

**CIDCO Special Planning Authority for
NAINA TOWN PLANNING SCHEME NO. 4**

Part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad
of Taluka - Panvel, District - Raigad

**Preliminary Scheme
REPORT**

Drawn up on 30.11.2023 under Section 72(7)
Of Maharashtra Regional and Town Planning Act, 1966

S.D. Landge
Arbitrator



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NAINA TOWN PLANNING SCHEME No. 4

Part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad
of Taluka - Panvel, District - Raigad

PRELIMINARY SCHEME REPORT

1. Preamble

The Government of Maharashtra, in exercise of powers conferred under clause (b) of sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”), declared City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as “CIDCO”) as Special Planning Authority (hereinafter referred to as “the SPA”) vide its Notification, No. TPS -1712/475/CR-98/12/UD-12, dated 10th January, 2013 for an area notified as Navi Mumbai Airport Influence Notified Area (hereinafter referred to as “NAINA”). The Sub-section (2) of Section 21 of the said Act makes it obligatory on the part of any Planning Authority to prepare and publish a Development Plan for the entire area under its jurisdiction and to submit it to the State Government for sanction within a period of three years from its constitution.

The SPA (CIDCO), while preparing a Development Plan for the area under its revised jurisdiction, prepared an Interim Development Plan under section 32 of the said Act for the 23 villages from Panvel Taluka of the Raigad District which are under immediate pressure of development. The Government of Maharashtra, vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27.04.2017 has sanctioned the Interim Development Plan (hereinafter referred to as ‘IDP/DP’) along with Development Control and Promotion Regulations for the 23 villages of NAINA under Section 31(1) of the said Act which has now come into force with effect from 04.05.2017. The excluded part (EP) of Interim Development Plan is sanctioned vide Notification No. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 01.03.2019.

The Development Plan (DP) for 151 villages of NAINA is sanctioned by the Government of Maharashtra vide Notification No. TPS-1717/ MIS-2750/ C.R.91/ 2019/ UD-12, dated 16.09.2019 and also vide Gazette Notification dated 24.06.2022 and 26.07.2023 has partly sanctioned the Excluded Parts of the DP under Section 31(1) of the said Act. Now interim development plan (IDP/DP) of 23 villages and Development plan of 151 villages of NAINA are sanctioned by the Government. Therefore, both the Development plans hereinafter referred to as Development Plan (IDP/DP) of NAINA.

In the said sanctioned DCPR of NAINA, a new concept of voluntary and participatory land pooling and development by the land owners viz. NAINA Scheme has been approved under Regulations No.13. These regulations for NAINA scheme are dealing with voluntary land pooling and development of areas from IDP/DP lying within residential zones, within and outside 200 m from the village gaothans.

However, after various discussions, the Urban Development Department (hereinafter referred to as 'UDD') directed CIDCO that, CIDCO should undertake Town Planning Schemes for the implementation of the IDP/DP as provided under the chapter V of the said Act. Further, the Government of Maharashtra, in exercise of the powers conferred by sub-section (1) of section 151 of the said Act, vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13.09.2017 has delegated the powers exercisable by it under section 68(2) of the said Act to the Managing Director, CIDCO for sanctioning the draft Town Planning Schemes.

The SPA, CIDCO NAINA has accordingly decided to undertake series of town planning schemes under the said Act covering as far as possible the entire IDP/DP area leaving the densely developed areas and village gaothans for the effective implementation of the sanctioned Development Plan of NAINA. Till date CIDCO has declared 12 town planning schemes, its status as on 25.10.2023 is as follows (Table 1):

Table 1 Details of various stages of NAINA Town Planning Schemes

TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
TPS - 1	08.09.2017	19.12	Akurli, Belavali and Chikhale	Preliminary scheme and Final Scheme sanctioned.
TPS - 2	08.12.2017	194	Chipale, Devad, Bhokarpada, Vihighar, Sangade and Belavali	Preliminary scheme sanctioned on 03.11.2021.

TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
TPS - 3	10.05.2018	440	Nere, Vihighar, Moho, Koproli and Chipale	Preliminary scheme sanctioned on 29.11.2022
TPS - 4	21.06.2019	350	Adai, Akurli, Nevali, Shilottar Raichur and Pali devad	Draft Scheme sanctioned on 21.10.2022. Arbitrator appointed by State Govt. by gazette No. TPS-1222/2152/C.R.148/22/UD-12 dated 02.12.2022 and Arbitration Process started on 05.04.2023
TPS - 5	28.06.2019	242	Shivkar, Bhokarpada (Chipale), Devad, Vichumbe, Bonshet, Vihighar and Moho	
TPS - 6	08.08.2019	243	Chikhale, Moho, Pali Khurd and Shivkar	
TPS - 7	18.09.2019	215	Devad, Vichumbe, Usarli Khurd, Shivkar and Kolkhe	
TPS - 8	20.12.2022	584	Palikhurd, Chikhale, Belavali, Ambivali, Wangani tarf Waje, Loniwali and Moho	Submitted to DTP for consultation u/s 61(1) on 29.05.2023
TPS - 9	20.12.2022	412	Belavali, Sangade, Chikhale, Kon, Bhingar, Bherle, Loniwali, Wardoli and Borle	Publication u/s 61(1) completed on 05.09.2023
TPS - 10	29.10.2022	405	Shivkar, Chikhale, Kolkhe, Kolkhepeth, Kon, Palaspe and Deravali	Publication u/s 61(1) completed on 05.09.2023
TPS - 11	14.10.2022	590	Deravali, Kudave, Palaspe, Nandgaon, Turmale, Vadavali and Shirdhon	Publication u/s 61(1) completed on 11.10.2023
TPS-12	14.10.2022	504	Kondale, Mahalungi, Chinchavali tarf Waje, Morbe, Ritghar, Umroli, Usarli Budruk and Vakadi	Publication u/s 61(1) completed on 11.10.2023

2. Need of Town Planning Scheme No.4

Post approval of IDP/DP, CIDCO was under pressure from public to provide infrastructural facilities at par with other developed nodes by CIDCO within Navi Mumbai jurisdiction. The closest area of village Adai, Akurli, Shilottar Raichur and Pali devad near Panvel node, Navi Mumbai has high pressure of development. Therefore, the boundary for TPS-4 is identified in the proximity of already published boundary of Town Planning Scheme no.1 and 2, and is having access by existing Panvel-Matheran Road. Village Adai has access via a fly over above Mumbai-Pune expressway connecting the New Panvel node.

NAINA area will get connected with Navi Mumbai by means of proposed road linkages in the scheme. The physical infrastructure and road connectivity of Navi Mumbai can be extended as a comprehensive system. The core gaothans, padas, already developed pockets at edge and hills slope area are excluded from the scheme area.

With this background, CIDCO has declared intention to prepare TPS-04 for the purpose of implementing the proposals in the sanctioned IDP/DP of NAINA and to introduce proper road network with social as well as service infrastructure.

3. Concept adopted by SPA, CIDCO NAINA for Layout of the Scheme

The Town Planning Scheme is to be prepared and implemented as per the provisions of the said Acts read with the Maharashtra Town Planning Schemes Rules, 1974. The layout of the draft scheme is prepared on the following principles by the SPA, CIDCO NAINA.

- All land owners will contribute in general, equal percentage of land for the Scheme and DP proposals.
- Forest lands, water bodies, existing structures of valid permissions are to be maintained.
- Land owners will get at least 40% of original land holding in the form of well laid final plot.
- As far as possible final plots will be allotted anchored to their original locations.
- While developing the lands, the developers will not be required to provide 10% recreational open spaces and 5% amenity spaces under the NAINA DCR which will be provided in the scheme layout at SPA level.
- As far as possible existing structures will be protected and final plots will be allotted so that their structures fall within them.
- Lands affected by gas pipe line or situated within blue flood line of river Kalundre will be allotted unencumbered final plots, as far as possible, to their nearby original locations.
- As far as possible, scattered holdings in the same ownerships will be amalgamated to have single bigger holding for better planning

- Ownerships, tenures and areas will be ascertained from the latest 7/12 extracts
- As far as possible no land-owner will be dispossessed.
- EWS and LIG Housing sites will be provided below 10 % of the scheme area as most of the residents of the scheme area and the developers will construct the tenements to suit the LIG persons considering the present demand in the area.
- Special Scheme Regulations will be framed in addition to the IDP/DP, DCPR of NAINA to enable the land owners to develop their Final Plots with ease.
- As far as possible the land owners will be encouraged to accept the compensation in the form of FSI instead monetary compensation.

4. The Draft Scheme by SPA, CIDCO NAINA

4.1 Declaration of Draft Scheme by SPA, NAINA

The SPA, NAINA (CIDCO) has prepared the draft Town Planning Scheme by following all the formalities and procedure and observing the legal provisions under Maharashtra Regional and Town Planning Act, 1966 as tabulated hereinafter. A notice of declaration of intention and plan showing boundary of TPS is attached as Annexure 1 and Annexure 2

Table 2 Declaration of Intention as per MR&TP Act 1966

Sr. No.	Details	Section	Date
1.	CIDCO's BR No. 12189 to declare intention to prepare scheme	60(1)	07.06.2019
2.	Extraordinary official Maharashtra Government Gazette (part-II)-for declaration of intention	60(2)	21.06.2019
3.	Public notice in two local Newspaper: The Asian Age (English) Vartahar (Marathi)	60(2)	25.06.2019

The notice along with the plan showing the area included in the Scheme was displayed and affixed on notice board in the NAINA office for the inspection of the public and of the land owners as provided under Section 60(3). The said notice and the plan were also uploaded to the official website of the CIDCO. A copy of Gazette Notice together with a copy of the plan showing the area included in the Scheme no. 4 have been submitted to the Government in Urban Development Department (UD-12) and to the Director of Town Planning, Maharashtra State, Pune on

03/07/2019 within the prescribed period of 30 days as provided under sub-section (2) of Section 60 of the said Act.

4.2 Collection of TILR (Measurement Plan) AND Certified 7/12 Extracts:

The office of Deputy TILR Panvel and Tahsil office, Panvel were requested to furnish measurement and certified 7/12 extract of all landholders in the TPS-4. On the basis of certified 7/12 received from Tahsil office, Panvel, the list of all landholders included in the scheme has been prepared. However, in absence of TILR (measurement plan), maximum possible details of sub-division of survey numbers have been collected and the scheme layout is prepared on the base data of IDP/DP and physical survey of scheme provided by the appointed agency Shidore & Associates.

The area mentioned in the 7/12 extract is considered for preparation of the scheme layout. The irrevocable consents of land owners for aggregating land parcels are accepted from the willing parties. The Base Map of this Scheme is prepared allotting every ownership-wise holding, specific Original Plot Number (OP No.) and has been shown in Green colour on the Base Map. All the available revenue details such as Village Gaothans, Village Boundaries, Gut/Survey/Hissa Numbers, existing structures, river flood lines, gas lines, sanctioned layouts etc. have been clearly marked on the Base Map. The details of the 7/12 extracts & 8A extracts, details of Government lands and other public lands to the extent possible have been compiled by the SPA, NAINA.

As the TILR maps are not available, calculation based on 7/12 extract and drawing area is performed. The comparative statement of village-wise areas are shown in following table.

Table 3 Village wise Area included in the Scheme

Village Name	Area in TPS 4 as per 7/12 (in Ha)	Area in TPS 4 as per Drawing (in Ha)	Difference in area
Adai (pt)	148.60	155.93	7.33
Akurli (pt)	89.84	94.48	4.64
Nevali (pt)	53.24	56.22	2.97
Shilottar Raichur (pt)	34.38	38.47	4.09
Palidevad (pt)	4.91	5.27	0.36
Total	330.97	350.36	19.39
*Note: The drawing area are calculated from Arc GIS			

Positive value in above table shows more area is available on drawing than in 7/12 area of each village. This drawing area includes unknown polygons, road polygons and revenue ponds as per village map whose 7/12 is not available. As per the past experience of TPS 1, 2 and 3, it was observed that, there is a possibility of 5 to 10 % variation/ deviation in the boundary of survey no. as per certified land measurement plan. Therefore, there may be variation in the areas of the survey numbers which are partly included in the TPS-4.

4.3 The Details of Sanctioned IDP/DP Reservations in the Scheme

Total scheme area is 350.36 Ha. Within the scheme about 6.5 Ha of lands are non-developable such as pond, nala, Expressway. The 23% area of the scheme contains the sanctioned IDP/DP reservations. These reservations include IDP/DP roads, Schools, School Playgrounds, Parks, College, Primary health center, Community Center, Daily Bazars, Police Station, Sewage Treatment Plant, Electric Sub Station and Growth Centre. The total area under such reservations is 81.95 Ha as per sanctioned IDP/DP. Efforts have been made to maintain location of reservations, however as promised during various meeting with land owners, no land owner is proposed to be dispossessed.

In consideration of buffer of power transmission lines, blue line of river etc, the size and shape and location of the reservation have been reconstituted. However, the areas of IDP/DP reservations are not reduced. The entry and exit of roads has been maintained for contiguity with adjoining area of the IDP/DP. Since TPS- 4 is part of sanction development plan, a separate proposal requesting Director, Town Planning, Govt. of Maharashtra for approval of modification in reservation with justification was submitted as per provision of section 59(2) of MR&TP Act, 1966. Further Director Town Planning vide जा.क्र.नैना नरयो क्र.4 / प्र.क्र.71 / 20 / टिपीव्ही-3 / 1351 dated 05.03.2021 approved the proposal.

In TPS, for the betterment of the scheme, few road widths are increased and there is minor change in area of reservations. Therefore, after draft sanction of TPS, the total area of IDP/DP reservations increased to 28% i.e. 97.83 Ha. The detail of sanctioned DP reservation modification approved are tabled below:

Table 4 The Details of sanctioned IDP/DP Reservations included in the TPS-4

Sr. No.	Reservation Type	Reservation No.	Area as per sanctioned DP plan (Sq. m.)	Area as per Sanctioned Draft TPS 4 (Sq. m.)
1	Proposed Roads		356712	466042
2	City Park (CP) - Part	13 _ P	3844	3844
3	Park (P)	222 _ P	700	800
		223 _ P	272	450
4	Parks & Playgrounds (DP Reservations)	387 _ PG	9700	9700
		390 _ PG	6400	6400
5	School Playground (PG)	12 _ PG	21400	23348
		14 _ PG	14700	14940
		16 _ PG	5600	8336
		17 _ PG	7000	10885
		15 _ PG	6400	6400
		201A _ PG	20100	20100
		3A _ PG	38500	38520
6	City Park (CP) - Part	3 _ CP	30879	30879
7	School(S)	23 _ S	6400	6400
		389 _ S	4000	4688
		24 _ S	4000	4000
		25 _ S	4000	4000
		26 _ S	4600	4634
8	College (C)	1 _ C	12400	13966
9	Primary Health Centre (PHC)	19 _ PHC	1700	1700
		20 _ PHC	1600	1600
		21 _ PHC	1500	1500
		18 _ PHC	1600	1600
10	Daily Bazaar	6 _ DB	1100	1100
		5 _ DB	1200	1200
		4 _ DB	1000	1000
		385 _ DB	1000	1000
11	Police Station (PS)	22 _ PS	9900	10000
12	Public Utility (PU)	200 _ PU	4200	4236
13	Community Centre (CC)	2 _ CC	2800	3078
14	33KV Electric Substation (ESS)	10 _ ESS	2100	2100
		8 _ ESS	3000	3000
		9 _ ESS	2000	2000
15	Sewage Treatment Plant (STP)	62 _ STP-2	19600	43037
		27 _ STP-3	14200	14200
16	Elevated Service Reservoir/ Ground Service Reservoir (ESR/GSR)	7 _ ESR/GSR	3400	3400
17	Growth Centre	201 _ GC	190000	190000

4.4 Location of TPS 4

The identified Town Planning Scheme No.4 boundary includes lands admeasuring about 350 Ha from part of villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka - Panvel, District Raigad and is abutting on Panvel Matheran Road. The Scheme area possesses an existing access mainly from the Panvel-Matheran Road which is classified road as State Highway no. 54. This is the only road taking the vehicular traffic and passes through the Scheme area from villages of Palidevad, Shilottar Raichur and Akurli. Village Adai has access from internal fly over road over Mumbai Pune Expressway from panvel node of Navi Mumai and Nevali village has internal village road access.

1. The Scheme is bounded by:

- On North by boundary of villages Tembhode and Asudgaon of Navi Mumbai Project,
- On East by hills of Adai and Akurli.
- On South- East by Northern edge of Kalundre River and on South-West by already developed portion of Pali Devad village.
- On West by New Panvel Node of Navi Mumbai.

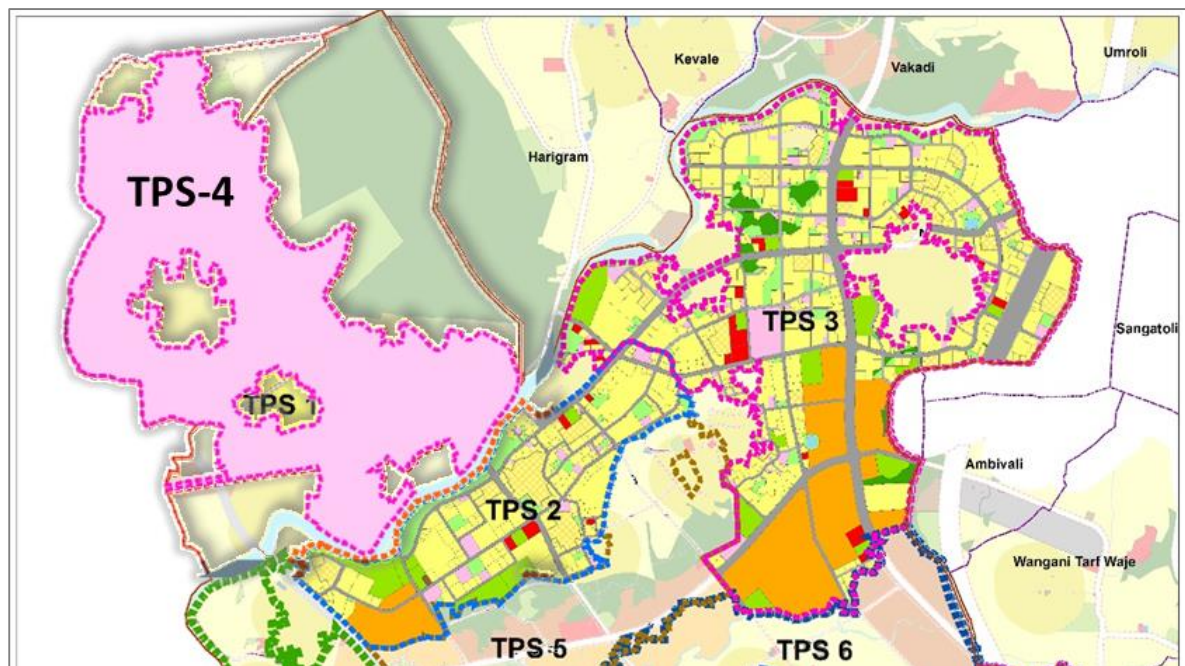


Figure 1 Location of TPS-4 in NAINA

2. The area under hill slope (though contain major part of reservation of city park) were excluded from the scheme.

3. Power Transmission lines of 220 KV and 110 KV are traversing throughout North-South of the scheme, for which buffer of 35 M and 22 M respectively is required to be kept as no-construction zone.

4.5 Existing Features of TPS

4.5.1. High Flood line/ Buffer line of Kalundre River:

Kalundre River is located on the South-East boundary of Town Planning Scheme-4. The stretch of river in the scheme area is about 1.8 km. The drawing of blue line & red line is given by E.E. Irrigation Dept, Kolad, Raigad vide letter dated 20.05.2019 is superimposed on IDP/DP. These superimposed maps are considered for preparation of layout plan for TPS-4.

The existing permission granted by District Collector, Raigad have been honored and final plots are given for lands with existing structure. These permissions are falling in blue line/ prohibited area as per the irrigation dept. There are five such cases where the entire holding has been shown as the original plot. Final plot allotted to these land holders coincides with the original plot boundary. An effort has been made to relocate all other land holdings outside blue line.

Table 5 Final Plot under Blue Line of river Kalundre

Sr No.	Village	Survey No.	Hisaa No.	OP No	Area (Sq.m.)	Final Plot No.	Area Amalgamated (Sq.m.)
1	Shilottar Raichur	45 (P)	45/1/11	96	3000	60	3000
2	Shilottar Raichur	45 (P)	45/1/4	90	6970	61	2788
4	Shilottar Raichur	6	6/0	45	5260	98	5260
3	Shilottar Raichur	12	12/A/8	53A	1062	120	1437
	Shilottar Raichur	12	12/A/10	53C	2530		
5	Akurli	62	62/0	214	5460	196	22540
		63	63/0	215	3500		
		64	64/0	216	13580		

4.5.2. Power transmission lines and Gas Pipelines:

The alignment of the two Power transmission lines 220 KV and 110 KV each is passing across the entire Scheme area from north to south. The length of this line is about 3.14 km. A buffer of 17.0 meter on each side from 220 KV line and 11.0 meter on each side from 110 KV line is to be maintained as no construction

zone, which is mostly utilized towards layout open spaces and roads to some extent. Total area under power transmission line buffer is approx. 18.71 ha.

Reliance and HP gas pipelines are passing through the scheme. Required buffer for HP gas line is 5.00 m on each side and for Reliance gas pipeline its 3.00 m on each side. The buffer around these pipelines is kept as layout open spaces.

In the scheme layout, the land parcels affected by buffer of power transmission corridors and Gas Pipe Lines are given the final plot outside the buffer and the encumbered area is considered in the layout planning as open land for public use (without any construction) such as off street parking area, solar panel park, green corridor etc. which will vest in SPA CIDCO NAINA.

4.5.3. M/s Powergrid Corporation of India Limited (PCIL) cable Trench:

An existing cable trench of 4.5 m of M/s Powergrid Corporation of India Limited (PCIL) is passing from west to east on southern side of Nevali village. As per data received from Power Grid Corp., for some of such lands Compensation is already paid to the land owners through sale deed or right to use, however the same is not reflected on all 7/12 extract other right entry. Hence while calculating entitlement of such land the area mentioned in the sale deed is deducted from original plot area. Details of compensation paid to land owners by M/s Power Grid Corp. Ltd. is kept as Annexure 7

4.5.4. Forest Lands

In the scheme the forest land is existing at only one location. As per the available base map a small part of forest land of area 450 sq.m approx. fall in 45.0 m wide road which may vary after receipt of measurement map from TILR and if required necessary clearance shall be obtained from competent authority before execution of road.

4.5.5. Mumbai Pune Expressway:

Mumbai Pune expressway passes through Adai village on western side of TPS-4. As per 154 directives of the act dated 05/08/2019 (Ribbon Development rule), the distance of building line and control line from expressway has to be maintained at 60.0 m from center of the road or 15.0 m from edge of the road, whichever is greater. Therefore, no final plots are given within 15.0 m from edge of the expressway.

4.5.6. Existing structures with and without valid Development Permission by Competent Authority:

Within the scheme area, there are approximately 400 odd structures as per physical survey map and Google imagery. Out of this, majority of structures are sheds/ temporary construction for the purpose of farming. As far as possible care is taken to provide the final plots around the structure to retain it. The unauthorized structures falling under IDP/DP/TPS reservations shall be demolished before giving possession of final plots to the land owners. The land owners shall hand over unencumbered land in lieu of unencumbered developed Final Plot.

The unauthorized structures falling in alignment of roads shall be demolished while executing works of linear infrastructure. Unauthorized structures falling on Government land shall compulsorily be demolished as these may be encroachments on Government lands.

In case where Building Permission is issued by competent authority, the same is honored and final plot is carved out by maintaining the structure. Meanwhile the Commencement Certificate (CC) granted project proponent submitted WGS Coordinates of the constructed buildings from the empanelled surveyor through the Building permission section of NAINA, CIDCO. As per the submission, plot boundaries are slightly modified by keeping the CC granted area and structures intact. The Status of development permissions and layout approved by various competent authorities are as follows:

Table 6 Development Permission by CIDCO

Sr No.	Village	Hisaa No.	OP No	Area (Sq.m.)	Final Plot No.	Area Amalgamated (Sq.m.)
1	Palidevad	28/3	30	2467.73	6	1334.16
2	Akurli	16/0	150	3837.76	253	3397.17
3	Akurli	9/A	142	2100	254	3060
	Akurli	10/0	144	960		
4	Akurli	22/0	156	2618.92	272	2619
5	Akurli	18/0	152	2387.48	275	2387.34
6	Akurli	21/0	155	2735	277	2716.00
7	Akurli	109/2	311	1920	297	20540
	Akurli	110/1/A	312	2400		
	Akurli	110/1/B	313	3200		
	Akurli	111/1/A	316	300		
	Akurli	112/0	319	3890		
	Akurli	113/0	320	8830		
8	Akurli	131/0	344	1950	333	1908.5673
9	Adai	116/8	1016	1200	496	1056.73

Sr No.	Village	Hisaa No.	OP No	Area (Sq.m.)	Final Plot No.	Area Amalgamated (Sq.m.)
10	Adai	116/6	1012	1470	497	1279.69
11	Adai	123/2/3/A	1098	820	565	8459.61
	Adai	123/2/3/B	1099	180		
	Adai	135/2	1142	3520		
	Adai	137/4	1155	2680		
	Adai	138/3	1160	3670		
12	Nevali	4/B	1174	8410	930, 932, 935	10785.64
13	Nevali	9/B	1209	3630		
14	Akurli	173/2	398	36190	50 & 51	31800.1
	Shilottar Raichur	45/2/1	105			
	Shilottar Raichur	45/2/6	109			
	Akurli	173/1	397			
	Shilottar Raichur	45/2/2	106A			
	Shilottar Raichur	45/2/3	106B			
	Shilottar Raichur	45/2/5	108			
	Shilottar Raichur	45/2/7	110			
	Shilottar Raichur	45/2/10	113			
	Shilottar Raichur	45/2/8	111			
	Shilottar Raichur	45/2/9	112			
	Shilottar Raichur	45/2/4	107			
	Shilottar Raichur	45/2/11	114			

Table 7 Layout Approved by Collector/ADTP

Sr. No.	Village	Hisaa No.	OP No	Area (Sq.m.)	Final Plot No.	Area (Sq.m.)
1	Palidevad	27/PLOT NO/2	10	337	10	337
		27/PLOT NO/3	11	345	11	345
		27/PLOT NO/4	12	270	12	540
		27/PLOT NO/5	13	270		
		27/PLOT NO/6	14	271	13	271
		27/PLOT NO/7	15	270	14	270.01
		27/PLOT NO/8	16	384	15	783
		27/PLOT NO/9	17	399		
		27/PLOT NO/10	18	324	16	324
		27/PLOT NO/11	19	338	17	338
		27/PLOT NO/12	20	294	21	294
		27/PLOT NO/13	21	254	22	254.04
		27/PLOT NO/14	22	204	23	204.06
		27/PLOT NO/15	23	183	24	183.06
		27/PLOT NO/17	25	57	26	57
		27/PLOT NO/16	24	522	29	522
		27/PLOT NO/1	9	2495	30	2495
2	Akurli	102/2/105/24	287	500	136	500
		102/2/105/23	286	256	137	256.19
		102/2/105/22	285	256	138	256.19
		102/2/105/13	277	255	139	255
		102/2/105/12	276	330	140	330
		102/2/105/15	279	252	141	252

Sr. No.	Village	Hisaa No.	OP No	Area (Sq.m.)	Final Plot No.	Area (Sq.m.)
		102/2/105/16/ 17	280	512	143	512
		102/2/105/19	282	256	144	256
		102/2/105/20	283	256	145	256
		102/2/105/21	284	256	147	256
		102/2/105/18	281	256	148	256
		102/2/105/27	290	318	149	318
		102/2/105/14	278	260	150	260
		102/2/105/10/11	275	600	151	600
		102/2/105/9	274	252	152	252.06
		102/2/105/8	273	252	153	252
		102/2/105/7	272	500	154	500
		102/2/105/6	271	252	155	252
		102/2/105/5	270	253	156	253
		102/2/105/3/4	269	510	157	510
		102/2/105/2	268	255	158	255
		102/2/105/1	267	255	159	255
		102/2/105/ 30/A	296	500	160	1250
		102/2/105/ 30/B	297	500		
		102/2/105/ 30/C	298	250		
		102/2/105/29/1	292	250	162	1000
		102/2/105/29/2	293	250		
		102/2/105/29/3	294	250		
		102/2/105/29/4	295	250		
		102/2/105/28	291	1500	163	1500
		102/2/105/25	288	270	165	270
		102/2/105/26	289	255	166	255

1.	Shilottar Raichur	6/0	45	5260	98	5260
2.	Shilottar Raichur	21/0	59	1470	117A	8150
	Shilottar Raichur	22/0	60	6680		
3.	Akurli	78/2/A	236	2850	176	2316
4.	Akurli	62/0	214	5460	196	22540
		63/0	215	3500		
		64/0	216	13580		
5.	Akurli	17/0	151	2070	260	2317
6.	Akurli	146/1/A	365	3520	274	3756.8
	Akurli	146/1/B	366	300		
	Akurli	147/2	368	2000		
7.	Adai	29/1	603	1500	724	1449.1

The survey no. with NA status on 7/12 extract and having structures are given FP area more than 40% around their structure maintaining the marginal distance. Other survey no. having NA status but without structures are given FP area equal to 40% of their original plot. The survey numbers with NA permission having structure are as follows:

Table 8 Non-agricultural Permissions with structures

Sr No.	Village	Survey No.	Hisaa No.	OP No	Area (Sq.m .)	Final Plot No.	Area Amalgamated (Sq.m.)
1.	Palidevad	31	31/2	33	1500	1	1500
2.	Palidevad	31	31/1	32	2500	2	2500
3.	Shilottar Raichur	45 (P)	45/1/8	93	2430	49	1830
4.	Adai	123	123/7/B	1103	3000	548	2928
5.	Adai	32	32/3	613	2290	710	2291
6.	Adai	32	32/7	618	2400	711	2395

4.5.7. Preservation of the old religious structure and ponds -

Within the scheme area, a very old Devi temple is existing in Akurli Village. The temple is retained as amenity plot. There are two existing ponds near Adai and Nevali Village. In the layout an open space is created around the ponds according to DCR. The existing church, temples and crematorium as per 7/12 is retained as amenity plot.

4.5.8. Existing Panvel Matheran Road

State Highway no-54, locally known as Panvel Matheran Road is the major access road to TPS 4 area. At present the entire Panvel Matheran Road is with the Public Works Department. The present width of this road is 9.00 to 12.00 m. The Right of Way is 30.0 m. However, in IDP/DP the same is shown as a 27.0 m IDP/DP road hence while preparing the layout this road is proposed as a 30.0m and 45.0 m wide road.

The land under the width of 30m has been partially acquired by PWD in the past; 40 to 50 years ago. As per the available base map / revenue village map, the portion of road in Shilottar Raichur and Akurli village is acquired. Since the Land is already acquired and people have been compensated for their land, area of 7/12 is recorded as Original Plot (OP) area. Land under survey number 21 & 45 of village Pali Devad and Shilottar Raichur have been acquired by PWD. Therefore, there are no final plots allotted to any land owner against Original Plot No. 1, 2, 3, 4A, 4B, 5A, 5B, 6A, 6B, 31, 34, 47, 48, 169.

4.6 Engineering and Transportation Aspect:

4.6.1. Sewage Treatment Plant and Storm Water Drainage:

The existing water supply network of Navi Mumbai will be required to be extended to the scheme along with the widening of the Panvel - Matheran road. There are two Sewerage Treatment Plants (STP) reserved in the sanctioned IDP/DP of NAINA across the Kalundri River at Akurli Village. Provision for underground sewage connection to every plot shall be made, which will finally get connected to STP once it gets operational. Packaged treatment plants within the scheme area will be required to be developed in the meanwhile.

An out-and-out storm water channel of about 10-15-meter width is proposed in TPS-4 through land available between two power corridors to cater run-off from Adai / Akurli hills. The tentative alignment of storm water channel is shown as following, Figure 2:

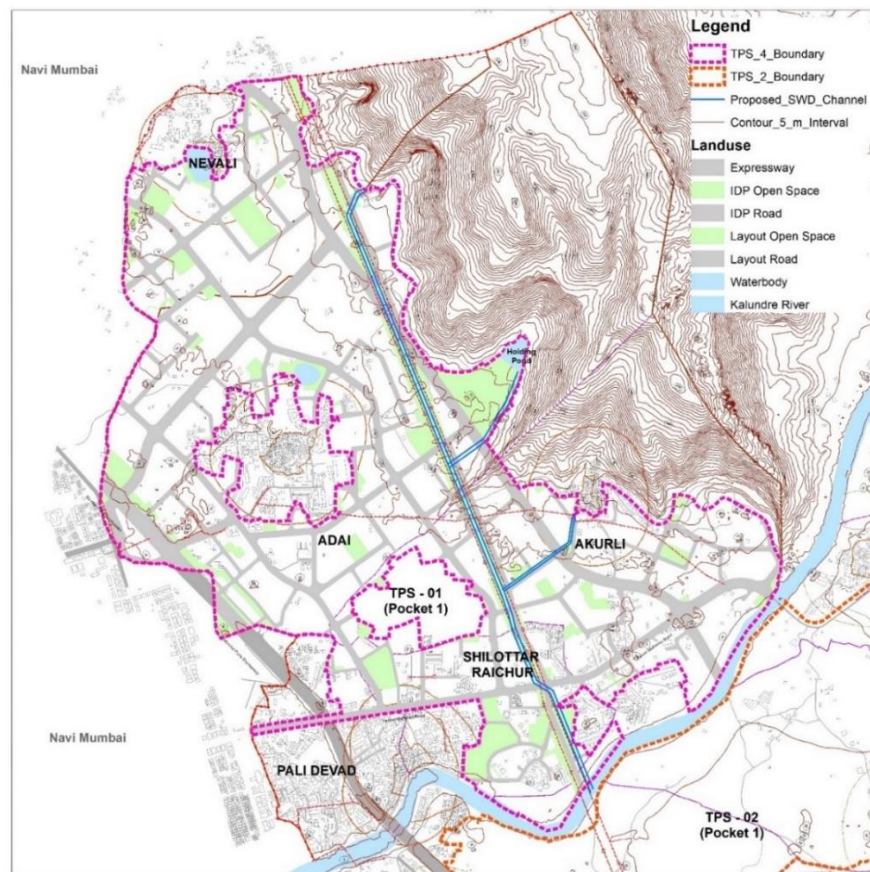


Figure 2 Proposed Storm Water Channel

4.6.2. Transportation Aspect:

The road network in Draft TPS- 4 was prepared in consultation with CIDCO's Transport & Communication Dept. Necessary Modifications at major road junctions

and other geometrics of the roads are planned after due suggestions from the T&C Dept. The proposed road sections have provisions for future service lines such as Cooking gas lines, fiber optics, and electric cables. The footpath will have tree guards. The main roads will have Bus bays and bus shelters. The proposed underpass and flyover to the expressway in TPS 4 and the proposed connection to Kalamboli junction through the flyover above the Panvel-Diva railway line / DFC (Dedicated Freight Corridor), in Navi Mumbai project are proposed in consultation with the transportation department.

4.6.3. Proposed 400 kv and 220 kv transmission line by M/s Mumbai Urja Marg Ltd.

M/s Mumbai Urja Marg Ltd (Sterlite power Ltd) has proposed two transmission lines which pass through TPS 4 layout.

a) 400kv Padgha-Kharghar LILO line (line 1)

M/s Mumbai Urja Marg Ltd has informed that they have explored the technical possibilities to place 400kv Padgha-Kharghar LILO line as near as possible to the boundary of the existing substation at Panvel Navi Mumbai. Also it is proposed to erect the transmission tower near substation as “monopole” replacing existing “lattice tower” structure having a reduced footprint. Due to this proposed transmission line and its buffer area, around 6 final plots are affected which needs to be shifted. Hence these plots could not be anchored at their original locations and are shifted by relocating layout amenity and open spaces.

b) 220 kV Apta-Kalwa / Taloja LILO line (line 2)

220 kv monopole tower line is proposed through median of 27.0m and 20.0 m wide layout road as per published TPS 4 Layout. Remarks regarding this proposed alignment are received from the transportation dept. and electrical engineering dept. In order to incorporate monopole in median of 27.0 m wide layout road, Transportation dept. has modified cross section for 27.0 m by giving 5.0 m wide median for safety purpose. The same is shown on Plan 5 Infrastructure plan of Draft Scheme.

Further electrical department has given remarks that it is mandatory to follow vertical and horizontal clearance from existing & proposed structures along the corridor as per IE rules.

4.7 Lands falling within the Urban Village Zone

As per the sanctioned IDP/DP, the 200 m periphery around the village gaathan is considered as urban village zone having FSI of 1.00. The area outside such an urban village zone within the residential zone is permissible for base FSI of 0.20 plus the premium FSI of 0.30 as per the DCPR of NAINA. There are four locations in this Scheme which fall in the Urban Village Zone. The draft scheme has taken care of such comparatively more valued lands and they have been given appropriate weightage in their valuation for deciding the original plot value and accordingly deciding their compensation.

4.8 Meetings with Land-Owners as per Rule no. 4 by SPA, NAINA

After declaration of intention under section 60, the SPA, NAINA has prepared the tentative proposals of the draft scheme and has arranged meetings in the SPA, NAINA's office on 27th, 28th and 29th Feb. 2020. The tentative proposals of the TP Scheme along with its benefits have been explained to these land-owners. All the land owners who attended the meetings have been assured as below:

- Land owners will have to contribute 60 % land for the Scheme and will get 40% net serviced plots back to them protecting their structures.
- Entire infrastructure up to final plot level will be developed by the SPA, NAINA (CIDCO).
- Final plots will be allotted of regular shape, buildable, well accessible and as far as possible, anchoring at their original holdings.
- The final plots allotted to the land owners will be Unencumbered. The holdings affected by gas pipeline, falling under river blue flood line and under High Tension Power Corridor will be relocated elsewhere.
- The Final Plot owners will not be required to provide 10% recreational open spaces and 5% amenity spaces during the development.
- Scattered land parcels will, as far as possible, be amalgamated on their request for better FSI utilization with consent.
- Utilization of full land potential of the original plots in terms of FSI up to 2.5 on their final plots will be permitted.
- Some relaxations for consuming the permissible FSI will be allowed.

After the owner's meetings, around 169 applications were received by the SPA, NAINA from the land owners. The SPA considered 51 applications and the draft scheme was modified accordingly.

Table 9 Applications Received till 06.03.2020 of Owners Meet

Sr. No.	Details	Application Received	Applications Considered
1	General Demand	67	0
2	Plan related	63	43
3	Record Updation	8	8
4	Objection to Scheme	31	0
	Total Applications	169	51

4.9 Consultation with Director of Town Planning, Maharashtra

The Director of Town Planning, Maharashtra State, Pune has been consulted as provided under Section 61 (1) of the said Act and as per rule no 4 (2) of said Rules 1974 vide SPA's submission dated 20.03.2020. The Director of Town Planning, vide his letter जा.क्र.नैना नरयो क्र.4 / प्र.क्र.71 / 20 - टिपीव्ही-3 / 1351; dated 05.03.2021 had offered some remarks on the draft scheme proposals. The SPA, NAINA has then carried out necessary changes according to the suggestions communicated by the Director of Town Planning and the draft proposals have been finalized.

The draft Town Planning Scheme no. 4 so prepared has been then published under section 61(1) of the MR & TP Act, 1966 by the SPA, NAINA by publishing a notice, both in Marathi and in English to that effect. The draft scheme was published in the Maharashtra Government Gazette on 25.04.2022. Such notice in Marathi was published in the newspaper, in किल्ले रायगड on 28.04.2022. The SPA, NAINA had sought extension of 3 months under section 61(2) of the said Act.

Government in Urban Development Department vide their letter no. TPS-1221/2248/CR-109/21/UD-12 dated 21st October 2022. has permitted to delete the COVID pandemic period from 23.03.2020 to 31.03.2022 while computing the time limits prescribed in the act as per the provision made u/s 148(a) for ongoing town planning schemes. The draft scheme has been published within the prescribed time limit.

There are in all 724 FPs allotted to the land owners in the draft scheme. The classification is as under.

Table 10 Details of anchoring of Final Plot in the Scheme

Sr. No.	Description	Final Plots (Numbers)
1	Total original plots (7/12 extracts)	1591
2	Total final plots (7/12 extracts)	724
3	Total No. of residential Final plot (Excluding forest and Masanvata)	721 {724-3(Masanvata)}
	Total Anchored Plots	581 (80%)
	Total Relocated Plots	143 (20%)
4	Reasons for relocation	
	i. Due to Reservation	98
	ii. Due to HT line	9
	iii. Due to gas pipe line	3
	iv. Due to building line of Express way	7
	v. Due to Nearby Structures	8
	Survey No. Unavailable in Plan	18
	Total Relocated plots	143

4.10 Readjusting and Realignment the IDP/DP Reservations

While preparing the draft scheme, it has been considered necessary from the planning point of view to readjust the following IDP/DP reservations and roads. This has been done after obtaining the prior approval of the Director of Town Planning, Maharashtra State, Pune on 05.03.2021 under sub-section (2) of the Section 59 of the Maharashtra Regional and Town Planning Act, 1966. Further Director Town Planning vide जा. क्र.नैना नरयो क्र.4 / प्र.क्र.71 / 20 / टिपीव्ही-3 / 1351 dated 05.03.2021 approved the proposal.

- The alignment of road is slightly modified from transportation point of view without changing entry and exit locations. Also the 27m and 35m wide IDP/DP road is widened to 45 m, 20 m wide to 27 m wide and 15 m wide to 20 m wide.
- There are reservations for School, Police Station and Fire Station in the IDP/DP. These reservations have been adjusted in shapes to suit the scheme layout, maintaining their areas and locations as per the IDP/DP.
- Some reservations School, Playground and other use are given more area in preliminary scheme than the sanctioned development plan.

5. Sanctioning of the Draft Scheme under Section 68(2)

The draft Town Planning Scheme no. 4 so prepared and modified as described above after its publication under section 61 of the Act, the SPA, NAINA has submitted the draft scheme along with its accompaniments under section 68(1) the said Act to the Vice Chairman and the Managing Director, CIDCO for sanction;

who has been delegated the powers of sanctioning of the draft schemes as provided under section 68(2) of the Maharashtra Regional and Town Planning Act, 1966 by the State Government vide Urban Development department Notification no. TPS-1817/973/CR-103/17/UD-13 dated 13.09. 2017.

The Vice Chairman and the Managing Director, CIDCO has then forwarded the draft scheme for consultation to the Director of Town Planning, Maharashtra State, Pune as provided under section 68(2) vide his letter CIDCO / NAINA / TPS-4/Consult. 68(2)/2022/1663 dated 08.08.2022. After obtaining the remarks of the Director of Town Planning, the draft Scheme so submitted by the SPA, NAINA has been sanctioned by the Vice Chairman and the Managing Director, CIDCO vide his Notification CIDCO/NAINA/TPS-4/Draft Scheme/2022/563 dated 21.10.2022 as provided under section 68(2) & (3) of the said Act. The said notification was also published in the Maharashtra Government Gazette Extraordinary Part-2, Extraordinary No. 138 dated 04.11.2022 and in the local newspaper “Ram Prahar” on 10.11.2022.

6. Arbitration

6.1 Appointment of Arbitrator by the Govt.

The State Government has appointed Shri. Shirang D. Landge, Director of Town Planning (retired) from the Town Planning and Valuation Department, Government of Maharashtra as the Arbitrator under sub-section (1) of Section 72 of the Maharashtra Regional and Town Planning Act, 1966 for this draft scheme no. 4 vide Urban Development Department Notification No. TPS. 1222/2152/C.R.148/22/UD-12 dated 02.12.2022.

6.2 Arbitration Proceedings

The Arbitrator has then entered upon the duties w.e.f. 05-04-2023 by publishing a notice in the Maharashtra Government Gazette, Extraordinary, Part II, No. ARB/TPS-4/GEN/2023/07 dated 25.04.2023. (Annexure 9) The same notice in English has been published in daily Newspapers, the Newsband dated 13.04.2023 and Marathi newspaper Ramprahar dated 13.04.2023 for information of the land owners and public.

The Arbitrator has observed that the scheme layout has not been demarcated on ground and the final plots have not been measured by the Special

Planning Authority i.e NAINA, CIDCO. The demarcation and measurement work might have not been carried out due to non-cooperation from the land owners. The Arbitrator has requested the SPA, NAINA to demarcate the scheme and accordingly to measure the Final Plots on ground for confirmation of their areas.

However, the Arbitrator has started the arbitration proceedings as provided in the Act and Rules in view of the time limits prescribed to complete the proceedings. Then special notices in the prescribed Form No. 4 under Rule No. 13 (3) of the Maharashtra Town Planning Schemes Rules, 1974 have been served to each and every owner of the original plots included in this scheme from all the five villages during the period from 20.04.2023 to 09.06.2023 and on 08.08.2023. This special notice in form no. 4 is for communicating the land owners, all the details of their plots regarding ownerships, tenure, areas of their original plots and the similar details of allotted final plots in lieu of their original plots. Further, this special notice is also for informing them regarding the valuation of their original plots, semi-final and final valuation of their allotted final plots and the compensation, contribution and the net demand from them as estimated by the SPA, NAINA in the sanctioned draft scheme. The land owners have been asked to appear before the Arbitrator on the specified dates and time to submit their say on the proposals of the sanctioned draft scheme and to record minutes of the same.

The hearing process was carried out in two sessions. First during 02.05.2023 to 04.07.2023. And second hearing was given to persons in the other rights list on 23rd and 24th August 2023. The land owners from all these five villages had objected to hearing process on the issue that the SPA, NAINA has not prepared the draft scheme with allotment of final plots of at least 50 % of their original plot areas as earlier promised to them and they were never told before regarding the payment of contribution levied by it in the scheme. This issue was then taken to agitation by all the villagers. However, they have not opposed ultimately to the making of the scheme and shown their overall willingness subject to allot Final Plots at least of 50 % of OP areas and waiving of the contribution by the Arbitrator, which has been levied in the draft scheme by the SPA, NAINA, CIDCO.

It was found that some of the owners did not appear to give hearing for the reasons not known and some were said to have not received these special notices for want of proper addresses/phone numbers etc. Hence, the general public notice

was published in the local newspapers on 28.04.2023 in Ram Prahar & Danik Sagar, 13.05.2023 in Ram Prahar & Krushival and on 31.05.2023 in Newsband and Dainik Kille Raigad as well as it was published in the respective Gram Panchayat Offices on 15.05.2023 and 07.06.2023 and newspaper publication for hearing of persons mentioned in other rights is published in Dainik Kille Raigad on 09.08.2023 . The hearing of the land owners who appeared have been completed up to 24.08.2023. Some of the land owners were coming after this schedule, hearing was also given to them. All the hearing notices along with its schedule was also displayed at CIDCO office and CIDCO official website for awareness of public.

The Arbitrator has heard all the land owners who appeared before him in response to the notice in Form no. 4 mentioned above as provided in Rule no. 13 (4) of the said Rules and has given detailed information regarding reconstitution of their final plots, ownerships areas of their final plots, the valuation details and the contribution. The Arbitrator has further recorded their say and the minutes as provided in Rule no. 13 (5) of the said Rules

Government officials such as Collector, dist. Raigad for government lands in TPS, Executive Engineer, Irrigation Dept. for high flood lines, Power Grid Corporation of India Limited for power cable trench, Hindustan Petroleum Corporation Limited and Reliance Industrial Infrastructure Limited for gas pipelines passing through the TPS and Mumbai Urja Marg Limited for proposed high tension lines of 400kv and 220 KV were heard on 4th July 2023.

The Special Planning Authority, NAINA (CIDCO) has also been given hearing on 04.07.2023 before finalization of the layout of the scheme. The SPA, NAINA has shown its general acceptance to the scheme layout. After the hearing, CIDCO by its letter CIDCO/NAINA/PLNG/DP/TPS-4/2023/642 dated 08.08.2023 has requested to maintain few amenity and open spaces for school, playground and utilities, to provide catchment drain along the foothills of Adai and Akurli and also suggested modification in special DCR i.e. provision of TDR for utilization of maximum potential of land.

Subdivision of Scheme- The Arbitrator has then subdivided the sanctioned draft scheme into two parts as i) the Preliminary Scheme and ii) the Final Scheme; as provided in sub-section (3) of Section 72 of the said act on 20th October 2023 under his order bearing no. ARB/TPS-4/GEN/2023/815.

The Special Planning Authority, NAINA (CIDCO) has been given second hearing on 7th November 2023 after preparation of the layout of the preliminary scheme. The points raised by the Arbitrator vide his letter no. ARB/TPS-4/GEN/2023/820, dated 08.11.2023 were replied by the Special Planning Authority under its letter bearing no. CIDCO/NAINA/PLNG/DP/TPS-4/E-254668/2023/933 dated 10/11/2023. The SPA, NAINA has shown its general acceptance to the preliminary scheme layout.

6.3 Landowners' Hearing by Arbitrator

During the hearing of the land owners, some have requested to amalgamate their final plots, being held in the same ownerships or held in the family or held in single partnership firm or company. Some have asked for sub-divisions of their final plots, either family ownership-wise or individual ownership-wise. Some of the ownerships of original plots have been found changed afterwards by executing deeds of transactions and hence the successor owners requested to update their titles.

Further, during the hearing process, the land owners, almost from all the five villages, have mainly objected to the scheme on the ground that even though, they have been told by the SPA, NAINA that this is participatory scheme, they were not taken into confidence while preparing the draft scheme before its publication under section 61 of the Act. They were not told about the contribution to be levied even after surrendering their lands to the extent of 60 %. Further, they have been told that the SPA, NAINA will return them at least 60 % land of their original holdings in the form of final plots which has been reversed.

Further, some villagers demanded compensation at two and half times the market value in line with the provisions of the LARR Act, 2013. However, they have been told that this provision is not there in the MR & TP Act, 1966. The villagers from these villages have also demanded that the land owners included in the scheme would be treated as project affected persons by the CIDCO and they would be given all the benefits available in this respect. They have been told that this issue is not in the purview of the Arbitrator.

6.4 Arbitrators remarks on Landowner's Hearing

6.4.1. Increase in FP area

All the land owners have been allotted final plots exactly to the extent of 40 % in area of their original land holdings. The SPA, NAINA has allotted the final plots as far as possible anchored at their original holdings. Their demand to allot FPs at least of 50 % in area of their original holdings cannot be fulfilled by the Arbitrator mainly considering that the draft scheme has been prepared by the SPA, NAINA on 40/60 concept and to make any alteration in this will lead to substantial modification to the draft scheme.

The 60 % land is utilized for IDP/DP and scheme roads, IDP/DP reservations, and for growth centre which are necessary to set up a higher level urban centre as decided by the State Government through the CIDCO.

The land owners (who are stake-holders) are not at loss as they have been permitted to utilise full potential of their original holdings in terms of FSI. The lands outside the 200 m periphery around village gaothans are at present permissible with the FSI of only 0.20 plus the premium FSI of 0.30. However, due to the inclusion of their lands in the town planning scheme, these land-owners have been allowed to consume base FSI of 1.00 without any premium. Hence, it is appropriate to finalise this scheme on the basis of 40/60 concept.

6.4.2. More FSI for Original plots in Urban Village limit.

The lands situated within the 200 m from the village gaothans are already allowed FSI of 1.00 and their owners have argued with the point that they have purchased such lands at very high values, but in the scheme, these lands have not been given weightage as required. The point raised by them needs attention and the Government has been moved in this respect by the SPA, NAINA. Now the regulation has been introduced and base FSI of 1.25 has been made permissible to such land owners

6.4.3. Miscellaneous.

Some of the land owners have requested to amalgamate their scattered land holdings or to make suitable sub-division of the draft scheme FPs into separate FPs as per their new ownerships or family-wise. This has been considered wherever possible to their satisfaction.

7. Preliminary Scheme

The layout of the Preliminary NAINA Town Planning scheme no. 4, has been then finalized and accordingly modified by the Arbitrator in light of the requests and points/issues raised by the land owners during the hearings and by the Special Planning Authority. The Arbitrator has varied this layout wherever required from planning point of view as provided under section 72 (7) of the Act.

The Town Planning Scheme no. 4 is prepared for implementing the proposals of the sanctioned Interim Development Plan of NAINA. Further, necessary social infrastructure and the suitable road circulation system are also required to be properly proposed. The draft scheme has taken care of this.

7.1 Scheme Boundary/ Village Gaothan

The village gaothan of Adai which is inside Scheme boundary are excluded from the scheme. Urban Village area of Akurli, Nevali, Shilottar Raichur and Pali Devad are partially inside Scheme area. Total area under the scheme is approx. 350.36 ha

7.2 Draft Scheme Proposal

During the hearings of the land owners, the Arbitrator has come to know some common demands/request/points of them. The Arbitrator has made some observations in the sanctioned draft scheme. The draft scheme prepared by the SPA, NAINA (CIDCO) has been sanctioned under section 68(2) of the said Act reveals that:

7.2.1. Final Plots

- a. All the reconstituted final plots are reduced in areas to the extent of 40 % of their original plot areas.
- b. The FSI permissible is as obtained by the quotient of the OP area divided by the FP area. As most of the final plots are exactly at 40% of the OPs, the FSI works out to 2.50 as maximum.
- c. The proposals of the land owners for development permissions received for their lands prior to the declaration of intention of this scheme have been considered by the SPA, NAINA while reconstitution.
- d. All the reservations of public sites proposed in the IDP/DP for various infrastructural uses falling in the scheme area have been incorporated in

this scheme. However, they have been readjusted maintaining their areas and utility values to fit with the scheme layout.

- e. In the draft scheme, SPA has used forest lands to build IDP/DP and scheme roads, resulting in a reduction of total forest land.
- f. The gas pipe line of HP and Reliance Industrial Infrastructure Ltd. is passing from west side through the scheme along the highway and the draft scheme has incorporated the entire gas line maintaining the buffer etc. in a green belt by shifting the land owners in suitable FPs outside to enable them to utilize total potential of their plots.
- g. The Irrigation Department has declared Blue and Red Flood Lines in respect of river Kalundre and the scheme area is thereby got affected along this river. The draft scheme has included the lands falling within the blue line in DP reservation of playground and STP and in layout open spaces and the land-owners there have been allotted FPs in lieu of these lands elsewhere beyond the blue line.

7.2.2. Road Network

- a. It is observed that the road circulation pattern is so framed that it is well coordinated with the road networks of these adjoining schemes The Panvel-Matheran State Highway passes through the southern part of this scheme.
- b. There is junction formed due to road from Nevali to Akurli village travelling north to south of the scheme and 45.0 m IDP/DP road from Akurli village boundary. Till the junction the Panvel-Matheran State Highway is proposed to be widened from 30 m to 45 m in the Scheme. The management of this road is with the State Public Works Department.
- c. The 45 m wide road for some part and then to 36 m wide arterial road proposed in the IDP/DP is running east-west through the southern part of this scheme. Similarly, north-south 60 m wide arterial road proposed in the IDP/DP is running almost centrally through this Scheme.
- d. All the roads proposed in the sanctioned IDP/DP have been incorporated in the scheme. However, their alignments have been amended suitably and modified accordingly to fit with the scheme layout.

7.2.3. Open Spaces

- a. The recreational spaces in the form of Open Spaces, Parks, and Play Grounds in addition to those proposed in the IDP/DP are provided in the scheme at 77 different sites having aggregate area of 27.06 Ha.
- b. The non-buildable IDP/DP reservations in the form of Parks, Play Grounds and City Parks included in the scheme are proposed at 17 sites in the scheme having aggregate area of 17.71 Ha.
- c. The 9 sites of Play Grounds, 4 sites of Parks and 1 site of City Park as proposed in the IDP/DP have been incorporated with modifications wherever necessary to fit in the scheme layout, but maintaining their areas and utility values.

7.2.4. Social and Physical Infrastructure

- a. The 23 sites as Amenity Plots have been proposed at various places in the scheme aggregating to area of 24.77 Ha. This is in addition to the IDP/DP reservations.
- b. 5 sites for Schools/Education Purpose and 1 site for College have been proposed in this scheme under IDP/DP school reservations of aggregate area of 3.76 Ha.
- c. 4 sites of primary health center have been proposed in the scheme with total area of 0.71 Ha.
- d. There are 2 existing sites of Crematoria in the draft scheme area. One of which is maintained in the scheme and amenity is proposed for the extension of this crematorium. Another crematorium is shifted in the draft scheme which is going under the IDP/DP road.
- e. SPA, NAINA suggested to retain amenity plots having FP no.339, 446 & 646 and layout open space plots having FP no.338, 447 & 642 as per the draft scheme. We have retained all the sites mentioned above as per the draft scheme.
- f. Reliance Gas Pipe Line is running north-south in western portion of the scheme. The draft scheme has proposed Parks, Play Grounds, open spaces along both sides of this line to protect the gas pipe line with its required buffer. This line right from FPs no. 584(PG), 580A(Layout Open Space, 580B(Layout Open Space) is aligned along the sides of these reservations of non- buildable open users during the reconstitution except for FP No.

558A(EWS), 579(Layout Amenity) where it is running at one side of the reservation.

- g. The percentage of lands under IDP/DP/Scheme roads, social infrastructure, utilities IDP/DP/Scheme Amenities, IDP/DP/Scheme open spaces proposed in the draft scheme is at 47.57% of the scheme area which is above the cap of section 64(g-1) of MR&TP act.

7.2.5. Growth Center

- a. The location of reservation of Growth Centre is situated mostly in Adai village in northern part of the scheme.
- b. 1 site for IDP/DP reservations of Growth Center at village Adai has been proposed in this scheme admeasures to 19.12 Ha and is 5.47% of the scheme area. The location of Growth center is kept as per the IDP/DP reservations.

7.2.6. Plots for EWS/LIG

- a. 24 sites for EWS/LIG housing have been proposed in this scheme of an aggregate area of 15.39 Ha.
- b. The area under EWS/LIG housing is of 15.39 Ha and 4.47% of the scheme area and is well below the limit of 10% laid down as per clause (i) of section 64(g-1) of the Act.

7.2.7. Development control and promotion regulations

- a. The scheme area is predominantly included in Residential Zone as per the provisions of sanctioned IDP/DP. The area fronting the 60 m wide north-south arterial road (Expressway) is included in mixed land use zone. Very small part fronting on East-West 45 m road is also included in mixed land use zone.
- b. The base FSI permissible in predominantly residential zone and in the mixed land use zone is 0.20 with premium FSI of 0.30. This FSI has been raised to 1.00 considering the land aggregation or pooling of the lands together for development under TP scheme.
- c. Though the lands situated within 200 m from gaothans of villages Adai, Akurli, Shilottar Raichur & Palidevad and Nevali are already permissible for FSI of 1.00, they have not been given required weightage in the draft scheme.

7.3 Modifications carried out to the Draft Scheme by the Arbitrator

On having scrutinized the draft Scheme sanctioned under Section 68(2) of the Act, the Arbitrator has come to conclusion that the draft Scheme is required to be modified in light of the following points/reasons and issues realized from the hearing process carried out under Rule no. 13 (4) of the Maharashtra Town Planning Schemes Rules, 1974.

7.3.1. Final Plots to land owner

- a. As per request of the land owners, the final plots have been amalgamated, sub-divided or shifted according to their new ownership data. This has been considered wherever possible to their satisfaction.
- b. In the draft scheme Class I and Class II land are given one final plot. In the preliminary scheme, these Final Plots are subdivided close to each other.
- c. In the draft scheme, FP no. 11 to 21 have access from 12m road. In the preliminary scheme due to reconstitution of plots, width of N-S road from FP No. 17,21 to FP No. 27,28 is reduced from 12 m to 9m as per their layout sanctioned by authority.
- d. FP no. 26 and 29 is owned by land owners but they are layout open spaces. These lands are to be handed over to SPA, NAINA CIDCO.
- e. Attempt has been made to allot buildable FP to every FP holder. So the minimum size of FP has been restricted to 100 sq.m unless the OP of the individual is smaller than 100sq.m.
- f. The Gurcharan Lands are allotted to the Gram Panchayats by the Government for grazing of the cattle. It is observed that in the draft scheme, the FPs in lieu of them are proposed in residential zone with FSI of 2.5. Which now in Preliminary Scheme are allotted to Maharashtra Shasan and included in Public Semi-public Zone.
- g. There are temples/church exist in various original plots and the land is owned by temple and the members. The final plot is given around structure with 40% of area. Following is the list of temples/church in TPS-4

Table 11 Final plots allotted to Temple/Church

Sr. No.	Name	Survey/Hissa No.	Village	OP No.	FP No.
1	St. Gregorio's Orthodox Christian Community Charitable Trustee Father Thomas Varghese, T.C. Ikeria, Thomas Choko	78/2/A	Akurli	236	176

Sr. No.	Name	Survey/Hissa No.	Village	OP No.	FP No.
2	Maruti Dev Temple	4/1/A (P)	Akurli	137	245
		5/0		139	
3	Maruti Dev Temple	95/3	Adai	939	699
4	Shree. Vithoba Rakhumai Temple Panch Kathor Vithu Shelke	29/2	Adai	604	725
5	Shri Shankar Devalay Vahivatdar Hanumangiri (Temple) Guru Madan Gir	34/0	Adai	622	741

7.3.2. Road Network

- The land under Kharaba, Forest and Road use in 7/12 extract is used under road layout of the scheme
- The SPA, NAINA has suggested vide letter CIDCO/NAINA/PLNG/DP/TPS-4/2023/642 dated 08/08/2023 to merge part of FP no. 583 into the existing road. The said change is done in the preliminary scheme and remaining area is kept as open space.
- The SPA, NAINA has suggested vide letter CIDCO/NAINA/PLNG/DP/TPS-4 & 5/2023/948 dated 22/11/2023 to provide rotary junction near FP 341. The rotary junction is incorporated for better road circulation plan.

7.3.3. Open Space

- There are 75 layout open spaces in the preliminary scheme with total area of 14.78 Ha.
- The open space under high tension line is considered as buffer zone with area of 12.51Ha.
- There 14 sites of IDP/DP reservation of open spaces in the scheme with total area of 17.76 Ha.

7.3.4. Social and Physical Infrastructure

- The FP no. 400 is proposed as amenity plot near to DP reservation of ESR/GSR (FP no. 401) and is maintained as amenity plot as per request of SPA, NAINA.
- The existing crematoria were included as existing amenities in the draft scheme. In the Preliminary Scheme, existing crematorium has been designated to their actual use in FPs no. 744. The FPs no. 746 is provided for its extensions. The crematorium near village Nevali is going under 45m road, therefore FP 946 is provided for shifting of crematoria.

- c. As per engineering department, catchment drain is to be provided at the foothills of village Adai and Akurli, the location of the catchment drain is incorporated in the scheme.
- d. The 3 sites of Electric substation and 2 STPs in IDP/DP reservations in the TPS area are considered as city level public utility.

7.3.5. Growth Center

The area of reservation of Growth Centre is slightly increased and location is retained as per draft scheme.

7.3.6. Plots for EWS/LIG

35 sites for EWS/LIG housing have been proposed in this scheme of an aggregate area of 18.37 Ha. and is well below the limit of 10% laid down as per clause (i) of section 64(g-1) of the Act.

7.3.7. Plots for Sale Purpose

There are 54 Sale plots now proposed in the preliminary scheme as provided under section no. 64 (g-1) (ii-D) of the Act for commercial purpose to raise additional funds for meeting the cost of the scheme.

7.3.8. Other Changes

In the plan no. 6 of draft scheme, Final Plot no. 81A, 370 are allotted to land owners. However, these FP numbers are allotted to amenity and open spaces in the Form No. 1. Similarly, The FP no. 332, 799 & 862 are allotted to both the land owners and amenity space. These may be due to typological mistake which is corrected in the preliminary scheme.

7.3.9. Development control and promotion regulations

The Layout of the Preliminary Scheme is therefore accordingly finalised carrying out the modifications which are necessary from planning point of view. Every serviced final plot allotted to the land-owners included in the scheme is at least of 40 % of the respective original plot with the entire development potential of the OP loaded on it. Hence, the net FSI permissible would be 2.5 as maximum. However, the OPs situated within 200 m periphery of village gaothans will get still more FSI as the Government has granted additional FSI of 0.25 for the loss of area of original plots due to their reconstitution into final plots. Hence, the FPs allotted in lieu of OPs situated within the 200 m periphery of village gaothan will be eligible

for FSI calculated as: (Area of OP divided by Area of FP) + (0.25 (Area of OP minus Area of FP)) divided by Area of OP.

$$\text{Eligible FSI} = \frac{\text{Area of OP}}{\text{Area of FP}} + \frac{(\text{Area of OP} - \text{Area of FP})}{\text{Area of OP}} \times 0.25$$

The original plot-wise decisions for the land owners on the basis of their hearing and considering the draft scheme proposals are as given in the Table A appended to this report of the Preliminary Scheme. The demand of the land owners regarding allotment of final plots having area at least of 50 % of their original plots is not considered by the Arbitrator as this will change the entire layout of the scheme and the percentage of open spaces and the amenities will drastically get reduced. However, the land owners are getting the same development potential for consumption in their final plots and hence, they are not at loss. The decisions regarding lowering down the contribution levied in the draft scheme by the SPA, NAINA would be taken by the Arbitrator in the award of Final Scheme which will be drawn up separately under section 72 (5) and will appear in Form no. 1 and communicated to every land owner under notice in form 5 in due course of time.

7.3.10. Modification in IDP/DP Reservations included in the Scheme

The scheme has incorporated all the IDP/DP reservations falling in the scheme area with slight modifications in shape and location to fit with the scheme layout but without reducing their areas and utility values. The modifications carried out in the sanctioned draft Town Planning Scheme to the IDP/DP reservations are with prior approval of the Director of Town Planning as provided under section 59 (2) of the said Act.

In the Preliminary Scheme, all the IDP/DP reservations have been incorporated as per the sanctioned draft scheme with few changes in the shapes and slight shifting to fit them in the revised reconstitution as given hereunder.

- FP No.45A is allotted to owner of OP holder along the Panvel Matheran road. Due to this, The IDP/DP reservation of school FP No. 43 (24_S) is shifted away from Panvel Matheran Road to layout road of 12m and IDP/DP reservation of playground FP No. 44 (14_PG) is slightly shifted towards Panvel Matheran road. The areas of these reservations are maintained according to draft scheme.
- The reservation of primary healthcare center FP32(19_PHC) is shifted to opposite side of the road and area is increased due to merging of nearby layout

amenities. These changes have been done to enable allotment of amalgamated FP to the land owners of OP No. 8A, 1000, 400, 1015, 681, 665, 574 as per their request.

- The area of IDP/DP reservation of STP (62_STP) is slightly decreased due to alignment of road and final plots.
- The IDP/DP reservation of Daily Bazar (385_DB) is shifted from 30m road to 27m layout road.

7.4 Award of the Preliminary scheme

After hearing the land owners who appeared before the Arbitrator and considering all the issues/points/observations stated above and also after hearing the SPA, NAINA on 07.11.2023, the layout of the draft scheme has been modified and finalized by the Arbitrator with modifications as stated above. The Preliminary Scheme has been accordingly drawn up as per sub-section (7) of the Section 72 of the Act as appearing in the Plans no. 3 and 4 read with Tables A & B appended to the award. The decisions of the Arbitrator in respect of every reconstitution of original plots into final plots as carried out in the award have been recorded in Table A appended to the award. The allotment of the Final Plots with their respective ownerships, areas and tenures are as recorded in Table B accompanied to the award of this Preliminary Scheme.

The comparison in areas of public users and the Roads provided by the SPA, NAINA in the sanctioned draft scheme and now provided in the Preliminary Scheme in the award drawn up by the Arbitrator is as given in the following tables (Table 12 to Table 18).

Table 12 Details of IDP/DP Reservations in Draft Scheme and Preliminary Scheme

Sr. No.	IDP Reservation		Draft Scheme		Preliminary Scheme		Remarks
	Designation	IDP No.	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
1	IDP Roads			474139.29		476184.61	
2	Park	13_P	221A	1329.79	221A	1329.80	
3			221B	2731.01	221B	2731.01	
4	Park	223_P	626	1078.08	626	1049.80	
5	Park	222_P	627	1226.09	627	1226.10	
6	Park	386_P	944	562.09	944	562.44	
	Total 4 Parks			6927.06		6899.15	
7	Playground	12_PG	99	23679.99	99	23980.92	

8	Playground	15_PG	225	6400.07	225	6400.08	
9	Playground	14_PG	43	14939.75	44	14940.20	FP number is changed to FP 44
10	Playground	17_PG	584	10885.01	584	10885.01	
11	Playground	16_PG	771	8336.23	771	8336.24	
12	Playground	3A_PG	781	38519.79	781	38519.79	
13	Playground	201A_P G	824	20151.44	824	20382.55	
14	Playground	390_PG	845	6692.29	845	6692.00	
15	Playground	387_PG	889A	9700.39	888	9700.40	FP number is changed to FP 888
	Total 9 Playground			139304.95		139837.19	
16	City Park	3_CP	780A	4855.36	780A	4855.41	
17	City Park	3_CP	780B	23739.02	780B	23738.99	
18	City Park	3_CP	780C	2285.24	780C	2285.24	
	Total 1 City Parks			30879.62		30879.64	
19	School	24_S	44	4000.11	43	4000.05	Final Plot number is changed to FP 43
20	School	25_S	222	4000.38	222	4000.40	
21	School	26_S	770	4633.78	770	4633.78	
22	School	389_S	844	4688.11	844	4688.01	
23	School	23_S	585	6400.55	585	6400.56	
24	College	1_C	586	13965.79	586	13965.78	
	Total 6 Educational Reservation			37688.73		37688.58	
25	Primary Health Centre	19_PHC	39	1700.06	32	2360.93	layout amenities are merged with IDP amenity during reconstitution and FP number is changed to 32
26	Primary Health Centre	21_PHC	693	1500.45	693	1500.47	
27	Primary Health Centre	18_PHC	224	1605.20	224	1605.20	
28	Primary Health Centre	20_PHC	296A	1600.34	296	1600.06	FP number is changed to 296
	Total 4 facilities			6406.06		7066.65	Area is increased

29	Daily Bazar	6_DB	546	1100.27	546	1100.27	
30	Daily Bazar	4_DB	223	1000.16	223	1000.16	
31	Daily Bazar	5_DB	86	1200.37	86	1200.36	
32	Daily Bazar	385_DB	889B	1045.27	892	1000.03	Final Plot number is changed to FP 892
	Total 4 Daily Bazar			4346.06		4300.83	Area is slightly decreased
33	Electric Sub-Station	10_ESS	54	2208.55	54	2208.55	
34	Electric Sub-Station	8_ESS	402	3000.00	402	3000.47	
35	Electric Sub-Station	9_ESS	811	2000.29	811	2000.29	
	Total 3 Elec. Sub-station			7208.84		7209.30	
36	Elevated Service Reservoir/G round Service Reservoir	7_ESR/GSR	401	3400.33	401	3400.03	
37	Sewage Treatment Plant	62_STP-2	116	43034.76	116	42598.46	
38	Sewage Treatment Plant	27_STP-3	189	15594.25	189	15594.25	
	Total 2 STP			58629.01		58192.71	Area is reduced
39	Growth Center	201_GC	950	68781.05	950	68781.07	
40	Growth Center	201_GC	951	122394.24	951	122955.81	
	Total 1 reservation			191175.29		191736.88	Area is increased
41	Police Station	22_PS	193	10000.88	193	10000.93	
42	Community Centre	2_CC	55	3021.18	55	3021.17	
43	Public Utility	200_PU	190	4235.26	190	4236.24	
	Total Area of IDP Reservation			977362.56		980653.90	

Table 13 Details of Layout Open Spaces in Draft Scheme and Preliminary Scheme

Sr. No .	Layout Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
A	OPEN SPACES (O/S) in addition to IDP Sites					
1	Layout Open Space	27	473.95	26B	470.75	FP Number is Changed to 26B
2	Layout Open Space	35	3625.13	-	-	Converted to EWS
3	Layout Open Space	69	399.81	69	983.13	
4	Layout Open Space	70	1371.69	70	1940.59	
5	Layout Open Space	81C	399.02	81C	399.02	
6	Layout Open Space	83	10437.01	-	-	Converted to Buffer Zone
7	Layout Open Space	84	6107.72	84	6107.70	
8	Layout Open Space	93	1811.71	-	-	Converted to Buffer Zone and FP number changed to 93A
9	Layout Open Space	94	8256.76	94A	5337.07	Final Plot No. is changed to 94A
10	Layout Open Space	101	418.96	101	445.66	
11	Layout Open Space	121	9127.71	121A	1158.28	FP number changed to 121A
12	Layout Open Space	122	1460.77	122	6338.25	
13	Layout Open Space	125	11320.30	-	-	Converted to Buffer Zone
14	Layout Open Space	164A	1796.91	164A	1796.92	
15	Layout Open Space	164B	642.21	164B	642.21	
16	Layout Open Space	199	2335.11	199	2335.11	
17	Layout Open Space	200	1480.03	200	1480.04	
18	Layout Open Space	235	695.49	-	-	Layout Open space is converted to EWS
19	Layout Open Space	261	1095.15	261	1095.14	
20	Layout Open Space	262B	1679.87	262B	1679.87	
21	Layout Open Space	269	2063.90	269	2184	
22	Layout Open Space	299B	1100.82	-	-	Layout Open Space is relocated and The area is used to allocate residential plot
23	Layout Open Space	303	1190.99	303	1191.01	
24	Layout Open Space	312	3039.75	312	2951.36	
25	Layout Open Space	330	6795.67	330	7041.55	
26	Layout Open Space	338	4053.25	338	4053.25	
27	Layout Open Space	347	935.21	347	1731.36	
28	Layout Open Space	364	4679.87	364	4680.00	
29	Layout Open Space	371	13903.41	-	-	Converted to Buffer Zone
30	Layout Open Space	384	771.34	384	771.34	

Sr. No.	Layout Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
31	Layout Open Space	385	607.36	385	606.88	
32	Layout Open Space	399	6147.31	-	-	Converted to Buffer Zone
33	Layout Open Space	411	9152.81	-	-	Converted to Buffer Zone
34	Layout Open Space	444	2596.18	444	2956.30	
35	Layout Open Space	447	6632.91	447	6592.73	
36	Layout Open Space	493	757.22	493	1415.22	
37	Layout Open Space	507	3568.86	507	3568.86	
38	Layout Open Space	511	4531.04	511	4531.04	
39	Layout Open Space	512A	1970.78	512A	1970.79	
40	Layout Open Space	512B	574.37	512B	574.37	
41	Layout Open Space	517	3096.35	517	3095.94	
42	Layout Open Space	532	3696.35	532	3696.19	
43	Layout Open Space	537	2932.42	537	2934.28	
44	Layout Open Space	553	1047.89	553	672.57	
45	Layout Open Space	580A	804.39	559B	804.39	FP number changed to 559B
46	Layout Open Space	580B	3390.15	-	-	Converted to EWS
47	Layout Open Space	583	2573.96	583	813.74	Area is reduced
48	Layout Open Space	602	1615.02	-	-	Converted to EWS
49	Layout Open Space	642	4208.85	642	4208.27	
50	Layout Open Space	655	402.81	655	402.81	
51	Layout Open Space	672	2218.71	672	2218.72	
52	Layout Open Space	678	75.94	678	75.95	
53	Layout Open Space	683	160.47	683	160.47	
54	Layout Open Space	684	2134.97	684	2134.97	
55	Layout Open Space	689	1617.02	689	1616.83	
56	Layout Open Space	709	671.26	709	671.26	
57	Layout Open Space	727	8235.56	727	8235.48	
58	Layout Open Space	772	32165.79	-	-	Converted to Buffer Zone
59	Layout Open Space	782	1193.30	-	-	Converted to Buffer Zone
60	Layout Open Space	793	763.44	793	1209.88	
61	Layout Open Space	797	984.48	797	984.49	
63	Layout Open Space	801	539.14	801	539.14	
64	Layout Open Space	802	1028.94	-	-	Converted to Buffer Zone
65	Layout Open Space	803	24642.28	-	-	Converted to Buffer Zone
66	Layout Open Space	815B	1827.33	815B	1826.99	
67	Layout Open Space	853	2621.71	853	2621.73	
68	Layout Open Space	855	728.79	855	728.56	

Sr. No.	Layout Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
69	Layout Open Space	858	2266.69	858	2266.42	
71	Layout Open Space	869	4233.77	-	-	Converted to EWS
72	Layout Open Space	881	3281.84	881	3274.98	
73	Layout Open Space	921	619.30	921	685.96	
74	Layout Open Space	923B	615.86	923B	273.57	
75	Layout Open Space	931	754.06	931	754.05	
76	Layout Open Space	936	1087.39	936	1087.40	
77	Layout Open Space	945	10314.02	-	-	Converted to Buffer Zone
78	Layout Open Space	-	-	29A	522.02	Taken from Sanctioned layout
79	Layout Open Space	-	-	26A	57.20	FP number changed to 26A
80	Layout Open Space	-	-	437	512.01	Draft scheme EWS amenity is revised and o/s is provided
81	Layout Open Space	-	-	121A	1158.28	Amenity is converted to Open Space
82	Layout Open Space	-	-	117B	614.45	Amenity is converted to Open Space
83	Layout Open Space	-	-	100	918.69	Amenity is converted to Open Space
84	Layout Open Space	-	-	9	197.52	Amenity is converted to Open Space
85	Layout Open Space	-	-	487	253.07	Amenity is converted to Open Space
86	Layout Open Space	-	-	208D	696.48	Amenity is converted to Open Space
87	Layout Open Space	-	-	388	1108.70	Amenity is converted to Open Space
89	Layout Open Space	-	-	664	657.37	Amenity is converted to Open Space
90	Layout Open Space	-	-	608B	724.69	Amenity is converted to Open Space
91	Layout Open Space	-	-	596	2952.00	Amenity is converted to Open Space
92	Layout Open Space	-	-	898	1596.02	Amenity is converted to Open Space

Sr. No.	Layout Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
93	Layout Open Space	-	-	928	1353.58	Amenity is converted to Open Space
94	Layout Open Space	-	-	923C	602.32	Amenity is converted to Open Space
95	Layout Open Space	-	-	898	1596.02	Amenity is converted to Open Space
96	Layout Open Space	-	-	579	2927.74	Amenity is converted to Open Space
97	Layout Open Space	-	-	633	1980.07	Amenity is converted to Open Space
98	Layout Open Space	-	-	383	2658.79	Amenity is converted to Open Space
99	Layout Open Space	-	-	9	197.52	Amenity is converted to Open Space
100	Layout Open Space	-	-	923C	602.32	Amenity is converted to Open Space
101	Layout Open Space	-	-	928	1353.58	Amenity is converted to Open Space

Table 14 Details of Layout Amenities in Draft Scheme and Preliminary Scheme

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
B	AMENITIES (AM)					
1	Layout Amenity	3	97.52	-	-	Deleted during reconstitution
2	Layout Amenity	9	100.08	-	-	Amenity is converted to Layout Open Space
3	Layout Amenity	25	145.11	25	133.97	
4	Layout Amenity	28	966.14	-	-	Merged into FP 33A
5	Layout Amenity	33A	696.95	-	-	Merged into IDP Amenity
6	Layout Amenity	33B	245.61	34	245.61	FP number changed to 34
7	Layout Amenity	38	762.25	-	-	Deleted during reconstitution
8	Layout Amenity	52	1705.47	-	-	Amenity is converted to EWS

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
9	Layout Amenity	53	229.32	-	-	Amenity is converted to Sale Plot
10	Layout Amenity	88B	937.38	88B	937.38	
11	Layout Amenity	89	664.97	-	-	Amenity is converted to Sale Plot
12	Layout Amenity	100	853.48	-	-	Amenity is converted to Layout Open Space
13	Layout Amenity	108	886.06	-	-	Amenity is converted to EWS
14	Layout Amenity	110A	1672.67	-	-	Merged into amenity FP 108
15	Layout Amenity	110B	354.29	-	-	Deleted during reconstitution
16	Layout Amenity	123	18658.59	-	-	Amenity is converted to Public Utility
17	Layout Amenity	126	1704.37	-	-	Amenity is converted to Sale Plot
18	Layout Amenity	134	1130.23	-	-	Amenity is converted to Sale Plot
19	Layout Amenity	135	139.94	-	-	Amenity is converted to Sale Plot
20	Layout Amenity	142	135.58	-	-	Amenity is converted to Sale Plot
21	Layout Amenity	146	277.26	-	-	Amenity is converted to Sale Plot
22	Layout Amenity	161	184.44	-	-	Amenity is converted to Sale Plot
23	Layout Amenity	171	384.30	-	-	Amenity is converted to Sale Plot
24	Layout Amenity	173	1639.36	-	-	Amenity is converted to Sale Plot and FP No. is changed to 173A
25	Layout Amenity	178	688.60	178	1212.82	
26	Layout Amenity	181	672.94	-	-	Merged into FP 178
27	Layout Amenity	203	716.49	-	-	Amenity is converted to Sale Plot
28	Layout Amenity	208A	2992.20	208A	2992.20	
29	Layout Amenity	208B	347.94	-	-	Amenity is converted to Sale Plot
30	Layout Amenity	208C	1003.47	208C	1004.68	
31	Layout Amenity	208D	708.09	-	-	Amenity is converted to Layout Open Space
32	Layout Amenity	219	599.39	219	599.39	
33	Layout Amenity	239	1580.47	239	1580.53	
34	Layout Amenity	251	2792.85	251	2793.20	
35	Layout Amenity	255	442.52	255	442.52	
36	Layout Amenity	256	1039.11	256	1039.11	
37	Layout Amenity	257	847.18	257	847.18	
38	Layout Amenity	259	710.87	259	710.87	
39	Layout Amenity	262A	3473.71	262A	3473.71	

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
40	Layout Amenity	271	2026.27	-	-	Amenity converted to sale plot
41	Layout Amenity	290	2175.29	290	2001.27	
42	Layout Amenity	295	1635.44	-	-	Amenity is converted to Sale Plot
43	Layout Amenity	85	1600.58	-	-	Converted to Residential
44	Layout Amenity	299A	1506.41	299A	523.15	
45	Layout Amenity	300	2530.28	300	2530.27	
46	Layout Amenity	315	1459.16	-	-	Amenity is converted to EWS
47	Layout Amenity	321	1875.70	-	-	Amenity is converted to Sale Plot
48	Layout Amenity	335	370.15	-	-	Amenity is converted to Sale Plot
49	Layout Amenity	339	4100.90	339	4100.91	
50	Layout Amenity	342	1192.59	-	-	Amenity is converted to Sale Plot
51	Layout Amenity	350A	843.11	350	843.11	
52	Layout Amenity	350B	1068.14	-	-	Deleted during reconstitution
53	Layout Amenity	374	532.91	-	-	Amenity is converted to Sale Plot
54	Layout Amenity	383	371.75	-	-	Amenity is converted to Sale Plot
55	Layout Amenity	388	1108.69	-	-	Amenity is converted to Layout Open Space
56	Layout Amenity	400	8793.96	-	-	Amenity is converted to Public Utility
57	Layout Amenity	406	12659.11	406	11774	
58	Layout Amenity	417	300.15	-	-	Amenity is converted to Sale Plot
59	Layout Amenity	446	10375.21	446	10375.20	
60	Layout Amenity	462	2035.86	-	-	Amenity is converted to Sale Plot
61	Layout Amenity	464	610.02	-	-	FP No. is changed to FP 464A and converted to Sale Plot
62	Layout Amenity	465	960.73	-	-	Amenity is converted to EWS
63	Layout Amenity	476	648.94	-	-	Converted to Sale Plot
64	Layout Amenity	485	1840.64	483	2226.49	FP No. is changed to FP 483
65	Layout Amenity	487	253.06	-	-	Amenity is converted to Layout Open Space
66	Layout Amenity	495	1117.09	-	-	Amenity is converted to Sale Plot
67	Layout Amenity	509	133.14	-	-	Amenity is converted to Sale Plot
68	Layout Amenity	518	62.61	-	-	Amenity is converted

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
						to Sale Plot
69	Layout Amenity	530	199.01	-	-	Amenity is converted to Sale Plot
70	Layout Amenity	545	728.62	-	-	Amenity is converted to Sale Plot
71	Layout Amenity	558C	462.39	-	-	Amenity is converted to Sale Plot
72	Layout Amenity	551	867.16	-	-	Amenity is converted to Sale Plot
73	Layout Amenity	562A	419.74	-	-	Amenity is converted to Sale Plot
74	Layout Amenity	562B	379.33	-	-	Merged into FP 572
75	Layout Amenity	569	807.25	-	-	Merged into FP 572
76	Layout Amenity	579A	2927.86	-	-	Amenity is converted to Layout Open Space
77	Layout Amenity	579B	2288.60	-	-	Amenity is converted to EWS
78	Layout Amenity	582	14093.98	582	14094.00	
79	Layout Amenity	588	1267.34	-	-	Amenity is converted to Sale Plot
80	Layout Amenity	603	595.91	-	-	Amenity plot is converted to EWS plot
81	Layout Amenity	615	2216.56	-	-	Amenity plot is converted to EWS plot
82	Layout Amenity	625	4052.51	-	-	Amenity plot is converted to EWS plot
83	Layout Amenity	629C	5615.78	-	-	Deleted during reconstitution
84	Layout Amenity	632	2063.54	-	-	Amenity is converted to Sale Plot
85	Layout Amenity	639	1603.72	-	-	Amenity is converted to Sale Plot
86	Layout Amenity	646	5497.05	646	5497.52	
87	Layout Amenity	652	4878.17	652	4878.17	
88	Layout Amenity	664	657.37	-	-	Amenity is converted to Layout Open Space
89	Layout Amenity	665	1525.87	665	1525.87	
90	Layout Amenity	668	877.58	-	-	Amenity is converted to Sale Plot
91	Layout Amenity	669	439.32	-	-	Amenity is converted to Sale Plot
92	Layout Amenity	670	715.55	-	-	Amenity is converted to Sale Plot
93	Layout Amenity	677	2869.45	-	-	Amenity is converted to Sale Plot
94	Layout Amenity	685	600.36	685	600.36	
95	Layout Amenity	688	301.87	688	301.87	
96	Layout Amenity	700	617.00	700	617.37	
97	Layout Amenity	702	330.92	702	330.94	
98	Layout Amenity	706	5829.93	706	5828.15	

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
99	Layout Amenity	714	1356.69	-	-	Amenity is converted to Sale Plot
100	Layout Amenity	716	1287.71	716	1225.90	
101	Layout Amenity	718	1000.13	-	-	Amenity is converted to Sale Plot
102	Layout Amenity	723	1271.68	723	1271.68	
103	Layout Amenity	732	1170.04	732	1290.05	
104	Layout Amenity	745	3194.05	745	3194.07	
105	Layout Amenity	746	1568.80	746	1568.81	
106	Layout Amenity	751A	1441.31	741A	1441.31	FP number changed to 741A
107	Layout Amenity	751B	457.55	-	-	Amenity is converted to Sale Plot and FP No. is changed to 751
108	Layout Amenity	762B	374.00	762B	374.00	
109	Layout Amenity	764	1948.56	-	-	Amenity is converted to Sale Plot
110	Layout Amenity	769	3586.19	769	3586.19	
111	Layout Amenity	775	5259.10	775	5259.10	
112	Layout Amenity	786	1701.68	786	2690.81	
113	Layout Amenity	795B	446.42	795B	1432.31	Merged into FP No. 793
114	Layout Amenity	799	5813.47	-	-	Amenity plot is converted to EWS plot
115	Layout Amenity	809A	2088.03	-	-	FP No. is changed to 809 and converted to Sale Plot
116	Layout Amenity	831	1625.00	-	-	FP No. is changed to 831A and converted to Sale Plot
117	Layout Amenity	834B	1879.15	-	-	Amenity plot is converted to Sale plot
118	Layout Amenity	841	534.29	-	-	Amenity plot is converted to Sale plot
119	Layout Amenity	836	682.49	836	974.19	
120	Layout Amenity	849	2287.40	849A	2175.29	FP No. is changed to FP 849A
121	Layout Amenity	871	3188.77	871	3164.84	
122	Layout Amenity	874	294.07	874	294.06	
123	Layout Amenity	878	5164.99	878	5165.27	
124	Layout Amenity	897	1405.04	-	-	Amenity plot is converted to EWS plot
125	Layout Amenity	898	564.01	-	-	Amenity plot is converted to Layout Open Space
126	Layout Amenity	916A	2966.55	-	-	Amenity plot is converted to EWS plot
127	Layout Amenity	916B	162.09	-	-	Deleted during reconstitution
128	Layout Amenity	919	231.16	-	-	Merged into FP 921
129	Layout Amenity	923A	761.88	-	-	Amenity plot is

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
						converted to Sale plot
130	Layout Amenity	923C	602.31	-	-	Amenity plot is converted to Layout Open Space
131	Layout Amenity	928	1191.15	-	-	Amenity plot is converted to Layout Open Space
132	Layout Amenity	934	334.76	-	-	Amenity plot is converted to Sale plot
133	Layout Amenity	939	2302.11	939	2142.03	
134	Layout Amenity	946	800.05	946	800.06	
135	Layout Amenity	860	2670.73	860	2719.14	
136	Layout Amenity			72	1031.01	Newly proposed during reconstitution
137	Layout Amenity			273B	560.11	Newly proposed during reconstitution
138	Layout Amenity			396	860.06	Newly proposed during reconstitution
139	Layout Amenity			608A	4403.12	Newly proposed during reconstitution

Table 15 Details of EWS & LIG Housing plots in Draft Scheme and Preliminary Scheme

Sr. No.	Designation	Draft Scheme		Preliminary Scheme		Remarks
		FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
1	EWS/LIG	7B	1129.93	7B	1226.41	
2	EWS/LIG	167A	8109.29	167A	4075.10	
3	EWS/LIG	188	4984.09	188	4984.09	
4	EWS/LIG	217	14693.94	217	14693.94	
5	EWS/LIG	233	8357.45	233	8623.33	
6	EWS/LIG	250	5600.20	250	4959.70	
7	EWS/LIG	284	4476.48	284	4476.49	
8	EWS/LIG	293	6430.58	293	5972.29	
9	EWS/LIG	372	11235.34	372	11696.26	
10	EWS/LIG	386	2879.72	386	3111.39	
11	EWS/LIG	437	11601.38	-	-	Draft scheme amenity is revised and Open Space is provided
12	EWS/LIG	468	4094.38	468	4443.45	
13	EWS/LIG	473	5762.50	473	5816.62	
14	EWS/LIG	558A	7790.03	558A	8165.11	
15	EWS/LIG	598	5753.70	598	5753.75	
16	EWS/LIG	606A	4325.54	-	-	This final plot is converted to layout amenity

Sr. No.	Designation	Draft Scheme		Preliminary Scheme		Remarks
		FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
17	EWS/LIG	606B	3555.33	-	-	This final plot is converted to layout amenity
18	EWS/LIG	661	11110.76	661	12104.40	
19	EWS/LIG	743	13371.26	743	12007.91	
20	EWS/LIG	805	3318.50	805	3318.53	
21	EWS/LIG	818	5365.11	818	4949.44	
22	EWS/LIG	847	6038.60	847	6038.61	
23	EWS/LIG	905	6999.58	905	6999.56	
24	EWS/LIG	-	-	52	2075.86	Newly proposed during reconstitution
25	EWS/LIG	-	-	602	10071.13	Newly proposed during reconstitution
26	EWS/LIG	-	-	108	2603.63	Newly proposed during reconstitution
27	EWS/LIG	-	-	315	3076.29	Newly proposed during reconstitution
28	EWS/LIG	-	-	235	509.43	Newly proposed during reconstitution
29	EWS/LIG	-	-	465	1040.10	Newly proposed during reconstitution
30	EWS/LIG	-	-	580	5678.75	Newly proposed during reconstitution
31	EWS/LIG	-	-	603	1928.26	Newly proposed during reconstitution
32	EWS/LIG	-	-	614	4849.64	Newly proposed during reconstitution
33	EWS/LIG	-	-	625	3558.07	Newly proposed during reconstitution
34	EWS/LIG	-	-	869	4233.66	Newly proposed during reconstitution
35	EWS/LIG	-	-	897	1405.05	Newly proposed during reconstitution
36	EWS/LIG	-	-	799	5813.47	Newly proposed during reconstitution
37	EWS/LIG	-	-	916A	3220.51	Newly proposed during reconstitution
38	EWS/LIG	-	-	42	1200.67	Open Space is converted to EWS

Table 16 Details of Sale plots in Draft Scheme and Preliminary Scheme

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
1	Sale Plot	-	-	89	664.97	Newly Proposed
2	Sale Plot	-	-	161	184.44	Newly Proposed

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
3	Sale Plot	-	-	93B	1081.52	Newly Proposed
4	Sale Plot	-	-	126	1704.38	Newly Proposed
5	Sale Plot	-	-	53	229.32	Newly Proposed
6	Sale Plot	-	-	142	135.58	Newly Proposed
7	Sale Plot	-	-	134	1125.32	Newly Proposed
8	Sale Plot	-	-	146	277.26	Newly Proposed
9	Sale Plot	-	-	135	139.94	Newly Proposed
10	Sale Plot	-	-	295	1692.22	Newly Proposed
11	Sale Plot	-	-	171	501.63	Newly Proposed
12	Sale Plot	-	-	173A	1406.71	Newly Proposed
13	Sale Plot	-	-	495	1117.09	Newly Proposed
14	Sale Plot	-	-	340	704.07	Newly Proposed
15	Sale Plot	-	-	509	133.15	Newly Proposed
16	Sale Plot	-	-	321	1875.70	Newly Proposed
17	Sale Plot	-	-	464A	397.52	Newly Proposed
18	Sale Plot	-	-	342	1192.59	Newly Proposed
19	Sale Plot	-	-	518	61.06	Newly Proposed
20	Sale Plot	-	-	462	2035.88	Newly Proposed
21	Sale Plot	-	-	476	648.95	Newly Proposed
22	Sale Plot	-	-	203	716.49	Newly Proposed
23	Sale Plot	-	-	335	370.15	Newly Proposed
24	Sale Plot	-	-	271	2026.64	Newly Proposed
25	Sale Plot	-	-	530	199.01	Newly Proposed
26	Sale Plot	-	-	374	532.95	Newly Proposed
27	Sale Plot	-	-	545	728.75	Newly Proposed
28	Sale Plot	-	-	208B	347.94	Newly Proposed
29	Sale Plot	-	-	551	867.16	Newly Proposed
30	Sale Plot	-	-	677	2869.47	Newly Proposed
31	Sale Plot	-	-	670	715.59	Newly Proposed
32	Sale Plot	-	-	669	439.83	Newly Proposed
33	Sale Plot	-	-	558D	462.39	Newly Proposed
34	Sale Plot	-	-	562	419.74	Newly Proposed
35	Sale Plot	-	-	417	300.15	Newly Proposed
36	Sale Plot	-	-	668	877.58	Newly Proposed
37	Sale Plot	-	-	572	1636.66	Newly Proposed
38	Sale Plot	-	-	414B	719.94	Newly Proposed
39	Sale Plot	-	-	764	4220.47	Newly Proposed
40	Sale Plot	-	-	632	1451.99	Newly Proposed
41	Sale Plot	-	-	588	1267.33	Newly Proposed
42	Sale Plot	-	-	714	1356.70	Newly Proposed
43	Sale Plot	-	-	718	1061.81	Newly Proposed
44	Sale Plot	-	-	639	1603.73	Newly Proposed

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
45	Sale Plot	-	-	751	457.55	Newly Proposed
46	Sale Plot	-	-	834B	1900.08	Newly Proposed
47	Sale Plot	-	-	841	242.01	Newly Proposed
48	Sale Plot	-	-	831A	1525.19	Newly Proposed
49	Sale Plot	-	-	809	2842.52	Newly Proposed
50	Sale Plot	-	-	825	351.93	Newly Proposed
51	Sale Plot	-	-	934	334.76	Newly Proposed
52	Sale Plot	-	-	923A	761.88	Newly Proposed

Table 17 Details of Buffer Space in Draft Scheme and Preliminary Scheme

Sr. No.	Reservation	Draft Scheme		Preliminary Scheme		Remarks
	Designation	FP No.	Area (Sq. M)	FP No.	Area (Sq. M)	
1	Buffer Space	121	-	121B	7670.09	Converted from Open Space
2	Buffer Space	93A	-	93A	1748.04	Converted from Open Space
3	Buffer Space	83	-	83	10437.02	Converted from Open Space
4	Buffer Space	371	-	371	13903.64	Converted from Open Space
5	Buffer Space	399	-	399	6147.32	Converted from Open Space
6	Buffer Space	411	-	411	9152.83	Converted from Open Space
7	Buffer Space	772	-	772	31061.42	Converted from Open Space
8	Buffer Space	782	-	782	1193.31	Converted from Open Space
9	Buffer Space	803	-	803	24540.31	Converted from Open Space
10	Buffer Space	802	-	802	1028.95	Converted from Open Space
11	Buffer Space	945	-	945	10314.02	Converted from Open Space
12	Buffer Space	94B	-	94B	979.00	Converted from Open Space
13	Buffer Space	125	-	125	6442.86	Converted from Open Space

Table 18 User-wise Area Analysis of Plots Provided in the Preliminary Scheme

Sr. No.		Purpose of Reservation or allotment of Plots	TPS4 Area	Percentage	Remarks
A	LANDS ACQUIRED FOR SPA NAINA				
1	EWS	EWS	184680.79	5.27%	
2	Roads	IDP and Layout Roads	835588.82	23.85%	
3	Open Space	Layout Open Space	147362.83	4.21%	
4		IDP Park	6899.15	0.20%	
5		IDP Play Ground	139837.19	3.99%	
6		IDP City Park	30879.64	0.88%	
7	Amenity	Layout Amenity	132514.00	3.78%	
8		IDP School	23722.80	0.68%	
9		IDP College	13965.78	0.40%	
10		IDP Primary Health Centre	7066.65	0.20%	
11		IDP Daily Bazar	4300.83	0.12%	
12		IDP Police Station	10000.93	0.29%	
13		IDP Community Centre	3021.17	0.09%	
14	Sale Plot	Sale Plot	50917.67	1.45%	
15	GC	IDP Growth Centre	191736.88	5.47%	
16	Public Utility	IDP PU	4236.24	0.12%	
17		IDP Electric Sub-Station	7209.30	0.21%	
18		Elevated Service Reservoir/Ground Service Reservoir	3400.03	0.10%	
19		IDP STP	58192.71	1.66%	
20		Public Utility Plots	26813.32	0.77%	
21		Buffer Space under HT line	119759.61	3.42%	
		Total land vesting in SPA NAINA	2002106.35	57.14%	
B	PLOTS FOR PUBLIC USE NOT PROVIDED FOR SPA, NAINA				
1		Plots for Expressway, Ponds	60912.82	1.74%	
2		Plots for Maharashtra Shasan	5824.11	0.17%	
3		Existing Amenity (Temple, Church)	3884.47	0.11%	
C		Area of Final Plots allotted to land owners	1430916.65	40.84%	
		Total area of TPS 4	3503644.41	100.00%	

Note: - The Scheme has included the sanctioned IDP/DP reservations including Growth Centers which are falling in the scheme area. In addition to these IDP/DP reservations, there are several infrastructural sites provided in the scheme as detailed in the above table.

The section 64 (g-1) prescribes two caps viz. first of 10 % of the scheme area under clause (i) for reserving EWS/LIG housing and housing of the dispossessed persons due to scheme and second of 40 % of the scheme area under clause (ii) for reserving open spaces, social infrastructure, roads and plots for sale for raising the funds for the implementation of the scheme works. Actual percentage of the lands provided for these users in this scheme is well within these caps of 10 % and 40 % mentioned under section 64(g-1) (i) & (ii) of the said Act as can be seen from the Table 18 & Table 20

The Growth Centres, being city-level proposals of the IDP/DP which have been included in the scheme are not considered under clause (ii) of section 64(g-1) here. It is presumed that the items listed under section 64(g-1) (ii) of the said Act do not include reservations like Growth Centres and would not therefore fall under this clause. This assumption was pleaded in respect of Preliminary Town Planning Schemes No. 1 & 2 which has been accepted by the State Government and the said schemes are accordingly sanctioned under section 86(1) of the said Act confirming this assumption. The buffer space under HT line and physical infrastructure sites such as sewage treatment plant, electric-substation etc. are not considered under section 64(g-1) (ii) which will act as city wide infrastructure facility.

The section 64 (g-1) (i) prescribes provision of EWS and LIG Housing and the housing for affected families due to scheme proposals to the extent of 10 % of the Scheme area. Some families will be dishoused or homeless as their chawls and old structures are required to be removed either for construction of FPs and IDP/DP roads or as they fall in the final plots allotted to SPA, NAINA or to other owners. It is noticed that these structures are mostly constructed without obtaining permissions of the appropriate authorities. It is noticed that at some places, the owners of houses are not the owners of plots under their structures. These houses are occupied since long and the families have therefore to be rehabilitated. The Preliminary Scheme drawn up provides FPs no. 188 for this purpose. The SPA, NAINA shall tackle this issue at its level according to its policy in this respect.

During the hearing, the land owners who appeared before the Arbitrator in response to notice in form no. 4 served as provided under rule no.13 (3) of the

Maharashtra Town Planning Schemes Rules, 1974, mainly demanded in general as below.

- a) To allot single final plot for their various original plots held in the same ownerships or in the family,
- b) To allot final plots covering as far as possible the portions of their original plots i.e anchored final plots,
- c) FSI would be granted equivalent to the reduction in areas of the original plots,
- d) Since the final plots allotted to them of reduced areas to the extent of 40 % of their original plots, the physical areas available for development are very small and therefore may not enable utilization of full FSI. In such cases, TDR facility would be allowed to them,
- e) Side and rear marginal distances would be relaxed at least in smaller or narrow plots so as to enable them to consume the permissible FSI without charging any premium.
- f) Recovery of contribution should be waived considering that 60% land is acquired,
- g) Possessions of final plots would be handed over immediately after the sanctioning of the scheme with proper access roads and free of any encumbrances over them,
- h) Infrastructure shall be provided early, within a period of two years,

These requests are considered wherever possible and complied with to the satisfaction of the land owners. Special development control regulations in addition to the DCPR of NAINA are formulated so as to enable FP holders to consume the higher FSI and to make allotted final plots buildable. The request to waive the recovery of the contribution does not fall in the purview of the Arbitrator as levy of contribution is a statutory requirement vide section 99 (2) of the said Act. The SPA, NAINA (CIDCO) can take suitable decision in this respect at its level. However, as an Arbitrator, I have a power to decide the percentage of the contribution to be levied on the land owners holding the final plots and if the receipt side of the finance of the Scheme is found to be sufficiently on higher side compared to the cost of the Scheme, such contribution can be reduced to its minimum level within the scope of the said Act. This will be considered in the Final

Scheme subsequently while drawing the award under section 72(7) read with section 72(6).

General layout of the scheme and the allotment of final plots after reconstitution of the original plots made in the sanctioned draft scheme have been reconsidered in light of the points raised during the hearing by the land owners and after discussing with the SPA, NAINA. Some final plots are merged to form a single final plot as requested by the owners. Though some of the final plots of the draft scheme are amalgamated or deleted wherever required, the remaining final plots are now renumbered wherever required, as given in Table 19; elsewhere draft scheme numbers are maintained. The deleted FP numbers will not now appear in the preliminary scheme. Thus FP numbers 3, 19, 21, 35, 94, 177, 181, 230, 356, 365, 433, 569, 637, 674, 733, 810, 899, 1016C, 350B, 562B, 619C, 629C, 916B, 983C are not now appearing in the preliminary scheme for the reasons stated above. The Final Plots allotted to the land owners and to the SPA, NAINA are as given in Table B appended to the Preliminary Scheme.

The following draft scheme FP numbers are changed in the preliminary scheme.

Table 19 Changed Numbers in Preliminary Scheme

Draft Scheme FP Number	Preliminary Number		Draft Scheme FP Number	Preliminary Number		Draft Scheme FP Number	Preliminary Number
33A	32		377	380		606A	608B
33B	35		378	377		606B	608A
34	33		379	378		608	606
36	37		380	379		614	615
37	36		440	441		615	614
39	42		441	442		890	893A
41	39		442	440		892	891
42	41		558	558A		893	889
177	173C		558B	558C		889A	888
230	173B		558C	558D		889B	892
273	276A		558D	558E		891A	893B
276A	273A		559	559A		891B	890

The draft scheme had proposed all the final plots eligible for residential development. In the IDP/DP, it is observed that the mixed Use Zone has been proposed along the major roads. In the Scheme no. 4, such mixed use zone proposed in the sanctioned IDP/DP is along 60 m arterial road and along 45 m road. Additional higher level commercial activities are made permissible in the mixed use zone. However, this concept is not workable in the scheme area as there are many roads having widths of 20 m and more; hence, the final plots measuring 0.20 ha or more in area and fronting on roads of width of 20 m or more are now made eligible for use permissible in mixed land use zone as per the special DCPR of the Preliminary Scheme. The major changes carried out while drawing the award of the Preliminary Scheme are already listed above. The reasons for modifying the reconstitution of the Final Plots are recorded in Table A against the entry of every original plot. The allotment of Final Plots with their ownerships, areas and tenures is as recorded in Table B. The Land Records Department shall open the Property Cards as per this Table B for the final plots as provided under Rule no. 18 of the Maharashtra Town Planning Schemes Rules, 1974.

The said variations made to the sanctioned draft scheme are of minor nature in view of the provisions of sub-section (7) (b) of Section 72 of the said Act. The cost of works included in the scheme is estimated in the draft scheme as can be seen from the Form no. 2 is of Rs. 46,97,69,71,116.52/-.

In the Preliminary Scheme, 20 m, 18 m and 12 m roads are modified in their alignments and the loops have been completed for better circulation. However, all other draft scheme roads and the works are maintained and hence, remain unchanged. Other changes in the reservation sites are of minor nature. These variations do not increase the cost of the scheme more than 20 % of this draft scheme cost.

The Land-Use Analysis of the Preliminary Scheme is as under.

Table 20 Comparison of Users provided in Draft and Preliminary Scheme

Sr. No.		Public Sites and Users	Draft Scheme		Preliminary Scheme	
			Area (Sq.m.)	%	Area (Sq.m.)	%
Total	Users as per Section 64 (g-1) (i)		153224.92	4.37%	184680.79	5.27%
1	EWS	EWS/LIG	153224.92	4.37%	184680.79	5.27%

Sr. No.		Public Sites and Users	Draft Scheme		Preliminary Scheme	
			Area (Sq.m.)	%	Area (Sq.m.)	%
Total	Users as per Section 64 (g-1) (ii)		1665521.76	47.54%	1406078	40.13%
A	Roads	IDP and Layout Roads	834587.05	23.82%	835588.82	23.85%
B	Open Space	Layout Open Space	270585.67	7.72%	147362.83	4.21%
		IDP City Park	30879.62	0.88%	30879.64	0.88%
		IDP Park	6364.97	0.18%	6899.15	0.20%
		IDP Play Ground	139867.04	3.99%	139837.19	3.99%
C	Amenity	Layout Amenity	248372.31	7.09%	132514.00	3.78%
		IDP School	23722.88	0.68%	23722.80	0.68%
		IDP College	13965.78	0.40%	13965.78	0.40%
		IDP Primary Health Centre	6406.06	0.18%	7066.68	0.20%
		IDP Daily Bazar	4346.06	0.12%	4300.83	0.12%
		IDP Police Station	10000.88	0.29%	10000.93	0.29%
		IDP Community Centre	3021.18	0.09%	3021.17	0.09%
D	Sale Plot	Sale Plot	0.00	0.00%	50917.67	1.45%
Users other than Section 64 (g-1)						
	Public Utility	Buffer Zone	0.00	0.00%	119759.61	3.42%
		IDP Electric Sub-Station	7208.84	0.21%	7209.30	0.21%
		IDP Elevated Service Reservoir/Ground Service Reservoir	3400.33	0.10%	3400.03	0.10%
		IDP STP	58557.82	1.67%	58192.71	1.66%
		IDP Public Utility	4235.26	0.12%	4236.24	0.12%
		Public Utility Sites	0.00	0.00%	26813	0.77%
	Growth Center	IDP Growth Centre	191175.29	5.46%	191736.88	5.47%
1	Final Plot	Area of Final Plots allotted to land owners	1428924.81	40.78%	1430917	40.84%
2		Plots for Maharashtra Shasan	-	-	5824.11	0.17%
3		Existing Amenity (Temple, Church)	3884.86	0.11%	3884.47	0.11%
C	Non-Developable	Plots for Expressway, Ponds	60912.86	1.74%	60912.82	1.74%
		Total area of TPS 4	3503644.2	100.00 %	3503644.2	100.00%

The percentage of lands under IDP/DP/Scheme roads, social infrastructure, utilities IDP/DP/Scheme Amenities, IDP/DP/Scheme open spaces proposed in the

draft scheme was at 47.57% of the scheme area. In the Preliminary scheme, this percentage is slightly decreased and it is now at 40%. The infra-structural sites have been provided in the scheme in addition to the IDP/DP reservations mainly because the scheme area will be developed with higher FSI of 2.5 and will have higher population density. The IDP/DP does not propose infrastructure to cater the population expected in the scheme. On the contrary, the sanctioned IDP/DP has proposed nearly 50% of the reservations required as per planning standards and shortfall has been expected to be met through the NAINA Schemes to happen under DCR No. 13 of the DCPR of NAINA.

While drawing the award of this scheme no. 4, the Arbitrator is required to ascertain that the public sites, roads, EWS/LIG housing plots provided in the scheme shall satisfy the caps prescribed under section 64 (g-1) of the MR & TP Act, 1966. The Table 21 below gives these details in this respect and the Preliminary Scheme satisfies these statutory provisions.

Table 21 User-wise category as per Section 64(g-1) and its percentage with Preliminary Scheme area

Sr. No.	Public Sites and Users		Preliminary Scheme		Remarks
			Area (Sq.m.)	%	
Total	Users as per Section 64 (g-1) (i)		184680.79	5.27%	
1	EWS	EWS/LIG	184680.79	5.27%	Below the cap
Total	Users as per Section 64 (g-1) (ii)		1406078	40.13%	
A	Roads	IDP and Layout Roads	835588.82	23.85%	
B	Open Space	Layout Open Space	147362.83	4.21%	
		IDP City Park	30879.64	0.88%	
		IDP Park	6899.15	0.20%	
		IDP Play Ground	139837.19	3.99%	
C	Amenity	Layout Amenity	132514	3.78%	
		IDP School	23722.80	0.68%	
		IDP College	13965.78	0.40%	
		IDP Primary Health Centre	7066.68	0.20%	
		IDP Daily Bazar	4300.83	0.12%	
		IDP Police Station	10000.93	0.29%	
		IDP Community Centre	3021.17	0.09%	
D	Sale Plot	Sale Plot	50917.67	1.45%	
Users other than Section 64 (g-1)					
	Public Utility	Buffer Zone	119759.61	3.42%	
		IDP Electric Sub-Station	7209.30	0.21%	
		IDP Elevated Service	3400.03	0.10%	

Sr. No.	Public Sites and Users		Preliminary Scheme		Remarks
			Area (Sq.m.)	%	
		Reservoir/Ground Service Reservoir			
		IDP STP	58192.71	1.66%	
		IDP Public Utility	4236.24	0.12%	
		Public Utility Sites	26813.32	0.77%	
	Growth Center	IDP Growth Centre	191736.88	5.47%	
1	Final Plot	Area of Final Plots allotted to land owners	1430916.65	40.84%	
2		Plots for Maharashtra Shasan	5824.11	0.17%	
3		Existing Amenity (Temple, Church)	3884.47	0.11%	
C	Non-Developable	Plots for Expressway, Ponds	60912.82	1.74%	
		Total area of TPS 4	3503644	100.00%	

The Arbitrator has recorded the minutes of the hearings and has taken decisions in respect of each and every Original Plot as provided under rule No. 13 (4) (5) of the Maharashtra Town Planning Schemes Rules, 1974 before drawing the Preliminary Scheme as recorded in Table no. A. The decisions regarding redistribution and allotment of Final Plots to the owners of lands included in the Scheme from five villages are as recorded in Table B.

The Common decisions are taken in respect of all the Final Plots in the Preliminary Scheme as given hereinafter. The period within which the SPA shall carryout works contemplated in the scheme has been decided as provided under section 72(4)(iv) of the said Act. The SPA, NAINA (CIDCO) had moved the Urban Development Department to suspend some of the regulations and not to operate them in the scheme area. The State Government, vide letter No. TPS-1718/4354/CR-223/18/UD-12 dated 23-10-2018 has approved the proposal of suspending the Regulations No. 15, 19, 20.3, 20.4, 21, 22.3.1, to 22.3.10 of the DCPR-of NAINA (now superseded by DCPR-2019) and now they are not applicable in the scheme area. However, these regulations are not deleted by the State Government and suspension is always for a specific period. Hence, with due spirit of development of the scheme area in a proper manner as desired and considering the much reduced areas available to the land owners for consumption with higher FSI permitted therein in lieu of compensation, some regulations are relaxed in

respect of narrow plots wherever necessary. Some of the other regulations are relaxed and proposed wherever necessary. The Special Development Control and Promotion Regulations to be made applicable within this scheme in addition to the DCPR of NAINA are therefore prescribed as given hereinafter for the proper and efficient implementation of the Scheme.

The Preliminary Scheme contains the following Plans and Tables as part of the scheme.

- 1) Plan No. 1 showing the location of the scheme area in the IDP/DP and in NAINA.
- 2) Plan No. 2 (scale 1:2500) showing the Original plots included in the scheme in green colour.
- 3) Plan No. 3 (scale 1:2500) showing the Original Plots in green colour and superimposed thereon the Final Plots in red colour.
- 4) Plan No. 4 (scale 1:2500) showing the Final Plots in red colour allotted in lieu of Original Plots and the infrastructure.
- 5) Table A for original plot-wise decisions of the Arbitrator (A-4 size)
- 6) Table B for Allotment of final plots with ownerships, areas, tenures (A-4 size)
- 7) Report on the Award of the Preliminary Scheme by the Arbitrator
- 8) General / Common Decisions
- 9) Special Development Control and Promotion Regulations

The Original plots are the original holdings of the land-owners whose lands are included in the scheme as they exist on the date of declaration of the intention to make a scheme under section 60 (1) of the said Act. The Final Plots are the reconstituted plots allotted to the land owners in lieu of their original plots and further to the SPA, NAINA designated for social and service infrastructure and for IDP/DP & scheme roads in the preliminary scheme.

The Preliminary NAINA Town Planning Scheme no. 4, has been drawn up accordingly under sub-section (7) of Section 72 of the said Act on 30.11.2023. The notices in English and in Marathi regarding drawing-up of this preliminary scheme have been published in the Extra-Ordinary Gazette no.98, in Part II; dated 01.12.2023.

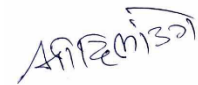
The original time limit of nine months from the appointment of the Arbitrator has expired on 01.09.2023. The Arbitrator has already applied to the

State Government to grant three months' extension as provided under sub-section (3) of Section 72 of the said Act vide his letter bearing no. लवाद/न.र.यो. ४/सर्वसाधारण/२०२३/७३८ dated 01.08.2023. The extended time limit of three months as requested shall expire on 01.12.2023.

The Final Scheme containing the financial part as per section 72 (6) of the Act will be drawn up separately within the prescribed time limit in due course after getting sanction to this preliminary scheme under section 86 (1) of the Act. Hence, details in Form No. 1 & Form no. 2 prescribed under the Maharashtra Town Planning Schemes Rules, 1974 regarding compensation, contribution, cost of the scheme etc. are therefore not part of this Preliminary Scheme.

After the award of the Preliminary Scheme is drawn up on 30.11.2023 as provided under section 72 (7) of the said Act, the Scheme Plans and Report along with all the particulars specified in Rule 6 of the said Schemes Rules, 1974 and as given above have been published in the office of the Arbitrator and of NAINA as required under Rule 13(9). The notices in English and in Marathi have been published in the Maharashtra Govt. Gazette, Extra-Ordinary, Part II, dated 01.12.2023 as required under Rule 13 (9) that the Preliminary Scheme no. 4 has been drawn up. These notices have been published in the local Newspapers, daily 'Newsband' and daily 'Vadalvara' dated 08.12.2023.

The Preliminary NAINA Town Planning Scheme No. 4, is thereafter submitted by the Arbitrator to the State Government as provided under sub-section (5) of the Section 72 of the said Act for sanction on 13.12.2023 vide his letter bearing no. ARB/TPS-4/Pre-Sub/2023/833; dated 13.12.2023.



(S. D. Landge)

Arbitrator

NAINA Town Planning Scheme No. 4

13th December 2023

NAINA TOWN PLANNING SCHEME NO. 4,

Aadai (pt), Aakurli (pt), Newali (pt), Shillottor Raychur (pt) and Pali Devad (pt)

PRELIMINARY SCHEME

8. General / Common Decisions

The following General/Common decisions shall hold good and shall be applicable within the area of the NAINA Town Planning Scheme No. 4.

- 1) All the Final Plots have been defined and decided and as settled by the Arbitrator vide sub-section 4 of section 72 of the Maharashtra Regional and Town Planning Act, 1966 and they are as shown on the plans no. 3 & 4 in Red colour and as detailed in Table B of the Preliminary Scheme in force.
- 2) The Ownerships along with their shares and the areas of Final Plots allotted in lieu of Original Plots or allotted to the SPA, NAINA shall be as recorded in the Table B. These Final Plots shall be referred to in future with their respective Final Plot Numbers mentioned on the plans no. 3 and 4 as well as in Table B of the Preliminary Scheme in force. Further, where shares in the ownerships are not specifically mentioned, such shares in respect of co-ownerships shall be considered as equal, unless noted otherwise in the remarks column of Table B.
- 3) The Tenures, Ownerships and other rights, if any, in respect of Original Plots, unless otherwise extinguished or specifically mentioned in the decisions, shall have been hereby transferred mutatis mutandis to the corresponding Final Plots. Section 101 of MR and TP Act 1966 empowers Arbitrator to transfer rights from Original Plot to reconstituted plot. The proviso to this specifically bars transfer of agricultural lease from OP to FP if there is no consent of all parties to such lease. None of the agricultural tenants in OPs of NAINA TP Scheme No. 4, have presented consent of all parties to lease. Therefore, as per the proviso to section 101 of the act these rights are not transferred. So these rights are not capable of being transferred in absence of consent of all parties to lease; hence stand extinguished.
- 4) The Tenure as Class I or Class II mentioned in respect of any Final Plot in the Table B is on the basis of that recorded by the Revenue Department in the respective 7/12 extract. This Tenure shall stand changed automatically after

new tenure is attached subsequently to any Final Plot by the Competent Revenue Officer after following due procedure.

- 5) All rights of mortgagors and mortgagees, if any, existing in the Original Plots are hereby transferred proportionately to the corresponding Final Plots.
- 6) All rights of lessors and lessees, if any, in the Original Plots are hereby transferred to the corresponding Final Plots subject to the adjustments in lease rents in proportion with the changes made in their areas.
- 7) The lands for which no final plot numbers are allotted shall vest free of all encumbrances in the Special Planning Authority, NAINA (CIDCO) (which are generally the lands under roads/ accesses/lakes/nallas etc.).
- 8) All the rights of passages, right of ways / accesses or of easements, or any right to draw water from any well which exist in any original plot if any, existing prior to the date of enforcement of the Preliminary Scheme over any lands / Original Plots included in the Scheme shall hereby stand extinguished. Passages/Accesses to allotted final plots shall be derived only through the Roads provided & constructed in accordance with the Scheme layout in force.
- 9) The owners of the authorized structures in the Original Plots which are affected by new roads or by the road widening or by other Scheme proposals for which no compensation has been specifically allowed in the Scheme are permitted to remove the materials, if any, of the structures or of compound walls, wire fencing, sheds, huts or of any other structures etc. within six month from the date on which the final scheme comes into force provided that they shall fill up at their own cost any hollows created or repair the damages made during such removal of the materials.
- 10) Where any authorized existing compound walls or wire fencings etc. along the boundary of the Original Plots which are affected by the reconstitution of Final Plots or by proposed road widening or by new roads or by any other Scheme proposals and where no compensation for the above has specifically been allowed in the Scheme and in such cases, the materials of such compound walls or of wire fencings are not removed by the concerned owners, then the Special Planning Authority, NAINA (CIDCO) shall demolish and remove the affected compound walls or wire fencings at its own cost. If the owners who are allowed to remove the structures and take away the materials, fail to do so within the specified period or within the period extended by the SPA, the Special Planning

Authority, NAINA (CIDCO) shall remove the structures and take away the materials. In such cases, the material so removed shall belong to the Special Planning Authority, NAINA (CIDCO).

- 11) The structures/Chawls those are constructed without obtaining due permission shall be removed by the SPA, NAINA (CIDCO) within a reasonable period and the families dishoused or become homeless shall be rehabilitated in the FP no. 188 in accordance with the normal policy of the Special Planning Authority, NAINA.
- 12) No trees shall be cut down nor any excavation / development shall be carried out by the owner/s within the portion of their Original Plots which are reconstituted to form the Final Plots not allotted to them.
- 13) The Final Plots allotted for public purposes in the Scheme shall vest in the Special Planning Authority, NAINA (CIDCO) free from all encumbrances w.e.f. the date on which the Preliminary Scheme comes into force. The Special Planning Authority, NAINA (CIDCO) shall keep all such public sites free of any encroachments and exclusively use for the purposes designated in the scheme.
- 14) The Amenity Plots/Open Spaces provided in the scheme shall be utilised primarily for the benefits of the residents of the scheme.
- 15) The plots provided for the Amenities shall be utilised only for the social infrastructure primarily beneficial to the residents of the scheme such as local level Educational & Medical facilities, Shopping Centres, Retail Markets, Convenience Shopping, Recreation, Parking facilities, Utilities such as Water Supply, Sanitation, drainage & Electric Supply, Communication etc. The Vice Chairman & Managing Director, CIDCO is authorized to add any user of public nature and utilise any amenity plot for such user which is beneficial to the scheme residents.
- 16) Unless otherwise specified wherever there are two or more owners shown against any serial number in the Table No. B, the net demand under column no. 15 of Form No. 1 in the Final Scheme shall be shared by such persons either in proportion of their shares held in the property or in proportion of the areas held by them in the respective Final Plots.
- 17) Where a Final Plot wholly or partly is sold out or laid out into sub-plots and such sub-plots are sold by the owner/s before making payment of incremental contribution to the Special Planning Authority, NAINA (CIDCO) levied to such Final Plot, the purchasers / new owners / successors shall be liable for payment

of such incremental contribution levied on such Final Plot in proportion of the areas held by new owners. In case of any dispute in this regard, the decision of the Vice Chairman & Managing Director, CIDCO is final and conclusive and shall remain binding on the respective new owners.

- 18) Development in a Final Plot shall be permitted only after payment of net demand mentioned in column 15 of the Form No.1 of the Final Scheme. This payment of net demand is in addition to development charges prescribed under chapter VI-A of the Maharashtra Regional & Town Planning Act, 1966. The development fund in the form of incremental contribution collected by the Special Planning Authority, NAINA (CIDCO) from the owners of the Final Plots shall be deposited in a separate account and shall be utilized for the development of the scheme and to carry out works stipulated in the scheme.
- 19) As per provisions of section 72(4) the Arbitrator shall determine the period for completion of works provided in the scheme by the appropriate authority.

Provision of infrastructure as listed in sub-clauses (ii-b), (ii-e), (ii-f) & (ii-g) of subsection (1) of section 59 of the act is considered absolutely necessary for the scheme. These lands have already vested in the SPA NAINA after the sanction of draft scheme u/s 68(2). [Please refer section 68A of the Act].

The SPA NAINA shall complete the above listed works in the scheme within a period of five years from the date of coming into force of the preliminary scheme.

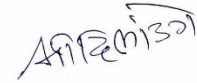
- 20) The Special Planning Authority, NAINA (CIDCO) shall transfer and hand over the possessions of all the final plots to the owners to whom they are allotted as mentioned in Table B of the Preliminary Scheme within twelve months from the date of enforcement of the said Scheme.
- 21) The Special Planning Authority, NAINA (CIDCO) shall, within three months from the enforcement of the Preliminary Scheme, forward certified true copy of the Scheme to the concerned Land Records Department and get the record of lands changed in accordance with Table B of the sanctioned Preliminary Scheme as provided under Rule 18 of the Maharashtra Town Planning Schemes Rules, 1974.
- 22) Special Planning Authority, NAINA (CIDCO) shall, within three months from the date of enforcement of the Preliminary Scheme inform the owners of the Final Plots by means of a public notice that on application, they are entitled to get a Certificate of Tenure and Title in respect of their final plots from the Director

of Town Planning, Pune in form 7 as provided under rule no. 26(2) of the Maharashtra Town Planning Schemes Rules, 1974.

- 23) The SPA/NAINA (CIDCO) shall immediately fence all the public sites which will be vesting in it under this scheme so as to avoid probable encroachments.
- 24) The Special Planning Authority, NAINA, CIDCO shall develop Gardens, Parks, Play-Grounds and Open Spaces provided in the scheme within a period of five years from the date of enforcement of the Preliminary Scheme. The priority in this respect shall be decided by the SPA considering the pace of development and need of the facility to the scheme residents. Buffer space under high tension line can be used as open space keeping all the requirements.
- 25) The Special Planning Authority, NAINA, CIDCO shall lease out final plots provided for schools/Educational Purpose to the renowned & registered educational trusts to erect & impart educational facilities as desired by the SPA, NAINA within the reasonable time frame considering the need of the local and surrounding population.
- 26) The FPs provided for housing for EWS/LIG shall be developed by the Special Planning Authority, NAINA, CIDCO within a reasonable time frame considering the need of the facility under its social housing programme.
- 27) The SPA, NAINA shall sell FPs provided as sale plots under clause (ii) (D) of the section 64 (g-1) of the MR & TP Act, 1966 in the scheme in the open market for any use including IT/ITES establishments but excepting industrial use for raising the funds to meet the cost of infrastructure of the Scheme.
- 28) The Growth Centres as proposed in the IDP/DP and accordingly have been incorporated in the Scheme shall be developed by the Special Planning Authority, NAINA, CIDCO as per its programme of implementation of the Growth Centres as a whole.
- 29) The Crematoria exist in the scheme, being used by the villagers, have been maintained in the scheme with 40% of their area. Some of them have been provided with adjoining plots for their expansion. The SPA, NAINA shall improve and upgrade these Crematoria with modern amenities to the satisfaction of the scheme residents. They shall be protected from river flood wherever needed. These crematoria will stand in public domain.
- 30) The SPA, NAINA shall coordinate all the roads which are running further through the areas of adjoining TP schemes as well as the part reservations or public

sites provided on the boundary of this scheme with the sites to be provided in such adjoining schemes.

- 31) In case, the SPA, NAINA, CIDCO is unable to complete the works within the time limits prescribed by the Arbitrator, then the SPA, NAINA, CIDCO shall approach the State Government under section 111 (1) of the MR & TP Act, 1966 to seek extension in this respect.



(S. D. Landge)
Arbitrator

NAINA Town Planning Scheme No. 4

13th December 2023

NAINA TOWN PLANNING SCHEME NO. 4

Aadai (pt), Akurli (pt), Newali (pt), Shillottor Raychur (pt) and Pali Devad (pt)

PRELIMINARY SCHEME

9. Special Development Control and Promotion Regulations

In addition to the Development Control and Promotion Regulations, which are made applicable to the 23 Revenue villages of NAINA under directives given by Government vide no. TPS-1717/2750/ C.R.91/19/UD-12, dated 6/1/2020 (hereinafter called as 'DCPR-2019 as amended from time to time') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall also apply to the development of any sort to be carried out in the final plots of the NAINA Town Planning Scheme No. 4,

In case of any conflict between the regulations in DCPR-2019 and these special regulations prescribed below arises, then these special regulations shall prevail.

- 1) The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Predominantly Residential Zone of the sanctioned Interim Development Plan/ Development Plan and shall be eligible for development for users prescribed in Regulation No. 31 of the DCPR of NAINA.

Provided that, the final plots fronting on roads having width of 12 m or more and admeasuring at least 0.20 ha in area shall be permissible for development either under regulations of Predominantly Residential Zone or under Mixed Land Use Zone of the DCPR of NAINA irrespective of the actual zonal boundaries of the IDP/DP.

- 2) Boundaries of the Final Plots shall not be hereinafter changed, modified or altered during any development.
- 3) Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots whether within the scheme or of adjacent schemes shall be permitted considering sum of their areas as one unit for development.

- 4) Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form Final Plots not allotted to the holders / owners of such original plots.
- 5) Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable installments within a period upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.
- 6) Internal sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to DCPR of NAINA.
- 7) The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the DCPR of NAINA shall not be enforced in developing Final Plots, admeasuring 0.40 ha or more, considering that such Open Spaces are already provided in the form of play-grounds, Parks and Open Spaces in the scheme in addition to those reserved in the Interim Development Plan for which owners of the final plots have shared their lands from their original plots.

The regulation no. 20.3 of sanctioned DCPR of NAINA shall be deemed to have been suspended u/s 70 of the said act.

- 8) The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the DCPR-2019 shall not be enforced in developing Final Plots admeasuring 2.00 ha or more considering that such Amenity Spaces are provided separately in the scheme in addition to those reserved in the Interim Development Plan for which owners of the final plots have shared their lands from their original plots.

The regulation no. 20.3 of sanctioned DCPR of NAINA shall be deemed to have been suspended u/s 70 of the said act.

- 9) The provision of 20 % plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPR of NAINA read with Annexure-4 of DCPR shall not be made applicable for a sub-division or layout of a Final

Plot as the Scheme provides EWS / LIG housing for which the owners of final plots have shared the lands from their original plots.

Notes: —

- i. The regulations at serial number 7, 8 and 9 above shall not be applicable for Final Plots having area more than 50% of the original plots. For such plots the provisions of sanctioned DCPR of NAINA in force shall be applicable.
 - ii. In cases wherein CC is already granted (before declaration of TPS), if the final plot is given by reducing land area under Recreational Open Space (RG), Amenity & layout road, then while processing Amended CC or OC of such final plots, land area as per CC for such Open Space, Amenity may not be insisted. However, location & land area of remaining Open Space & Amenity inside the final plot shall be maintained as per CC.
- 10) The owners of Final Plots are entitled to monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu of monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.
- 11) The base FSI applicable to the Final Plots allotted under the Town Planning Scheme shall be 1.00. However, if the owners of Final Plots opt compensation in the form of FSI as provided under section 100 of the Act, then the FSI permissible in a Final Plot shall be computed as below.

$$FSI \text{ of Final Plot} = \frac{\text{Area of Original Plot}}{\text{Area of Respective Final Plot} *}$$

* Where Final Plot means plot allotted finally in lieu of its Original Plot.

Provided that such FSI computed as above shall be permissible to only those who have opted to avail the compensation in terms of FSI instead of monetary compensation worked out in Form No. 1 of the Final Scheme.

The land parcels eligible for 1.00 FSI as per provisions of sanctioned DCPR of NAINA (i.e. within 200 m of Gaathan), if included in TPS shall be permitted 25 % additional incentive FSI in lieu of their 60 % land contribution to the project. The FSI of the final plot (whether anchored at its original location or

otherwise) against such land parcels shall be increased in proportion to its area, irrespective of whether the final plot is a standalone plot or amalgamated with other land parcels.

- 12) The permissible FSI in respect of Final Plots, whose owners accept monetary compensation as per the award in Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00.
- 13) If the FSI mentioned in the Special Regulation No. 11 above permissible in a Final Plot becomes inconsumable for constraints in maintaining prescribed marginal distances / height restrictions / firefighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any Final Plot situated in this scheme subject to-
- i. The provisions of Regulation No. 43 of the sanctioned DCPR of NAINA shall be applicable.
 - ii. Such transfer of development right from a Final Plot to another Final Plot situated in the adjoining sanctioned preliminary scheme shall be permitted once only and only with prior approval of the Managing Director of the CIDCO and upon his satisfaction that the concerned owner is unable to transfer his development right within the scheme where the TDR has generated.
 - iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00
 - iv. The owner transferring the FSI as TDR shall not develop his Final Plot at any time to consume FSI more than that already consumed at the time of issuing the DRC.
 - v. The Final Plot, after such transfer, shall not be eligible for any additional FSI / TDR in future.
 - vi. The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.
- 14) The permissible FSI in respect of Final Plots designated to Amenity Plots or to Schools, Primary Health Centre shall be 2.5.

- 15) The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR, Burial Ground and Crematorium in this scheme shall be 1.00.
- 16) The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the Dispossessed Persons or Final Plots reserved as sale plots in this scheme shall be 4.
- 17) The permissible FSI in respect of Final Plots designated to Growth Centers in this scheme shall be 2.5.

Provided that the aforesaid FSI may be increased maximum up to 4.00 on payment of FSI Linked premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPR of NAINA for every increase of FSI of 0.30.

No TDR shall be permissible on Growth Center plots.

- 18) The permissible FSI in respect of Final Plots designated to Schools, College, Education Purpose, Fire Station, Police Station, Community Centre, Hospital, Primary Health Centre and Town Hall shall be 2.5.
- 19) The Final Plots designated as Open Spaces, Parks, Green Belts or Play-Grounds are permissible to built-up area equal to 15 % of the respective final plot area subject to ground coverage up to 10 % of the respective plot and structures shall be only of ground floor or ground plus one upper floor. Such structures shall be at one corner of respective plot and shall be used for any use complementary to the designated use of such final plot.
- Provided that area of such plots shall not be less than 1000 sq. m.

- 20) The set-backs from the roads and the side/ rear marginal distances from the boundary of the plot in respect of all structures shall be as follows: -

Front, Side and Rear Marginal Distances

Area of Plot	Category of Building	Maximum permissible height of the building	Min. Marginal Open Spaces (in m)	
			Side	Rear
40 sq. m. to less than 150 sq. m. *Please refer special note	Row House Type	Up to 15 m	0.0	1.5
	Semi-detached type	Up to 15 m	1.5	1.5
*Special Note - Irrespective of the road width on which these plots abuts, the maximum front margin shall be 3.00 m.				

Area of Plot	Category of Building	Maximum permissible height of the building	Min. Marginal Open Spaces (in m)	
			Side	Rear
150 sq. m. to less than 450 sq. m.	Semi Detached type	Up to 15 m	1.5	2.25
	Detached type	Up to 15 m	2.25	2.25
		Above 15 m up to 24 m	H/5	H/5
450 sq. m to less than 1000 sq. m.	Detached type	Up to 15 m	3.00	3.00
		Above 15 m up to 24 m	H/5	H/5
		Above 24 m up to 37.5 m	6.00	6.00
1000 sq. m and above	Detached type	Up to 15 m	3.00	3.00
		Above 15 m up to 24 m	H/5	H/5
		Above 24 m up to 37.5 m	6.00	6.00
		Above 37.5 m up to 60.0 m	H/5 or 9.00 whichever is less	H/5 or 9.00 whichever is less
		Above 60.00 m	12.00	12.00
<p>a. Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40-meter length shall not be applicable.</p> <p>b. The provision of dead wall mentioned in sanctioned DCPR of NAINA shall be applicable</p> <p>c. For special building use No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.</p> <p>d. Provided that projections required for firefighting and chajja or weather shed up to 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided.</p> <p>e. Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m up to 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m.</p> <p>f. The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.</p>				

21) Mechanical/Hydraulic / Stack parking / multistoried parking with or without car lift may be allowed to meet the requirement.

22) If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 1.5 m. from the plot boundary and beyond the building lines at ground level subject to a clear minimum front margin of 4.5 m and further subject to non-habitable uses and

provision for mechanical ventilation and all safety provisions and drainage. However, it is essential that the basement top slab below the external circulation at ground level should be designed for firefighting vehicular loads as per NBC 2016.

Provided that the above provision shall be permissible after the clearance from the Chief Fire Officer, CIDCO.

23) Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications, modern methods of disposals, shall be permitted at the discretion of the Authority.

24) The service road of the State highways, national highways and Multi Modal Corridor (MMC) shall be considered for the access to the plot.

Further the plots along the other categorized roads such as Major District roads/ Village roads shall be directly accessible from these roads.

In both the cases for final plots in Town Planning scheme Ribbon development rules shall not be applicable.

25) The distance between two main buildings in a final plot shall be that required to be provided for a taller building amongst them subject to 12.0 m as maximum. This distance shall also be treated as means of access / driveway and no separate setback / marginal distances shall be insisted from such driveway, subject to minimum 6m driveway

26) Construction within River and blue line: Construction within River and Blue line may be permitted at a height of 0.60 m. above red flood line level. Provided that necessary mitigation measures are followed along with clearance from Irrigation department.

27) Grant of Development Permission does not constitute acceptance of correctness, confirmation, approval or endorsement of and shall not bind or render the competent authority liable in any way in regard to;

- a) Title Ownership & easement right of the plot on which building is proposed.
- b) Workmanship, soundness of material & structure safety of building.
- c) Variation in area from recorded areas of building unit.
- d) Location & boundary of building unit.
- e) Safety of the user of the building.

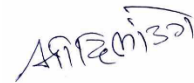
- f) NOC from appropriate authority.
- g) Structural reports and Structural drawing.

28) For any other earlier approved proposal like ITP, Rental Scheme etc. the regulations applicable under that scheme shall be applicable to such plots.

29) Removal of Difficulties and Hardships

If any difficulty arises in giving effect to the sanctioned preliminary or final scheme the VC&MD (CIDCO) may

- a) Remove any discrepancy in the boundary of original or of final plot
- b) Correct the area in the record as per the actual measurement on site of any original plot or final plot
- c) Adjust the shape of original or of final plot and accordingly correct the area as per actual demarcation on site



(S. D. Landge)
Arbitrator

NAINA Town Planning Scheme No. 4

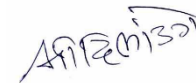
13th December 2023

10. Legal Formalities observed in Town Planning Scheme No. 4

SR. NO	LEGAL STAGE	SECTION/ RULE OF THE ACT	REFERENCE	DATE
1	Declaration of Intention	60 (1)	Resolution No. 12189, Board Meeting No. 619	07.06.2019
2	Gazette Publication of notice	60 (2)	Maharashtra Government Gazette, Extraordinary Part II	21.06.2019
3	Newspaper Publication of notice	60 (2) Rule 3(2)	The Asian Age (English) Vartahar (Marathi)	25.06.2019
4	Copies of Intention and Plan to Govt. and DTP	60 (2)	Letter No. CIDCO/ NAINA / CP / TPS-4 / 2019 / 260 /E-427	24.06.2019
5	Publication of Plan and Gazette notice in SPA's office	60 (3) Rule. 3(1)	-----	21.06.2019
6	Application for Extension of 3 months	61 (3)	Board Resolution No. 12275, Board Meeting No. 623 Letter No. CIDCO / NAINA / CP / TPS/Ext./2020/37/SAP-1036	10.01.2020 07.02.2020
7	Govt order sanctioning of Extension of time limit u/s 61(3)	61 (3)	No. TPS-4 / NAINA / Sect.61(3) / Time-limit Extension / JDTP-KDN/2058	04.03.2020
8	Meeting with Owners	Rule 4(1)		27, 28, 29 Feb. 2020
9	Consultation with DTP	61(1) Rule 4(2)	Letter No. CIDCO/NAINA/TPS-4/Consultation/sec 61(1) /2020 /87/ SAP-1156	19.03.2020
10	Submission for Suitable Amendments in IDP/DP	59(2)	CIDCO /NAINA /TPS-4 Amendment/sec 59(2)/ 2020/ 86/ SAP-1155	19.03.2020
National Lockdown applicable as per Maharashtra Ordinance XV of 2020 dated 31st August 2020				
11	DTP's Remarks on draft scheme & approval of Suitable Amendments in IDP/DP	61(1) Rule 4(2)	जा.क्र.नैना नरयो क्र.4 / प्र.क्र.71 / 20 / टिपीव्ही-3 / 1351 dt.05.03.2021	Received in this office 01.04.2021
12	Gazette publication of notice	61(1) Rule 5(1)	Maharashtra Government Gazette, Extraordinary Part II dated 25.04.2022	25.04.2022
13	Newspaper Publication of notice	61(1) Rule 5(2)	किल्ले रायगड	28.04.2022
	Suggestions/ Objections Received within the Timeframe	Rule 5(2)	-----	25.04.2022 - 27.05.2022
	Submission to Govt. for Sanction	68(1)	CIDCO/NAINA/Planning/ DP / TPS-4 / Draft Sanction / Sec.68(1) / 2022/E-136647	22.07.2022
	Consultation with DTP		CIDCO / NAINA / TPS-	08.08.2022

SR. NO	LEGAL STAGE	SECTION/ RULE OF THE ACT	REFERENCE	DATE
			4/Consult. 68(2)/2022/1663	
	Submission of Suitable Amendments in IDP/DP		CIDCO / NAINA/TPS-4 / Amendment / Sec-59(2) / 2022 / 501	10.08.2022
	DTP's Remarks on draft scheme & Approval of Suitable Amendments in IDP/DP	68(2)	जा. क्र. प्रा.न.र.यो / नरयो क्र.4/ नैना / कलम 68(1) / 457	12.10.2022
	Sanction to the Draft Scheme	68(2)	Notification no. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563 dated 21.10.2022 (Powers delegated to VC&MD)	21.10.2022
	Gazette Publication of Sanction Draft Scheme		Sanction of scheme published in Maharashtra Govt. Gazette Extra Ordinary Part II dated 4.11.2022	04.11.2022
	Newspaper publication of notification	68(2)	Publication of notification in Newspaper "Ram Prahar"	10.11.2022
	Display of sanctioned draft scheme in SPA's office	68(2)	---	21.10.2022
(B) Arbitration Proceedings				
21	Appointment of Arbitrator by Govt.	72(1)	No. TPS-1222/2152/C.R.148/22/UD-12	02.12.2022
22	Gazette publication of appointment	72(1) Rule 11	महाराष्ट्र शासन राजपत्र भाग एक कोकण विभागीय पुरवणी	23-29 March 2023
23	Arbitrator to commence the duties	Rule 13	ARB/TPS-4/GEN/2023/08	05.04.2023
24	Gazette of commencement of duties	Rule 13	Maharashtra Government Gazette, Extraordinary Part II	25.04.2023
25	Newspaper publication of commencement of duties	Rule 13(1)	Newsband (English)	13.04.2023
			Ram Prahar (Marathi)	
26	Special Notices in Form 4 to Owners	72(4)(i) and Rule 13(3)	---	20th April 2023 to 9th June 2023 and on 8th August 2023
27	Hearings of land owners	72(4)(i) and Rule 13(4)	----	01.05.2023 to 04.07.2023
28	Public notice for	72(4)(i)	Kille Raigad	09.08.2023

SR. NO	LEGAL STAGE	SECTION/ RULE OF THE ACT	REFERENCE	DATE
	hearing of Kul and Other Rights holders owners those remained absent to hearing	and Rule 13(4)	Raigad Times	
29	Arbitrator to subdivide the scheme into Preliminary and Final Schemes	72(3)	ARB/TPS-4/GEN/2023/815	20.10.2023
30	Letter for hearing to SPA, NAINA	72(4)(i) Rule 13(4)	ARB/TPS-4/GEN/2023/712	14.07.2023
31	Hearing to SPA, NAINA (CIDCO)	72(4)(i) Rule 13(4)	-----	07.08.2023
32	Remarks of SPA, NAINA (CIDCO) on hearing to Arbitrator	--	CIDCO/NAINA/PLNG/DP/TPS-4/2023/642	08.08.2023
33	Arbitrator to draw the Preliminary T. P. Scheme	72(7)	ARB/TPS-4/Award/2023/824	30.11.2023
34	Publication of notice regarding drawing the preliminary scheme in M. G. Gazette	Rule 13(9)	Maharashtra Govt. Gazette, Extra-Ordinary Part II	01.12.2023
35	Publication of notice regarding drawing the preliminary scheme in Newspaper	Rule 13(9)	Newsband (English) Vadalvara (Marathi)	08.12.2023
36	Submission of Preliminary Town Planning Scheme to Govt. for sanction	72(5)	ARB/TPS-4/Pre-Sub/2023/833	13.12.2023



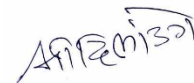
(S. D. Landge)
Arbitrator

NAINA Town Planning Scheme No. 4

13th December 2023

11. Time Limits followed in preparing TPS - 4

Sr No.	Section of the Act	Time Limit prescribed	Time limit followed
1	60(1)	Declaration of Intention	CIDCO Board's Resolution 7 th June 2019
2	60(2)	Publication of Intention	Gazette on 21st June 2019
		30 days	The Asian Age (English) 25.06.2019
		(upto 6 th July 2019)	Vartahar (Marathi) 25.06.2019
3	61(1)	Publication of draft scheme	Gazette on 25 th April 2022
		9 months+3months extension + period of Lockdown	
		(upto 1 st June 2022)	
4	68(1)	Submission of draft scheme to Govt.	22 nd July 2022
		3 months from publication	
		(upto 24 th July 2022)	
5	68(2)	Sanction to draft scheme by Govt.	21 st October 2022
		3 months from submission by Planning Authority	
		(upto 21 st October 2022)	
6	72(1)	Appointment of Arbitrator	2 nd December 2022
		One month	
		(upto 3 rd December 2022)	
7	72(3)	To draw Preliminary Scheme	30 th November 2023
		9 months+3 months extension	
		(upto 1 st December 2023)	
8	72(5)	Submission of the Preliminary scheme	13 th December 2023
		(No time limit is prescribed)	



(S. D. Landge)
Arbitrator

NAINA Town Planning Scheme No. 4

13th December 2023

12. Annexures

Annexure 1 Declaration of Intension of TPS-4

RNI No. MAHBIL/2012/46121



महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ५, अंक २२]

शुक्रवार, जून २१, २०१९ / ज्येष्ठ ३१, शके १९४१

[पृष्ठे ४, किंमत : रुपये १२.००

असाधारण क्रमांक ३६

प्राधिकृत प्रकाशन

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

सूचना

[महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ च्या कलम ६० च्या उप कलम (२) नुसार]

क्रमांक सिडको/नेना/मु.नि/बीएन-३२/टीपीएस ४/२०१९.—ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ (महा. अधिनियम XXXVII, १९६६) (येथून पुढे “उक्त अधिनियम” असे निर्देशित करण्यात येईल), च्या कलम ४० च्या उप कलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासनाच्या नगरविकास विभाग (नविवि), ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/प्र.क्र.-१८/१२/नवि-१२, दिनांक १० जानेवारी, २०१३ व वेळोवेळी झालेल्या सुधारणांअन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्रभावित अधिसूचित क्षेत्र (नेना), (येथून पुढे “उक्त क्षेत्र” असे निर्देशित करण्यात येईल) साठी, शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) (येथून पुढे महामंडळ असे निर्देशित करण्यात येईल), म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे वि.नि.प्रा.असे निर्देशित करण्यात येईल) म्हणून नेमणूक केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्रमांक टीपीएस-१२१५/२४५/सीआर-३३२/२०१५/एस.एम./यूडी-१२, दिनांक २७ एप्रिल, २०१७ नुसार नेनातील २३ गावांसाठी अंतरिम विकास आराखडा मंजूर केला आहे. आणि, अधिसूचना क्रमांक टीपीएस. १२१५/२४५/प्र.क्र.३३२/१६/ई.पी./नवि-१२, दिनांक १ मार्च, २०१९ अन्वये अधिनियमाच्या कलम ३१ च्या उप कलम (१) नुसार अंतरिम विकास आराखड्याचा वगळलेले भाग मंजूर केले आहेत ;

आणि ज्याअर्थी सिडकोच्या संचालक मंडळाने दिनांक ७ जून, २०१९ रोजीच्या ठराव क्रमांक १२१८९ अन्वये पनवेल तालुक्यातील रायगड जिल्ह्यातील आदर्श, आकुर्ली, नेवाळी, शिल्लोतर रायचूर आणि पाली देवद यांच्या काही भागात नगररचना परियोजना क्रमांक ४ करण्याकरिता, अधिनियमातील कलम ६० च्या उप कलम (१) नुसार त्याचा उद्देश घोषित केला आहे.

आता, म्हणून, उक्त अधिनियमाच्या कलम ६०च्या उप कलम (२) द्वारा प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील, रायगड जिल्ह्यातील आदर्श, आकुर्ली, नेवाळी, शिल्लोतर रायचूर आणि पाली देवद यांच्या काही भागात नगररचना परियोजना क्रमांक ४ करण्याचा इरादा घोषित करत आहे.

भाग दोन— ३६—१

(१)

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महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २१, २०१९ /ज्येष्ठ ३१, शके १९४१

प्रस्तावित टीपीएस नं. ४ मध्ये समाविष्ट जमिनीवर सक्षम प्राधिकारीकटून वेध बांधकाम परवानगी मिळाली असल्यास अशा परवानगीचा तपशील नैना कार्यालयाकडे सादर करण्याची जमिनमालकांना विनंती करण्यात येत आहे. योजनेत सहभागी असलेल्या जमिनमालकांची संयुक्तपणे किंवा वैयक्तिकरित्या जमीन असेल आणि असे जमिन मालक एकच अंतिम भूखंड मिळविण्यास इच्छुक असतील तर त्यांना उक्त अधिनियमाच्या कलम ६५ नुसार एकच अंतिम भूखंड मिळणेसाठी शक्यतो १५ दिवसांच्या आत संमती देण्यास विनंती आहे.

उक्त अधिनियमाच्या कलम ६० च्या उप कलम (३) च्या तरतुदीनुसार, नगररचना परियोजना क्रमांक ४ ची घोषणा व त्यामध्ये अंतर्भूत करण्यात येणारे क्षेत्र (गुलाबी रंगाच्या सीमेने) दर्शविणाऱ्या नकाशाची प्रत जनतेच्या तपासणीसाठी मुख्य नियोजनकार (नैना), टवा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्थानक संकुल, सी.बी.डी. बेलापूर, नवी मुंबई ४०० ६१४, येथे कार्यालयीन वेळेत उपलब्ध आहेत.

विषयांकित परियोजनेचे सीमाक्षेत्र दर्शविणारा नकाशा संबंधित गावांच्या ग्रामपंचायत कार्यालयात तपासणीसाठी उपलब्ध राहतील. सदर सुचना व नकाशा सिडकोच्या संकेतस्थळ <http://cidco.maharashtra.gov.in/NAINA.aspx> येथे सुद्धा उपलब्ध राहतील.

नगररचना योजना ४ मध्ये समाविष्ट असलेल्या क्षेत्राच्या चतुःसीमा खालीलप्रमाणे आहेत :-

- उत्तरेला** — नवी मुंबई प्रकल्पातील गावे टेंभोडे व आसुडगाव यांच्या हद्दी.
- पूर्वेला** — आदई व आकुर्ली मधील टेकड्या.
- दक्षिणेला** — (i) दक्षिण-पूर्व भागास काळूंद्री नदीचा दक्षिणेकडील काठ.
(ii) दक्षिण-पश्चिम भागास पाली देवद गावातील विद्यमान वसाहती.
- पश्चिमेला** — नवी मुंबईचा नविन पनवेल नोड

महामंडळाच्या संचालक मंडळाच्या आदेशानुसार,

व्ही. वेणू गोपाल,
मुख्य नियोजनकार (नैना).

नोंदणीकृत कार्यालय :

निर्मल, २रा मजला, नरीमन पॉईंट, मुंबई ४०० ०२१.

दिनांक : २१ जून २०१९.

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २१, २०१९ /ज्येष्ठ ३१, शके १९४१

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**CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF
MAHARASHTRA LTD.**

Notice

UNDER SECTION 60(2) OF THE MAHARASHTRA REGIONAL AND
TOWN PLANNING ACT, 1966

No. CIDCO/NAINA/CP/BN-32/TPS.4/2019

Whereas, the Government of Maharashtra in exercise of the powers conferred under clause (b) of Sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification No. TPS-1712/475/CR-98/12/UD-12, dated 10th January 2013 and subsequent amendment (hereinafter referred to as "the said Notification") City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the Corporation") as Special Planning Authority (hereinafter referred to as "the SPA") for Navi Mumbai Airport influence Notified Area (NAINA) (hereinafter referred to as "said notified area") as specified therein.

And whereas, the Government of Maharashtra *vide* Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 Villages if NAINA and also *vide* Notification No. TPS-1215/245/C.R. 332/16/EP/UD-12, dated 1st March 2019 has sanctioned the Excluded Parts of the IDP under Section 31(1) of the said Act.

And whereas, the Board of CIDCO *vide* Resolution No. 12189, dated 7th June 2019 had declared its intention under Sub-section (1) of Section 60 of the said Act, for making of Town Planning Scheme No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka Panvel, District Raigad.

Now, therefore, in exercise of the powers conferred by Sub-section (2) of the Section 60 of the said Act, the corporation hereby publishes its declaration of making Town Planning Scheme (TPS) No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka Panvel, District Raigad.

Land owners who are having valid building permission obtained from Competent Authority, falling within the boundary of proposed TPS No. 4 are requested to submit detail of the same to NAINA office. Participants having land ownership jointly or severally willing to obtain a single final plot are requested to submit their consent under section 65 of the said Act for providing single plot preferably within 15 days.

In accordance with the provisions of Section 60(3) of the said Act, a copy of the declaration along with the plan showing the area to be included in the Town Planning Scheme No. 4 (shown by PINK border) is kept open for inspection by the public in the Office of Chief Planner (NAINA), 8th Floor, Tower No. 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400 614 during office hours.

४

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २१, २०१९ / ज्येष्ठ ३१, शके १९४१

Copies of the plan showing the area to be included are also kept for inspection in the Grampanchayat offices of the villages included in the said Town Planning Scheme, Copy of the notice and plans are also available on CIDCO's website <http://cidco.maharashtra.gov.in/NAINA.aspx>.

The area included in the Town Planning Scheme 4 is bounded as stated below .-

- On the North – by boundary of Villages Tembhode and Asudgaon of Navi Mumbai Project,
- On the East – by hills of Adai and Akurli,
- On the South – (i) South-East by Northern edge of Kalundre River and
(ii) South-West by already developed portion of Pali Devad village.
- On the West – by New Panvel Node of Navi Mumbai.

By the order of Board of Directors of the Corporations

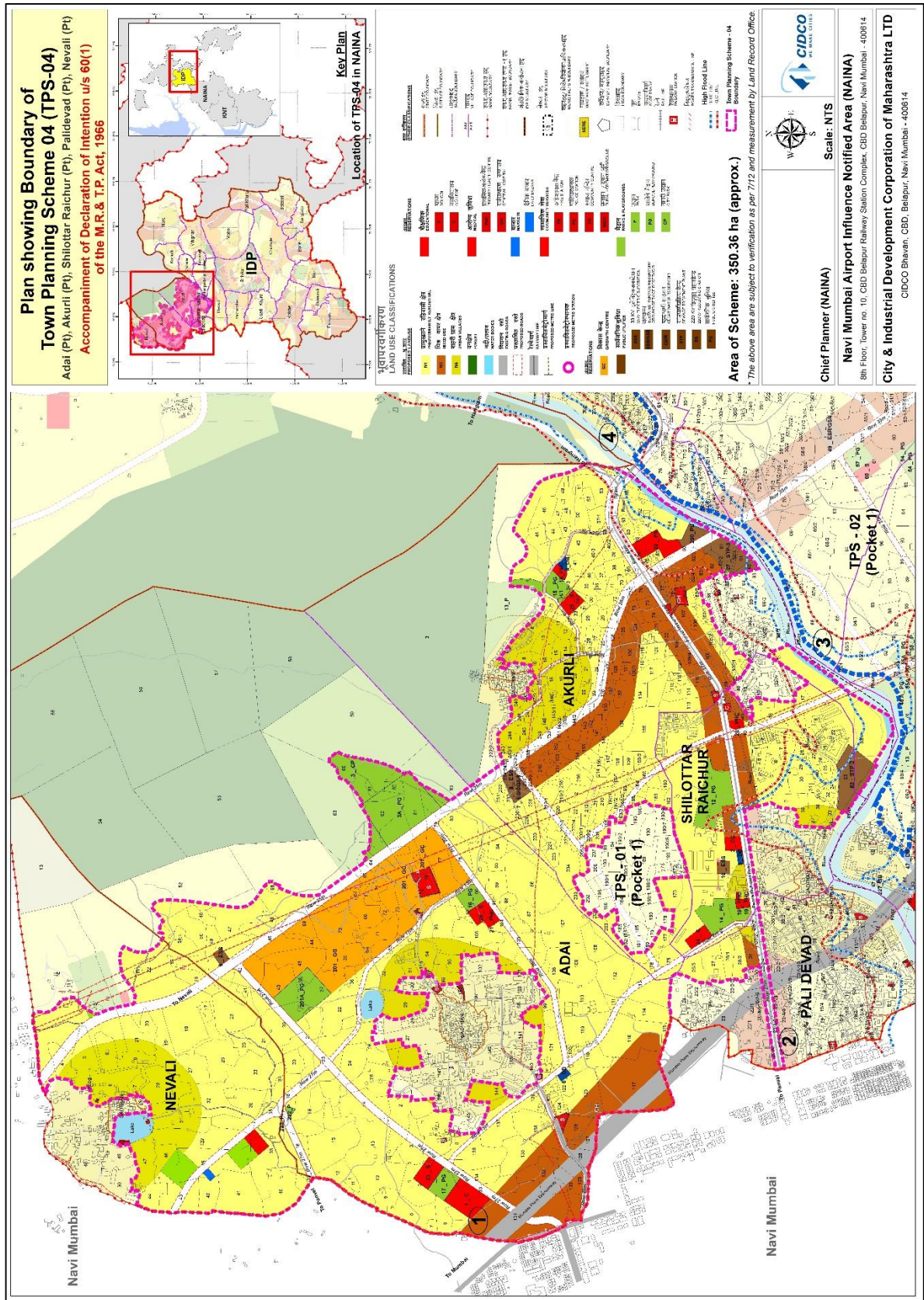
Regd. Office :

Nirmal, 2nd floor, Nariman Point,
Mumbai 400 021,
Dated 21st June 2019.

V. VENU GOPAL,
Chief Planner (NAINA).


ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY DIRECTOR DR. NAMDEO KONDAJI BHOSALE, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATIONS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 EDITOR : DIRECTOR DR. NAMDEO KONDAJI BHOSALE.

Annexure 2 Declaration Map



Annexure 3 Notice of Declaration of Intention in Newspaper

THE ASIAN AGE | TUESDAY | 25 JUNE 2019



CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA Ltd.

NOTICE

UNDER SECTION 60(2) OF THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966
No. CIDCO/NAINA/CP/BN-32/TPS.4/2019/

WHEREAS, the Government of Maharashtra in exercise of powers conferred under clause (b) of Sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, No. TPS -1712/475/CR-98/12/UD-12, dated 10th January, 2013 and subsequent amendment (hereinafter referred to as "the said Notification") City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the Corporation") as Special Planning Authority (hereinafter referred to as "the SPA") for Navi Mumbai Airport Influence Notified Area (NAINA) (hereinafter referred to as "said notified area") as specified therein.

And whereas, the Government of Maharashtra vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27.04.2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAINA, and also vide Notification No. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 01.03.2019 has sanctioned the Excluded Parts of the IDP under Section 31(1) of the said Act.

And whereas, the Board of CIDCO vide Resolution No 12189, dated 07.06.2019 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka – Panvel, District Raigad.

Now, therefore, in exercise of the powers conferred by Sub Section (2) of the Section 60 of the said Act, the Corporation hereby publishes its declaration of making Town Planning Scheme (TPS) No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka – Panvel, District Raigad

Land owners who are having valid building permission obtained from Competent Authority, falling within the boundary of proposed TPS No. 4 are requested to submit detail of the same to NAINA office. Participants having land ownership jointly or severally willing to obtain a single final plot are requested to submit their consent under section 65 of the Said Act for providing single plot preferably within 15 days.

In accordance with the provisions of Section 60(3) of the said Act, a copy of the declaration along with the plan showing the area to be included in the Town Planning Scheme No. 4 (shown by PINK border) is kept open for inspection by the public in the office of Chief Planner (NAINA), 8th Floor, Tower No. 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400 614 during office hours.

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(ii) South-West by already developed portion of Pali Devad village,
On the West – by New Panvel Node of Navi Mumbai.

By the order of Board of Directors of the Corporation.

(V. Venu Gopal)
Chief Planner (NAINA)

Regd. Office: Nirmal, 2nd floor, Nariman point, Mumbai-400 021.
Date: 21/06/2019

CIN - U99999 MH 1970 SGC-014574
www.cidco.maharashtra.gov.in

CIDCO/PR/078/2019-20

वार्ताहर

मुंबई
मंगळवार, २५ जून २०१९

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित जाहीर सूचना

महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम १९६६ च्या कलम ६० च्या उपकलम (२) नुसार

क्र. सिडको / नैना / मु.नि. / बीएन - ३२/टीपीएस ४ / २०१९/

ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम १९६६ (महा. अधिनियम XXXVII, १९६६) (येथून पुढे उक्त अधिनियम असे निर्देशित करण्यात येईल), च्या कलम ४० च्या उपकलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासनाच्या नगरविकास विभाग (नविन) ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/प्र.क्र.-१८/१२/नवि-१२, दिनांक १० जानेवारी, २०१३ व वेळोवेळी झालेल्या सुधारणा अन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्रभावित अधिसूचित क्षेत्र (नैना), (येथून पुढे उक्त क्षेत्र असे निर्देशित करण्यात येईल) साठी शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) (येथून पुढे महामंडळ असे निर्देशित करण्यात येईल) म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे वि.नि.प्रा.असे निर्देशित करण्यात येईल) म्हणून नेमणूक केली आहे.

आणि ज्याअर्थी महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस - १२१५/२४५/ सीआर - ३३२/ २०१५/एस.एम./यूडी - १२, दिनांक २७.०४.२०१७ नुसार नैनातील २३ गावांसाठी अंतरिम विकास आराखडा मंजूर केला आहे. आणि अधिसूचना क्र. टीपीएस. १२१५/२४५/प्र.क्र. ३३२/१६/ई.पी./नवि-१२ दिनांक ०१.०३.२०१९ अन्वये अधिनियमाच्या कलम ३१ च्या उपकलम (१) नुसार अंतरिम विकास आराखड्याचा वगळलेले भाग मंजूर केले आहेत.

आणि ज्याअर्थी सिडकोच्या संचालक मंडळाने दि. ०७.०६.२०१९ रोजीच्या ठराव क्र. १२१८९ अन्वये पनवेल तालुक्यातील रायगड जिल्ह्यातील आदई, आकुली, नेवाळी, शिल्लोतर रायचूर आणि पाली देवद यांच्या काही भागात नगररचना परियोजना क्रमांक ४ करण्याकरीता, अधिनियमातील कलम ६० च्या उप-कलम (१) नुसार त्याचा उद्देश घोषित केला आहे.

आता, म्हणून, उक्त अधिनियमाच्या कलम ६० च्या उपकलम (२) द्वारा प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील आदई, आकुली, नेवाळी, शिल्लोतर रायचूर आणि पाली देवद यांच्या काही भागात नगररचना परियोजना क्रमांक ४ करण्याचा इरादा घोषित करत आहे.

प्रस्तावित टीपीएस नं. ४ मध्ये समाविष्ट जमिनीवर सक्षम प्राधिकारीकडून वैध बांधकाम परवानगी मिळाली असल्यास अशा परवानगीचा तपशील नैना कार्यालयाकडे सादर करण्याची जमीन मालकांना विनंती करण्यात येत आहे. योजनेत सहभागी असलेल्या जमीन मालकांची संयुक्तीकपणे किंवा वैयक्तिकरित्या जमीन असेल आणि असे जमीन मालक एकच अंतिम भूखंड मिळविण्यास इच्छुक असतील तर त्यांना उक्त अधिनियमाच्या कलम ६५ नुसार एकच अंतिम भूखंड मिळणेसाठी शक्यतो १५ दिवसांच्या आत समती देण्यास विनंती आहे.

उक्त अधिनियमाच्या कलम ६० च्या उपकलम (३) च्या तरतुदीनुसार, नगररचना परियोजना क्रमांक ४ ची घोषणा व त्यामध्ये अंतर्भूत करण्यात येणारे क्षेत्र (गुलाबी रंगाच्या सीमेने) दर्शविणाऱ्या नकाशाची प्रत जनतेच्या तपासणीसाठी मुख्य नियोजनकार (नैना), ८वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्थानक संकुल, सी.बी.डी. बेलापूर, नवी मुंबई ४०० ६१४ येथे कार्यालयीन वेळेत उपलब्ध आहेत.

विषयांकित परियोजनेचे सिमाक्षेत्र दर्शविणारा नकाशा संबंधित गावांच्या ग्रामपंचायत कार्यालयात तपासणीसाठी उपलब्ध राहतील. सदर सूचना व नकाशा सिडकोच्या संकेतस्थळ <http://cidco.maharashtra.gov.in/NAINA.aspx> येथे सुद्धा उपलब्ध राहतील.

नगर रचना योजना ४ मध्ये समाविष्ट असलेल्या क्षेत्राच्या चतुःसिमा खालीलप्रमाणे आहेत.

- उत्तरेला - नवी मुंबई प्रकल्पातील गावे टेंभोडे व आसुडगाव यांच्या हद्दी
- पूर्वेला - आदई व आकुली मधील टेकड्या
- दक्षिणेला - (i) दक्षिण- पूर्व भागास काळूंदी नदीचा दक्षिणेकडील काठ
(ii) दक्षिण-पश्चिम भागास पाली देवद गावातील विद्यमान वसाहती
- पश्चिमेला - नवी मुंबईचा नविन पनवेल नोड

महामंडळाच्या संचालक मंडळाच्या आदेशानुसार.

(व्ही. वेणू गोपाल)
मुख्य नियोजनकार (नैना)

नोंदणीकृत कार्यालय : निर्मल, २ रा मजला, नरीमन पॉइंट, मुंबई ४०० ०२१
दिनांक : २१.०६.२०१९

CIN - U99999 MH 1970 SGC-014574

www.cidco.maharashtra.gov.in

सिडको/जनसंपर्क/०७८/२०१९-२०

Annexure 4 Government order sanctioning of Extension of time limit u/s 61(3)

**नगर रचना आणि मूल्यनिर्धारण विभाग
कोकण विभाग, नवी मुंबई**

:- आदेश :-

संदर्भ :- मुख्य नियोजनकार (नैना) सिडको यांचे पत्र क्र. CIDCO/NAINA/ CP/ TPS /Ext./ 2020/ 37/ SAP-1036, dt.07/02/2020.

क्रमांक:- प्रा.न.र.यो.क्र.४/ नैना/ कलम ६१(३)/मुदतवाढ/सहसंचालक/८०५८ दिनांक :- ०५/०३/२०२०

ज्याअर्थी, शहर आणि औद्योगिक विकास महामंडळाने (यापुढे "विशेष नियोजन प्राधिकरण" असे संबोधिलेले) नगर रचना योजना क्र.४ तयार करणेचा इरादा क्र.१२१८९, दि.०७.०६.२०१९ च्या ठरावाद्वारे केला असून त्याबाबतची सूचना महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे उक्त अधिनियम असे उल्लेखिलेले) चे कलम ६० (२) अन्वये दि.२१.०६.२०१९ रोजीच्या शासन राजपत्रात प्रसिद्ध केली आहे (यापुढे उक्त प्रारूप नगर रचना योजना असे उल्लेखिलेली)

आणि ज्याअर्थी, उक्त अधिनियमातील कलम ६१ पोटकलम (२) व (३) च्या तरतुदीनुसार, उक्त प्रारूप नगर रचना योजना इरादा जाहीर झाल्याच्या दिनांकापासून नऊ महिन्यांचे आत किंवा त्यापुढे शासनाने वाढवून दिलेल्या मुदतीच्या आत पण कोणत्याही परिस्थितीत अशी वाढीव मुदत तीन महिन्यांपेक्षा जास्त नाही, अशा वाढीव मुदतीत प्रारूप नगर रचना योजनेचा मसुदा तयार करून प्रसिद्ध करणे आवश्यक आहे;

आणि ज्याअर्थी, उक्त विशेष नियोजन प्राधिकरणाने ठराव क्र.१२२७५, दि.१०.०१.२०२० अन्वये उक्त प्रारूप नगर रचना योजनेचा मसुदा तयार करून प्रसिद्ध करण्यासाठी तीन महिन्यांची मुदतवाढ मागण्याबाबत मंजूरी दिली असून त्यास अनुसरून मुख्य नियोजनकार (नैना) सिडको यांचे पत्र क्र.१०३६, दि.०७.०२.२०२० अन्वये मुदतवाढ मंजूरीबाबत विनंती केली आहे;

आणि ज्याअर्थी, शासनाने नगर विकास विभागाकडील अधिसूचना क्रमांक टिपीएस-१८१३/३२११/प्र.क्र.५०८/नवि-१२, दि.०१.१२.२०१६ अन्वये, उक्त अधिनियमाच्या कलम ६१(३) अन्वये मुदतवाढ देण्याचे अधिकार संबंधित विभागीय सहसंचालक, नगर रचना यांना प्रत्यार्पित केलेले आहेत;

आणि ज्याअर्थी, उक्त विशेष नियोजन प्राधिकरणाने नमूद केलेली कारणे विचारात घेऊन त्यांनी मागितलेली मुदतवाढ दि.१९.०६.२०२० पर्यंत मंजूर करणे आवश्यक असल्याबाबत सहसंचालक, नगर रचना, कोकण विभाग, नवी मुंबई यांची खात्री पटली आहे;

त्याअर्थी, शासन अधिसूचना नगर विकास विभाग क्रमांक टिपीएस-१८१३/३२११/प्र.क्र.५०८/नवि-१२, दि.०१.१२.२०१६ अन्वये प्रदत्त केलेल्या शक्तीचा वापर करून सहसंचालक, नगर रचना, कोकण विभाग, नवी मुंबई हे उक्त अधिनियमाच्या कलम ६१ पोटकलम (३) नुसार उक्त प्रारूप नगर रचना योजनेचा मसुदा तयार करून प्रसिद्ध करण्याकरीताची मुदत दि.१९.०६.२०२० हा दिवस धरून त्या दिवसापर्यंत वाढवित आहेत.



(प्रकाश भुक्ते)
सहसंचालक, नगर रचना,
कोकण विभाग, नवी मुंबई

**Town Planning and Valuation Department
Konkan Division, Navi Mumbai**

ORDER

Ref: - Chief Planner (NAINA) CIDCO letter No.CIDCO/NAINA/ CP/ TPS /Ext./ 2020/ 37/
SAP-1036, dt.07/02/2020.

No. TPS No.4/NAINA/Sect 61(3)/Time-limit Extension/JDTP-KDN/2058 Date : 04/03/2020

Whereas, City and Industrial Development Corporation of Maharashtra Limited (CIDCO) (hereinafter referred to as the said "Special Planning Authority) has declared its intention to make Town Planning Scheme No.4 (hereinafter referred to as the "said draft scheme") vide Resolution No.12189 dated 07/06/2019 and published a notice of declaration of the said draft Scheme vide its Notice dated 21/06/2019 under section 60(2) of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the said Act") ;

And whereas in accordance with the provision of sub-section (2) and (3) of section 61 of the said Act, the said draft scheme is to be published by means of notice within a period of nine months from the date of the declaration of intention or within such further period as may be extended by the State Government, but such extended period not to exceed more than three months ;

And whereas the said Special Planning Authority has requested Government in Urban Development Department to extend the period of three months of making and publication of the said Draft Scheme under section 61(3) of the said Act, alongwith the resolution no.12275 dated 10/01/2020 vide its letter No.1036 dt.07/02/2020 ;

And whereas the Government in Urban Development Department vide Notification No.TPS-1813/3211/CR 508/UD-13 dated 01/12/2016 has delegated power to extend the period under section 61(3) of the said Act to the Joint Director of Town Planning of respective divisions.

And whereas after considering the reasons mentioned by the Special Planning Authority, the Joint Director of Town Planning, Konkan Division is of the opinion that, it is expedient to extend the period for the making and publication of Draft Scheme under section 61(3) of the said Act upto and inclusive of date 19/06/2020.

Now therefore in exercise of the powers delegated to him under above Government Notification dated 01/12/2016, the Joint Director of Town Planning, Konkan Division, Navi Mumbai is pleased to extend the period of making and publication of the said Draft Scheme under sub-section (3) of section 61 of the said Act upto and inclusive of dt.19/06/2020.



(Prakash Bhukte)
**Joint Director of Town Planning
Konkan Division, Navi Mumbai**

Annexure 5 Draft Sanction Gazette of TPS 4

RNI No. MAHBIL/2012/46121



महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ८, अंक ७८]

शुक्रवार, नोव्हेंबर ४, २०२२/कार्तिक १३, शके १९४४

[पृष्ठे १२, किंमत : रुपये १२.००

असाधारण क्रमांक १३८

प्राधिकृत प्रकाशन

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन आणि नगर रचना अधिनियम १९६६ च्या कलम ६८ च्या उप कलम (२) नुसार

नगर रचना परियोजना क्रमांक - ४

क्र. सिडको / नैना / न.र.यो. ४/प्रा.यो./२०२२/५६३,

२१ ऑक्टोबर २०२२

ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ (महा.अधिनियम XXXVII, १९६६) (येथून पुढे उक्त अधिनियम असे निर्देशित करण्यात येईल), च्या कलम ४० च्या उप-कलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासनाच्या नगर विकास विभाग (नविवि) ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/प्र.क्र.-९८/१२/नवि-१२, दिनांक १० जानेवारी २०१३ व वेळोवेळी झालेल्या सुधारणा अन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्रभावित अधिसूचित क्षेत्र (नैना), (येथून पुढे उक्त क्षेत्र असे निर्देशित करण्यात येईल) साठी शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे वि.नि.प्रा.असे निर्देशित करण्यात येईल) म्हणून नेमणूक केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस -१२१५/२४५/ सीआर -३३२/ २०१५/एस.एम./यूडी -१२, दिनांक २७ एप्रिल २०१७ नुसार नैनातील २३ गावांसाठी अंतरिम विकास आराखडा मंजूर केला आहे. आणि अधिसूचना क्र. टीपीएस. १२१५/२४५/प्र.क्र. ३३२/१६/ई.पी./नवि-१२, दिनांक १ मार्च २०१९ अन्वये अधिनियमाच्या कलम ३१ च्या उप कलम (१) नुसार अंतरिम विकास आराखड्याचा वगळलेले भाग मंजूर केले आहेत ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस -१७१७/ एमआयएस २७५०/सीआर -९१/२०१९/यूडी -१२, दिनांक १६ सप्टेंबर २०१९ नुसार नैनातील १५१ गावांसाठी विकास आराखडा मंजूर केला आहे ;

आणि ज्याअर्थी, अधिनियमातील कलम ६० च्या उप-कलम (१) नुसार सिडकोच्या संचालक मंडळाने दिनांक ७ जून २०१९ रोजीच्या ठराव क्र. १२१८९ अन्वये मौजे आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग), तालुका पनवेल, जिल्हा रायगड येथे नगररचना परियोजना क्रमांक ४ (टीपीएस - ४) करण्याकरिता त्याचा उद्देश घोषित केला आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६०(२) मध्ये नमूद तरतूदीनुसार टीपीएस -४ करण्याच्या उद्देशाची घोषणा दिनांक २१ जून २०१९ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि दिनांक २५ जून २०१९ रोजीच्या स्थानिक वृत्तपत्रे "एशियन एज" आणि "वार्ताहार" यात प्रकाशित करण्यात आली आहे ;

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महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/ कार्तिक १३, शके १९४४

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६१(१) नुसार, नियोजन प्राधिकरणाने संचालक, नगर रचना, यांच्याशी सल्लामसलत करून, ज्या योजनेसाठी घोषणा करण्यात आली त्या क्षेत्रासाठी प्रारूप योजना तयार करून घोषणेच्या तारखेपासून नऊ महिन्यांच्या आत किंवा वाढीव कालावधीत अधिकृत महाराष्ट्र शासकीय राजपत्रात नोटीस प्रकाशित करावयाची आहे ;

आणि ज्याअर्थी, सह संचालक, नगर रचना, कोकण विभाग यांनी आदेश क्रमांक प्रा.न.र.यो.क्र. ४ / नैना / कलम ६१(३) / मुदतवाढ / सहसंकोवि / २०५८ दिनांक ४ मार्च २०२० अन्वये प्रारूप योजना बनवून प्रकाशित करण्यासाठी तीन महिन्यांच्या म्हणजेच दिनांक १९ जून २०२० पर्यंतचा वाढीव कालावधी दिलेला आहे ;

आणि ज्याअर्थी, टीपीएस नियम १९७४ च्या नियम क्रमांक ४(१) नुसार दिनांक २७, २८ आणि २९ फेब्रुवारी २०२० रोजी संबंधित जमीन मालकांची सभा आयोजित करून आणि जमीन मालकांकडून मिळालेल्या सूचनांचा समावेश केल्यानंतर दिनांक १९ मार्च २०२० रोजी च्या प्रस्तावान्वये टीपीएस-४ चा मसुदा उक्त अधिनियमाच्या कलम ६१(१) नुसार आणि टीपीएस नियम १९७४ या नियम क्रमांक ४(२) नुसार संचालक, नगररचना, महाराष्ट्र राज्य यांच्याकडे सल्लामसलतीसाठी पाठविण्यात आला ;

आणि ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन रचना (सुधारणा) अधिनियम, २०२० (सन २०२० चा महाराष्ट्र अधिनियम क्र १९) द्वारे, उक्त अधिनियमाच्या कलम १४८ (अ) मधील सुधारित तरतुदीनुसार, अधिनिमातलं प्रकरणे दोन, तीन, चार व पाच मधील तरतुदीप्रमाणे, कोणत्याही विकास योजना, प्रादेशिक योजना किंवा योजनांसाठी कालावधी विचारात घेताना, देशामध्ये किंवा राज्यामध्ये उद्भवणाऱ्या कोणत्याही महामारीच्या किंवा साथीच्या रोजच्या फैलावास किंवा आपत्तीजन्य परिस्थितीस प्रतिबंध करण्याकरिता, भारत सरकारने किंवा, यथास्थिती, राज्य शासनाने केलेल्या कोणत्याही मार्गदर्शक तत्वांच्या किंवा टाळेबंदी उपाययोजनांच्या अंमलबजावणीमुळे, उक्त प्रकरणानुसारची कोणताही कार्यवाही पूर्ण होऊ शकली नसेल तर, असा कालावधी वगळणे आवश्यक आहे ;

आणि ज्याअर्थी, उक्त प्रारूप नगर रचना परियोजना क्र. ४ मंजुरीचा विहित कालावधी, महाराष्ट्र राज्यात दिनांक २३ मार्च २०२० पासून कोविड-१९ विषाणूच्या प्रादुर्भावामुळे जाहीर केलेला ताळेबंदीचा कालावधी वगळता अजून अस्तित्वात आहे ;

आणि ज्याअर्थी, संचालक, नगर रचना, महाराष्ट्र राज्य यांनी दिनांक ५ मार्च २०२१ रोजीच्या पत्र क्र. जा. क्र. नैना/नरयो क्र. ४/ प्र. क्र. ७१ / २० / टीपीव्ही-३ / १३५१ अन्वये टीपीएस -४ बाबत सल्लामसलत दिली आहे तसेच टीपीएस -४ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९(२) अन्वये मंजुरी दिलेली आहे ;

आणि ज्याअर्थी, संचालक, नगर रचना यांनी सल्लामसलतीत सुचविल्याप्रमाणे आवश्यक ते बदल टीपीएस - ४ मध्ये करण्यात आलेले आहेत आणि सल्लामसलतीनुसार आवश्यक ते बदल करून उक्त अधिनियमाच्या कलम ६१(१) अन्वये प्रारूप टीपीएस -४ तयार करण्यासंबंधीची नोटीस दिनांक २४ एप्रिल २०२२ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि स्थानिक वृत्तपत्रे यात उक्त अधिनियमाच्या कलम ६७ च्या तरतुदीनुसार नोटीसच्या एक महिन्याच्या आत सूचना / आक्षेप मागविण्यासाठी प्रकाशित करण्यात आली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने उक्त अधिनियमाच्या कलम १५१ च्या उप-कलम (१) नुसार प्रदान करण्यात आलेल्या अधिकारांचा वापर करून दिनांक १३ सप्टेंबर २०१७ रोजीच्या अधिसूचना क्रमांक टीपीएस - १८१७/१७३ / सीआर-१०३/१७/ यूडी-१३ अन्वये त्यांच्यातर्फे कलम ६८(२) अंतर्गत वापरण्यात येणारे अधिकार सिडकोचे उपाध्यक्ष व व्यवस्थापकीय संचालक, यांना प्रदान केलेले आहेत ;

आणि ज्याअर्थी, प्राप्त झालेल्या सूचनांप्रमाणे आवश्यक बदल समाविष्ट केल्यानंतर, प्रारूप योजना उपाध्यक्ष व व्यवस्थापकीय संचालक यांना उक्त अधिनियमाच्या कलम ६८(१) नुसार दि. २२ जुलै २०२२ रोजी मंजुरीसाठी सादर करण्यात आली ;

आणि ज्याअर्थी, परीयोजनेच्या प्रभावी अंमलबजावणीसाठी उक्त अधिनियमाच्या कलम ५९(१)(ख)(iii) अन्वये महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस — १२१९ / २३८२ / प्र.क्र.१८६ / १९ / नवि-१२, दिनांक ३० डिसेंबर २०१९ अन्वये मंजूर अंतरिम विकास योजनेच्या विकास नियंत्रण व प्रोत्साहन नियमावलीच्या काही तरतुदींच्या तहकुबीला मंजुरी दिलेली आहे ;

आणि ज्याअर्थी, उपा व व्य सं. यांनी दि. ८ ऑगस्ट २०२२ रोजी उक्त अधिनियमाच्या कलम ६८ च्या उप-कलम (२) नुसार, प्रारूप योजना मंजूर करण्यापूर्वी संचालक, नगर रचना महाराष्ट्र राज्य यांची सल्लामसलत मागितली आहे ;

आणि ज्याअर्थी, संचालक, नगर रचना महाराष्ट्र राज्य यांनी दिनांक १२ ऑक्टोबर २०२२ रोजीचे पत्र. जा. क्र. प्रा.न.र.यो / नरयो क्र.४/ नैना / कलम ६८(१) / ४५७ अन्वये प्रारूप योजनेच्या मंजुरीसाठी सल्ला दिला आहे तसेच मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९(२) अन्वये मंजुरी दिलेली आहे ;

म्हणून, आता या अधिसूचनेद्वारे, दि १३ सप्टेंबर २०१७ च्या अधिसूचनेअन्वये राज्य सरकारद्वारे मला प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील मौजे आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग), येथे एकसंलग्न अशा प्रारूप नगररचना परीयोजना क्रमांक ४ (टीपीएस -४) त्यासोबतच्या विशेष विकास नियंत्रण नियमावलीसह उक्त अधिनियमाच्या कलम ६८ च्या पोट-कलम (२) अन्वये मंजूर करण्यात येत आहे.

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/ कार्तिक १३, शके १९४४

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उक्त अधिनियमाच्या कलम ६८ च्या उप-कलम (३) नुसार मंजूर प्रारूप टीपीएस -४ योजनेची प्रत संबंधित विशेष नियंत्रण नियमावलीसह नैना कार्यालय, ८ वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४ येथे कार्यालयीन कामकाजाच्या सर्व दिवशी नागरीकांच्या अवलोकनार्थ खुली ठेवण्यात आली आहे. तसेच प्रारूप टीपीएस -४ सिडकोचे संकेतस्थळ <https://cidco.maharashtra.gov.in//naina> येथे सुद्धा अपलोड केली गेली आहे आणि विहित शुल्क भरल्यानंतर देखील मिळू शकते.

नवी मुंबई,

दिनांक २१ ऑक्टोबर २०२२.

नॉदणीकृत कार्यालय : निर्मल, २ रा मजला, नरीमन पॉइंट, मुंबई ४०० ०२१.

डॉ. संजय मुखर्जी,

उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको.

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महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/ कार्तिक १३, शके १९४४

CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LTD.**NOTIFICATION**UNDER SECTION 68(2) OF THE MAHARASHTRA REGIONAL AND
TOWN PLANNING ACT, 1966

TOWN PLANNING SCHEME NO. 4

No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563,

21st October 2022.

WHEREAS, the Government of Maharashtra in exercise of powers conferred under clause (b) of Sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, No. TPS -1712/475/CR-98/12/UD-12, dated 10th January 2013 and subsequent amendment (hereinafter referred to as "the said Notification") City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the Corporation") as Special Planning Authority (hereinafter referred to as "the SPA") for Navi Mumbai Airport Influence Notified Area (NAINA) (hereinafter referred to as "said notified area") as specified therein ;

And whereas, the Government of Maharashtra *vide* Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAINA, and also *vide* Notification No. No. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 1st March 2019 has sanctioned the Excluded Parts of the IDP under Section 31(1) of the said Act ;

And whereas, the Government of Maharashtra *vide* Notification No. TPS-1717/ MIS-2750/ C.R.91/ 2019/ UD-12, dated 16th September 2019 has sanctioned the Development Plan (DP) for 151 villages of NAINA u/s 31(1) of the MR and TP Act, 1966 ;

And whereas, as per Sub-section (1) of Section 60 of the said Act, CIDCO's Board *vide* Resolution No. 12189, dated 7th June 2019, had declared its intention for making of Town Planning Scheme No. 4 (TPS- 4) at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad of Taluka Panvel, District Raigad ;

And whereas, a notice about declaration of making TPS-4 as per provision in Section 60(2) of the Act, has been published in the Extraordinary official *Maharashtra Government Gazette* (part-II) dated 21st June 2019 as well as in the daily newspapers "Asian Age" (English) and "Vartahar" (Marathi) dated 25th June 2019 ;

And whereas, as per Section 61 (1) of the said Act, the Planning Authority shall, in consultation with the Director of Town Planning, make a draft scheme for the area in respect of which the declaration was made, and publish a notice in the *Official Gazette* within nine months or within the extended period from the date of the declaration ;

And whereas, the Joint Director of Town Planning, Konkan division *vide* Order No TPS No. 4/NAINA/Section 61(3)/Time Limit Extension/JDTP-KDN/2058 dated 04th March, 2020 has granted extension of three months' time *i.e.* up to 19th June 2020 for making and publication of the said draft scheme ;

And whereas, after conducting owners meet on 27th, 28th and 29th February, 2020, as per rule No. 4(1) of TPS Rules 1974 by calling all the land owners for discussion and after incorporating suggestions received from the owners, consultation was sought *vide* submission dated 19th March 2020 from the Director of Town Planning, GoM, as per section 61 (1) of the said Act and as per rule No. 4 (2) of TPS Rules 1974 ;

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/ कार्तिक १३, शके १९४४

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And whereas, in accordance with the amended provisions of section 148(A) of the said Act, *vide* the Maharashtra Regional and Town Planning (Amendment) Act, 2020 (Maharashtra Act No. XIX of 2020), in computing the period in relation to any Development Plan, Regional Plan or Scheme under the provisions of Chapter II, III, IV and V of the said Act, the period of periods during which any action could not be completed under the said chapters due to enforcement of any Guidelines or lockdown measures by the Government of India or the State Government, as the case may be, to prevent the spread of any pandemic or epidemic or disaster situation arising in the country of State shall be excluded ;

And whereas, such prescribed time limit is still in existing on excluding the period of lockdown declared due to spread of covid-19 virus in the State of Maharashtra, by the Government from 23rd March 2020 ;

And whereas, the Director of Town Planning *vide* letter जा. क्र. नैना नरयो क्र. ४/ प्र.क्र. ७१ / २० / टीपीसी-३ / १३५१, dated 05.03.2021 had offered consultation on TPS-4 and also accorded approval for suitable amendment in the sanctioned IDP/DP reservation while making provisions in a draft TPS-4 as per provisions of section 59(2) of the said Act ;

And whereas, necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-4 ;

And whereas, in accordance with provisions of section 61(1) of the said Act, a Notice of making draft TPS-4 had been published in extraordinary official *Maharashtra Government Gazette* (part-II) dated 25th April 2022 and in local newspapers for inviting suggestions/objections within one month of notice in accordance with the provisions of section 67 of the said Act ;

And whereas, the Government of Maharashtra in exercise of powers conferred by sub-section (1) of section 151 of the Said Act, *vide* Notification No TPS-1817/973/CR-103/17/UD-13, dated 13th September 2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO (hereinafter will be referred to as "VC&MD") ;

And whereas, after incorporating necessary changes as per suggestions received, the draft scheme has been submitted to VC and MD for sanction in accordance with section 68(1) of the Said Act on 22nd July 2022 ;

And whereas, the Government of Maharashtra *vide* Notification No. टीपीएस - १२१९ / २३८२ / प्र.क्र.१८६ / १९ / नवि-१२, दिनांक ३० डिसेंबर २०१९ has sanctioned the suspension of certain regulations of Development Control and Promotion Regulations of Interim Development Plan of NAINA corresponding to proposed special DCR of TPS-4 in accordance with section 59(1)(b)(iii) of the Act for the proper carrying out of the scheme.

And whereas, in accordance with sub-section (2) of section 68 of the Said Act, VC&MD had sought consultation of Director of Town Planning, Maharashtra State on 8th August 2022 prior to sanction of Draft Scheme ;

And whereas, the Director of Town Planning *vide* letter No. जा. क्र. प्रा.न.र.यो / नरयो क्र. ४/ नैना / कलम 68(1) /457 dated 12th October 2022 had given consultation for sanction of Draft TPS - 4 and also accorded approval for suitable amendment in the sanctioned IDP/DP reservation as per provisions of section 59(2) of the said Act ;

Therefore, now in accordance with the powers delegated to me by the State Government *vide* Notification dated 13th September 2017, the **Draft Town Planning Scheme No. 4 (TPS-4)** at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad in one contiguous pocket of Taluka-Panvel, District-Raigad is hereby sanctioned under section 68(2) of the MR&TP Act, 1966 along with corresponding Special Development Control Regulations.

Copy of sanctioned draft TPS-4 alongwith corresponding special DCRs are made available for inspection by the public during office hours on all working days in the office NAINA, 8th floor,

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महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/ कार्तिक १३, शके १९४४

Tower No 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400 614 in accordance with sub-section (3) of section 68 of the Said Act. The same is also uploaded on website of CIDCO i.e. <https://cidco.maharashtra.gov.in/naina> and further can be obtained on payment of prescribed fees.

Navi Mumbai,
dated 21st October 2022.

DR. SANJAY MUKHERJEE,
Vice Chairman and Managing Director, CIDCO.

Regd. Office : Nirmal, 2nd floor, Nariman point, Mumbai 400 021.

Annexure 6 Newspaper Notification of Gazette of Draft Sanction Scheme

बुधवार, १० ऑक्टोबर २०२३ राय प्रकर



CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LTD.

NOTIFICATION

UNDER SECTION 68(2) OF THE MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966
TOWN PLANNING SCHEME NO. 4No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563
21st Oct 2022

WHEREAS, the Government of Maharashtra in exercise of powers conferred under clause (b) of Sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, No. TPS-1712/475/CR-98/12/UD-12 dated 10th January, 2013 and subsequent amendment (hereinafter referred to as "the said Notification") City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the Corporation") as Special Planning Authority (hereinafter referred to as "the SPA") for Navi Mumbai Airport Influence Notified Area (NAINA) (hereinafter referred to as "said notified area") as specified therein.

And whereas, the Government of Maharashtra vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12 dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAINA, and also vide Notification No. TPS-1215/245/CR-332/16/EP/UD-12 dated 1st March 2019 has sanctioned the Excluded Parts of the IDP under Section 31(1) of the said Act.

And whereas, the Government of Maharashtra vide Notification No. TPS-1717/MTS-2507/C.R.91/2019/UD-12 dated 16th September, 2019 has sanctioned the Development Plan (DP) for 151 villages of NAINA u/s 31(1) of the MR&T.P. Act, 1966.

And whereas, as per sub-section (1) of Section 60 of the said Act, CIDCO's Board vide Resolution No. 12189, dated 7th June, 2019, has declared its intention for making of Town Planning Scheme No. 4 (TPS-4) at part of Villages Adai, Akuri, Nevali, Shilottar Raichur and Pali Devad of Taluka - Panvel - District - Raigad.

And whereas, a notice about declaration of making of TPS-4 as per provision in Section 60(2) of the said Act, has been published in the Extraordinary official Maharashtra Government Gazette (part-I) dated 21st June, 2019 as well as in the daily newspapers "Asian Age" (English) and "Vartahar" (Marathi) dated 25th June, 2019.

And whereas, as per Section 61 (1) of the said Act, the Planning Authority shall, in consultation with the Director of Town Planning, prepare a draft scheme for the area in respect of which the declaration was made and publish a notice in the Official Gazette within nine months or within the extended period from the date of the declaration.

And whereas, the Joint Director of Town Planning, Konkani division vide Order No. TPS No. 4/NAINA/Section 61(3)/Time Limit Extension/JOTP-KDN/2058 dated 04th March, 2020 has granted extension of three months' time i.e. up to 19th June, 2020 for making and publication of the said draft scheme.

And whereas, after conducting owners meet on 27th, 28th and 29th February, 2020, as per rule No. 4(1) of TPS Rules 1974 by calling all the land owners for discussion and after incorporating suggestions received from the owners, consultation was sought vide submission dated 19th March, 2020 from the Director of Town Planning, CoM, as per section 61 (1) of the said Act and as per rule No. 4 (2) of TPS Rules 1974.

And whereas, in accordance with the amended provisions of section 148(A) of the said Act, vide the Maharashtra Regional and Town Planning (Amendment) Act, 2020 (Maharashtra Act No. XIX of 2020), in computing the period in relation to any Development Plan, Regional Plan or Scheme under the provisions of Chapter II, III, IV and V of the said Act, the period of periods during which any action could not be completed under the said provisions or any guidelines or lockdown measures by the Government of India or the State Government, as the case may be, to prevent the spread of any pandemic or epidemic or disaster situation arising in the country of State shall be excluded.

And whereas, such prescribed time limit is still in existing on excluding the period of lockdown declared due to spread of covid-19 virus in the State of Maharashtra, by the Government from 23rd March 2020.

And whereas, the Director of Town Planning vide letter No. ज. प्र.न.स.रो. ४/२/३१/२०/न.प. ३/१३१ dated 03.03.2021 had offered consultation on TPS-4 and also accorded approval for suitable amendment in the sanctioned IDP/DP reservation while making provisions in a draft TPS-4 as per provisions of section 59(2) of the said Act.

And whereas, necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-4.

And whereas, in accordance with provisions of section 61(1) of the said Act, a Notice of making draft TPS-4 had been published in extraordinary official Maharashtra Government Gazette (part-I) dated 25th April 2022 and in local newspapers for inviting suggestions/objections within one month of notice in accordance with the provisions of section 67 of the said Act.

And whereas, the Government of Maharashtra in exercise of powers conferred by sub-section (1) of section 151 of the said Act, vide Notification No. TPS-187937/CR-103/17/UD-13 dated 13th September 2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO (hereinafter will be referred to as "VC&MD").

And whereas, after incorporating necessary changes as per suggestions received, the draft scheme has been submitted to VC&MD for sanction in accordance with section 68(1) of the said Act on 22nd July 2022.

And whereas, the Government of Maharashtra vide Notification No. दिनांक - १२/१२/२०२२/ज.प्र.न.स.रो. ४/२/३१/२०/न.प. ३/१३१ dated १२/१२/२०२२, has sanctioned the suspension of certain regulations of Development Control and Promotion Regulations of Interim Development Plan of NAINA corresponding to proposed special DCR of TPS-4 in accordance with section 59(1)(b)(iii) of the Act for the proper carrying out of the scheme.

And whereas, in accordance with sub-section (2) of section 68 of the said Act, VC&MD had sought consultation of Director of Town Planning, Maharashtra State on 08.08.2022 prior to sanction of Draft Scheme.

And whereas, the Director of Town Planning vide letter No. ज. प्र.न.स.रो. ४/२/३१/२०/न.प. ३/१३१ dated 12.10.2022 had given its approval for sanction of Draft TPS-4 and also accorded approval for suitable amendment in the sanctioned IDP/DP reservation as per provisions of section 59(2) of the said Act.

Therefore, now in accordance with the powers delegated to me by the State Government vide Notification dated 13th September 2017, the Draft Town Planning Scheme No. 4 (TPS-4) at part of Villages Adai, Akuri, Nevali, Shilottar Raichur and Pali Devad in one contiguous pocket of Taluka-Panvel, District-Raigad is hereby sanctioned under section 68(2) of the MR&T.P. Act, 1966 along with corresponding Special Development Control Regulations.

Copy of sanctioned draft TPS-4 along with corresponding special DCRs are made available for inspection by the public during office hours on all working days in the office NAINA, 8th floor, Tower No. 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400614 in accordance with sub-section (3) of section 68 of the said Act. The same is also uploaded on website of CIDCO i.e. <https://cidco.maharashtra.gov.in/naina> and further can be obtained on payment of prescribed fees.

शहर आणि औद्योगिक विकास महामंडळ, महाराष्ट्र मर्यादित

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम १९६६ च्या कलम ६८ च्या उपकलम (२) नुसार
नगररचना परीचीकना क्रमांक - ४

क्र. सिडको/ नैना / न.प.रो. ४/२/३१/२०/२०२२/५६३

२१ ऑक्टोबर २०२२

ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम १९६६ (या: अधिनियम XXXVII, १९६६) (येथून पुढे उक्त अधिनियम असे निर्दिष्ट करण्यात येईल), च्या कलम ४० च्या उपकलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकाऱ्याचा वापर करून महाराष्ट्र शासनाच्या नगर विकास विभाग (नवीन) ने अधिसूचना क्रमांक टीपीएस-१०३२/४०५/प्र.क्र. १८/१२/न.प. ३/१३१ दिनांक १० जानेवारी, २०१३ व वेळोवेळी झालेल्या सुधारणा अन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्राचीन अधिसूचित क्षेत्र (नैना), (येथून पुढे उक्त क्षेत्र असे निर्दिष्ट करण्यात येईल) साठी शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीचे व नियंत्रणाखालील कंपनी) म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे जि.प्र.अ. असे निर्दिष्ट करण्यात येईल) म्हणून नेमणूक केली आहे.

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस-१२१५/२४५/सीआर-३३२/२०१५/एस.एम./एच.११, दिनांक २७ एप्रिल, २०१७ नुसार नैनातील २३ गावांसाठी अंतरिम विकास आराखडा मंजूर केला आहे. आणि अधिसूचना क्र. टीपीएस. १२१५/२४५/प्र.क्र. ३३२/१६/६/सी.न.प.क्र. १ मार्च, २०१९ अन्वये अधिनियमाच्या कलम ३१ च्या उपकलम (१) नुसार अंतरिम विकास आराखडा झालेले भाग मंजूर केले आहेत.

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस-१०३०/एसआयएस २०१०/सीआर-११/२०१९/एच.११-१२, दिनांक १६ सप्टेंबर, २०१९ नुसार नैनातील १५१ गावांसाठी विकास आराखडा मंजूर केला आहे.

आणि ज्याअर्थी, अधिनियमातील कलम ६० च्या उप-कलम (१) नुसार सिडकोच्या संचालक मंडळाने दिनांक ७ जून, २०१९ रोजीच्या ठराव क्र. १२१८१ अन्वये मीने आर्डी (भाग), आर्कुली (भाग), नैनाडी (भाग), शिलोत्तार राचूर (भाग) आणि पाली देवद (भाग), तालुका पनवेल, जिल्हा रायगड येथे नगररचना परीचीकना क्रमांक ४ (टीपीएस-४) करण्याकरिता त्याचा अंदाजित प्रस्ताव केला आहे.

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६०(२) मध्ये नमूद तरतुदीनुसार टीपीएस-४ करण्याच्या उद्देशाची घोषणा दिनांक २१ जून, २०१९ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग-२) आणि दिनांक २५ जून, २०१९ रोजीच्या स्थानिक वृत्तपत्र "एशियन एज" आणि "वर्तार" यात प्रकाशित करण्यात आली आहे.

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६१(१) नुसार, नियोजन प्राधिकरणाने संचालक, नगर रचना, बांधकाम सल्लागार कमीशन, नगर विकास विभाग यांच्यासमोर सारक्या सारक्या बांधकाम विभागाच्या तारखेप्रमाणे नऊ महिन्यांचा अंदाजित प्रस्ताव केला आहे.

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६१(२) नुसार, कोकण विभाग यांनी अंतरिम क्रमांक प्र.न.प.रो.क्र. ४/नैना/कलम ६१(३) मधील/सहसंकीर्ण/२०१८ दिनांक ४ मार्च, २०२० अन्वये झाल्या घोषणा करून प्रकाशित करण्यासाठी तीन महिन्यांचा मर्यादित दि. १९ जून, २०२० पर्यंतचा अंदाजित प्रस्ताव केला आहे.

आणि ज्याअर्थी, टीपीएस नियम १९७४ च्या नियम क्रमांक ४(१) नुसार दिनांक २७, २८ आणि २९ फेब्रुवारी, २०२० रोजी संबंधित जमीन मालकांची सभा आयोजित करून आणि जमीन मालकांकडून मिळालेल्या सूचनांचा समावेश केल्यानुसार दिनांक १९ मार्च, २०२० रोजी च्या सारक्याच टीपीएस-४ च्या मसुदा उक्त अधिनियमाच्या कलम ६१(१) नुसार आणि टीपीएस नियम १९७४ च्या नियम क्रमांक ४(२) नुसार संचालक, नगररचना, महाराष्ट्र राज्य बांधकाम सल्लागार कमीशन यांच्यासमोर प्रकाशित करण्यात आला.

आणि ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन रचना (सुधारण) अधिनियम २०२० (सं. २०२०) चा महाराष्ट्र अधिनियम क्र. १९) द्वारे, उक्त अधिनियमाच्या कलम १४८ (अ) मधील सुधारित तरतुदीनुसार, अधिनियमातील प्रकरणांवर नौन, नौन, पाच वा पाच मधील तरतुदीप्रमाणे, कोकणाची अंतरिम योजना, प्रादेशिक योजना किंवा योजनांसाठी कालावधी विवरात घेणे, देशामध्ये राज्यामध्ये उद्भवणाऱ्या कोकणाची महाराष्ट्राच्या किंवा सारक्या रोजच्या फैलाकस किंवा आरतोन्या परिसितीस प्रादेशिक कायदाकरिता, भारत सरकारने किंवा, याद्वारे, राज्य सरकारने केल्या कोकणाची मार्गदर्शक तत्वांच्या किंवा टाळेखेची उपाययोजनांच्या अंमलबजावणीमुळे, उक्त प्रकल्पानुसार कोकणाची बांधकामे पूर्ण होऊ शकतील तसेल तर, असा कालावधी काढणे आवश्यक आहे.

आणि ज्याअर्थी, उक्त प्रासंग्य नगर रचना परीचीकना क्र. ४ मंजुरीचा विहित कालावधी, महाराष्ट्र राज्यात दिनांक २३ मार्च, २०२० पासून मोडित.१९ विधानाच्या प्रसूतीप्रमाणे जाहीर केलेला टाळेखेची कालावधी काढण्यात आला असल्यात आहे.

आणि ज्याअर्थी, संचालक, नगररचना, महाराष्ट्र राज्य यांनी दिनांक ५ मार्च, २०२१ रोजीच्या पत्र क्र. ज. प्र.न.स.रो. ४/२/३१/२०/टीपीसी-३/३१५१ अन्वये टीपीएस-४ बाबत सल्लागार कमीशन दिले आहे तसेच टीपीएस-४ बाबतला मंजूर विकास योजनांच्या प्रस्तावांमध्ये झालेल्या बदलना उक्त अधिनियमाच्या कलम ५९(२) अन्वये मंजूर दिलेले आहे.

आणि ज्याअर्थी, संचालक, नगर रचना यांनी सल्लागार कमीशन सूचितक्याप्रमाणे आवश्यक ते बदल टीपीएस-४ मध्ये करण्यात आलेले आहेत आणि सल्लागार कमीशननुसार आवश्यक ते बदल करून उक्त अधिनियमाच्या कलम ६१(१) अन्वये प्रासंग्य टीपीएस-४ तयार करण्यासाठीची नोंदीस दिनांक २४.०४.२०२२ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग-२) आणि स्थानिक वृत्तपत्रे यात उक्त अधिनियमाच्या कलम ६० च्या तरतुदीनुसार नोंदीसच्या एक महिन्याच्या आत सूचना / अक्षेप मागितल्यासाठी प्रकाशित करण्यात आली आहे.

आणि ज्याअर्थी महाराष्ट्र शासनाने उक्त अधिनियमाच्या कलम ५९(२) च्या उप-कलम (१) नुसार प्रदान करण्यात आलेल्या अधिकाऱ्याचा वापर करून दिनांक १६ सप्टेंबर, २०१७ रोजीच्या अधिसूचना क्रमांक टीपीएस-१८/१०/७३/सीआर-१०३०/एच.११ अन्वये अधिकाऱ्याचे कलम ६८(२) अंतर्गत वापरण्यात येणारे अधिकृत सिडकोचे उपअध्यक्ष व व्यवस्थापकीय संचालक, यांना प्रदान केलेले आहेत.

आणि ज्याअर्थी, प्रांत झालेल्या सूचनांप्रमाणे आवश्यक बदल समाविष्ट केल्यानुसार, प्रासंग्य योजना उपअध्यक्ष व व्यवस्थापकीय संचालक यांना उक्त अधिनियमाच्या कलम ६८(१) नुसार दि. २२.०७.२०२२ रोजी मंजूरसाठी सार करण्यात आली.

आणि ज्याअर्थी, परीचीकनेच्या प्रभावी अंमलबजावणीसाठी उक्त अधिनियमाच्या कलम ५९(२)(ख)(अ) मध्ये महाराष्ट्र शासनाने अधिसूचना क्र. दिनांक - १२१९/२३८२/प्र.क्र.१८६/१९/न.प.३/१३१ दिनांक ३०/१२/२०१९ अन्वये मंजूर अंतरिम विकास योजनांच्या विकास नियम व प्रस्तावित नियमकायद्यांच्या कडीत तरतुदींचा तहकूमीत मंजूर दिलेले आहे.

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६० च्या तरतुदीनुसार टीपीएस-४ मध्ये नमूद उक्त अधिनियमाच्या कलम ६८ च्या उप-कलम (१) नुसार, प्रासंग्य योजना मंजूर करण्यापूर्वी संचालक, नगर रचना महाराष्ट्र राज्य यांची सल्लागार कमीशन मागितली आहे.

आणि ज्याअर्थी अधिकांक, नगर रचना महाराष्ट्र राज्य यांनी दि. १२ ऑक्टोबर, २०२२ रोजीचे पत्र, ज. प्र.न.स.रो. ४/२/३१/२०/न.प. ३/१३१ दिनांक १२.१०.२०२२ अन्वये प्रासंग्य योजनांच्या मंजूरसाठी सल्ला दिले आहे तसेच मंजूर विकास योजनांच्या प्रस्तावांमध्ये झालेल्या बदलना उक्त अधिनियमाच्या कलम ५९(२) अन्वये मंजूर दिलेले आहे.

म्हणून, आता या अधिसूचनाद्वारे, दि. १३ सप्टेंबर, २०१७ च्या अधिसूचनेअन्वये वापर सारक्याच भाग प्रदान केल्या अधिकाऱ्याचा वापर करून स्थानिक नागरिकांनी ठराव नियमावली येथे आर्डी (भाग), आर्कुली (भाग), नैनाडी (भाग), शिलोत्तार राचूर (भाग) आणि पाली देवद (भाग), येथे कोकणात उक्त शासनाच्या परीचीकना क्रमांक ४ (टीपीएस-४) च्या निर्वाहक विभाग विकास नियम नियमकायदा उक्त अधिनियमाच्या कलम ६८ च्या उपकलम (२) अन्वये मंजूर करण्यात येत आहे.

उक्त अधिनियमाच्या कलम ६८ च्या उपकलम (३) नुसार मंजूर प्रासंग्य टीपीएस-४ योजनांचे प्रत संबंधित विभाग नियमकायदा अंमलबजावणी, ८ वा महत्त्व, टाईमर, १०, बेलपूर रेल्वे स्टेशन संकुल, सोबीडी बेलपूर, नवी मुंबई ४००६१४ येथे काळजीपूर्वक व्यवस्थापकाच्या संकेतस्थळावर नोंद घ्यावी. तथापि, त्याच ठिकाणी आली आहे. तथापि प्रासंग्य टीपीएस-४ सिडकोचे संकेतस्थळ <https://cidco.maharashtra.gov.in/naina> येथेदेखील उपलब्ध केली गेली आहे आणि विहित शुल्क स्विकारून देण्यात येईल.

NAINA TOWN PLANNING SCHEME NO. 4
SPECIAL DEVELOPMENT CONTROL REGULATIONS

In addition to the Development Control and Promotion Regulations, which are made applicable to the 23 Revenue villages of NAINA vide directives given by Government vide No. TPS-1717/2750/C.R.91/19/UD-12 dated 6/1/2020 (hereinafter called as "sanctioned DCRs of NAINA") under section 37(1A) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No. 4. Rest of the provisions of prevailing sanctioned DCRs of NAINA as amended from time to time shall be applicable. In case of any conflict between the regulations in sanctioned NAINA DCRs and these special regulations prescribed below arises, then these special regulations shall prevail.

1. The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Predominantly Residential zone of the sanctioned Interim Development Plan and shall be eligible for development for uses prescribed in Regulation No. 31 of the sanctioned DCRs of NAINA.

Provided that the final plots fronting on roads having width of 12.0m or more shall be permissible for development other under regulation of predominantly residential zone or under Mixed use zone of sanctioned DCRP irrespective of the actual zonal boundaries of the IDP.

2. Boundaries of the Final Plots shall not be changed, modified or altered during development.

3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit for development.

4. Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form a Final Plot not allotted to the holders / owners of such original plots.

5. Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable instalments within a period upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town Planning Act, 1966.

6. Internal Sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to provisions of sanctioned DCRs of NAINA.

7. The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the sanctioned DCRs of NAINA shall not be enforced in developing Final Plot admeasuring 0.40 ha or more considering that such

open spaces are provided in the form of playground and open spaces in the scheme in addition to those reserved in the Development Plan for which owners of the original plots have shared their lands.

The above regulation shall be applicable subject to suspension of regulation no. 20.3 of sanctioned DCRP of NAINA by Govt. of Maharashtra.

8. The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the sanctioned DCRs of NAINA shall not be enforced in developing Final Plot admeasuring 2.00 ha or more considering that such Amenity spaces are provided separately in the scheme in addition to those reserved in the Development Plan for which owners of the original plots have shared their lands.

The above regulation shall be applicable subject to suspension of regulation no. 20.3 of sanctioned DCRP of NAINA by Govt. of Maharashtra.

9. The provision of 20 % plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCRs of NAINA read with Annexure-4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides dedicated plots for EWS / LIG housing for which owners of final plots have shared the lands from their original plot.

Notes:

i. The regulations at serial number 7, 8 and 9 above shall not be applicable for Final Plots having area more than 50% of the original plots. For such plots the provisions of sanctioned DCRs of NAINA in force shall be applicable.

ii. In cases wherein CC is already granted (before declaration of TPS), if the final plot is given by reducing land area under Recreational Open Space (RG), Amenity & layout road, then while processing Amended CC or CC of such final plots, land area as per CC for such Open Space, Amenity may not be insisted. However, location & land area of remaining Open Space & Amenity inside the final plot shall be maintained as per CC.

10. The owners of Final Plots are entitled for monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6(v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.

11. The Base FSI applicable to the lands included under the Town Planning Scheme shall be 1.00. However, if the owners of Final plots opt compensation in the form of FSI as provided under section 100 of the Act,

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सिडको/नगररचना/३२३/२०२२-२३

दुबई, १० ऑक्टोबर २०२२ रात्र १२



then the FSI permissible in a final plot shall be computed as below:

$$\text{FSI of Final Plot} = \frac{\text{Area of Original Plot}}{\text{Area of Final Plot}}$$

Provided that such FSI computed as above shall be permissible to those who have opted to avail the compensation in terms of FSI instead of monetary compensation worked out in Form No. 1 of the Final Scheme.

Provided further that, the lands eligible of 1.00 FSI as per sanctioned DCPRs of NAINA (i.e within 200 m of Gaithan), if included in TPS shall be permitted 25% additional incentive FSI in lieu of their 60% land contribution to the project. The FSI of the final plot (whether anchored at its original location or otherwise) against such land parcels shall be increased in proportion to its area, irrespective of whether the final plot is a standalone plot or amalgamated with other land parcels.

12. The permissible FSI in respect of Final Plots, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00.
13. If the FSI mentioned in the Special regulation no. 11 above permissible in a final plot becomes unable to be consumed for maintaining prescribed marginal distances / height restriction / firefighting requirements or any such statutory restrictions, in such cases the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any final plot situated in this scheme subject to
 - i. The provision of Regulations no. 43 of the sanctioned DCPR of NAINA shall be applicable
 - ii. Such transfer of development right from a final plot to another Final Plot shall be permitted once only.
 - iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00
 - iv. The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00
 - v. The Final Plot after such transfer shall not be eligible for any additional FSI/TDR in future.
 - vi. The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.
14. The permissible FSI in respect of Final Plots designated to Amenity Plots or to schools, Primary health center shall be 2.5.
15. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in the scheme shall be 1.00.
16. The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this scheme shall be 4.0
17. The permissible FSI in respect of Final plots designated to Growth center in this scheme shall be 2.5. Provided that the aforesaid FSI may be increases maximum upto 4.0 on payment of FSI linked premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPR of NAINA for every increase of FSI of 0.30.
18. The Final Plots designated for Open Spaces, Parks or Play-Grounds are permissible to built-up area equal to 15 % of the respective final plot area subject to ground coverage up to 10 % of the respective final plot and structures shall be only of ground or ground plus one floor. Such structure shall be at one corner of respective final plot and shall be used for any use complementary to the designated use. Provided that area of such plots shall not be less than 1000 sq.m
19. Side and Rear Marginal Spaces

Area of plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
40 M2 to less than 150 M2	Row type houses	Upto 15 M	0.0	1.5
*Pls refer Special Note	Semi-detached type	Upto 15 M	1.5	1.5
*Special Note: Irrespective of the road width on which these plots abuts, the maximum front margin shall be 3.00 M.				
150 M2 to less than 450 M2	Semi-detached type	Upto 15 M	1.5	2.25
	Detached type	Upto 15 M	2.25	2.25
450 M2 to the less than 1000 M2	Detached type	Above 15 M upto 24.0 M	H/5	H/5
		Upto 15 M	3.00	3.00
		Above 24.0 M upto 37.5 M	6.00	6.00

Area of plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
1000 M2 and above	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0 M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	H/5 or 9.00m whichever is less	H/5 or 9.00m whichever is less
		Above 60.00 M	12.00	12.00

(Where H = Height of the building above ground level).

- a) Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40 meter length shall not be applicable.
- b) The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable
- c) For special building use No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.
- d) Provided that projections required for firefighting and chajja or weather shed upto 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided.
- e) Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m upto 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m.
- f) The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.
20. Mechanical/Hydraulic / Stack parking / multi-storeyed parking with or without car lift may be allowed to meet the requirement.
21. If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 1.5 m. from the plot boundary and beyond the building lines at ground level subject to a clear minimum front margin of 4.5 m and further subject to non-habitable uses and provision for mechanical ventilation and all safety provisions and drainage. However, it is essential that the basement top slab below the external circulation at ground level should be designed for firefighting vehicular loads as per NBC 2016. Provided that the above provision shall be permissible after the clearance from the Chief Fire Officer, CIDCO
22. Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications, modern methods of disposals, shall be permitted at the discretion of the Authority.
23. The service road of the State highways and national highways shall be considered for the access to the plot. Further the plots along the other categorized roads such as Major District roads/ Village roads shall be directly accessible from these roads. In both the cases for final plots in Town Planning scheme Ribbon development rules shall not be applicable.
24. The distance between two main buildings in a final plot shall be that required to be provided for a taller building amongst them subject to 12.0m as maximum.
25. Construction within River and blue line: Construction within River and Blue line may be permitted at a height of 0.60 m. above red flood line level. Provided that necessary mitigation measures are followed along with clearance from Irrigation department.
26. Grant of Development Permission does not constitute acceptance of correctness, confirmation, approval or endorsement of and shall not bind or render the competent authority liable in any way in regard to;
 - a. Title Ownership & easement right of the plot on which building is proposed.
 - b. Workmanship, soundness of material & structure safety of building.
 - c. Variation in area from recorded areas of building unit.
 - d. Location & boundary of building unit.
 - e. Safety of the user of the building.
 - f. NOC from appropriate authority.
 - g. Structural reports and Structural drawing.

Place :-Navi Mumbai
Date:-21.10.2022

Regd. Office: Nirmal, 2nd floor,
Nariman point, Mumbai-400021.

Dr. Sanjay Mukherjee
Vice Chairman & Managing Director,
CIDCO

स्थळ: नवी मुंबई
दिनांक: २१ ऑक्टोबर २०२२

नॉटरीकृत कार्यालय: निर्मल, २ रा मजला,
नारिमान पॉइंट, मुंबई ४०००२१.

डॉ. संजय मुखर्जी
उपाध्यक्ष व व्यवस्थापकीय संचालक,
सिडको

CIN - U99999 MH 1970 SGC-014574
www.cidco.maharashtra.gov.in

सिडको/जनसंपर्क/३२३/२०२२-२३

Annexure 7 Survey Number included in Powergrid cable trench Line

Sr. No	Village	Survey No.	Total Area of Sr. No.	Power Grid area	Sale Deed or ROU	FP Number	Area considered for FP	Mutation Status	Sale Deed Execution
1	Nevali	24/9	1010	80	Sale Deed	790A	930	Completed	Yes
2	Nevali	22/24	4500	115		812	4385	Completed	Yes
3	Nevali	22/42	1600	90		812	1510	Completed	Yes
4	Nevali	38/8	1440	90		817	1350	Completed	Yes
5	Nevali	22/12/15 (P)	1700	1700		800	912.47	Completed	Yes
6	Nevali	38/1/A	6920	280		846	6640	Mutation Pending, Sr.No. 22/11 is Partly included	Sale deed completed Mutation Pending
7	Nevali	35/5	300	90		843	210		Sale deed completed Mutation Pending
8	Nevali	33/8B	2170	220		843	1950		Sale deed completed Mutation Pending
9	Nevali	24/1/3/4B	4400	500		843	3900		Sale deed completed Mutation Pending
10	Nevali	24/10	1000	130		843	870		Sale deed completed Mutation Pending
11	Nevali	22/11 (P)	900	100		843	211		Sale deed completed Mutation Pending
12	Nevali	35/6	3340	460		843	2880	Not Mentioned ROU	Sale deed completed Mutation Pending
13	Nevali	22/55	100	30		807	100		Sale deed completed Mutation Pending
14	Nevali	38/3	3100	230	ROU	854	3100	Completed ROU	Right to use on 7/12
15	Nevali	40/6	1020	50		854	1020	Completed ROU	Right to use on 7/12
16	Nevali	40/5	530	310		854	530	Completed ROU	Right to use on 7/12
17	Nevali	40/8/9/11	3130	310		854	3130	Area not mentioned on 7/12	Right to use on 7/12
18	Nevali	14	830	20		812	830	Completed ROU	Right to use on 7/12
19	Nevali	22/49	5900	1200		501	5900	Completed ROU	Right to use on 7/12
20	Nevali	22/32/57	4300	120		812	4300	Completed ROU	Right to use on 7/12
21	Nevali	15/1	600	60		812	600	Not Mentioned ROU	Balance Cable To purchase
22	Nevali	40/1/3	1040	150	Balance	947	1040	Not Mentioned ROU	Balance Cable To purchase

Sr. No	Village	Survey No.	Total Area of Sr. No.	Power Grid area	Sale Deed or ROU	FP Number	Area considered for FP	Mutation Status	Sale Deed Execution
23	Nevali	35/2	2090	160		947	2090	Not Mentioned ROU	Balance Cable To purchase
24	Nevali	35/4	5110	150		947	5110	Not Mentioned ROU	Balance Cable To purchase
25	Nevali	34/0	500	70		947	500	Not Mentioned ROU	Balance Cable To purchase
26	Nevali	24/2	100	20		947	100	Not Mentioned ROU	Balance Cable To purchase
27	Nevali	38/5	200	10		393A , 393B & 394	200	Not Mentioned ROU	Balance Cable To purchase
28	Nevali	38/7	430	20		393A , 393B & 395	430	Not Mentioned ROU	Balance Cable To purchase
29	Nevali	38/6A	820	190		850	820	Not Mentioned ROU	Balance Cable To purchase
30	Nevali	38/6B	810			851	810	Not Mentioned ROU	Balance Cable To purchase
31	Nevali	35/3	2020	30		624	2020	Not Mentioned ROU	Balance Cable To purchase
32	Nevali	15/2	230	30		843	230	Not Mentioned ROU	Balance Cable To purchase
33	Nevali	22/48	600	70		893	600	Not Mentioned ROU	Balance Cable To purchase
34	Nevali	22/14	2100	230		893	2100	Not Mentioned ROU	Balance Cable To purchase
35	Nevali	23/9	2790	170		893	2790	Not Mentioned ROU	Balance Cable To purchase

Annexure 8 Appointment of Arbitrator by the Government

RNI No. MAHBIL/2009/35529



महाराष्ट्र शासन राजपत्र भाग एक-कोकण विभागीय पुरवणी

वर्ष ९, अंक १२]

गुरुवार ते बुधवार, मार्च २३-२९, २०२३/चैत्र २-८, शके १९४५

[पृष्ठ १२ किंमत रुपये : १४.००

प्राधिकृत प्रकाशन

शासकीय अधिसूचना, नेमणुका इत्यादी

नगरविकास विभाग

४ था मजला, मुख्य इमारत, मंत्रालय, मुंबई ४०० ०३२, दिनांक २ डिसेंबर २०२२.

अधिसूचना

क्रमांक टिपीएस-१२२२/२१५२/प्र.क्र.१४८/२२/नवि-१२.— ज्याअर्थी, शासनाच्या नगर विकास विभागाकडील अधिसूचना क्रमांक टिपीएस. १८१७/९७३/प्र.क्र.१०३/१७/नवि-१३, दिनांक १३ सप्टेंबर २०१७ अन्वये महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ (सन १९६६ चा महाराष्ट्र अधिनियम क्र. ३७)(यापुढे ज्याचा उल्लेख 'उक्त अधिनियम' असा करण्यात आला आहे) च्या कलम १५१(१) अन्वये प्रदान केलेल्या अधिकाराचा वापर करून उपाध्यक्ष आणि व्यवस्थापकीय संचालक, सिडको यांनी उक्त अधिनियमाच्या कलम ६८ उप-कलम (२) अन्वये अधिसूचना क्रमांक सिडको/नेना/न.र.यो.४/ प्रा.यो./२०२२/५६३, दिनांक २१ ऑक्टोबर २०२२ अन्वये मौ.आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोत्तर रायचूर (भाग) आणि पाली देवद (भाग), ता. पनवेल, प्रारूप नगररचना योजना क्र. ४ मंजूर करण्यात आली असून, सदरची नगररचना योजना ही शासन राजपत्रामध्ये दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिद्ध करण्यात आली आहे. (यापुढे जिचा उल्लेख 'उक्त प्रारूप योजना' असा केला आहे) ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ७२(१) अन्वये उक्त प्रारूप योजना शासन राजपत्रात प्रसिद्ध झालेल्या दिनांकापासून एक महिन्याच्या आत लवाद यांची नियुक्ती करणे आवश्यक आहे ;

आणि ज्याअर्थी, उक्त प्रारूप योजनेकरिता लवाद म्हणून काम करणेसाठी श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगररचना यांनी संमती दिली आहे.

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ७२ उप-कलम (१) अन्वये आणि महाराष्ट्र नगररचना योजना नियम, १९७४ मधील नियम क्र.११ नुसार प्राप्त अधिकारात शासन याद्वारे श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगररचना यांची उक्त प्रारूप योजनेसाठी लवाद म्हणून तात्काळ नियुक्ती करीत आहे. त्यांचे परिश्रमिक व भत्ते शासन निर्णय क्रमांक संकिर्ण-२७१५/प्र.क्र.१००/१३, दिनांक १७ डिसेंबर २०१६ नुसार राहतील. तसेच लवाद यांना आवश्यक ते सर्व सहाय्य व त्यांच्यावर देण्यात आलेल्या जबाबदाऱ्या पार पाडण्यासाठी स्वतंत्र कार्यालय व इतर अत्यावश्यक सोयी सुविधा पुरविण्याबाबत सिडकोस सूचना देण्यात येत आहेत.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

पु. म. शिंदे,
कार्यासन अधिकारी.

(१)

भाग एक (को.वि.पु.)—१

२ महाराष्ट्र शासन राजपत्र भाग एक—कोकण विभागीय पुरवणी, गुरुवार ते बुधवार, मार्च २३-२९, २०२३/चैत्र २-८, शके १९४५

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, 4th Floor, Main Building, Mumbai 400 032, dated 2nd December 2022.

NOTIFICATION

No. TPS. 1222/2152/C.R.148/22/UD-12.—Whereas, the Draft Town Planning Scheme No. 4 of villages Aadai (pt), Aakurli (pt), Newali (pt), Shillottor Raychur (pt) and Pali Devad (pt), Taluka Panvel has been sanctioned by the Vice Chairman and Managing Director, CIDCO *vide* Notification No.CIDCO/NAINA/TPS-4/Draft Scheme/2022/563, dated the 21st October, 2022, under sub-section (2) of the section 68 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) (hereinafter referred to as “ the said Act ”) as per the powers delegated under section 15(1) by the Government in Urban Development Department *vide* Notification No.TPS. 1817/973 /C.R.103/17/UD-13, dated 13th September 2017 of the said Act and has published in *Government Gazette* dated 4th November 2022 (hereinafter referred to as “ the said Draft Scheme ”);

And whereas, as per the provisions of section 72(1) of the said Act, it is necessary to appoint an Arbitrator, within one month from the date on which the said Draft Scheme is published in the *Government Gazette* ;

And whereas, Shri Shirang D. Landage, Retired Director of Town Planning has given his consent to act as an Arbitrator for the said Draft Scheme.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 72 of the said Act, read with rule No.11 of the Maharashtra Town Planning Scheme Rules, 1974, the Government of Maharashtra hereby, appoints Shri Shirang D. Landage, Retired Director of Town Planning as an Arbitrator for the said Draft Scheme with immediate effect. Their salary and allowances will be as per the Government Order No. MISC-2715/C.R.100/13, dated 17th December 2016 and further directs the CIDCO to extend all reasonable assistance to the Arbitrator and also provide him with an independent office and other necessary perks to carry out duties cast upon him in the time bound manner and bear the cost on such items.

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

P. M. SHINDE,
Section Officer.

Annexure 9 Commencement of Duties of Arbitrator

**OFFICE OF THE ARBITRATOR, TOWN PLANNING SCHEME NO. 4, NAINA
(Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt))**

Public Notice

(Under Rule no.13 of the Maharashtra Town Planning Schemes Rules, 1974)

No. ARB/TPS-4/GEN/2023/07

The NAINA draft Town Planning Scheme No.4 in Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt) of Taluka – Panvel, District – Raigad has been sanctioned by the Vice Chairman & Managing Director, CIDCO under sub Section (2) of section 68 of the Maharashtra Regional & Town Planning Act, 1966 (hereafter referred to as “the said Act”) vide Notification No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563 dated 21st October, 2022, in exercise of the powers delegated to him by Urban Development Department vide Notification No.TPS-1817/973/C.R.103/17/UD-13, dated 13th September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-II dated 4th November, 2022.

The Government of Maharashtra, Urban Development Department has appointed Shri Shrirang D.Landge, Retired Director of Town Planning as the Arbitrator for the said sanctioned Draft Scheme vide Notification No.TPS-1222/2152/CR-148/22/UD-12 dated 2nd December, 2022 under sub-section (1) of Section 72 of the said Act. This Notification has been appeared in the Maharashtra Government Gazette, Konkan Division supplement, Part –I, dated 23rd -29th March, 2023 on page No.1.

I, the undersigned therefore in accordance with Rule No.13 of Maharashtra Town Planning Schemes Rules 1974, declare by this Notice that, I have commenced the duties as Arbitrator for NAINA Town Planning Scheme No.4 in Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt)) from 5th April, 2023.

All the owners of the lands included in this Town Planning Scheme will be served with special notice in form No.4 to submit their suggestions or objections in respect of proposals of the sanctioned draft Town Planning Scheme in due course.

Those owners or interested persons of the lands included in the Town Planning Scheme No.4, who have been injuriously affected by making of this scheme are hereby informed that they shall be entitled to make a claim of compensation as per Section 102 of the Maharashtra Regional & Town Planning Act, 1966, before the undersigned within a period of 60 days from the date of appearing this Notice in the *Maharashtra Government Gazette*.

It is hereby declared that the said draft Town Planning Scheme No.4 shall be sub-divided in to a preliminary scheme and final scheme as per the provision under Section 72 of the said act and processed further.


(Shrirang D.Landge)

Arbitrator

Town Planning Scheme No. 4, NAINA
(Adai(pt), Akurli(pt), Nevali(pt), Shillottar
Raichur(pt), and Pali Devad(pt))

Dated: 5th April, 2023

Place: NAINA Office, 7th floor, Tower No. 10,
Belapur Railway Station Complex, C.B.D. Belapur- 400 614.

लवाद, नगर रचना परियोजना नैना क्र.४, नैना यांचे कार्यालय

आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोत्तर रायचूर (भाग) आणि पाली देवद (भाग)

जाहीर सूचना

क्रमांक: लवाद/नरयो-४/साधारण/२०२३/०७


महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ (सन १९६६ चा महाराष्ट्र अधिनियम क्र. ३७) च्या कलम ६८ (२) मधील तरतुदीनुसार सिडको नैना प्रारूप नगर रचना योजना क्र. ४ ही योजना उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको, यांचेकडील अधिसूचना क्रमांक सिडको/नैना/टीपीएस-४/प्रा.यो./२०२२/५६३ दिनांक २१ ऑक्टोबर २०२२ प्रमाणे मंजूर केली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रात असाधारण भाग-२ मध्ये दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिध्द झालेली आहे.

उपनिर्दिष्ट नगर रचना योजनेतील सर्व संबंधितांना या सूचनेद्वारा जाहीर करण्यात येते की, कलम ७२ मधील तरतुदीप्रमाणे, नैना प्रारूप नगर रचना योजना क्र. ४. ला अंतिम स्वरूप देण्यासाठी निम्नस्वाक्षरीकार यांची लवाद म्हणून नगर विकास विभाग, महाराष्ट्र शासन यांचेकडील कलम ७२(१) खालील अधिसूचना क्र.टीपीएस-१२२२/२१५२/प्र.क्र. १४८/२२/नवि-२२ दिनांक २ डिसेंबर २०२२ अन्वये नियुक्ती केली असून सदरहू अधिसूचना दिनांक २३-२९ मार्च २०२३ रोजीचे महाराष्ट्र शासन राजपत्र कोकण विभाग पुरवणी, पान क्र. १ यावर प्रसिध्द झालेली आहे.

तसेच सर्व हितसंबंधितांना, महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ च्या कलम ७२ मधील तरतुदीनुसार आणि त्याअंतर्गत केलेल्या महाराष्ट्र नगर रचना योजना नियम १९७४ च्या नियम १३ नुसार, या सूचनेद्वारे जाहीर कळविण्यात येते की, आज दिनांक ०५/०४/२०२३ रोजी नियुक्त लवाद यांनी वरील योजने संदर्भात लवादीय कामकाजास सुरवात केली आहे आणि या योजनेमुळे बाधित झालेल्या जमीन धारकांना प्रत्यक्ष हजर राहून आपले म्हणणे मांडण्यासाठी यथावकाश लेखी सूचनेद्वारे त्यांचेकडून कळविण्यात येणार आहे. या योजने संदर्भात ज्यांना काही प्रस्ताव किंवा सूचना द्यावयाच्या असतील त्यांनी त्या लेखी स्वरूपात निम्नस्वाक्षरीकार यांना ६० दिवसांच्या कालावधीत दाखल करावयाच्या आहेत.

वरील प्रमाणे योजना तयार केल्यामुळे, ज्या जमीन धारकांच्या कोणत्याही मिळकती बाधित (Injurious Affected) होतील आणि त्यामुळे कलम १०२ प्रमाणे यासंदर्भात मोबदला देय असेल त्यांनी निम्नस्वाक्षरीकार यांचेकडे, सदरहू नोटीस महाराष्ट्र शासन राजपत्रात प्रसिध्द झाल्याच्या तारखेपासून ६० दिवसांच्या आत, त्यांची मागणी दाखल करणे आवश्यक राहील.

तसेच याद्वारे जाहीर करण्यात येते की, वरील शासन मंजूर प्रारूप योजना अंतिम करण्यासंदर्भात, अधिनियमाच्या कलम ७२ मधील तरतुदीप्रमाणे कार्यवाही करताना, या योजनेची प्रथमतः प्राथमिक न.र.यो आणि अंतिम न.र.यो याप्रमाणे उपविभागणी करून तदनंतर पुढील वैधानिक कार्यवाही करण्यात येणार आहे.


(श्रीरंग लांडगे)

लवाद,

नगर रचना परियोजना नैना क्र. ४

आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग),
शिल्लोत्तर रायचूर (भाग) आणि पाली देवद (भाग)

दिनांक-०५/०४/२०२३

पत्ता : नैना कार्यालय, टॉवर नं. १०, आठवा मजला, बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर- नवी मुंबई - ४००६१४

Annexure 10 Notice of Commencement of Duty by Arbitrator in Newspaper

गुरुवार, १३ एप्रिल २०२३ राप्र प्रहर



**लवाद, नगर रचना परियोजना नैना क्र.४, नैना यांचे कार्यालय
आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोत्तर रायचूर (भाग) आणि पाली देवद (भाग)
जाहीर सूचना**

क्रमांक: लवाद /नरयो-४/साधारण/२०२३/

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ (सन १९६६ चा महाराष्ट्र अधिनियम क्र. ३७) च्या कलम ६८ (२) मधील तरतुदीनुसार सिडको नैना प्रारूप नगर रचना योजना क्र. ४ ही योजना उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको, यांचेकडील अधिसूचना क्रमांक सिडको/नैना/टीपीएस-४/प्रा.यो./२०२२/५६३ दिनांक २१ ऑक्टोबर २०२२ प्रमाणे मंजूर केली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रात असाधारण भाग-२ मध्ये दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिध्द झालेली आहे.

उपनिर्दिष्ट नगर रचना योजनेतील सर्व संबंधितांना या सूचनेद्वारा जाहीर करण्यात येते की, कलम ७२ मधील तरतुदीप्रमाणे, नैना प्रारूप नगर रचना योजना क्र. ४. ला अंतिम स्वरूप देण्यासाठी निम्नस्वाक्षरीकार यांची लवाद म्हणून नगर विकास विभाग, महाराष्ट्र शासन यांचेकडील कलम ७२(१) खालील अधिसूचना क्र.टीपीएस-१२२२/२१५२/प्र.क्र. १४८/२२/नवि -२२ दिनांक २ डिसेंबर २०२२ अन्वये नियुक्ती केली असून सदरहू अधिसूचना दिनांक २३-२९ मार्च २०२३ रोजीचे महाराष्ट्र शासन राजपत्र कोकण विभाग पुरवणी, पान क्र. १ यावर प्रसिध्द झालेली आहे.

तसेच सर्व हितसंबंधितांना, महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ च्या कलम ७२ मधील तरतुदीनुसार आणि त्याअंतर्गत केलेल्या महाराष्ट्र नगर रचना योजना नियम १९७४ च्या नियम १३ नुसार, या सूचनेद्वारे जाहीर कळविण्यात येते की, आज दिनांक ०५/०४/२०२३ रोजी नियुक्त लवाद यांनी वरील योजने संदर्भात लवादीय कामकाजास सुरवात केली आहे आणि या योजनेमुळे बाधित झालेल्या जमीन धारकांना प्रत्यक्ष हजर राहून आपले म्हणणे मांडण्यासाठी यथावकाश लेखी सूचनेद्वारे त्यांचेकडून कळविण्यात येणार आहे. या योजने संदर्भात ज्यांना काही प्रस्ताव किंवा सूचना द्यावयाच्या असतील त्यांनी त्या लेखी स्वरूपात निम्नस्वाक्षरीकार यांना ६० दिवसांच्या कालावधीत दाखल करावयाच्या आहेत.

वरील प्रमाणे योजना तयार केल्यामुळे, ज्या जमीन धारकांच्या कोणत्याही मिळकती बाधित (Injuriouslly Affected) होतील आणि त्यामुळे कलम १०२ प्रमाणे यासंदर्भात मोबदला देय असेल त्यांनी निम्नस्वाक्षरीकार यांचेकडे, सदरहू नोटीस महाराष्ट्र शासन राजपत्रात प्रसिध्द झाल्याच्या तारखेपासून ६० दिवसांच्या आत, त्यांची मागणी दाखल करणे आवश्यक राहील.

तसेच याद्वारे जाहीर करण्यात येते की, वरील शासन मंजूर प्रारूप योजना अंतिम करण्यासंदर्भात, अधिनियमांच्या कलम ७२ मधील तरतुदीप्रमाणे कार्यवाही करताना, या योजनेची प्रथमतः प्राथमिक न.र.यो आणि अंतिम न.र.यो याप्रमाणे उपविभागणी करून तदनंतर पुढील वैधानिक कार्यवाही करण्यात येणार आहे.

दिनांक : ०५/०४/२०२३

(श्रीरंग लांडगे)

पत्ता : नैना कार्यालय, टॉवर नं. १०,
आठवा मजला, बेलापूर रेल्वे स्टेशन संकुल,
सीबीडी बेलापूर- नवी मुंबई - ४००६१४

लवाद,
नगर रचना परियोजना नैना क्र. ४
आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग),
शिल्लोत्तर रायचूर (भाग) आणि पाली देवद (भाग)

CIN - U99999 MH 1970 SGC-014574

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सिडको/जनसंपर्क/०३१/२०२३-२४

Newsband**Thursday, 13 April 2023**

OFFICE OF THE ARBITRATOR, TOWN PLANNING SCHEME NO. 4, NAINA
(Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt))

Public Notice

(Under Rule no.13 of the Maharashtra Town Planning Schemes Rules, 1974)

No.ARB/TPS-4/GEN/2023/

The NAINA draft Town Planning Scheme No.4 in Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt) of Taluka - Panvel, District - Raigad has been sanctioned by the Vice Chairman & Managing Director, CIDCO under sub Section (2) of section 68 of the Maharashtra Regional & Town Planning Act, 1966 (hereafter referred to as "the said Act") vide Notification No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563 dated 21st October, 2022, in exercise of the powers delegated to him by Urban Development Department vide Notification No.TPS-1817/973/C.R.103/17/UD-13, dated 13th September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-II dated 4th November, 2022.

The Government of Maharashtra, Urban Development Department has appointed Shri Shrirang D.Landge, Retired Director of Town Planning as the Arbitrator for the said sanctioned Draft Scheme vide Notification No.TPS-1222/2152/CR-148/22/UD-12 dated 2nd December, 2022 under sub-section (1) of Section 72 of the said Act. This Notification has been appeared in the Maharashtra Government Gazette, Konkan Division supplement, Part -I, dated 23rd -29th March, 2023 on page No.1.

I, the undersigned therefore in accordance with Rule No.13 of Maharashtra Town Planning Schemes Rules 1974, declare by this Notice that, I have commenced the duties as Arbitrator for NAINA Town Planning Scheme No.4 in Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt)) from 5th April, 2023.

All the owners of the lands included in this Town Planning Scheme will be served with special notice in form No.4 to submit their suggestions or objections in respect of proposals of the sanctioned draft Town Planning Scheme in due course.

Those owners or interested persons of the lands included in the Town Planning Scheme No.4, who have been injuriously affected by making of this scheme are hereby informed that they shall be entitled to make a claim of compensation as per Section 102 of the Maharashtra Regional & Town Planning Act, 1966, before the undersigned within a period of 60 days from the date of appearing this Notice in the *Maharashtra Government Gazette*.

It is hereby declared that the said draft Town Planning Scheme No.4 shall be subdivided in to a preliminary scheme and final scheme as per the provision under Section 72 of the said act and processed further.

Dated: 5th April, 2023

Place: NAINA Office, 7th floor, Tower No. 10,
Belapur Railway Station Complex,
C.B.D. Belapur- 400 614.

(Shrirang D.Landge)
Arbitrator

Town Planning Scheme No. 4, NAINA
(Adai(pt), Akurli(pt), Nevali(pt), Shillottar
Raichur(pt), and Pali Devad(pt))

CIN - U99999 MH 1970 SGC-014574

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CIDCO/PR/031/2023-24

Annexure 11 Sub-Division of the Draft Town Planning Scheme No. 4

Office of Arbitrator

NAINA Town Planning Scheme – 4,

Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt)
CIDCO, NAINA Office, Tower No.10, 7th Floor, Belapur Railway Station Complex, CBD Belapur,
Navi Mumbai – 400614

ARB/TPS-4/GEN/2023/ 815

Date – 20/10/2023

To,
The Principal Secretary,
Urban Development Department (UD-12)
4th Floor, Mantralay, Mumbai 32

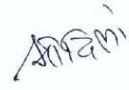
Sub.: Town Planning Scheme, NAINA No. 4 Sub-division of the Sanctioned Draft Scheme
Ref.: CIDCO/NAINA/TPS-4/Draft Scheme/2022/563, Date of Gazette for Draft Sanction 21th October 2022

Sir,

Above referred sanctioned draft Town Planning Scheme, NAINA No. 4 (Adai(pt), Akurli(pt), Nevali(pt), Shillottar Raichur(pt), and Pali Devad(pt)) is required to be sub-divided as provided u/s 72(3) of the MR&TP Act, 1966. After following due procedure, I have now sub-divided the said Town Planning Scheme as Preliminary Scheme & Final Scheme on 20th October, 2023.

I am submitting copy of my order in this respect for information.

Yours faithfully,


Shrirang D. Landge,
Arbitrator, NAINA TPS – 4

CC to:

- 1) The Vice Chairman and Managing Director, CIDCO, CBD, Belapur, Navi Mumbai
- 2) Director of Town planning, M. S., Central Offices, Old Building, Pune 411001
- 3) Chief Planner, SPA, NAINA, CBD, Belapur, Navi Mumbai
- 4) Joint Director of Town Planning, Kokan Division, Kokan Bhavan, Navi Mumbai

Annexure 12 Notice of Award of Preliminary Scheme by Arbitrator in Gazette

RNI No. MAHBIL /2012/46121



महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष १, अंक ७३]

शुक्रवार, डिसेंबर १, २०२३/अग्रहायण १०, शके १९४५

[पृष्ठे ४, किंमत : रुपये १२.००

असाधारण क्रमांक ९८

प्राधिकृत प्रकाशन

प्रारंभिक नैना नगररचना परियोजना क्र. ४

[मौजे आदर्ई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग)]

जाहीर सूचना

[महाराष्ट्र नगररचना परियोजना नियम, १९७४ च्या नियम क्र. १३(९) सहित महाराष्ट्र प्रादेशिक नियोजन नगररचना अधिनियम, १९६६ च्या कलम ७२(७) अन्वये]

क्रमांक लवाद/नरयो-४/ नैना / निवाडा/२०२३/ ८२४

ज्याअर्थी, प्रारूप नैना नगररचना परियोजना क्र. ४, मौजे आदर्ई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग) ही उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको, यांनी नगरविकास विभाग, अधिसूचना क्र. टीपीएस/१८१७/९७३/प्र.क्र.१०३/१७/नवि-१३, दिनांक १३ सप्टेंबर २०१७ अन्वये त्यांना प्राप्त झालेल्या अधिकाराचा वापर करून महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ च्या कलम ६८ च्या पोट-कलम (२) अन्वये त्यांची अधिसूचना क्र.सिडको/ नैना/न.र.यो.४/प्रा.यो. /२०२२/ ५६३, दिनांक २१ ऑक्टोबर २०२२ प्रमाणे मंजूर केली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रात असाधारण भाग-२ मधील पृष्ठ क्र. १ ते ६ वर दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिध्द झालेली आहे ;

आणि ज्याअर्थी, शासनाच्या नगरविकास विभागाने श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगररचना यांची नेमणूक उक्त अधिनियमांच्या कलम ७२ च्या पोट-कलम (१) प्रमाणे उक्त मंजूर प्रारूप परियोजनेसाठी लवाद म्हणून अधिसूचना क्र.टीपीएस-१२२२/२१५२/प्र.क्र.१४८ /२२/नवि-१२, दिनांक २ डिसेंबर २०२२ अन्वये केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र नगररचना परियोजना नियम क्र. १९७४ च्या नियम क्र. १३ अन्वये महाराष्ट्र शासन राजपत्र, असाधारण, भाग-२ मध्ये दिनांक २५ एप्रिल २०२३ रोजी सूचना प्रसिद्ध करून नैना नगररचना परियोजना क्र. ४, मौजे आदर्ई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग) करिता लवाद म्हणून कर्तव्ये पार पाडण्याचे काम दिनांक ५ एप्रिल २०२३ पासून सुरू करण्यात आले आहे ;

आणि ज्याअर्थी, विहित केलेल्या नमूना क्रमांक ४ मधील विशेष सूचना उक्त नगररचना परियोजनेमध्ये समाविष्ट झालेल्या सर्व जमीन मालकांना देण्यात आलेल्या असून त्यांची या संदर्भातील सुनावणी पूर्ण करून त्याबाबतची टिपणे नोंदविण्यात आलेली आहेत ;

(१)

भाग दोन-९८-१

२

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, डिसेंबर १, २०२३/अग्रहायण १०, शके १९४५

आणि ज्याअर्थी, नैना नगररचना परियोजना क्र. ४, मौजे आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग) हिची उक्त अधिनियमांच्या पोट-कलम (३) कलम ७२ अन्वये दिनांक २० ऑक्टोबर २०२३ रोजी प्राथमिक योजना व अंतिम योजना अशी उप विभागणी करण्यात आलेली आहे ;

आणि ज्याअर्थी, उक्त नियमांमधील नियम क्र.१३ प्रमाणे सर्व कार्यवाही पूर्ण करून उक्त अधिनियमांच्या कलम ७२ च्या पोट-कलम (४) मधील कर्तव्ये पार पाडण्यात आलेली आहेत.

त्याअर्थी, निम्नस्वाक्षरीकार नैना नगररचना परियोजना क्र. ४, मौजे आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग) या योजनेचे लवाद म्हणून उक्त अधिनियमांच्या कलम ७२ च्या पोट-कलम (७) प्रमाणे तसेच उक्त नियमांचा नियम क्र.१३ (९) प्रमाणे ही परियोजना दिनांक ३० नोव्हेंबर २०२३ रोजी तयार करण्यात आली आहे असे जाहीर करीत आहेत.

ही प्राथमिक परियोजना निम्नस्वाक्षरीकार लवाद यांच्या कडून तयार करण्यात आल्यानंतर जनतेच्या तसेच या परियोजनेत समाविष्ट झालेल्या जमिनीच्या मालकांच्या अवलोकनार्थ लवादांच्या व नैनाच्या कार्यालयात कार्यालयीन कामकाजाच्या वेळेत नैना कार्यालय, टॉवर नं. १०, सातवा मजला, बेलापूर रेल्वे स्टेशन, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४ येथे प्रसिध्द करण्यात आली आहे.

दिनांक ३० नोव्हेंबर २०२३,

पत्ता:- नैना कार्यालय, टॉवर नं. १०, सातवा मजला, बेलापूर
रेल्वे स्टेशन, सी.बी.डी. बेलापूर, नवी मुंबई ४०० ६१४.

श्रीरंग दि. लांडगे,

लवाद,

नैना नगररचना परियोजना क्र. ४,
[मौजे आदई (भाग), आकुर्ली (भाग), नेवाळी (भाग),
शिल्लोतर रायचूर (भाग) आणि पाली देवद (भाग)].

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, डिसेंबर १, २०२३/अग्रहायण १०, शके १९४५

३

PRELIMINARY NAINA TOWN PLANNING SCHEME, NO. 4

(Part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad)

Public Notice

[under Section 72(7) of the Maharashtra Regional and Town Planning Act, 1966]

[read with Rule 13(9) of the Maharashtra Town Planning Schemes Rules, 1974]

No. ARB/TPS-4/Award/2023/824

WHEREAS, the Draft NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sanctioned by the Vice-Chairman and Managing Director, CIDCO under Sub-Section (2) of section 68 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter, referred to as the 'said Act') *vide* Notification No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563; dated the 21st October 2023, in exercise of the powers delegated to him by the Urban Development Department *vide* its Notification No.TPS-1817/973/C-103/17/UD-13, dated 13th September 2017. The said Notification is published in *Maharashtra Government Gazette*, Extra-ordinary; Part-II, dated the 4th November 2022 on pages No. 1 to 6 ;

And whereas, the Government of Maharashtra in Urban Development Department has appointed Shri Shrirang D. Landge, retired Director of Town Planning as the Arbitrator for the said sanctioned Draft Scheme *vide* Notification No. TPS-1222/2152/C.R.148/22/UD-12, dated 2nd December 2022 under Sub-section (1) of Section 72 of the said Act ;

And whereas, the Arbitrator, in accordance with Rule No. 13 (1) of Maharashtra Town Planning Schemes Rules, 1974 (hereinafter referred to as the 'said Rules'), has declared under his notice dated 5th April 2023 published in *Maharashtra Government Gazette*, Extra-ordinary; Part-II, dated the 25th April 2023 that, he has commenced the duties as Arbitrator in respect of the NAINA Town Planning Scheme, No. 4 part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad with effect from 5th April 2023 ;

And whereas, the special notices in the prescribed form No. 4 have been served to each and every owner of the lands included in the said scheme and their hearings with recording minutes thereof in this respect have been completed ;

And whereas, the NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sub-divided by the Arbitrator into Preliminary Scheme and Final Scheme on 20th October 2023 as provided under Sub-section (3) of section 72 of the said Act ;

And whereas, the Arbitrator has followed the procedure, prescribed in Rule No. 13 of the said Rules, and has carried out the duties laid down in Sub-section (4) of section 72 of the said Act.

Now, therefore, the undersigned as Arbitrator hereby declares that the Preliminary NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been drawn up by him on 30th November 2023 as provided under Sub-section (7) of Section 72 of the said Act read with rule 13 (9) of the said Rules.

४

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, डिसेंबर १, २०२३/अग्रहायण १०, शके १९४५


The Preliminary Scheme so drawn up by the undersigned has been published and copies thereof have been kept open for the inspection of the land owners and of the public during office hours at the office of the Arbitrator and of the Special Planning authority, NAINA, at 7th floor, Tower No. 10, Belapur Railway Station Complex, CBD, Belapur, Navi Mumbai 400 614.

Date : 30th November 2023,
Place : NAINA, 7th Floor, Tower No. 10,
CBD-Belapur, 400 614.

S. D. LANDGE,
Arbitrator,
NAINA Town Planning Scheme No. 4.
At part of Villages Adai, Akurli, Nevali,
Shilottar Raichur and Pali Devad.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY DIRECTOR, RUPENDRA DINESH MORE, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATIONS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004. EDITOR : DIRECTOR, RUPENDRA DINESH MORE.

Annexure 13 Notice of Award of Preliminary Scheme by Arbitrator in Newspaper



CIDCO
WE MAKE CITIES

CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA Ltd.
शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित
PUBLIC NOTICE
जाहीर सूचना

Preliminary NAINA Town Planning Scheme, No. 4
(Part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad)
(under Section 72(7) of the Maharashtra Regional and Town Planning Act, 1966)
(read with Rule 13(9) of the Maharashtra Town Planning Schemes Rules, 1974)
NO. ARB/TPS-4/Award/2023/824

WHEREAS, the Draft NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sanctioned by the Vice Chairman & Managing Director, CIDCO under sub-section (2) of section 68 of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as the 'said Act') vide Notification No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563, dated 21st October 2023, in exercise of the powers delegated to him by the Urban Development Department vide its Notification No. TPS-1817/973/C-103/17/UD-13, dated 13th September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-II, dated 4th November 2022 on pages No. 1 to 6;

And whereas, the Government of Maharashtra in Urban Development Department has appointed Shri Shrirang D. Landge, retired Director of Town Planning as the Arbitrator for the said sanctioned Draft Scheme vide Notification No. TPS-1222/2152/C.R.148/22/UD-12 dated 02nd December 2022 under sub-section (1) of Section 72 of the said Act;

And whereas, the Arbitrator, in accordance with Rule No. 13 (1) of Maharashtra Town Planning Schemes Rules, 1974 (hereinafter referred to as the 'said Rules'), has declared under his notice dated 5th April 2023 published in Maharashtra Government Gazette, Extraordinary, Part-II, dated 25th April 2023 that, he has commenced the duties as Arbitrator in respect of the NAINA Town Planning Scheme, No. 4 part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad with effect from 5th April 2023;

And whereas, the special notices in the prescribed form No. 4 have been served to each and every owner of the lands included in the said scheme & their hearings with recording minutes thereof in this respect have been completed;

And whereas, the NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sub-divided by the Arbitrator into Preliminary Scheme & Final Scheme on 20th October 2023 as provided under sub-section (3) of section 72 of the said Act;

And whereas, the Arbitrator has followed the procedure, prescribed in Rule No. 13 of the said Rules, and has carried out the duties laid down in sub-section (4) of section 72 of the said Act;

Now, therefore, the undersigned as Arbitrator hereby declares that the Preliminary NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been drawn up by him on 30th November, 2023 as provided under sub-section (7) of Section 72 of the said Act read with rule 13 (9) of the said Rules.

The Preliminary Scheme so drawn up by the undersigned has been published and copies thereof have been kept open for the inspection of the land owners and of the public during office hours at the office of the Arbitrator and of the Special Planning authority, NAINA, at 7th floor, Tower No. 10, Belapur Railway Station Complex, CBD, Belapur, Navi Mumbai-400614.

Date : 30th November, 2023
Place: NAINA, 7th Floor, Tower No. 10, CBD-Belapur, 400614.

S. D. LANDGE
Arbitrator,
NAINA Town Planning Scheme No. 4,
At part of Villages Adai, Akurli, Nevali,
Shilottar Raichur and Pali Devad

CIN - U99999 MH 1970 SGC-014574
www.cidco.maharashtra.gov.in

प्रारंभिक नैना नगर रचना परियोजना क्र. ४,
(मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग))
(महाराष्ट्र नगर रचना परियोजना नियम १९७४ च्या नियम क्र. १३(१) सहीत
महाराष्ट्र प्रादेशिक नियोजन नगर रचना अधिनियम १९६६ च्या कलम ७२(७) अन्वयेने)
क्र. लवाद/नसो-४/ नैना / निवाडा/२०२३/ ८२४

ज्याअर्दी, ग्राम नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) ही उपाध्यक्ष व प्रबन्धनमंडळीय संचालक, सिडको, यांनी नगर विकास विभाग, अधिसूचना क्र. टीपीएस/१८१७/१७/४.क्र.१०३/१७/नवि-१३, दिनांक १३/०९/२०१७ अन्वयेने त्यांना प्राप्त झालेल्या अधिकारका वापर करून महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ च्या कलम ६८ च्या पोटकलम (२) अन्वयेने त्यांची अधिसूचना क्र. सिडको/नैना/२१.४/३.४.२०२३/५६३ दिनांक २१/१०/२०२२ प्रमाणे मंजूर केली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रत असाधारण भाग-२ मधील पृष्ठ क्र. १ ते ६ वर दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिद्ध झालेली आहे.

आणि ज्याअर्दी, शासनाच्या नगर विकास विभागाने श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगर रचना बांधी येणुल्ल उक्त अधिनियमाच्या कलम ७२ च्या पोटकलम (१) प्रमाणे उक्त मंजूर प्राप्त परियोजनेसाठी लवाद म्हणून अधिसूचना क्र. टीपीएस-१२२२/२१५२/४.क्र.१४८/२२/नवि-१२, दिनांक ०२/१२/२०२२ अन्वयेने केली आहे.

आणि ज्याअर्दी, महाराष्ट्र नगर रचना परियोजना नियम क्र. १९७४ च्या नियम क्र. १३ अन्वयेने महाराष्ट्र शासन राजपत्रत, असाधारण, भाग-२ मध्ये दिनांक २५/०४/२०२३ रोजी सूचना प्रसिद्ध करून नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) करिता लवाद म्हणून कार्ये पार पाडण्याचे काम दिनांक ५ एप्रिल २०२३ पासून सुरू करण्यात आले आहे.

आणि ज्या अर्दी विलीन केलेल्या मूळ कालांक ४ मधील विशेष सूचना उक्त नगर रचना परियोजनेमध्ये समाविष्ट झालेल्या सर्व जमीन मालकांस देण्यात आलेल्या अमूर्त न्याची वा सदरमितीत सुनावणी पूर्ण करून त्याकाळाची दिवसे नोंदविण्यात आलेली आहेत.

आणि ज्या अर्दी नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) हीची उक्त अधिनियमाच्या पोटकलम (३) कलम ७२ अन्वयेने दिनांक २० ऑक्टोबर २०२३ रोजी प्रारंभिक योजना व अंतिम योजना अशी उपविभागणी करण्यात आलेली आहे.

आणि ज्या अर्दी उक्त निष्पत्तीमधील नियम क्र. १३ प्रमाणे सर्व कार्यवाही पूर्ण करून उक्त अधिनियमाच्या कलम ७२ च्या पोटकलम (४) मधील कार्ये पार पाडण्यात आलेली आहेत.

त्याअर्दी निम्नव्याखरीकर नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) या योजनेचे लवाद म्हणून उक्त अधिनियमाच्या कलम ७२ च्या पोटकलम (५) प्रमाणे लगेच उक्त नियमांचा नियम क्र. १३ (१) प्रमाणे ही परियोजना दिनांक ३० नोव्हेंबर २०२३ रोजी लता करण्यात आली आहे असे जाहीर करित आहेत.

ही प्रारंभिक परियोजना निम्नव्याखरीकर लवाद यांच्या कट्टर नगर कार्यात आसामानंतर जमोत्या लगेच वा परियोजनेत समाविष्ट झालेल्या जमीनीच्या मालकांच्या अवलोकनार्थ लवाद यांच्या व नैनाच्या कार्यालयात कार्यालयीय कामकाजाच्या वेळेत नैना कार्यालय, टॉवर नं. १०, सातवा मजला, बेलपूर रेल्वे स्टेशन, सीबीडी, बेलपूर- नवी मुंबई ४०० ६१४ येथे प्रसिद्ध करण्यात आली आहे.

दिनांक : ३०/११/२०२३
पता: नैना कार्यालय, टॉवर नं. १०, सातवा मजला,
बेलपूर रेल्वे स्टेशन, सी.बी.डी. बेलपूर- नवी मुंबई ४०० ६१४

(श्रीरंग दि. लांडगे)
लवाद,
नैना नगर रचना परियोजना क्र. ४,
(मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग),
शिळोतर रायचूर (भाग) आणि पाली देवद (भाग))

CIDCO/PR/446/2023-24

Newsstand
 NAI MUMBAI THANE URAN PAVEL RAIGAD
 Friday, 8 December 2023
 9

शुक्रवार १८ डिसेंबर २०२३

वाढकवाही



CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA Ltd.

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

PUBLIC NOTICE

जाहीर सूचना

Preliminary NAINA Town Planning Scheme, No. 4

(Part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad)
(under Section 72(7) of the Maharashtra Regional and Town Planning Act, 1966)
(read with Rule 13(9) of the Maharashtra Town Planning Schemes Rules, 1974)
NO. ARB/TPS-4/Award/2023/824

WHEREAS, the Draft NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sanctioned by the Vice Chairman & Managing Director, CIDCO under sub-section (2) of section 88 of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as the 'said Act') vide Notification No. CIDCO/NAINA/TPS-4/Draft Scheme/2022/563, dated 21st October 2023, in exercise of the powers delegated to him by the Urban Development Department vide its Notification No. TPS-1817/973/C-103/17/UD-13, dated 13th September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-II, dated 4th November 2022 on pages No. 1 to 6;

And whereas, the Government of Maharashtra in Urban Development Department has appointed Shri Shrirang D. Landge, retired Director of Town Planning as the Arbitrator for the said sanctioned Draft Scheme vide Notification No. TPS-1222/2152/C.R.148/22/UD-12 dated 02nd December 2022 under sub-section (1) of Section 72 of the said Act;

And whereas, the Arbitrator, in accordance with Rule No. 13 (1) of Maharashtra Town Planning Schemes Rules, 1974 (hereinafter referred to as the 'said Rules'), has declared under this notice dated 5th April 2023 published in Maharashtra Government Gazette, Extraordinary, Part-II, dated 25th April 2023 that, he has commenced the duties as Arbitrator in respect of the NAINA Town Planning Scheme, No. 4 part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad with effect from 5th April 2023;

And whereas, the special notices in the prescribed form No. 4 have been served to each and every owner of the lands included in the said scheme & their hearings with recording minutes thereof in this respect have been completed;

And whereas, the NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been sub-divided by the Arbitrator into Preliminary Scheme & Final Scheme on 20th October 2023 as provided under sub-section (3) of section 72 of the said Act;

And whereas, the Arbitrator has followed the procedure, prescribed in Rule No. 13 of the said Rules, and has carried out the duties laid down in sub-section (4) of section 72 of the said Act;

Now, therefore, the undersigned as Arbitrator hereby declares that the Preliminary NAINA Town Planning Scheme, No. 4 at part of Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad has been drawn up by him on 30th November, 2023 as provided under sub-section (7) of Section 72 of the said Act read with rule 13 (9) of the said Rules.

The Preliminary Scheme so drawn up by the undersigned has been published and copies thereof have been kept open for the inspection of the land owners and of the public during office hours at the office of the Arbitrator and of the Special Planning authority, NAINA, at 7th floor, Tower No. 10, Belapur Railway Station Complex, CBD, Belapur, Navi Mumbai-400614.

Date : 30th November, 2023

Place: NAINA, 7th Floor, Tower No. 10, CBD-Belapur, 400614.

S. D. LANDGE

Arbitrator,

NAINA Town Planning Scheme No. 4,
At part of Villages Adai, Akurli, Nevali,
Shilottar Raichur and Pali Devad

CIN - U99999 MH 1970 SGC-014574

www.cidco.maharashtra.gov.in

प्रारंभिक नैना नगर रचना परियोजना क्र. ४,
(मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग))
(महाराष्ट्र नगर रचना परियोजना नियम १९७४ च्या नियम क्र. १३(९) संहित
महाराष्ट्र प्रादेशिक नियोजन नगर रचना अधिनियम १९६६ च्या कलम ७२(७) अन्वये)
क्र. लयाद/नयो-४/ नैना / निवाडा/२०२३/ ८२४

ज्याअर्थी, ग्राम्य नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) ही उपाययक्ष व व्यवस्थापकीय संचालक, सिडको, नांदी नगर विकास विभाग, अधिसूचना क्र. टीपीएस/१८१७/१७३/२३.क्र.१०३/१७/नवि-१३, दिनांक १३/०९/२०१७ अन्वये रचना प्राप्त झालेल्या अधिकाऱ्याचा वार करून महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ च्या कलम ६८ च्या पोटकलम (२) अन्वये त्यांची अधिसूचना क्र. सिडको/नैना/न.र.चो.४/प्रा.नो. /२०२२/५६३ दिनांक २१/१०/२०२२ प्रमाणे घेऊन घेतली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रात असाधारण भाग-२ मधील पृष्ठ क्र. १ ते ६ या दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिद्ध झालेली आहे.

आणि ज्याअर्थी, शासनाच्या नगर विकास विभागाने श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगर रचना यांची नेमणूक उक्त अधिनियमांच्या कलम ७२ च्या पोटकलम (१) प्रमाणे उक्त मॅसूर ग्राम्य परियोजनेसाठी लयाद म्हणून अधिसूचना क्र. टीपीएस-१२२२/२१५२/२३.क्र.१४८/२२/नवि-१३, दिनांक ०२/१२/२०२२ अन्वये केली आहे.

आणि ज्याअर्थी, महाराष्ट्र नगर रचना परियोजना नियम क्र. १९७४ च्या नियम क्र. १३ अन्वये महाराष्ट्र शासन राजपत्र, असाधारण, भाग-२ मध्ये दिनांक २५/०९/२०२३ रोजी सूचना प्रसिद्ध करून नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) कडील लयाद म्हणून कार्यरत चार पाडण्याचे काम दिनांक ५ एप्रिल २०२३ पासून सुरू करण्यात आले आहे.

आणि ज्या अर्थी विहीन केलेल्या मनुष्य क्रमांक ४ मधील विरोध सूचना उक्त नगर रचना परियोजनेमध्ये समाविष्ट झालेल्या सर्व जमीन मालकांना देण्यात आलेल्या असून त्यांची या संदर्भातील सुनावणी पूर्ण करून त्याबाबतची टिपणे नोंदविण्यात आलेली आहेत.

आणि ज्या अर्थी नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) हींची उक्त अधिनियमांच्या पोटकलम (३) कलम ७२ अन्वये दिनांक २० ऑक्टोबर २०२३ रोजी प्राथमिक योजना व अंतिम योजना अशी उपविभागणी करण्यात आलेली आहे.

आणि ज्या अर्थी उक्त नियमांमधील नियम क्र. १३ प्रमाणे सर्व कार्यवाही पूर्ण करून उक्त अधिनियमांच्या कलम ७२ च्या पोटकलम (४) मधील कार्यरत चार पाडण्यात आलेली आहेत.

त्याअर्थी नियमव्याख्यात्मक नैना नगर रचना परियोजना क्र. ४, मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग), शिळोतर रायचूर (भाग) आणि पाली देवद (भाग) या योजनांचे लयाद म्हणून उक्त अधिनियमांच्या कलम ७२ च्या पोटकलम (७) प्रमाणे तसेच उक्त निवाड्यांचा नियम क्र. १३ (९) प्रमाणे ही परियोजना दिनांक ३० नोव्हेंबर २०२३ रोजी तयार करण्यात आली आहे असे जाहीर करित आहोत.

ही प्राथमिक परियोजना नियमव्याख्यात्मक लयाद यांच्या बाबत तयार करण्यात आलेल्या जाणवनांत जमलेल्या तसेच या परियोजनेत समाविष्ट झालेल्या जमीनीच्या मालकांच्या अवरोधकार्या लयाद यांच्या व नैनाच्या कार्यालयात कार्यालयीन कामकाजाच्या फेळेत नैना कार्यालय, टॉवर नं. १०, सातवा मजला, बेलापूर रेल्वे स्टेशन, सी.बी.डी. बेलापूर- नवी मुंबई ४०० ६१४ येथे प्रसिद्ध करण्यात आली आहे.

दिनांक : ३०/११/२०२३

पता: नैना कार्यालय, टॉवर नं. १०, सातवा मजला,

बेलापूर रेल्वे स्टेशन, सी.बी.डी. बेलापूर- नवी मुंबई ४०० ६१४

(श्रीरंग दि. लांडगे)

लयाद,

नैना नगर रचना परियोजना क्र. ४,
(मौजे आर्दाई (भाग), आकुर्ली (भाग), नेवाळी (भाग),
शिळोतर रायचूर (भाग) आणि पाली देवद (भाग))

CIDCO/PR/446/2023-24