

**MANAGING COMMITTEE
2023-2025**

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Boman Irani

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Abhishek Lodha

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Jayesh Shah
Sukhranj Nahar
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Rasesh Kanakia

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Shailesh Puranik
Pritam Chivukula
Amit Thacker
Jackbastian Nazareth

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Dhaval Ajmera

TREASURER
Nikunj Sanghavi

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Pratik Patel
Sunny Bijlani
Rushi Mehta

JOINT TREASURER
Gurminder Singh Seera

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Subodh Runwal
Parag Munot
Nainesh Shah
Mukesh Patel
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Rajesh Prajapati
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Parth Mehta
Harmohan Sahni
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Binitha Dole
Ayushi Ashar
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Ricardo Romell

SPECIAL ADVISORS
Ar. Hafeez Contractor
Adv. Parimal Shroff
Anuj Puri

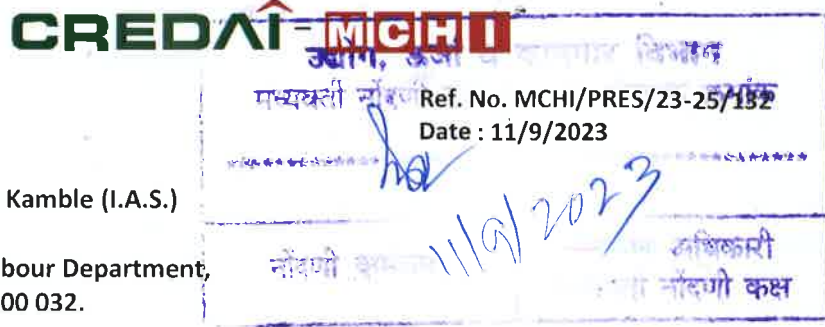
STATISTICS AND RESEARCH
Dr. Adv. Harshul Savla

INVITEE MEMBERS
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Ramkrishna Raheja
Nishant Agarwal
Harsh Hiranandani
Ajay Nahar
Azim F. Tapia
Cherag Ramakrishnan
Vijay Lakhani
Jayesh Chauhan
Aditya Shah
Shraddha Goradia
Sudhanshu Agarwal
Hussain Lalani
Sahil Parikh
Aditya Mirchandani
Rushi Ajmera

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Sejal Goradia



To,
Dr. Harshdeep Shriram Kamble (I.A.S.)
Principal Secretary
Industries, Energy & Labour Department,
Mantralaya, Mumbai 400 032.

Sub: New I.T. Policy 2023 - Clarification about some of the provisions in the Regulations of new policy for Information & Technology introduced by State Government on 27/06/2023.

Ref. Government Resolution No. ITP:2021/PK-170/CÚmoJ-2, dated 27/06/2023

Respected Sir,

In the year 1998, Maharashtra Government introduced I.T. Policy for growth of I.T. Sector & implementation of said policy was successfully done in Maharashtra particularly in Mumbai, New Mumbai, Thane, Pune City & Nagpur. Due to growth of I.T. Sector nos. of well-known I.T. companion settled in Maharashtra & Lakhs of Engineers, Technicians and obtained got jobs in I.T. and it also help to growth of I.T. allied sector i.e. industries, construction, hoteling, transport etc. and now Maharashtra State is one of the Global Hub to attract, well-known I.T. companies in world as most qualified and experience engineers are available in Maharashtra. This is only happened because policy of State Government, changes in many regulations and infrastructure available in Maharashtra State, for which we are very thankful to State Government Authorities.

In the meantime Government in Urban Development Department introduced Unified Development Control & Promotion Regulation - 2020 which brought uniformity in construction industry throughout Maharashtra, as well as brought transparency and ease of doing business in Maharashtra State particularly in Authorities / Local Authorities

Considering the future growth, importance, capacity of I.T. Sector to provide jobs, export and import of I.T. Sector and further importance of A.I. (Artificial Intelligence) State Government has introduced new I.T. policy in which guidelines for various State Government Department are issued and it will help to fast growth of I.T. Companies.

Prayer : After going through the notification, we think that annexed clarification / suggestion / modification are requested to ease out the sanctioning process and get clarity and uniformity in meaning of Regulation.

Requested Suggestion, Clarification & Modifications is Annexed herewith.

You are requested to consider the same & please oblige.

Yours sincerely,
For CREDAI-MCHI

Domnic Romell
President

Dhaval Ajmera
Hon. Secretary

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

CREDAI-MCHI CHAPTERS : THANE | KALYAN-DOMBIVLI | MIRA BHAYANDAR | RAIGAD | NAVI MUMBAI |
BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

Maharashtra IT/ITES Policy 2023 Queries				
Sr. No.	Clause No	What it States	Query	Suggestion / Recommendation
1	8.1.1	Additional FSI and Space Utilization of IT Parks. FSI may be provided on basis of the following table to all IT Parks in the Greater Mumbai region and rest of Maharashtra : For Minimum 27 m Road width: Greater Mumbai Region: up to 5 Rest of Mah: up to 4	In Mumbai, Base FSI is 1.0, therefore Maximum Permissible FSI up to 5 or 5 times - both mean the same. However, in Pune, Base FSI is 1.10, therefore Maximum Permissible FSI up to 4 - means total FSI of 4.0 and up to 4 times - means total FSI of 4.40.	Earlier IT/ITES Policy always mentioned 200% / 300% Additional FSI, We suggest/recommend to follow the same language. Accordingly, it should be 400% of Base FSI.
2	8.1.1 8.1.2 [C]	Additional FSI Limit shall be applicable as above or as per the Local DCR norms, whichever is higher, excluding in Agriculture Zone, NDZ, or any others special zone, declared by Urban Development Department, where the maximum Additional Floor Space Index limit shall remain applicable as per prevailing Development Control Regulation. For Central Business District :- If any special planning authority declared any area as a Central Business District as per applicable DCR norms; all registered public and private Information Technology parks/ AVGC parks; in the particular CBD's will be entitled for permissible additional FSI by levying a premium at the rate of 50 % of the existing rate of premium as mentioned in the DCPR of Central Business District.	Local PMC DCR allows, loading of CBD FSI over and above TDR as per CBD Premium rates. Would this also be applicable in IT/ITES Policy, wherein CBD FSI can be made available over and above IT/ITES FSI at CBD rate of Premium? CBD policy allows CBD FSI to be used over and above Base and Additional FSI, under CBD rate of premium. In TOD zone also, CBD FSI is available over and above the TOD FSI. Likewise in IT/ITES Policy, CBD FSI should be allowed over and above the the IT/ITES FSI. Can we consume CBD FSI over and above IT/ITES FSI at respective premiums?	CBD policy allows CBD FSI to be used over and above Base and Additional FSI, under CBD rate of premium. In TOD zone also, CBD FSI is available over and above the TOD FSI. Likewise in IT/ITES Policy, CBD FSI should be allowed over and above the the IT/ITES FSI. For IT/ITES Policy, there are two options and either one of them should be part of policy. 1. CBD FSI over and above Base and additional FSI of IT/ITES Policy to be paid under CBD Rate of Premium and this FSI shall be considered Commercial/Non-IT FSI over and above 40% of Non IT FSI under the IT/ITES Policy. 2. CBD FSI over and above Base and additional FSI of IT/ITES Policy to be paid under IT/ITES Policy Rate of Premium and this FSI usage shall be followed as per the IT/ITES Policy.
3	8.1.2 (B) (II)	As per Unified Development Control & Promotion Rules (UDCPR) & Special Planning Authority DCRs, the additional FSI shall be permissible to all Public & Private IT Parks / AVGC Parks by levying a premium at the rate of 50 % of <u>prevailing rate of premium for areas</u>	As per UDCPR, Clause No. 7.8.1, the rate of Premium for IT/ITES is 20% of Ready Reckoner.	For the sake of clarity, we assume 50% of 20% i.e. 10% of Ready Reckoner. We suggest that the rate of Premium for IT/ITES Policy to be directly mentioned as 10% of Ready Reckoner as the sake of clarity.
4	8.1.3	IT parks are permitted mixed use under the following guidelines : Land Use Percentage - In zone I Municipal Corporations in MMR & PMR area 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.	Can we assume that we do not have to pay any further rate, premium, tax, cess etc. to convert 40% to Commercial and Residential activity? In earlier policy, we had to pay to convert support services to Non-IT usage.	We suggest / recommend that for the sake of clarity, it should be mentioned in the policy that there shall be no additional cost / rate / premium / duty etc... to convert this 40% Non-IT for Non-IT usage. i.e. Commercial and Residential activity.
5			IT FSI calculation is currently calculated on net plot area and not gross plot area.	We suggest / recommend that IT FSI calculation to be allowed on gross plot area instead of net plot area. As per clause No 6G note 14 in UDCPR, TDR and Premium FSI is calculated on gross Plot area, accordingly IT FSI should also be calculated on Gross Plot Area and not on the Net Plot Area. Therefore, for the sake of consistency IT/ITES FSI should also be calculated on Gross Plot Area .