



GOVERNMENT OF KERALA

Abstract

IT Department – Guidelines and procedures for setting up of Private Integrated IT & Hi-Tech Parks on the basis of new IT policy 2012 – Approved - Orders issued.

INFORMATION TECHNOLOGY (A) DEPARTMENT

G.O(Ms)No.10/2013/ITD

Dated, Thiruvananthapuram, 3.4.2013.

Read:- 1. GO(MS)No.9/2009/ITD dated 4.9.2009.
2. GO(P)No.19/2012/ITD dated 12.10.2012.

ORDER

As per GO read as 1st paper Government had approved guidelines for Private IT Parks to qualify for certification in line with IT Policy 2007. As per GO read as 2nd paper, Government have approved IT Policy 2012 which interalia states in section 8.3.2 that the Government shall frame the guidelines and standards for private IT Parks certification.


Government have examined the matter in view of the new IT Policy and are pleased to approve the guidelines as annexed to this order, for setting up of Private Integrated IT & Hi-Tech Parks in the State.

(BY ORDER OF THE GOVERNOR)
P.H. KURIAN
PRINCIPAL SECRETARY

To

The Director, Kerala State IT Mission.
The Chief Executive Officer, Technopark, Thiruvananthapuram.
The Chief Executive Officer, Infopark, Kochi.
The Chief Executive Officer, Cyberpark, Kozhikode.
The Managing Director, KSITIL, Thiruvananthapuram.
The Accountant General (A &E)/(Audit), Thiruvananthapuram.
General Administration (SC) Department vide item No.3271
dated 27.3.2013)
Finance Department (vide No.39385/Exp.A1/2010/Fin dated 6.7.10).
Taxes (E) Department. (vide No.26190/E2/2011/TD).
LSG Department.
✓ & PRD for website.
Stock file/Office copy.

Forwarded/By order


Section Officer

Annexure

GUIDELINES & PROCEDURE FOR SETTING UP PRIVATE INTEGRATED IT & HI-TECH PARKS

1. INTRODUCTION

State's IT Policy 2012, intends to "Plan, develop, market the state as the most preferred IT/ITES investment/business destination in India" with an objective of creating 5,00,000 direct employment in the ICT sector by 2020. In order to achieve this, the state needs to develop a minimum of 50 million sqft of built up IT space by 2020. Government plans to achieve this mainly through the expansion plans of government owned IT parks such as Infopark, Technopark, Technocity, Cyberpark and Smart City Kochi under development by TECOM Dubai. The above developments will not be adequate to meet the requirement of 50 million sqft of built up space. Acquiring private lands to develop more parks by government is also not a feasible option due to the governmental financial constraints as well as the resistance of landowners. Therefore the IT policy 2012 envisages development of IT and HiTech parks by private sector in lands owned by them. Encouraging stand alone IT buildings in the private sector will result in huge strains in urban infrastructure as happened in the Tier-I IT cities. In addition there is tremendous opportunities for Hi-tech research & manufacturing. In order to attract private investment into these sectors, government will have to create a level playing field for them to develop and operate integrated IT & HiTech Parks.

A certified IT & HiTech Park is eligible for all benefits prescribed in section 8.3.4 of the IT Policy 2012, such as

- a) Floor Area Ratio up to 5.
- b) Single window clearance Board under the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 will be constituted for faster clearance and licenses.
- c) HT1 or L T-IV power tariff for units operating in the Processing Area of certified Integrated IT & HiTech Townships
- d) Exemption from Stamp duty for leasing out land/built up space for industrial units within the processing area.

These guidelines are issued in pursuance of section 8.3 of the IT policy 2012.

2. DEFINITIONS

In this guidelines, unless the context otherwise requires,-

- a) "Park" means Private Integrated IT & HiTech Townships
- b) "FAR" means the Floor Area Ratio, is the ratio of the total floor area of buildings on a certain location to the size of the land of that location or the limit imposed on such a ratio.
- c) "HiTech Research & Manufacturing" means research and manufacturing activities using technology that is at the cutting edge: the most advanced technology currently available in the domains which includes, but not limited to Aerospace, Automotive, Artificial Intelligence, Biotechnology, Information technology, Electrical Engineering, Information systems, Photonics, Nanotechnology, Robotics, Telecommunications, Electronic System Design and Manufacturing (ESDM), etc.
- d) "IT/ITES/Knowledge Work" means activities which involve the use of any IT software and / or system for value addition which may include, but not limited to the following:
- Software development and application, including programming and adaptation of system softwares and middlewares, for business, media, e-commerce, education, entertainment etc.
 - IT enabled services, encompassing call centers, data encoding, transcribing and processing, directories etc.
 - Content development for multi-media, animation and gaming.
 - Knowledge based and computer-enabled support services, including engineering and agricultural design services, consultancies, etc.
 - Business process outsourcing using e-commerce
 - IT research, development and design
 - Any other IT related service activities.
- e) "Processing Area" means built up area constructed for the purpose of IT/ITES/Knowledge Work or HiTech Research & Manufacturing in the certified Park and need not be contiguous.
- f) "Promoters" means owners/ operators of the Park as envisaged under these guidelines.
- g) "Single window clearance Board" means Single window clearance Board constituted under section 2 and section 5 of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000).

3. GUIDELINES

3.1 Qualifying Criteria

The Park shall satisfy the following criteria for getting the certification

1. The minimum land area shall be 20 acres and shall be owned or leased in the name of the applicant.

2. The proposed land shall not be wet-land as defined under THE KERALA CONSERVATION OF PADDY LAND AND WETLAND ACT, 2008
3. The development plan of the Park shall consists of Processing Area, housing, commercial space, social amenities, educational institutions, etc.
4. The Park should have plans to construct at least 1 million sqft of Processing Area within 7 years of certification date
5. The applicant shall have the responsibility to create and maintain sewage collection and treatment system within the Park as per norms stipulated by State/Central Government authorities.
6. The applicant shall have plans to dispose the solid waste generated in the townships.
7. The building heights shall be as per KMBR/KPBR and shall meet the guidelines of MOEF with regard to fire and rescue services
8. The parking requirements shall be as per the latest guidelines of MOEF / KMBR/ KPBR.
9. The applicant shall have proven source of water and power for the full requirement of the Park. It could be own source or KWA/KSEB as the case may be.

3.2 Obligations of the Promoter

1. The Promoter of the Park shall follow the following time lines to retain the certification
 - a) Submit application for building permit to the Single Window Clearance Board constituted for the Park within 3 months of receiving certification.
 - b) Start construction within 6 months of receiving all the statutory approvals.
 - c) The Park shall be made operational within 3 years from the date of initial approval with a minimum Processing Area of 3 lakh sqft.
 - d) The Park shall construct at least 1 million sqft of Processing Area within 7 years of approval date subject to clause 3.2.3 below.
2. The phase wise requirements for Sewage Treatment, Parking, Power, Water should be met as per the latest guidelines of MOEF/KMBR/ KPBR
3. At any given point of time, until 1 million sq.ft. of Processing Area is built, a minimum of 50% of the built up area in the certified Park shall be built as Processing Area.
4. The promoters shall create at least 10000 jobs in the Park, with an investment of 500 crores on completion of the project.

3.3 Application

- a) Application for certification of a Park shall be made to the convener of the certification committee in the format Annexure I along with contents as indicated in Annexure II. Incomplete applications without supporting documents shall not be considered.

3.4 Certification Committee

The following shall constitute the committee for certification of the Park

1. Principal Secretary/Secretary, Department of IT - Chairman
2. Chief Town Planner - Member
3. Chief Executive Officer, Technopark, Trivandrum - Member
4. Chief Executive Officer, Infopark, Kochi - Member
5. Chairman, Kerala State Pollution Control Board - Member
6. Director, Environment and Climatic Change - Member
7. Member (Distribution), Kerala State Electricity Board - Member
8. Secretary of the Municipality /Panchayath/
Corporation where the proposed Park is situated. - Member
9. Joint Secretary/Deputy Secretary, Department of IT-Member convener

3.5 Consideration by the Certification Committee

1. The committee shall consider and dispose of an application within 2 months of receipt of the application.
2. The committee may visit the site, if found necessary
3. While considering the application the committee may take into account, in-addition to the Qualifying criteria in 3.1, the financial capability of the promoter, prior experience or other relevant factors as they deem fit
4. On certification by the committee the convener shall issue a certificate to the applicant in annexure III format.

3.6 Single Window Clearance Board

1. Government shall declare the Park as Industrial area and constitute a Single Window Clearance Board within 30 days of certification of the Park by the certification committee.
2. The Single Window Clearance Board so constituted shall ensure the fulfillment of the obligation under clause 3.2 above.

3.7 Annual review of Progress

1. The Promoter of the Certified Park shall submit the progress of the project for an annual review every financial year to the Convener of the Certification Committee in the format as decided by the committee. Such report shall be submitted on or before 15th April every year.

2. The Certification committee shall review the progress of all certified Parks before 30th June and satisfy themselves about the progress and compliance of obligations. The committee may visit the site to physically check the progress if needed.
3. Such annual reviews shall continue until all the obligations by the promoter under these guidelines are met.
4. The Certification Committee may cancel the certification for reasons of non-fulfillment of obligations by the promoter after giving a reasonable opportunity.
5. The cancellation of the certification will cause to cease all the benefits provided under these guidelines. The promoter may approach the Local Self Government Institution (LSGI) concerned to get all permits to continue operations.

Annexure I - Proforma of Declaration

(To be made in non-judicial stamp paper of Rs. 100/-)

DECLARATION

To:

The Convener
Private Integrated IT & HiTECH Park Certification Committee,
Department of Information Technology
Government of Kerala
Secretariat, Thiruvananthapuram
Kerala

Sub: Certification for Private Integrated IT & HiTech Park

I/We(Name) (Designation) of(Name of company/firm)having its Registered Office at (Address of Company) and being authorized to provide the declaration on behalf of (Name of Company/Firm), do hereby declare in sound health of body and mind.

1. That I/We hereby apply for the PRIVATE INTEGRATED IT & HITECH PARK CERTIFICATION.
2. That I/we had submitted all the necessary documentary proof and other information as required under annexure II.
3. That I/we hereby undertake that the construction activities in the project will start within six months from the date of receiving all the statutory approvals and complete the 1st phase of construction and will be made operational within 3 years of certification with a minimum of 3 lakh sqft of processing area.
4. That I/we undertake that the space proposed for parking will not be converted for any other purpose.
5. That I/we undertake that a minimum of 50% of the total built up area at any time in the intergrated IT & HiTech Park shall be Processing Area (used for IT/ITES/Knowledge Work or HiTech Research & Manufacturing and related support services) This Processing Area shall not be converted to any other commercial uses.
6. I/We hereby certify that all the information furnished by us in the application form and the supporting documents are true and correct to the best of our knowledge & belief.

Place:
Date:

Signature and seal

Name & designation of the
Authorised Signatory

Annexure II: Contents of application for certification as a Private Integrated IT & Hitech Park

1. In addition to the affidavit in Annexure II, the applicant shall submit the following/information as annexures to the application
 - a) Self Certified copy of the Certificate of Incorporation under the Company's Act of 1956, Memorandum of Association, Articles of Association of the company.
 - b) Lease Agreement/Sale Deed copy of the land for the proposed Private IT Park.
 - c) Details of land (Survey Nos, Plot Nos, Village, Town, City etc), building(s), possession certificate and no-encumbrance certificate for 13 years.
 - d) Project Master Plan of the proposed Park including Sewage collection and treatment, liquid and solid waste disposal, parking, etc
 - e) A detailed Project Report which shall include:-
 - Background of company, Promoters, and Profiles of key personnel in the organization
 - Strengths and achievements of the company like potential achievements plan to attract IT, ITES, Hi-tech Research and Manufacturing companies in the developed area.
 - Marketing tie-up, if any (eg: with international property consultants)
 - Phase-wise construction plan: The proposed time for starting of construction and completion with respect to the proposed built up space. The start time has to be within six months of receiving all the statutory approvals. The 1st phase completion/Park-to-be-operational within 3 years of commencement. A detailed plan of rest of the phases must be included along with master plan.
 - Energy conservation schemes adopted in the proposal
 - Means of meeting the power and water requirement
 - Brochures of the company or Annual Report for the previous year
 - f) The committee may require any other information from the applicant for consideration of the application.
2. The entire application needs to be submitted in 9 copies (one for each certification committee member)
3. Applications to certify to a Private IT Park needs to be submitted to the following address

The Convener
Private Integrated IT & Park Certification Committee.
Department of Information Technology - IT
Government of Kerala
Secretariat, Thiruvananthapuram
Kerala.

Annexure III

Certification for Private Integrated IT & HiTech Park

The certification committee constituted under clause _ of the guidelines & procedure issued GO _ dated - after careful consideration of the application made by ----- address -----
----- for a Private Integrated IT & HiTech Park at
Village/Municipality /Corporation, _____ district,
hereby certify the said Park to be a Private Integrated IT & HiTech Park. The details of land constituting the Park are given below.

Date:

sd/

Convener of Certification Committee

Private Integrated IT & HiTech Park

Land Details

District: _____, Panchayath/ Municipality/

Corporation : _____

No#	Village	Survey Numbers	Area
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1

2

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Total Area: