

Regarding Eligibility Criteria, Terms &
Conditions for giving concessions in
stamp duty to private I.T. Industries Units

Government of Maharashtra
Industries, Energy & Labour Department ,
Government Resolution No. ITP-2005/PK 3923/IND-7
Mantralaya, Mumbai-400 032

Dated 10th June, 2005

- Read: 1) Govt. Resolution , Revenue & Forest Deptt. No. Stamp 2000/4229/CR-1064/M-1 Dated 5th May, 2001.
2) Directorate of Industries, Govt. of Maharashtra, Mumbai Order No. IT/Private/I.T.Park/Stamp Duty (19) 2001/B-29795 Dated 21st June, 2001.
3) Govt. Resolution, Industry Energy, & Labour Deptt. No. ITP-2003/CR-3311/Ind-7 Dated 12th July, 2003
4) Govt. Resolution, Revenue & Forest Deptt. No. Stamp-2003/2093/PK 462/M-1 Dated 29.12.2003.

Introduction

The Government had taken a policy initiative in announcing development of human resources, creation of excellent infrastructure facilities and providing financial and allied concessions for development of I.T. industries, in its I.T. Policy. As I.T. industries are likely to develop in urban areas, government has established public I.T. Parks through MIDC, CIDCO, etc. for providing the best infrastructure facilities to these industries in order to bring about their systematic and planned development in urban areas. However, government is making constant efforts for providing quality and economic infrastructure facilities on a large scale with the participation of private sector.

In order to attract investment on a large scale in the I.T. sector in the State, the industrial units to be established in private I.T. Park in the 'A' and 'B' Category zones under Package Scheme of Incentives, have been granted 75% concession in Stamp Duty under the Revenue & Forest Department Order No. Stamp 2003/2093/P.K. 462/M-1 dated 29-12-2003, to utilize the infrastructure created with private participation and to encourage it. The Directorate of Industries, to make this concession effective, under its Order dated 21st June, 2001, referred above at Sr. No.3 (as amended from time to time), had determined criteria and also procedure for registration of the private I.T. Parks. The confirmation of the procedure was under consideration of the Government.

Government Resolution

After following Government's discussion with Maharashtra Industrial Development Corporation, CIDCO, Software Technology Park of India, Navi-Mumbai, etc. and also studying the Schemes announced by Tamil Nadu and some other States, The Directorate of Industries has determined the criteria for various parameters and procedure for registration of private I. T. Parks , vide their order dated 21st June, 2001 (as amended from time to time). The same is approved by this Government Resolution.

1. Criteria

The criteria, terms and conditions for various parameters of private I, T, Parks have been determined and are shown in the enclosed Annexure-1.

2. Procedure

- a) The promoters will have to obtain a Letter of Intent for the I.T. Parks. The validity of the Letter of Intent will be 3 years. In case the I.T. Park cannot be established during this period, it is necessary for the Applicant to submit an application for extension, minimum 3 months before expiry of validity of the Letter of Intent, alongwith detailed justification with supporting documents. Extension will be granted on merit in such cases. After the I.T. Park is established as per the parameters in the Letter of Intent, the promoter will have to register the same. The validity of registration will be for 3 years for monitoring the utilisation of the built up area of the I.T. Park. Thereafter, the registration will be cancelled if not renewed from time to time.
- b) For obtaining the Letter of Intent, the promoters will have to make an Application in prescribed form, which contains criteria for stipulated parameters and the promoters will have to spell out details of proposed arrangements made for complying with these criteria, and provide guarantee for the same. Promoters are also required to enclose copies of supporting correspondence made by them with the concerned service providing Institutions.
- c) The prescribed forms of Application for Letter of Intent and for Registration and list of documents to be submitted with it are shown in Appendix-2 and 3 respectively.
- d) The promoters in Mumbai Metropolitan City will have to submit their Applications for obtaining the Letter of Intent and Certificate of Registration

to the Development Commissioner (Industries) and , in case of other Districts in the State, to the concerned General Manager, District Industries Centre. These Competent Officers have to issue Letter of Intent and Certificate of Registration within 15 days of receipt of completed Application with prescribed enclosures, The powers delegated to General Manager will be concurrent.

- e) The promoter will have to obtain sanction of the competent authority by making separate Application to him if any change is required to be made in the Letter of Intent or the Certificate of Registration. The Applicant will be given Certificate of Registration for I.T. Park only after the criteria and terms and conditions mentioned in the Letter of Intent are complied with. Competent authority can grant the request of the Applicant on merit subject to the prescribed criteria and terms and conditions.
- f) Fee: Copy of the challan issued by Reserve Bank of India for payment of fee of Rs. 1,000/- under the following Head of Account, for Letter of Intent and Registration for I.T. Park, should be enclosed.

“ 0851 Village and Small Industries
102 Small Scale Industries
Cottage & Small Industries
0851-002-6”

The said fee will also be applicable to the Application made for renewal or for making any change in the Letter of Intent and Certificate of Registration.

- g) Monitoring: It will be the responsibility of the concerned competent authority to monitor the compliance of the criteria and terms and conditions prescribed for I.T. Park.

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

Sd/-
(Pritam Athavale)
Joint Secretary,
Government of Maharashtra

Copy to: -

- 1) Principal Secretary, Revenue Rehabilitation Deptt. Mantralaya,
Mumbai – 32.
- 2) Secretary, Urban Development Deptt, Mantralaya, Mumbai – 32
- 3) Secretary, I.T., Mantralaya, Mumbai – 32
- 4) Development .Commissioner (Inds.), Directorate of Industries, Opp.
Mantralaya, Mumbai – 32

- 5) P.A. to Hon'ble Minister for Industries.
- 6) P.A. to Hon'ble Minister for State for Industries.
- 7) Commissioner, Municipal Corporation (All)
- 8) Chairman, Maharashtra State Electricity Board, Mumbai – 51.
- 9) Chief Executive Officer, MIDC, Andheri (E), Mumbai.
- 10) Managing Director, CIDCO, Mumbai.
- 11) Divisional Commissioner Pune / Nashik / Nagpur / Aurangabad / Amravati / Mumbai.
- 12) Mahanirikshak, Registration & Controller, Stamp Duty, Pune.
- 13) Convenor, Udyog Mitra, Mumbai.
- 14) Superintending Industries Officer (I.T.), Directorate Of Industries, Mumbai – 32.
- 15) Director, Software Technology Parks Of India, Pune
- 16) Deputy Mahanirikshak, Stamp Duty, Mumbai
- 17) All Joint Secretary / Deputy Secretary / Desk Officer Of Inds. Deptt.
- 18) Desk Officer (M-1), Revenue & Forest Deptt. Mantralaya, Mumbai – 32.
- 19) Select File (Udyog – 7).

**Criteria and Terms and Conditions for various
Parameters for private I.T. Park**

1 Eligibility of the Applicant

1.1 Organisations establishing the private I. T. Park can be -Registered proprietorship/ Partnership Firm/ Private Limited Company/ Public Limited Company/Co-operative Society or Trust.

1.2 The Institute legally responsible for management of the Park, Promoter or Developer of the Park will be eligible for making Application for complying with the prescribed Criteria, Terms & Conditions for the I.T. Park.

2 Criteria for various parameters for private I.T. Parks

Sr. No.	Parameter for Infrastructure Facilities	Criteria
1	Land/ Built up area	For setting up of I.T. Park, minimum 2 acres of land or minimum built up area of 20,000 sq.ft. for I.T. Park Industries and for complimentary services to be provided to them, will be essential
2	Utilisation/Use of built up area	Use of minimum 60% of the total built up area for I.T. industries and enabled service industries and remaining built up area (excluding car parking) for incidental and support service facilities will be mandatory
3	Arrangement for supply of electricity and capacity	A sub-station for electric supply will be set up inside the compound of the I.T. Park having capacity to supply at the rate of 20 watt/sq.ft for the total built up area. It is necessary to provide supply to the I.T promoter through Dedicated Distribution Feeder from the nearest source of the Electricity Distribution Company providing power to the sub-station.
4	Arrangement for stand-by supply	It will be mandatory for the promoter to make arrangement for stand-by generation to the extent of minimum of 30% of the total power requirement determined in Sr, No. 3 above.
5	Connectivity	(a)If the satellite earth station is available for the I T. Park, , no limit on capacity of connectivity is applicable. Otherwise it will be essential to provide minimum OFC connection of 2 mbps capacity. (b) It is not necessary to establish an exchange inside the Park for providing double connectivity. However, there should be arrangement in the Park to provide Last Mile Connectivity and Gateway for International Connectivity.
6	Parking capacity	It is necessary to provide parking space inside the park for one vehicle per 100 sq.m. of the total built up area of the I.T. Park.

ANNEXURE – 3

Following documents must accompany the Application for LOI

- 1) Documents regarding constitution of the Applicant
- 2) Documents regarding Land (7/12)
- 3) In case where applicant is not owner of the land
 - a] Agreement with landholder
 - B] Letter taking possession of land.
- 4) Copy of challan for payment of Fees of Rs. 1000/-
- 4) Zone Confirmation Certificate from Asstt. Director, Urban Development or competent authority.
- 6) Building Plan approved by competent authority.
- 7) Permission for commencement of construction issued by competent authority (Commencement Certificate)
- 8) Certificate from approved Architect indicating distribution of built up area to be used/utilised for I.T. industry and for other purposes.
- 9) Permission of competent authority under Urban Land Ceiling (ULC)
- 10) Intimation of Disapproval (IOD) from local body/Mumbai Municipal Corporation.
- 11) Supporting documents like letters from concerned Agencies regarding capacity for supply of electricity, dedicated feeder line, last mile connectivity, stand by power, etc.

Following documents are required to be submitted for actual

Registration

- 1) Building completion certificate issued by competent authority. .
- 2) Occupancy certificate issued by competent authority.
- 3) Supporting document regarding compliance of criteria stipulated and as per documents submitted for LOI.
- 4) Registration Agreement made with the I.T. Unit for land.