the proposed modification");

And whereas, after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification should be sanctioned ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 37 of the said Act, the Government hereby:-



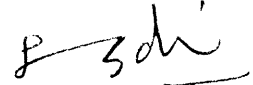
- A) Sanctions the proposed modification, as described more specifically in the Schedule appended hereto.
- B) Fixes the date of publication of this Notification in the Official Gazette as the date of coming into force of this modification.
- C) Directs the Maharashtra Industrial Development Corporation that in the Schedule of Modifications sanctioning the said Revised Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

A copy of this Notification shall be made available for inspection for a period of one month at the following offices :--

- A) Director ,Town Planning, Maharashtra State, Central Building, Pune-411 001
- B) Chief Planner, Maharashtra Industrial Development Corporation, Udyog Sarathi, Marol Industrial Area, Mahakali Caves road, Andheri (E), Mumbai- 400093.

The Notification shall also be available on the Govt. of Maharashtra website : [www.maharashtra.gov.in](http://www.maharashtra.gov.in)

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



**(Pradeep Gohil)**

**Under Secretary to Government.**

## SCHEDULE

( Accompaniment to Government Notification **No. TPB 4316/924/CR-180/2017/UD-11** dated 18<sup>th</sup> May 2018 )

- (1) The Development Control Regulations for M.I.D.C. as Special Planning Authority (hereinafter referred to as 'SPA' ) under Section 40(1A) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to the 'the Act') sanctioned by the State government in the Urban Development Department Notification No, TPB/4308/465/CR-64/08/UD- dated 31<sup>st</sup> December 2009 (hereinafter referred to as the 'Principal Regulations') shall apply, with necessary changes elaborated herein, to all Integrated IT Township for which the area is notified under Section 43-1B of MIDC Act, 1961 to make applicable the provisions Section 40(1A) of the Act.
  
- (2) In the 'Principal Regulation' of M.I.D.C. following shall be added after the end of 'PREAMBLE of PART I : "ADMINISTRATION", viz :-  
"In exercise of the powers conferred under Clause (d) of Sub section 3 of Section 40 of the Act, M.I.D.C., as a SPA for the notified Integrated IT Township, makes provision for 'Integrated IT Township in PART IV C'
  
- (3) In the 'Principal Regulations' of M.I.D.C., new part IVC: Integrated IT Township' shall be inserted after part IVB to incorporate new regulation number 52 and associated Appendix XIII for making provision for promotion and control Integrated Township, viz:-  
**"52. Promotion and Control of Development in Integrated IT Township"**  
Development in the Integrated IT Township where M.I.D.C. is the special Planning Authority shall be governed by the provisions in clauses included under Appendix XIII to these Regulations."

<b>APPENDIX XIII</b>
<b>DEVELOPMENT CONTROL PROVISIONS FOR DEVELOPMENT OF</b>
<b>INTEGRATED IT TOWNSHIP</b>

Integrated IT Township in MIDC Industrial Area and on private land situated in Regional plan/Development plan shall be allowed to be developed as per following norms:

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### **1.0. SHORT TITLE EXTENT AND COMMENCEMENT:**

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These provisions shall be called as "Development Control Provisions for Integrated IT Township" and abbreviated as 'Appendix XIII Provisions'.

Part IVC, Regulation number 52 and Appendix XIII Provisions shall come into force from the date specified in the Government Notification for that purpose and shall replace all existing building byelaws and Development Control Regulations in force for that area.

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### **1.1. APPLICABILITY:**

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These Regulations would be applicable to the land situated in MIDC Industrial Area acquired and developed under Maharashtra Industrial Development Act, 1961 and Integrated Industrial Area notified under Section 43-1B of the said Act, which would be developed for Integrated Information Technology Township and to areas for which IITP is approved.

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### **1.2. AREA REQUIREMENT:**

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Any suitable area in MIDC Industrial Area or in Regional plan or Development plan having access by means of an existing road or a proposed Regional plan/Development Plan road having a minimum width of 18.0 m can be identified for the purpose of development as Integrated IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted and in any case shall not be less than 10 Ha. (25 acres) at one place.

(Explanation- If such minimum 10Ha. (25Acre) area proposed to be developed under a Integrated IT Township is divided by one or more water courses (such as nalas, canal, etc.) existing or proposed roads of any width or railways, etc. then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities.)

The area under any Integrated IT Township shall not include the area under notified forest, water bodies like river, creek, canal, reservoir, tribal lands, lands falling within the belt of 500 mtrs from the High Flood Line (HFL) of major lakes, lands in the command area of irrigation projects, land falling within the belt of 200 mtrs from the historical monuments and places of Archeological importance, Archeological monuments, heritage precincts and places, any restricted areas, notified national parks, gaathan areas or congested areas, Defense areas, Cantonment areas, truck terminus especially earmarked on Development

plan, area under Eco-sensitive Zone, other environmentally sensitive areas, Quarry Zone, notified areas of Special Economic Zone (SEZ) and designated airport areas.

However, such Integrated IT Township may include private land under Hill-Top and Hill-Slope Zone, whether earmarked on Regional plan/Development plan or not and private land in A forestation Zone. Provided that, the area of lands in such Hill-Top and Hill-Slope Zone and A forestation Zone shall not exceed 40 percent of the gross area of the project and such area shall be shown towards 50% area to be kept permanently open where no development activity shall be permissible under such project. The said areas shall be developed for tree plantation as per the norms specified. However, for the purpose of calculation of Floor Space Index (FSI), such areas shall be excluded.

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### **1.3. MANNER OF NOTIFICATION:**

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On private lands and lands acquired by the MIDC under Maharashtra Industrial Development Act, 1961, Integrated Industrial Area which is notified by the MIDC under Section 43-1B of the Maharashtra Industrial Development Act, 1961 after receiving a proposal from the applicant and processed as per provisions of G.R, IDC 2015/CR-93/Industry-14 dated 27<sup>th</sup> December 2016, amended from time to time, The Development permission shall be given by MIDC where it is the Planning Authority /SPA/Deemed SPA and by the appropriate Planning Authority in other cases, in accordance with these DCR.

Notwithstanding anything contained in the Development plan or the Regional plan, upon such notification, such area shall be developed as per the DCRs framed by the MIDC for this purpose. For this purpose, procedure under section 20 read with section 18 of the Maharashtra Regional and Town Planning Act, 1966 shall not be necessary.

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### **1.4. PROCEDURE FOR APPROVAL OF INTEGRATED IT TOWNSHIP:**

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The following procedure shall be adopted for approval of an Integrated IT Township.

#### **DECLARATION OF INTEGRATED IT TOWNSHIP:-**

##### **1. Application for development of Integrated IT Township-**

- a) Applicant such as land owner, developer appointed by land owner and a Joint Venture Company established by land owner and developer can make an application for establishment of an Integrated IT Township.

- b) Applicant shall apply along with the following document and detail viz.
- i. Details of the proposed land – such as village maps showing land under proposed IT Township, existing construction, trees, nalla and road passing through the project land.
  - ii. Ownership document such as 7/12 extract, property card etc. with details of private and Government land.
  - iii. Available transport facilities – existing transport facilities such as National Highway, State Highway, Railway Station, Port Airport and their distances from proposed site and nearby village/cities with their population.
  - iv. Existing electricity network availability.
  - v. Water supply details – details of nearby river, dam and lake.
  - vi. Distance of proposed site from river, creek and sea.
  - vii. Certificate from Forest Department regarding non-inclusion of any forest land in the proposed project.
  - viii. Certificate from Town Planning Department regarding whether the proposed project land falls within Regional Plan/Development Plan or not and zoning.
  - ix. Total land and development cost of the proposed project.
2. **Site Visit Report of Land Selection Committee-** After scrutinizing the proposal, the Land Selection Committee consisting of the concerned Dy. CEO, Chief Planner, Superintending Engineer and Regional Officer shall visit the site and submit report regarding land availability, geographical situation, water supply, transportation etc. and thereafter a comprehensive proposal for approval of Steering Committee shall be prepared and submitted.
3. **Steering Committee for establishment of Integrated IT Township-** Steering Committee constituted under the chairmanship of CEO, MIDC shall scrutinize the proposal of Integrated IT Township and recommend the proposal to the High Power Committee for its approval and declaration of the project as an Industrial Area.
4. **Final Approval-** After declaration of Integrated IT Township as Industrial Area by the High Power Committee, the proposal shall be submitted to Minister (Industries) & Chairman, MIDC for approval.

5. **Publication in Official Gazette-** After approval of Minister (Industries) & Chairman MIDC to the Integrated IT Township, the proposal shall be published in the Official Gazette as per the provisions of Maharashtra Industrial Development Act, 1961.

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### **1.5. PLANNING CONSIDERATIONS:**

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The project has to be an integrated project. The Integrated IT Township should necessarily provide land for following users:-

1. Information Technology (Industrial)
2. Residential
3. Commercial
4. Educational
5. Amenity Spaces
6. Health Facilities
7. Parks, Gardens & Playgrounds
8. Public Utilities
9. Transport and Communication

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#### **1.5.1. GENERAL NORMS FOR DIFFERENT LAND USE:**

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Out of of the total area notified as “Integrated IT Township” 60% FSI shall be used for IT / ITES activities and 40% FSI for the development of Residential and commercial Activities provided that 20% area shall be kept for Park / Play Ground / Garden of total IITP. :-

##### **1.FOR IITTS situated in MIDC’s industrial areas:**

**On lease as per MIDC policy**

##### **2.FOR IITs situated outside MIDC industrial areas:**

(a)50% on leave and license basis for persons working in IITT.

(b)50% on slae to persons not working in IITT on payment of premium as per amended IT policy vide G.R. dated 22.2.2016.

and commercial activities including malls, cinema, theaters, public auditorium and multiplexes, showrooms for all types of merchandise, hospitals, nursing homes, schools and colleges, training institutes and hostels related to them, hotels. The development of entire township, i.e., 60% area for IT/ITES and 40% other area can take place



simultaneously but the developer will have to ensure that sale / lease of both areas (and only lease of service apartments); is proportionate. To ensure this occupation certificate for commercial, residential and support services shall be given only after the development of infrastructure facilities on the area earmarked for IT /ITE Activities and occupation certificate is granted by the MIDC and after 1/3rd area kept for IT / ITES activity is occupied.

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### **1.5.2. FSI IN INTEGRATED IT TOWNSHIP:**

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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 Ambernath Municipal Council limits the permissible FSI shall be 2.5. For rest of the areas in the State, the permissible FSI shall be 2.00. 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 25<sup>th</sup> August 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT /IT 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.

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### **1.6. DCR AND GENERAL REGULATIONS:**

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- i) Provisions of prevailing Development Control Regulations for Integrated Industrial Area (IIA) of sanctioned MIDC DCR 2009 as well as provisions of MOEF and CRZ notification, wherever applicable, issued & as amended from time to time shall be applicable mutatis-mutandis to the Integrated IT Township except those expressly provided in these Regulations.
- ii) In the event the Integrated IT Township contains sites reserved for public purposes (buildable reservations) in Regional plan/Development plan, for which the Appropriate Authority is any department of State Govt./Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to that Department. Upon such handing over the constructed amenity the developer would be entitled to utilise additional floor space over and above the FSI

permissible within the Integrated IT Township (equivalent to the built up area of the constructed amenity) anywhere within the Integrated IT Township.

- iii) In every Integrated IT Township proposal the Structural Designer of developer has to submit declaration with project report to the MIDC about the construction of building as below:

*'I have confirmed that the proposed construction in the scheme is as per norms as specified by Indian Standard Institutes for the resistance of earthquake, fire safety & natural calamities'.*

- iv) In Integrated IT Township being developed in Residential Zone and Agricultural/ Green Zone/ No Development Zone, trees at rate of minimum 150 trees per Ha. and 400 trees per Ha. respectively shall be planted and maintained by the developer. Trees at the rate of 800 per Ha. shall be planted and maintained by the developer in the area under Hill-top Hill-slope Zone.
- v) Processing fee, Development Charges and Premium for staircases, passages, balcony enclosures etc. shall be as per sanctioned MIDC Development Control Regulations 2009.

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#### **1.7. INFRASTRUCTURE FACILITIES:**

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The entire onsite infrastructure in the Integrated IT Township and access road if it does not exist, shall be provided and maintained by the developer. However, it would be obligatory on the part of the developer to provide all basic infrastructures on at least 75% area under the Integrated IT Township within 3 years from the date of sanction of development proposals by the Director of Town Planning, Maharashtra State, Pune; otherwise the notification made by MIDC as Integrated IT Township shall lapse.

The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic infrastructure such as roads, water supply, drainage & garbage disposal, installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased program for development of infrastructure with amenities under project as submitted. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.

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### **1.7.1. WATER SUPPLY:**

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The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply Authority for meeting the daily water requirement of minimum 140 liters per capita per day, exclusive of requirement of water for firefighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The developer would be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Integrated IT Township.

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### **1.7.2. DRAINAGE AND GARBAGE DISPOSAL:**

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The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board & MIDC. Recycling sewage for gardening shall be undertaken by the developer.

The developer shall develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board and MIDC.

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### **1.7.3. POWER:**

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The developer shall ensure continuous and good quality power supply to the Integrated IT Township area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned Authorities. If the power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire Integrated IT Township from the power supply company.

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### **1.7.4. ENVIRONMENT:**

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The development contemplated in Integrated IT Township shall not cause damage to ecology. In no case, it shall involve topographical changes, changes in alignment of cross section of existing water course, if any in the scheme are or adjustment to scheme area.

Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India as per directions issued by the MoEF's Notification dated 7th July 2004 and as amended from time to time. The Integrated IT Township shall provide at least 20% of the total area as park / garden / playground, with proper landscaping and open uses designated in the Integrated IT Township shall be duly developed by owner / developer. This amenity shall be open to general public without any restriction or discrimination.

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#### **1.8. SPECIAL CONCESSION:**

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- a) N.A. Permission: Non-agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Integrated IT Townships area as per Regulation No.1.3 will be deemed to have been converted into non-agriculture and no separate permission is required. Non-agriculture assessment, however, will commence from the date of sanction of scheme.
- b) Grant of Government Land: Any Government land falling under Integrated IT Township area shall be leased out to the developer at the prevailing market rate on usual terms conditions, without any subsidy.
- c) Relaxation from Mumbai Tenancy and Agriculture Land Act: The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in Integrated IT Township area.
- d) Ceiling of agriculture land: There shall be no ceiling limit for holding agriculture land to be purchased by the owner / developer for Integrated IT Township project.
- e) Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Integrated IT Township projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.

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#### **1.9. SALE PERMISSION:**

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It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/ flat shall be allowed unless the basic infrastructure as per Regulation No. 1.7 is provided by the developer to the satisfaction of the CEO, MIDC. In case the development is provided in phases & sale permission is expected after completion of phase-wise basic infrastructure, such permission may be granted by the CEO, MIDC. Before granting such sale permission, developer has to submit undertaking about the basic infrastructure to be provided and

completed phase wise. The plots earmarked for amenities, facilities and utilities shall also be simultaneously developed phase-wise along with IT/support services development.

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**1.10. IMPLEMENTATION & COMPLETION:**

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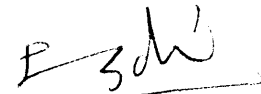
Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area.

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**1.11. INTERPRETATION:**

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If any question or dispute arises with regard to interpretation of any of these regulations, the matter shall be referred to the State Government. The Government after considering the matter and if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of the Regulations. The decision of Government on the interpretation of these regulations shall be final and binding on all concerned.



**(Pradeep Gohil)**

**Under Secretary to Government.**

**महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६**  
महाराष्ट्र औद्योगिक विकास महामंडळाच्या सुधारीत  
विकास नियंत्रण नियमावलीमध्ये एकात्मिक माहिती  
तंत्रज्ञान नगरासाठी नवीन विनियम अंतर्भूत करणेसंदर्भात  
फेरबदल मंजूरीची कलम ३७(२) खालील अधिसूचना...

**महाराष्ट्र शासन**  
**नगर विकास विभाग**  
**मंत्रालय, मुंबई ४०००३२**  
दिनांक :- १८ मार्च, २०१८.

### सूचना

**क्रमांक :- टिपीबी ४३१६ / ९२४/प्र.क्र. १८० /२०१७/ नवि-११**

ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे याचा उल्लेख “ उक्त अधिनियम” असा केलेला आहे.)चे कलम ४० च्या पोटकलम १क अन्वये महाराष्ट्र औद्योगिक विकास अधिनियम, १९६१ चे प्रकरण ६ च्या तरतदी लागू आहेत असे कोणतेही क्षेत्र व महाराष्ट्र औद्योगिक विकास महामंडळास( यापुढे यांचा उल्लेख “ उक्त महामंडळ” असा केलेला आहे) हस्तांतरण करण्यात आलेले शासकीय जमिनीचे क्षेत्र, या क्षेत्राकरिता महाराष्ट्र औद्योगिक विकास महामंडळ हे विशेष नियोजन प्राधिकरण असेल असे मानण्यात आलेले आहे;

आणि ज्याअर्थी, उक्त महामंडळाने त्यांची विकास नियंत्रण नियमावली (यापुढे याचा उल्लेख “उक्त सुधारित विनियम” असा केलेला आहे) सुधारित केलेली आहे आणि ज्यास शासन नगर विकास विभागाकडील अधिसूचना क्र. टिपीबी-४३०८/ ४६५/प्र.क्र.६४/०८/नवि-११, दिनांक ३१ ऑगस्ट २००९ अन्वये मंजूरी दिलेली असून ती दिनांक २४ सप्टेंबर २००९ पासून अंमलात आलेली आहे;

आणि ज्याअर्थी, शासन उद्योग, उर्जा व कामगार विभागाकडील शासन निर्णय क्रमांक आयटीपी-२०१३/(प्र.क्र.२६५)/उद्योग-२ दिनांक २५ ऑगस्ट २०१५ महाराष्ट्राचे माहिती तंत्रज्ञान/माहिती तंत्रज्ञान सहाय्यभूत सेवा धोरण-२०१५ जाहिर करण्यात आलेले आहे;

आणि ज्याअर्थी, उक्त महामंडळाने त्यांच्या ३६२ व्या बैठकीमध्ये दिनांक २२ जून, २०१५ रोजी, ठराव क्र. ५५०३ अन्वये महाराष्ट्राच्या माहिती तंत्रज्ञान/माहिती तंत्रज्ञान सहाय्यभूत सेवा धोरण-२०१५ प्रमाणे एकात्मिक माहिती तंत्रज्ञान नगरे यासंदर्भात नवीन विनियम उक्त सुधारित विनियमामध्ये सुधारणा करणेचे ठरविले आणि त्यानुसार दिनांक २६ ऑगस्ट २०१६ रोजीच्या पत्रान्वये फेरबदल प्रस्ताव ( यापुढे याचा उल्लेख “ प्रस्तावित-फेरबदल” ) उक्त अधिनियमाच्या कलम ३७(१) अन्वये वैधानिक कार्यवाही पूर्ण करून शासनास सादर केलेला आहे ;

आणि ज्याअर्थी, संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर प्रस्तावित फेरबदल काही बदलांसह मंजूर करणे आवश्यक आहे असे शासनाचे मत झालेले आहे ;

आता त्याअर्थी. उक्त अधिनियमाचे कलम ३७ पोटकलम (२) अन्वये प्राप्त अधिकारांचा आणि त्या संदर्भातील सर्व शक्तींचा वापर करून शासन :-

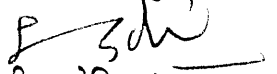
- अ) प्रस्तावित फेरबदल सोबत जोडलेल्या परिशिष्टामध्ये नमूद असलेप्रमाणे मंजूर करित आहे.
- ब) सदर अधिसूचना शासन राजपत्रामध्ये प्रसिध्द झालेच्या दिनांकापासून फेरदबल अंमलात येईल.
- क) महाराष्ट्र औद्योगिक विकास महामंडळास सुधारित विनियम मंजूरीच्या अधिसूचनेच्या फेरबदलाच्या परिशिष्टामध्ये शेवटच्या नोदीनंतर, वरील (अ) प्रमाणे नोंद अंतर्भूत करणेचे निर्देश देत आहे.

प्रस्तुत अधिसूचना एक महिन्याचे कालावधीमध्ये अवलोकनार्थ खालील ठिकाणी उपलब्ध राहिल.

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती कार्यालय, पुणे ४११ ००१.
- २) मुख्य नियोजक, महाराष्ट्र औद्योगिक विकास महामंडळ, उद्योग सारथी, मरोळ औद्योगिक वसाहत, महाकाली गुंफा रोड, अंधेरी(पूर्व), मुंबई ४०० ०९३.

सदर फेरबदलाची सूचना महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या वेबसाईटवर प्रसिध्द करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

  
( प्रदीप गोहिल )

शासनाचे अवर सचिव.

## परिशिष्ट

( शासन अधिसूचना क्र.टिपीबी ४३१६/९२४/प्र.क्र.१८०/२०१७/नवि-११, दिनांक १८ मे २०१८ सोबतचे परिशिष्ट )

- (1) The Development Control Regulations for M.I.D.C. as Special Planning Authority (hereinafter referred to as 'SPA' ) under Section 40(1A) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to the 'the Act') sanctioned by the State government in the Urban Development Department Notification No, TPB/4308/465/CR-64/08/UD- dated 31<sup>st</sup> December 2009 (hereinafter referred to as the 'Principal Regulations') shall apply, with necessary changes elaborated herein, to all Integrated IT Township for which the area is notified under Section 43-1B of MIDC Act, 1961 to make applicable the provisions Section 40(1A) of the Act.
- (2) In the 'Principal Regulation' of M.I.D.C. following shall be added after the end of 'PREAMBLE of PART I : "ADMINISTRATION",viz :-  
"In exercise of the powers conferred under Clause (d) of Sub section 3 of Section 40 of the Act, M.I.D.C., as a SPA for the notified Integrated IT Township, makes provision for 'Integrated IT Township in PART IV C'
- (3) In the 'Principal Regulations' of M.I.D.C., new part IVC: Integrated IT Township' shall be inserted after part IVB to incorporate new regulation number 52 and associated Appendix XIII for making provision for promotion and control Integrated Township, viz:-  
**"52. Promotion and Control of Development in Integrated IT Township"**  
Development in the Integrated IT Township where M.I.D.C. is the special Planning Authority shall be governed by the provisions in clauses included under Appendix XIII to these Regulations."

### APPENDIX XIII DEVELOPMENT CONTROL PROVISIONS FOR DEVELOPMENT OF INTEGRATED IT TOWNSHIP

Integrated IT Township in MIDC Industrial Area and on private land situated in Regional plan/Development plan shall be allowed to be developed as per following norms:

#### 1.0. SHORT TITLE EXTENT AND COMMENCEMENT:

These provisions shall be called as "Development Control Provisions for Integrated IT Township" and abbreviated as 'Appendix XIII Provisions'.



Part IVC, Regulation number 52 and Appendix XIII Provisions shall come into force from the date specified in the Government Notification for that purpose and shall replace all existing building byelaws and Development Control Regulations in force for that area.

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### **1.1. APPLICABILITY:**

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These Regulations would be applicable to the land situated in MIDC Industrial Area acquired and developed under Maharashtra Industrial Development Act, 1961 and Integrated Industrial Area notified under Section 43-1B of the said Act, which would be developed for Integrated Information Technology Township and to areas for which IITP is approved.

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### **1.2. AREA REQUIREMENT:**

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Any suitable area in MIDC Industrial Area or in Regional plan or Development plan having access by means of an existing road or a proposed Regional plan/Development Plan road having a minimum width of 18.0 m can be identified for the purpose of development as Integrated IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted and in any case shall not be less than 10 Ha. (25 acres) at one place.

(Explanation- If such minimum 10Ha. (25Acre) area proposed to be developed under a Integrated IT Township is divided by one or more water courses (such as nalas, canal, etc.) existing or proposed roads of any width or railways, etc. then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities.)

The area under any Integrated IT Township shall not include the area under notified forest, water bodies like river, creek, canal, reservoir, tribal lands, lands falling within the belt of 500 mtrs from the High Flood Line (HFL) of major lakes, lands in the command area of irrigation projects, land falling within the belt of 200 mtrs from the historical monuments and places of Archeological importance, Archeological monuments, heritage precincts and places, any restricted areas, notified national parks, gaothan areas or congested areas, Defense areas, Cantonment areas, truck terminus especially earmarked on Development

plan, area under Eco-sensitive Zone, other environmentally sensitive areas, Quarry Zone, notified areas of Special Economic Zone (SEZ) and designated airport areas.

However, such Integrated IT Township may include private land under Hill-Top and Hill-Slope Zone, whether earmarked on Regional plan/Development plan or not and private land in A forestation Zone. Provided that, the area of lands in such Hill-Top and Hill-Slope Zone and A forestation Zone shall not exceed 40 percent of the gross area of the project and such area shall be shown towards 50% area to be kept permanently open where no development activity shall be permissible under such project. The said areas shall be developed for tree plantation as per the norms specified. However, for the purpose of calculation of Floor Space Index (FSI), such areas shall be excluded.

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### **1.3. MANNER OF NOTIFICATION:**

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On private lands and lands acquired by the MIDC under Maharashtra Industrial Development Act, 1961, Integrated Industrial Area which is notified by the MIDC under Section 43-1B of the Maharashtra Industrial Development Act, 1961 after receiving a proposal from the applicant and processed as per provisions of G.R, IDC 2015/CR-93/Industry-14 dated 27<sup>th</sup> December 2016, amended from time to time, The Development permission shall be given by MIDC where it is the Planning Authority /SPA/Deemed SPA and by the appropriate Planning Authority in other cases, in accordance with these DCR.

Notwithstanding anything contained in the Development plan or the Regional plan, upon such notification, such area shall be developed as per the DCRs framed by the MIDC for this purpose. For this purpose, procedure under section 20 read with section 18 of the Maharashtra Regional and Town Planning Act, 1966 shall not be necessary.

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### **1.4. PROCEDURE FOR APPROVAL OF INTEGRATED IT TOWNSHIP:**

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The following procedure shall be adopted for approval of an Integrated IT Township.

#### **DECLARATION OF INTEGRATED IT TOWNSHIP:-**

##### **1. Application for development of Integrated IT Township-**

- a) Applicant such as land owner, developer appointed by land owner and a Joint Venture Company established by land owner and developer can make an application for establishment of an Integrated IT Township.

- b) Applicant shall apply along with the following document and detail viz.
- i. Details of the proposed land – such as village maps showing land under proposed IT Township, existing construction, trees, nalla and road passing through the project land.
  - ii. Ownership document such as 7/12 extract, property card etc. with details of private and Government land.
  - iii. Available transport facilities – existing transport facilities such as National Highway, State Highway, Railway Station, Port Airport and their distances from proposed site and nearby village/cities with their population.
  - iv. Existing electricity network availability.
  - v. Water supply details – details of nearby river, dam and lake.
  - vi. Distance of proposed site from river, creek and sea.
  - vii. Certificate from Forest Department regarding non-inclusion of any forest land in the proposed project.
  - viii. Certificate from Town Planning Department regarding whether the proposed project land falls within Regional Plan/Development Plan or not and zoning.
  - ix. Total land and development cost of the proposed project.

2. **Site Visit Report of Land Selection Committee-** After scrutinizing the proposal, the Land Selection Committee consisting of the concerned Dy. CEO, Chief Planner, Superintending Engineer and Regional Officer shall visit the site and submit report regarding land availability, geographical situation, water supply, transportation etc. and thereafter a comprehensive proposal for approval of Steering Committee shall be prepared and submitted.
3. **Steering Committee for establishment of Integrated IT Township-** Steering Committee constituted under the chairmanship of CEO, MIDC shall scrutinize the proposal of Integrated IT Township and recommend the proposal to the High Power Committee for its approval and declaration of the project as an Industrial Area.
4. **Final Approval-** After declaration of Integrated IT Township as Industrial Area by the High Power Committee, the proposal shall be submitted to Minister (Industries) & Chairman, MIDC for approval.

5. **Publication in Official Gazette-** After approval of Minister (Industries) & Chairman MIDC to the Integrated IT Township, the proposal shall be published in the Official Gazette as per the provisions of Maharashtra Industrial Development Act, 1961.

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### **1.5. PLANNING CONSIDERATIONS:**

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The project has to be an integrated project. The Integrated IT Township should necessarily provide land for following users:-

1. Information Technology (Industrial)
2. Residential
3. Commercial
4. Educational
5. Amenity Spaces
6. Health Facilities
7. Parks, Gardens & Playgrounds
8. Public Utilities
9. Transport and Communication

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#### **1.5.1. GENERAL NORMS FOR DIFFERENT LAND USE:**

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Out of of the total area notified as “Integrated IT Township” 60% FSI shall be used for IT / ITES activities and 40% FSI for the development of Residential and commercial Activities provided that 20% area shall be kept for Park / Play Ground / Garden of total IITP. :-

##### **1.FOR IITTS situtated in MIDC’s industrial areas:**

**On lease as per MIDC policy**

##### **2.FOR IITs situated outside MIDC industrial areas:**

(a)50% on leave and license basis for persons working in IITT.

(b)50% on slae to persons not working in IITT on payment of premium as per amended IT policy vide G.R. dated 22.2.2016.

and commercial activities including malls, cinema, theaters, public auditorium and multiplexes, showrooms for all types of merchandise, hospitals, nursing homes, schools and colleges, training institutes and hostels related to them, hotels. The development of entire township, i.e., 60% area for IT/ITES and 40% other area can take place

simultaneously but the developer will have to ensure that sale / lease of both areas (and only lease of service apartments); is proportionate. To ensure this occupation certificate for commercial, residential and support services shall be given only after the development of infrastructure facilities on the area earmarked for IT /ITE Activities and occupation certificate is granted by the MIDC and after 1/3rd area kept for IT / ITES activity is occupied.

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#### **1.5.2. FSI IN INTEGRATED IT TOWNSHIP:**

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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 2.5. For rest of the areas in the State, the permissible FSI shall be 2.00. 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 25<sup>th</sup> August 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT /IT 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.

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#### **1.6. DCR AND GENERAL REGULATIONS:**

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- i) Provisions of prevailing Development Control Regulations for Integrated Industrial Area (IIA) of sanctioned MIDC DCR 2009 as well as provisions of MOEF and CRZ notification, wherever applicable, issued & as amended from time to time shall be applicable mutatis-mutandis to the Integrated IT Township except those expressly provided in these Regulations.
- ii) In the event the Integrated IT Township contains sites reserved for public purposes (buildable reservations) in Regional plan/Development plan, for which the Appropriate Authority is any department of State Govt./Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to that Department. Upon such handing over the constructed amenity the developer would be entitled to utilise additional floor space over and above the FSI

permissible within the Integrated IT Township (equivalent to the built up area of the constructed amenity) anywhere within the Integrated IT Township.

- iii) In every Integrated IT Township proposal the Structural Designer of developer has to submit declaration with project report to the MIDC about the construction of building as below:

*'I have confirmed that the proposed construction in the scheme is as per norms as specified by Indian Standard Institutes for the resistance of earthquake, fire safety & natural calamities'.*

- iv) In Integrated IT Township being developed in Residential Zone and Agricultural/ Green Zone/ No Development Zone, trees at rate of minimum 150 trees per Ha. and 400 trees per Ha. respectively shall be planted and maintained by the developer. Trees at the rate of 800 per Ha. shall be planted and maintained by the developer in the area under Hill-top Hill-slope Zone.
- v) Processing fee, Development Charges and Premium for staircases, passages, balcony enclosures etc. shall be as per sanctioned MIDC Development Control Regulations 2009.

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### **1.7. INFRASTRUCTURE FACILITIES:**

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The entire onsite infrastructure in the Integrated IT Township and access road if it does not exist, shall be provided and maintained by the developer. However, it would be obligatory on the part of the developer to provide all basic infrastructures on at least 75% area under the Integrated IT Township within 3 years from the date of sanction of development proposals by the Director of Town Planning, Maharashtra State, Pune; otherwise the notification made by MIDC as Integrated IT Township shall lapse.

The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic infrastructure such as roads, water supply, drainage & garbage disposal, installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased program for development of infrastructure with amenities under project as submitted. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.

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### **1.7.1. WATER SUPPLY:**

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The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply Authority for meeting the daily water requirement of minimum 140 liters per capita per day, exclusive of requirement of water for firefighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The developer would be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Integrated IT Township.

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### **1.7.2. DRAINAGE AND GARBAGE DISPOSAL:**

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The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board & MIDC. Recycling sewage for gardening shall be undertaken by the developer.

The developer shall develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board and MIDC.

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### **1.7.3. POWER:**

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The developer shall ensure continuous and good quality power supply to the Integrated IT Township area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned Authorities. If the power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire Integrated IT Township from the power supply company.

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### **1.7.4. ENVIRONMENT:**

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The development contemplated in Integrated IT Township shall not cause damage to ecology. In no case, it shall involve topographical changes, changes in alignment of cross section of existing water course, if any in the scheme or adjustment to scheme area.

Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India as per directions issued by the MoEF's Notification dated 7th July 2004 and as amended from time to time. The Integrated IT Township shall provide at least 20% of the total area as park / garden / playground, with proper landscaping and open uses designated in the Integrated IT Township shall be duly developed by owner / developer. This amenity shall be open to general public without any restriction or discrimination.

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#### **1.8. SPECIAL CONCESSION:**

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- a) N.A. Permission: Non-agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Integrated IT Townships area as per Regulation No.1.3 will be deemed to have been converted into non-agriculture and no separate permission is required. Non-agriculture assessment, however, will commence from the date of sanction of scheme.
- b) Grant of Government Land: Any Government land falling under Integrated IT Township area shall be leased out to the developer at the prevailing market rate on usual terms conditions, without any subsidy.
- c) Relaxation from Mumbai Tenancy and Agriculture Land Act: The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in Integrated IT Township area.
- d) Ceiling of agriculture land: There shall be no ceiling limit for holding agriculture land to be purchased by the owner / developer for Integrated IT Township project.
- e) Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Integrated IT Township projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.

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#### **1.9. SALE PERMISSION:**

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It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/ flat shall be allowed unless the basic infrastructure as per Regulation No. 1.7 is provided by the developer to the satisfaction of the CEO, MIDC. In case the development is provided in phases & sale permission is expected after completion of phase-wise basic infrastructure, such permission may be granted by the CEO, MIDC. Before granting such sale permission, developer has to submit undertaking about the basic infrastructure to be provided and



completed phase wise. The plots earmarked for amenities, facilities and utilities shall also be simultaneously developed phase-wise along with IT/support services development.

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**1.10. IMPLEMENTATION & COMPLETION:**

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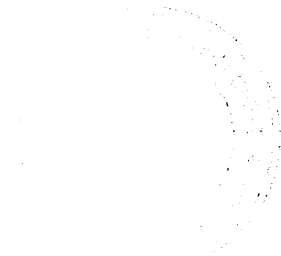
Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area.

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**1.11. INTERPRETATION:**

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If any question or dispute arises with regard to interpretation of any of these regulations, the matter shall be referred to the State Government. The Government after considering the matter and if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of the Regulations. The decision of Government on the interpretation of these regulations shall be final and binding on all concerned.



A handwritten signature in black ink, appearing to read 'Pradeep Gohil', is written over a horizontal line.

**(Pradeep Gohil)**

**Under Secretary to Government.**