



## **SPECIAL PLANNING AUTHORITY, NAINA, CIDCO**

### **NAINA TOWN PLANNING SCHEME No. 5**

(Part Villages of Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar,  
Vichumbe, Vihighar)  
Tahsil Panvel, District Raigad

### **Preliminary Scheme**

(Under Maharashtra Regional and Town Planning act, 1966)

### **REPORT**



Drawn up on 30<sup>th</sup> November 2023 under Section 72(7)

**S.D. Landge**  
**Arbitrator**

Sanctioned with Modifications as shown in blue colour under section 86(1)  
vide Government Notification no. TPS-1224/04/CR-21/24/UD-12 dated  
28<sup>th</sup> February 2024 appeared in Gazette dated 26<sup>th</sup> Sept. - 2<sup>nd</sup> Oct. 2024

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## NAINA TOWN PLANNING SCHEME No. 5

Part of Villages Bonshet, Bhokarpada(Chipale), Devad, Moho, Shivkar, Vichumbe and Vihighar 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 10/01/2013 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 Tehsil 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') along with Development Control and Promotion Regulations (hereinafter referred to as DCPR-2017) for the 23 villages of NAINA under Section 31(1) of the said Act which has now come into force w.e.f. 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.

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 special regulations for NAINA scheme are dealing with voluntary land pooling and development of areas from IDP 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 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 area leaving the densely developed areas and village gaothans for the effective implementation of the sanctioned interim Development Plan of NAINA. Till date CIDCO has declared 12 town planning schemes, its status as on 25/10/2023 is as shown below in 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. 24/07/2022
TPS - 2	08/12/2017	194	Chipale, Devad, Bhokarpada, Vihighar, Sangade and Belavali	Preliminary scheme sanctioned on 03/11/2021.
TPS - 3	10/05/2018	440	Nere, Vihighar, Moho,	Preliminary scheme





**PRELIMINARY TOWN PLANNING SCHEME NO.5**

TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
			Koprol and Chipale	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. 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.5

Post approval of IDP, CIDCO was under pressure from public to provide infrastructural facilities at par with other developed nodes by CIDCO within Navi Mumbai jurisdiction. 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.

The boundary for TPS-5 is identified in the proximity of already published boundary of TPS-2 and TPS-3. The scheme is located on east side of Mumbai Pune





Expressway. Northern and eastern boundaries are coinciding with Boundaries of Town Planning Scheme no. 2 & 3 and Southern Boundary is coinciding with Town Planning Scheme no. 6.

With this background, CIDCO has declared intention to prepare Town Planning Scheme 5 (TPS-5) at part of Villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe and Vihigar for the purpose of implementing the proposals in the sanctioned IDP 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 within scheme will contribute in general, equal percentage of land for the Scheme and IDP 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 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 high tension lines and its buffer 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 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 Intention

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 follows.

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

Details	Section	Date
CIDCO's BR No. 12189 to declare intention to prepare scheme	60(1)	7 <sup>th</sup> June, 2019
Extraordinary official Maharashtra Government Gazette (part-II)-for declaration of intention (Annx-1)	60(2)	26 <sup>th</sup> June, 2019
Public notice in two local Newspaper: (Annx-3) 1. Dainik Raigad Nagari (Marathi) 2. Newsband	60(2)	1 <sup>st</sup> July 2019 10 <sup>th</sup> July 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. 5 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:

For TPS-5 TILR plans are not available except for the villages of Bonshet, Vichumbe and Devad. Village Devad and Vichumbe are adjoining to TPS-2. Hence, TILR boundary of TPS-2 is considered. However, in case of Village Bonshet, the boundaries of Survey Number and Hissas are not matching when compared with the available 7/12 extracts. Various correspondences were followed with the Land record office for clarification for changes in Bonshet villages, however no response is received as yet. As the TILR plan for Shivkar, Moho, Bhokarpada and Vihighar are not available, broad calculation based on the 7/12 of scheme and GIS is performed. The comparative statement of Village-wise areas are shown in Table 3 below.

Table 3: Village wise Area included in the Scheme

Village Name	Total Survey Numbers	Area as per 7/12 (in Ha)	Area as per GIS (in Ha)	Differences in Areas (in Ha)
		(1)	(2)	(3)=(2)-(1)
Bonshet	48	18.37	17.83	-0.54
Bhokarpada (Chipale)	34	11.18	10.99	-0.19
Devad	1	3.30	3.39	0.09
Moho	18	13.08	15.43	2.35
Shivkar	402	150.70	150.27	-0.43
Vichumbe	13	11.99	12.08	0.09
Vihighar	68	33.20	31.21	-1.99
<b>Total (7 in Nos)</b>	<b>584</b>	<b>241.82</b>	<b>241.19</b>	<b>-0.62</b>

\*Note: Area as per GIS is considered for Calculation Purpose.

Negative value in above table shows less area is available in GIS than 7/12 area of that Village and vice versa. From above table it is very clear that land area of Moho Village is 2.35 Ha more than the 7/12 area of that village while land area of village Vihighar is less by approx. 2 Ha.

In total 0.62 Ha area is less available for preparing layout when compared with 7/12 areas for which entitlement need to be given (This GIS area also includes unknown polygons, nallah or road polygons whose 7/12 is not available). Hence, variation may happen at the time of demarcation on ground.

Major existing road passing adjoining to the said scheme is Mumbai-Pune Expressway officially named Yashwantrao Chavan Expressway. The villages in scheme do not have direct access from this Expressway, hence a dumbbell interchange is proposed in the Interim Development plan to connect these villages



on either sides of this Mumbai-Pune Expressway. The village Gaothans in the scheme are interconnected by way of existing village roads.

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 is accepted from the willing parties. Based on the Physical Survey maps obtained from the consultant (Shidore & Associates) appointed by the CIDCO and the Base Map of the sanctioned Interim Development Plan(IDP), 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, High Tension 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.

#### 4.3 The Details of Sanctioned IDP Reservations in the Scheme

Total scheme area is 241.19 Ha. Within the scheme about 42.85 Ha of lands are non-developable such as nala and forest. The developable land is 198.34 Ha. The scheme boundary is delineated such that it accommodates sanctioned IDP reservations in 40% of the scheme area. These reservations include IDP roads, Schools, School Playgrounds, Parks, General Hospital, Primary Health Center, Community Center, Daily Bazars, Police Station, Fire Station, Sewage Treatment Plan, Electric Sub Station and Growth Centres. The total area under such reservations is 86.31 Ha which constitutes approx. 42% of total scheme area. The details regarding sanctioned IDP reservations included in the scheme and their areas after allotting them in the form of Final Plots (FP) are as given in the following Table 4

Table 4: The Details of sanctioned IDP Reservations included in the Scheme

Sr. No	Designation	IDP Reservation No.	As per IDP report (sq. m.)	FP Area provided in the Draft Scheme (sq. m.)
1	33KV Electric Substation (ESS)	101 _ ESS	2200	2200
2	Community Center	95 _ CC	2200	2200
3	Daily Bazaar	66 _ DB	1200	1200
4		98 _ DB	1100	1300





Sr. No	Designation	IDP Reservation No.	As per IDP report (sq. m.)	FP Area provided in the Draft Scheme (sq. m.)
5		100 _ DB	1500	1600
6	Fire station	102 _ FS	10700	10700
7	General Hospital	51 _ GH	27200	27200
8	Police station	111 _ PS	11800	11800
9	Primary Health Center	59 _ PHC	2400	2400
10		75 _ PHC	1700	2000
11		110 _ PHC	1400	1400
12	School	81 _ S	3900	4100
13		114 _ S	4500	4500
14	Sewage Treatment Plant (STP)	116 _ STP-4	26600	33000
15	School Playground	70 _ PG	0	0
16		74 _ PG	6600	7090
17		107 _ PG	5700	6278
18		104 _ PG (part)	7000	1500
19	(School) Playground	206B _ PG	33100	106643
20		206C _ PG	67100	
21		96A_PG (part)	56000	20400
22		216 _ PG	6600	6600
23	Park	52 _ P	15100	15400
24		56 _ P	18900	18900
25		105 _ P	24200	24200
26		215 _ P	1100	1100
27		217_P	5100	5200
28	City Park	96_CP (part)	116100	14800
29	Growth Center	203 _ GC (part)	223000	76014
30		206 _ GC (part)	1085000	132036

Note:

- i. 70\_PG completely provided in TPS-3.
- ii. 104\_PG & 96A\_PG, 96\_CP partly in scheme and rest is provided in adjoining TPS-6.
- iii. 203\_GC partly falls in TPS-2 and remaining is provided in TPS-5(with marginal increase in area due to change in Cloverleaf interchange to Dumbell interchange).
- iv. 206\_GC partly in TPS-5 and area is maintained.

#### 4.4 Existing Features of TPS

##### 4.4.1 Forest Lands

The Scheme comprises of 45.16 ha of total forest land as per 7/12 extract. It is located at the middle of the Scheme and throughout East to West. As per the digitized village map, the forest area is 41.98 Ha. Resulting difference in Forest area of almost 3.18 Ha.



Table 5: Details of Forest land included in The Scheme

Sr. no.	Village Name	Tenure of land	Survey No.	Hissa No.	7/12 Area (in sq. m.)	Area Included in the scheme (in sq. m.)	GIS Area (in sq. m.)	OP No.
1	Vihighar	Sarkar	74	74	144500	144500	127773	116
2	Shivkar	Sarkar	288	288	46110	46110	46369	510
3		Sarkar	266	266	117600	117600	106688	478
4		Sarkar	287	287	48700	48700	43759	509
5		Sarkar	168(P)	168/1 /A	135600	61725	61240	321
6	Devad	Class I	100	100	33010	33010	3394	569
<b>Total</b>					<b>525520</b>	<b>451645</b>	<b>419769</b>	

\*Note: (P) stands for part area in scheme.

The shape of Forest land is irregular. At many locations, some area as open space is added to make these Forest land parcels of regular shape. As far as possible Original Plot (OP) area is retained as the Final Plot (FP) in case of forest. Only IDP roads and at some location layout road is provided in order to connect adjoining areas.

Reservations under Joint Forest Management (JFM) on forest land will be jointly developed as park as per sanctioned Development Plan. Out of entire forest area in the scheme, area under JFM is 356540 sq. m.

#### 4.4.2 Nallah

Storm water catchment of Moho village flows through nallah, which is traversing from East to West. This nallah meets the Kirki river about 2km beyond scheme boundary on west side. The course of the nallah meandering through the scheme area has been channelized having an average channel width of 15m. Area under nallah falling in said scheme is 2.8 Ha as per Village plan (AutoCAD). However, as per 7/12 extract area under ओहोळ (Nallah) is only 0.88 Ha. Rest of the nallah is passing through private lands.

The existing meandering course of nallah is smoothened for effective flow of water in consultation with the engineering department. This channel forms a part of FP No. 248(206\_GC) and FP No. 247A (206\_B&C\_PG). FP No. 605 is allotted to CIDCO for channel for remaining length.





#### 4.4.3 Reliance pipeline

Reliance pipeline is traversing from North to South in the scheme area. The length of Reliance pipeline passing through scheme area is approximately 1.53 Km. At the time of detailing of TPS-2, after communicating with the office of Reliance Gas pipeline at Sheva, it is gathered that the land under right of use of Reliance pipeline is having total 6 mtr wide corridor. Hence land measuring 7800 sq. m. will be required to be kept for non- buildable use.

Existence of this pipeline will constraint to planning authority to utilize the land. Since the land under pipeline is acquired under Right of Use condition, the land holders having land under this corridor are considered for scheme entitlement as per the total area mentioned in 7/12 extract. The area under pipeline buffer is mostly kept as open spaces, and at few locations the final plot against Original Plot of Gurcharan land which is allotted to Government is provided.

#### 4.4.4 Extra High Voltage Power Line

Maharashtra State Electricity Transmission Company Ltd.'s extra high voltage tower line of 220 KV having corridor of 35 M width and 110 KV having corridor of 22 M width is traversing through village Vichumbe and Shivkar of TPS-5. The length of High Tension (HT) line passing through scheme is approx. 1.12 Km, affecting an area of 7.2 Ha (both the lines are parallel, total buffer of 65m). In regard to acquisition and compensation for land under Tower line, the correspondence made at the time of TPS-2. Executive Engineer EHV (O&M) division, vide letter no. EE/EHV(O&M) / Dn/PNL/ T-66/ 0742 dated 19/04/2018 informed that MSETCL has not acquired any land for erection of EHV lines and compensation was given only for removal of trees and crops as per Indian Telegraphic Act, 1885.

The land holders having land below this corridor are allotted Final Plots elsewhere, because no construction is allowed under HT line and its buffer. Open spaces, IDP reservations and FPs against Gurcharan lands are located in the HT line buffer zone.

#### 4.4.5 Mumbai Pune Expressway

Mumbai Pune expressway is along western boundary of TPS-5. 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.

#### 4.4.6 Preservation of Existing Schools and Temple

The draft scheme has taken care to preserve the existing School which is on Gramdev Vahivatdar land at FP no.132 and 134.

At FP no. 293 Temple is preserved. The SPA, NAINA has proposed Layout Amenity on the Temple Plot.

#### 4.4.7 Existing structures and Development Permissions

- Within the scheme area, there are about 283 odd structures as per 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/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 are encroachments on Government lands.
- As shown in Physical survey, the existing Religious structure of Shivkar village falls within scheme. The same is retained by providing amenity plot at such location.
- In case where Building Permission is issued by the competent authority, the same is honored and final plot is carved out by maintaining sufficient margins from the CC granted structure. Meanwhile the CC granted project proponent submitted WGS Coordinates of the constructed buildings from the empanelled surveyor through the Building permission section. As per the submission, plot boundaries are slightly modified by keeping the CC granted area and structures intact. The same has been communicated to Building Permission section for further processing.
- Details of CC Granted Proposals within TPS-5 are tabulated below;



Table 6: List of CC Granted Proposals in the Scheme

Sr. no.	Village Name	Survey/ Hissa No.	OP No.	OP Area (in sqm)	Total OP Area (in sqm)	FP No.	FP Area (in sqm)	CC Granted by
1	Shivkar	188/3	328	300	29150	326	27668	NAINA, CIDCO
		188/4A	329	1950				
		188/4B	330	880				
		188/4C	331	380				
		188/4D	332	450				
		188/7	335	2150				
		190/1	341	2250				
		190/2	342	330				
		190/3	343	2550				
		192/1	344	1950				
		192/2	345	730				
		194	346	1720				
		195/2	347	400				
		195/3	348	1700				
		195/5	349	860				
		195/6	350	380				
		195/7	351	330				
		195/8	352	780				
		195/9	353	890				
		198/3	354	940				
		198/4	355	860				
		198/5	356	940				
		198/6	357	940				
		198/7	358	900				
		200/1	360	990				
		200/2	361	430				
		200/3	362	560				
		200/4	363	320				
		201	364	1290				
2	Shivkar	142/2	307	2450	3490	346	3056	NAINA, CIDCO
		144	308	1040				
3	Shivkar	113/1B	265	1800	1800	381	1675	NAINA, CIDCO
4	Shivkar	114/5	271	3570	3570	385	3257	NAINA, CIDCO
5	Shivkar	120/1	279	2500	2500	411	2163	NAINA, CIDCO



Sr. no.	Village Name	Survey/ Hissa No.	OP No.	OP Area (in sqm)	Total OP Area (in sqm)	FP No.	FP Area (in sqm)	CC Granted by
6	Shivkar	17/2	195	1210	1210	424	1210	NAINA, CIDCO
7	Shivkar	30	212	2150	2150	475	1832	ADTP
8	Shivkar	32	214	4050	4050	495	2751	NAINA, CIDCO
9	Vihighar	11	98	2150	2150	14	1790	NAINA, CIDCO
10	Vihighar	15/4	108	1490	3160	34	2726	NAINA, CIDCO
		15/5	109	1670				NAINA, CIDCO
11	Vihighar	16/22/3	114	3800	3800	37	3318	NAINA, CIDCO
12	Vihighar	88/2	137	6880	19320	57	19320	ADTP
	Vihighar	89/7A	144	8360				
	Vihighar	89/7B	145	4080				
13	Vihighar	86/1	133	4080	8660	69	7529	NAINA, CIDCO
		87	135	4580				NAINA, CIDCO

#### 4.5 Engineering and Transportation aspects

##### 4.5.1 Engineering Aspects

TPS-5 located adjacent to Mumbai Pune Expressway and in continuation with TPS-2. The proposed water supply network needs to be extended till TPS-5 boundary. There is a Sewage Treatment Plant (STP) reserved in sanctioned IDP of NAINA along tributary at Shivkar 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. Existing tributary, is channelized for carrying out storm water from TPS area.

##### 4.5.2 Transportation Aspects:

The road network in Draft TPS- 5 is prepared in consultation with CIDCO's T&C Dept. The proposed road sections have provisions for future service lines such



as Cooking gas lines, fiber optics, electric cables. The footpath will have tree guards. The main roads will have bus bays and bus shelter.

#### **4.6 Lands falling within the Urban Village Zone**

As per the sanctioned IDP, the 200 m periphery around the village gaathan is considered as urban village zone having FSI of 1.00. The area outside such a 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 exist in the 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.

#### **4.7 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 5th and 6th March 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 existing water channel 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 32 applications were received by the SPA, NAINA from the land owners. Out of these, 17 applications were related to plan. Out of which 4 applications were considered and the draft scheme was accordingly modified.

Table 7: Applications Received till 13/03/2020

Details	Applications Received	Applications Considered
General Demand	9	0
Plan Related	17	4
Objection to Scheme	6	0
Total Applications	32	4

#### 4.8 Consultation with Director Town Planning

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 न. र. यो. क्र ५/ प्र. क्र./ ७२ / २० — टीपीसी/ ३ / १३५२; 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. 5 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 that the draft scheme has been prepared was published in the Maharashtra Government Gazette on 25/04/2022. Such notice in Marathi was published in the newspapers, in Ramprahar and in Dainik Lokdrushti on 28<sup>th</sup> April 2022 respectively. 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 21<sup>st</sup> 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.

It is revealed from the draft scheme that the SPA, NAINA has allotted the final plots (FPs) in lieu of the land-owner's original plots to the extent of 40 % of the area of their original holdings. There are in all 386 FPs allotted to the land owners in the draft scheme. The classification is as under.

*Table 8: Details of anchoring of Final Plots in the Scheme*

Sr. No.	Description	Final Plots (Numbers)
1	Total original plots (7/12 extracts)	587
2	Total final plots (7/12 extracts)	407
3	Total No. of residential Final plot (Excluding forest and Masanvata)	386 {410-15(Forest)-6 (masanvata)}
	Total Anchored Plots (with reference to survey numbers) includes partially anchored and completely anchored	314 (81%)
	Total Relocated Plots	72 (19%)
4	Reasons for relocation	
	i. Due to Reservation	53
	ii. Due to HT line	7
	iii. Due to gas pipe line	0
	iv. Due to building line of Express way	6
	v. Due to Channel alignment	6
	Total Relocated plots	72

#### **4.9 Reshaping and Realignment of the IDP reservations**

While preparing the draft scheme, it has been considered necessary from the planning point of view to readjust the following IDP 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.



1. 15M wide road (FP No. 548A) starting from TPS-2 and connecting TPS-5, is affecting the existing occupied structures within TPS-5. Hence, it is proposed to shift the road latterly towards East, so as save these structures
2. 9M wide road was widened to 15M width (FP No. 549) to maintain it's width as per TPS 3.
3. 9M wide road were widened to 20M (FP No. 546) and 12M (FP No. 555). It is increased to 20M to complete the loop of 20M and increased to 12M to provide access to already CC granted proposals.
4. After consultation from Engineering Department Dumbbell shape interchange has been adopted instead of the proposed clover leaf design at village Vichumbe in sanctioned IDP, in order to provide access to the Mumbai Pune Expressway.
5. 20M wide curved IDP road at village Shivkar was widened to 27M (FP No. 543), and straightened for better traffic movement.
6. In Sanctioned IDP plan for reservation 114\_S and 107\_PG areas were shown less than the area mentioned in the report. While preparing draft scheme areas of these reservations were provided as per area mentioned in report.
7. IDP reservations for Open spaces and Amenities have been adjusted in shapes to suit the scheme layout, maintaining their areas and locations as per the IDP, wherever required.

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

The draft Town Planning Scheme no. 5 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) of 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<sup>th</sup> September 2017. The Vice Chairman and the Managing Director, CIDCO has then forwarded the draft scheme for consultation of the Director of Town Planning, Maharashtra State, Pune as provided under section 68(2) vide his letter CIDCO/NAINA/TPS-5/Consult.68(2)/2022/1664



dated 08/08/2022. After obtaining the remarks of the Director of Town Planning vide letter जा.क्र. प्रा. न. र. यो. / नरयो क्र. ५/ नैना / कलम ६८(१)/४६५ dated 17/10/2022, 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-5/Draft Scheme/2022/564 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. 139 dated 4/11/2022 (Annx-5) and in the local newspapers as required on 10/11/2022 and 11/11/2022 in Dainik Kille Raigad and Free Press Journal respectively (Annx-6).

## 6. Arbitration

### 6.1 Appointment of Arbitrator by the Govt.

The State Government has then appointed Shri Shrirang D. Landge, Director of Town Planning, retired from the Town Planning and Valuation Department of the Maharashtra Government as the Arbitrator under sub-section (1) of Section 72 of the Maharashtra Regional and Town Planning Act, 1966 for this draft scheme no. 5 vide Urban Development Department notification no. TPS-1222/2152/CR-148/22/UD-12 dated 2<sup>nd</sup> December 2022 (Annx-7).

### 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, on pages 1, 2 & 3 dated 25th April 2023 (annx-8) The same notice in English and Marathi has been published in daily Newspapers, the Free Press Journal, and in Krushival, respectively dated 13/04/2023 (Annx-9) for the information of the land owners and the 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 FPs 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 on each and every owner of the original plots included in this scheme from all the seven villages during the period from 19<sup>th</sup> June 2023 to 14<sup>th</sup> July 2023 and on 8<sup>th</sup> August 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 5<sup>th</sup> July 2023 to 4<sup>th</sup> August 2023 and second on 21<sup>st</sup> and 22<sup>nd</sup> August 2023. The land owners from all these seven 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.

Due to change of address by owner or incomplete addresses it was possible that all owners will not receive these special notices. Therefore, the general public notice was published in the local newspaper Dainik Sagar and Raigadnagari dated 5<sup>th</sup> July 2023 and Raigad Nagri and Wadalwara dated 10<sup>th</sup> August 2023 as well as it was published in the respective Grampanchayat Offices on 05<sup>th</sup> July 2023 and on 17<sup>st</sup> August 2023. The hearings of the land owners who appeared have been completed during the period from 5<sup>th</sup> July 2023 to 4<sup>th</sup> August 2023 in the first





session, and 21<sup>st</sup> August 2023 to 22<sup>nd</sup> August 2023 in the second session. The owners, those remained absent, were attempted to be called to give hearing in respect of their scheme proposals.

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, District Raigad for government lands, Executive Engineer, PWD for Land under their ownership, Executive Engineer, MSRDC for Mumbai Pune Expressway, Executive Engineer, MSSEDCL for Transmission line passing through TPS, Deputy Conservator of Forests, Raigad for forest land within scheme, Chief Planner NAINA, CIDCO for authority plots and concerned stakeholders along with Officials from Reliance Industrial Infrastructure Limited for gas pipelines passing through the scheme were called for individual hearing on 7<sup>th</sup> August 2023 through letter.

The Special Planning Authority, NAINA (CIDCO) has been given first hearing on 7/08/2023 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 dated 11/08/2023 has requested to maintain few amenity and open spaces for school, playground, utilities and MBR also suggested modification in special DCR i.e. provision of TDR for utilization of maximum potential of land.

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 20/10/2023 under his order bearing no. ARB/TPS-5/GEN/2023/816.

The Special Planning Authority, NAINA (CIDCO) has also been given hearing on 7/11/2023 after preparation of layout of the preliminary scheme. The points raised by the Arbitrator vide his letter no. ARB/TPS-5/GEN/2023/821, dated 08/11/2023 were replied by the Special Planning Authority under its letter bearing



no. CIDCO/NAINA/PLNG/DP/TPS-5/2023/934 dated 10/11/2023. The SPA, NAINA has shown its general acceptance to the scheme layout.

### 6.3 Landowner's 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 seven 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 also 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 % of land. Demand to allot FPs at least at 50% of their original holdings was also made from the land owners 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 LAAR 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 comments 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 also allotted the final plots as far as possible accommodating their original holdings i.e. most of the land owners have been allotted the anchored plots. 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.

Secondly, the 60 % land is utilized for IDP and scheme roads, IDP and scheme 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. Thirdly, 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 OPs 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. 5 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 also varied this layout wherever required from planning point of view as provided under section 72 (7) of the Act.



The NAINA Town Planning Scheme no. 5 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.

The scheme so selected is adjoining to the already published TPS-2 & TPS-3 and lies on east side of Mumbai-Pune Expressway. The area so delineated excludes revenue gaathan boundary and densely developed areas around the gaathan. Gaathan of Shivkar and Bonshet lie within the periphery of TPS-5, however the same is excluded from the scheme. Urban Village area (200m from Revenue Gaathan Boundary) of villages Bhokarpada (Chipale), Bonshet, Vihigar and Shivkar lie within scheme boundary.

The layout of the draft scheme and the overall road pattern proposed therein are generally well in order and acceptable from planning point of view.

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 Junction of 45m IDP roads running from north-south connecting TPS-2 to TPS-6 and east-west connecting Mumbai-Pune Expressway to TPS-3 lies at centre of scheme. Dumbbell interchange at Vichumbe lies partially in the TPS-5 connecting these villages with existing expressway. Other hierarchical roads 27m, 20m, 15m are well in order.

#### 7.1 Observations of Arbitrator on Sanctioned 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 also made some observations in the sanctioned draft scheme. The draft scheme prepared by the SPA, NAINA (CIDCO) and has been sanctioned under section 68(2) of the said Act reveals that

##### 7.1.1 Reconstituted Plots

- a. Total area under the scheme is 241.19 ha.
- b. All the reconstituted final plots are reduced in areas to the extent of 40 % of their original plot areas, where land use zone is as per Regulation 1 of sanctioned Special DCPR of TPS5.
- c. All the roads proposed in the sanctioned IDP as detailed above have been incorporated in the scheme. However, their alignments have been



amended suitably and modified accordingly to fit with the scheme layout.

- d. All the reservations of public sites proposed in the IDP 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. As per section 64 (g-1) of the said Act, the lands under roads, social infrastructural sites, sites under open spaces, play grounds, parks etc. shall not admeasure more than 40 percent of the scheme area. The SPA, NAINA has considered here that IDP reservations of growth centers are city level reservations and do not fall under the category of section 64 (g-1) of the said Act.
- f. The forest lands of the State Government have been maintained even by adding open lands around them. However, some portions have been used to pass the IDP and the scheme roads through them. Hence, the total forest land has been reduced.
- g. The gas pipe line of Reliance Industrial Infrastructure Ltd. is passing from east side through the scheme along the highway and the draft scheme has incorporated the entire gas line maintaining the buffer etc. in open spaces and government land by shifting the land owners in suitable FPs outside to enable them to utilize total potential of their plots.
- h. Old water pipe line is passing through the scheme area on to Eastern side of Mumbai-Pune Expressway parallel to the road. It is passing through proposed 27m IDP Road (FP no. 544)
- i. Existing Temple which is in FP No. 293 is retained as Amenity Space, land owner has been given Final Plot at FP no. 292.
- j. 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
- k. 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 for residential purpose with FSI of 2.5



- l. Land on which nallah is traversing through scheme area is mostly private land, in only one section it is in the name of nallah.

#### 7.1.2 Open Spaces

- a. The recreational spaces in the form of Open Spaces in addition to those proposed in the IDP are provided in the scheme at 57 different sites having aggregate area of 28.4 Ha. Forest Land of 35.65 Ha area is proposed to be developed as parks under Joint Forest Management.
- b. The IDP reservations in the form of Parks and Play Grounds included in the scheme are proposed in 21 sites in the scheme having aggregate area of 22.11 Ha.
- c. The 9 sites of Play Grounds, 10 sites of Parks, 12 sites of Park (JFM) and 2 sites of City Park as proposed in the IDP have been incorporated with modifications wherever necessary to fit in the scheme layout, but maintaining their areas and utility values.

#### 7.1.3 Social Infrastructure

- a. The 60 sites as Amenity Plots have been proposed at various places in the scheme aggregating to area of 6.88 Ha. This is in addition to the IDP reservations.
- b. Two sites for Schools/Education Purpose have been proposed in this scheme under IDP school reservations of aggregate area of 0.86 Ha which have been incorporated in this scheme with modifications wherever necessary to fit in the scheme layout but maintaining their areas.
- c. One site of IDP Hospital reservation has been proposed in the scheme of an area of 2.75 Ha.
- d. One site of IDP Community Centre, IDP Fire Station & IDP Police Station has been proposed in the scheme of an area of 0.22 ha, 1.07 ha and 1.18 ha respectively.
- e. Six sites of existing Crematoria are maintained (40%) at its location with additional layout amenity around it. On landowner's request additional area for Burial/Crematorium is proposed in the scheme admeasuring area of 0.58 Ha (FP No. 247B) close to proposed channel, Forest and Play Ground reservation (206\_B&C).



**7.1.4 Growth Centre**

- a. The reservation of 206\_GC is situated mostly in the central part of the scheme along southern sides of 45 m wide east-west IDP road which continues in TPS-6. Another part of 206\_GC at the southern end of the scheme is located along a 27m wide IDP Road which merges with the Growth Centre plot beyond this scheme and is a part of TPS-6. 2 sites of 203\_GC on northern side of Dumbbell interchange are present which continues in TPS-2 outside scheme boundary.
- b. Eight sites for IDP reservations of Growth Centers at villages Shivkar, Moho and Vichumbe have been proposed in this scheme admeasures to 20.81 ha. These are IDP reservations and their locations are as per the IDP Report.
- c. The area under Growth Centre reservations proposed in the scheme is 20.81 ha which constitutes 8.63% of the scheme area.

**7.1.5 Plots for EWS/LIG**

- a. Fourteen sites for EWS/LIG housing have been proposed in this scheme of an aggregate area of 6.10 Ha.
- b. This area constitutes 2.53% of the scheme area towards EWS/LIG housing which is well below the limit of 10% laid down as per clause (i) of section 64(g-1) of the Act.

**7.1.6 Forest**

- a. The Forest Lands exist in the scheme area at 2 contiguous land parcels and FP Area of these lands is 37.24 Ha. These lands do not have any forest tree cover except few shrubs. The scheme roads as well as the IDP roads pass through some of them wherever necessary. The remaining forest lands are maintained in the draft scheme and the scheme open spaces are provided around them to act as their buffers so as to protect these forest lands from the possible encroachments. As some of the forest lands have been considered necessary to utilize for crossing of the proposed roads in view of continuity and proper circulation, sufficient open areas have been located adjacent to these forest lands to maintain plantation in the Preliminary scheme.





- b. The land under Government forest falling in the scheme area admeasures 41.98 Ha (in plan). The shape of Forest land is irregular. At many locations, some area as open space is added to make these Forest land parcels of regular shape. As far as possible Original Plot (OP) area is retained as the Final Plot (FP) in case of forest. Only IDP roads and at some location layout road is passing through these lands in order to connect adjoining areas. Now the FPs designated for Government Forest admeasure in all 37.20 Ha.

#### 7.1.7 Gas pipeline and High Tension line

Reliance Gas Pipe Line is running north-south in western portion of the scheme parallel to the Mumbai- Pune Expressway. The draft scheme has proposed Parks, Play Grounds and open spaces along both sides of this line to protect the gas pipe line with its required buffer. This line right from FP no. 235B(IDP Park), 235C(IDP GC), 228(IDP Park), 237(IDP Park), 240(IDP Park), 247A(IDP Play Ground), 313& 315 (Layout Open Space), 336(Layout Open Space), 330(IDP DB) is aligned along the sides of these reservations of non- buildable open users during the reconstitution except for FP No. 235C where it is running at corner of Growth Centre. On southern side, it is aligned through layout open space, gurcharan lands, and FP no.326 (CC granted proposal).

#### 7.1.8 Development Control and Promotion Regulation (DCPR)

- a. 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.
- b. The scheme area is predominantly included in Residential Zone as per the provisions of sanctioned IDP/DP. Some area on north side of the 45 m wide east-west IDP road is included in mixed land use zone. Some area on both sides of East-West 45m IDP road is also included in mixed land use zone.
- c. The base FSI permissible in 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.



- d. Though the lands situated within 200 m from gaothans of villages Shivkar, Bhokarpada (Chipale), Bonshet and Vihighar are already permissible for FSI of 1.00, hence 25% additional incentive FSI in lieu of their 60 % land for such lands is sanctioned by government in TPS 3.

## **7.2 Modifications carried out 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.

### **7.2.1 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. Attempt has been made to allot buildable FP to every FP holder. So the minimum size of FP has been restricted to 100 sqm unless the OP of the individual is smaller than 100sqm. In this scheme there is only one plot (FP no. 370) whose area is increased to 100 sq. m.
- d. The OP No. 58 from village Bonshet, OP No. 579 and 582 from village Vichumbe and OP No. 218, 444, 487, 498, 502, 518, 522, 523, 524, 525, 526 from village Shivkar are recorded as Gurcharan Lands in 7/12 extracts which are Government Lands handed over to the respective Gram Panchayats for grazing of cattle.

Now, agricultural activities will not be continued in the scheme area hereinafter and hence, provision of any gurcharan land is not needed. The FP No. 103, 176, 178, 318, 319, 306, 332, 361, 382, 404 and 429 which are allotted in lieu of these OPs have been included in public-Semipublic Zone in the name of Government of Maharashtra.



### 7.2.2 Open Space and Social Infrastructure

- a. There are 35 layout open spaces in the preliminary scheme with total area of 5.75 Ha.
- b. There are 55 layout amenities in the preliminary scheme with total area of 7.71 Ha.
- c. The SPA, NAINA has suggested vide letter CIDCO/ NAINA/ PLNG/ DP/ TPS-5/ 2023/ 666 dated 11/08/2023 to retain school and playground plots having FP no.113, 114, 258, 259, 478, 479 and 146 as per the draft scheme. We have retained all the sites mentioned above as per the draft scheme except area of FP no. 478 and 479 is increased and FP no. 258, 259 are identified for sale plots.

### 7.2.3 Growth Centre

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

### 7.2.4 Plots for EWS/LIG

15 sites for EWS/LIG housing have been proposed in this scheme of an aggregate area of 5.89 Ha. which is 2.44% 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.

### 7.2.5 Plots for Sale Purpose

- a. There are 8 Sale plots newly 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.
- b. Plots under Daily Bazar, EWS, Layout Amenity and Layout Open space i.e. FP no. 09, 47, 77, 147, 258, 259, 264 and 330 of sanctioned Draft scheme are converted to Sale plots in Preliminary Scheme

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 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 follow

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

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 atleast 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.

#### 7.2.6 The IDP Reservations included in the Scheme

The Sanctioned Draft scheme has incorporated all the IDP 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 as mentioned in table 4 above.

The modifications carried out in the sanctioned draft Town Planning Scheme to the IDP 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 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.

The IDP Reservation of 217\_P is reshaped while maintaining the area to accommodate changes in final plots adjacent to it. Further IDP Reservation 74\_PG and 81\_S are slightly modified to match the revised boundary of adjacent plot





while maintaining the area. IDP reservation of 110\_PHC is relocated on adjacent plot to accommodate the request of FP no. 354.

### 7.3 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 finalised 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 9, 10 and 11.

Table 9: Site wise comparison of IDP Reservations in Draft Scheme and Preliminary Scheme

Sr. No.	IDP Reservation			Draft Scheme		Preliminary scheme		Remarks
	Designation	IDP No.	IDP Report Area	FP No.	Area (sqm)	FP No.	GIS Area Final	
1	Electric Sub-Station	101_ESS	2200	327	2200	327	2200	
2	Community Centre	95_CC	2200	338	2200	338	2200	
3	Daily Bazar	66_DB	1200	9	1200	9	1210	
4	Daily Bazar reservation	98_DB	1100	264	1300	264	1290	
5	Daily Bazar reservation	100_DB	1500	330	1600	330	1580	
6	Fire Station	102_FS	10700	253	10700	253	10700	
7	General Hospital	51_GH	27200	204	27200	204	27500	





## PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	IDP Reservation			Draft Scheme		Preliminary scheme		Remarks
	Designation	IDP No.	IDP Report Area	FP No.	Area (sqm)	FP No.	GIS Area Final	
8	Growth Centre	203_GC	223000	235A	76014	235A	64958	Part of bigger IDP Reservation
9	Growth Centre	203_GC		235C		235C	11056	Part of bigger IDP Reservation
10	Growth Centre	206_GC	1085000	248	132036	248	74983	Part of bigger IDP Reservation
11	Growth Centre	206_GC		249		249	16570	Part of bigger IDP Reservation
12	Growth Centre	206_GC		250		250	15797	Part of bigger IDP Reservation
13	Growth Centre	206_GC		251		251	3580	Part of bigger IDP Reservation
14	Growth Centre	206_GC		460		460	5960	Part of bigger IDP Reservation
15	Growth Centre	206_GC		539		539	15146	Part of bigger IDP Reservation
16	Police Station	111_PS	11800	254	11800	254	11800	
17	Primary Health Centre	59_PHC	2400	167	2400	167	2400	
18	Primary Health Centre	75_PHC	1700	46	2000	46	1700	
19	Primary Health Centre	110_PHC	1400	352	1400	352	1410	
20	STP	116_STP-4	26600	252	33000	252	33000	
21	School	81_S	3900	33	4100	33	4100	
22	School	114_S	4500	337	4500	337	4500	
23	Play Ground	70_PG		-	-	-	-	Completely Provided in TPS 3
24	Play Ground	74_PG	6600	26	7090	26	7135	
25	Play Ground	216_PG	6600	196	6600	196	6600	
26	Play Ground	206B&C_PG	100200	247A	106643	247A	98338	



PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	IDP Reservation			Draft Scheme		Preliminary scheme		Remarks
	Designation	IDP No.	IDP Report Area	FP No.	Area (sqm)	FP No.	GIS Area Final	
27	Play Ground	206B&C_PG		242		242	6860	
28	Play Ground	206B&C_PG		244		244	1218	
29	Play Ground	206B&C_PG		246		246	262	
30	Play Ground	107_PG	5700	341	6278	341	6278	
31	Play Ground	104_PG	7000	519	1500	519	1514	Part of bigger IDP Reservation
32	Play Ground	96A_PG	56000	526	20400	526	20471	Part of bigger IDP Reservation
33	Park	215_P	1100	207	1100	207	1100	
34	Park	52_P	15100	208	15400	208	15436	
35	Park	56_P	18900	237	18900	237	5446	
36	Park	56_P		238		238	4059	
37	Park	56_P		235B		235B	9395	
38	Park	105_P	24200	228	24200	228	2005	
39	Park	105_P		239		239	2816	
40	Park	105_P		240		240	4529	
41	Park	105_P		241		241	14857	
42	Park	217_P	5100	495	5200	494	5200	FP no. is changed
43	Park (JFM)	52_P	381736	199	372591	199	6208	
44	Park (JFM)	52_P		200		200	46538	
45	Park (JFM)	54_P		233		233	42531	
46	Park (JFM)	54_P		234		234	23762	
47	Park (JFM)	234_P		63		63	77965	
48	Park (JFM)	234_P		76		76	159	
49	Park (JFM)	235_P		154		154	1281	
50	Park (JFM)	235_P		166		166	37710	
51	Park (JFM)	236_P		197		197	73009	
52	Park (JFM)	237_P		203		203	11482	
53	Park (JFM)	238_P		243		243	35838	
54	Park (JFM)	238_P		245		245	56	
55	City Park	96_CP	116100	527	14800	527	11476	
56	City Park	96_CP		528		528	3328	



Table 10: Site wise comparison of Infra Structural Reservations for Public Users in Draft Scheme and Preliminary Scheme

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
A	Open Spaces (O/S) in addition to IDP Sites					
1	Layout Open Spaces	6	65	6	80	
2	Layout Open Spaces	54	260	54	327	
3	Layout Open Spaces	67	803	67	803	
4	Layout Open Spaces	68	860	68	860	
5	Layout Open Spaces	75	579	75	579	
6	Layout Open Spaces	81	885	81	885	
7	Layout Open Spaces	110	66	110	66	
8	Layout Open Spaces	114	6000	114	6000	
9	Layout Open Spaces	118	138	118	138	
10	Layout Open Spaces	146	5191	146	5191	
11	Layout Open Spaces	153	2307	153	2307	
12	Layout Open Spaces	174	82	174	129	
13	Layout Open Spaces	175	822	175	822	
14	Layout Open Spaces	179	179	179	179	
15	Layout Open Spaces	180	4047	180	4047	
16	Layout Open Spaces	189	6290	189	6291	
17	Layout Open Spaces	202	5063	202	5064	
18	Layout Open Spaces	218	269	218	267	
19	Layout Open Spaces	219	1409	219	1409	
20	Layout Open Spaces	223A	2269	223A	2265	



**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
21	Layout Open Spaces	223B	1313	223B	1313	
22	Layout Open Spaces	229	1656	229	1656	
23	Layout Open Spaces	258	6967	-	-	Converted to Sale Plot
24	Layout Open Spaces	285	51	285	51	
25	Layout Open Spaces	301	173	301	173	
26	Layout Open Spaces	313	1638	313	1638	
27	Layout Open Spaces	315	495	315	495	
28	Layout Open Spaces	321	1370	321	1369	
29	Layout Open Spaces	324	1268	324	1268	
30	Layout Open Spaces	325	1659	325	1664	
31	Layout Open Spaces	336	625	336	626	
32	Layout Open Spaces	345	152	345	152	
33	Layout Open Spaces	371	683	371	659	
34	Layout Open Spaces	419	451	419	451	
35	Layout Open Spaces	443	697	443	697	
36	Layout Open Spaces	479	6067	479	7544	
	<b>Total 35 Sites</b>	<b>Total</b>	<b>62847</b>	<b>Total</b>	<b>57464</b>	
<b>B</b>	<b>Amenities</b>					
1	Layout Amenities	7	306	7	306	
2	Layout Amenities	21	248	21	248	
3	Layout Amenities	28	466	28	466	
4	Layout Amenities	36	299	36	303	
5	Layout Amenities	47	2362	47	2362	Identified for sale plot
6	Layout Amenities	51	1368	-	-	Deleted During Reconstitution
7	Layout Amenities	53	272	-	-	Deleted During Reconstitution
8	Layout Amenities	55	191	55	339	



PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
9	Layout Amenities	59	1270	59	1547	
10	Layout Amenities	62	2088	62	2088	
11	Layout Amenities	70	1157	70	1157	
12	Layout Amenity	-	-	77	3212	Converted from EWS, Identified for sale plot
13	Layout Amenities	80	1820	80	1820	
14	Layout Amenities	85	604	85	604	
15	Layout Amenities	91	972	91	972	
16	Layout Amenities	98	1366	98	1366	
17	Layout Amenities	102	993	102	993	
18	Layout Amenities	113	4038	113	4038	
19	Layout Amenities	129	894	129	1619	
20	Layout Amenities	131	725	-	-	Deleted During Reconstitution
21	Layout Amenities	133	205	133	205	
22	Layout Amenities	136	382	136	382	
23	Layout Amenities	137	1463	137	1463	
24	Layout Amenity	-	-	147	3661	Converted from EWS, Identified for sale plot
25	Layout Amenities	156	643	156	643	
26	Layout Amenities	157	1240	157	1240	
27	Layout Amenities	159	2549	-	-	Converted to EWS
28	Layout Amenities	164	214	164	214	
29	Layout Amenities	185	1170	185	1170	
30	Layout Amenities	194	702	194	704	
31	Layout Amenities	210	577	210	577	
32	Layout Amenities	247B	5824	247B	5825	





**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
33	Layout Amenity	-	-	258	6967	Converted from Layout Openspace, Identified for sale plot
34	Layout Amenities	259	4672	259	4672	Identified for sale plot
35	Layout Amenities	267	2263	267	2263	
36	Layout Amenities	269	845	269	845	
37	Layout Amenities	287	1190	287	1190	
38	Layout Amenities	293	568	293	1093	
39	Layout Amenities	295	525	-	-	Deleted During Reconstitution
40	Layout Amenities	309	90	309	90	
41	Layout Amenities	359	241	359	243	
42	Layout Amenities	367	207	367	207	
43	Layout Amenities	376	1407	376	1407	
44	Layout Amenities	390	382	390	382	
45	Layout Amenities	395A	674	395A	674	
46	Layout Amenities	402	288	402	288	
47	Layout Amenities	412	688	412	688	
48	Layout Amenities	417	1331	417	1331	
49	Layout Amenities	421	240	421	240	
50	Layout Amenities	423	781	423	781	
51	Layout Amenities	430	234	430	234	
52	Layout Amenities	453	986	453	2491	
53	Layout Amenities	464	2963	-	-	Deleted During Reconstitution
54	Layout Amenities	471	1070	471	1205	
55	Layout Amenities	476	109	-	-	Deleted During Reconstitution



## PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
56	Layout Amenities	478	4000	478	4200	
57	Layout Amenities	488	408	488	408	
58	Layout Amenities	499	549	499	674	
59	Layout Amenities	508	150	508	150	
60	Layout Amenities	513	876	-	-	Deleted During Reconstitution
61	Layout Amenities	515	300	515	300	
62	Layout Amenities	520	4054	520	4054	
63	Layout Amenities	530	376	530	376	
	<b>Total 55 Sites</b>	<b>Total</b>	<b>68872</b>	<b>Total</b>	<b>76981</b>	
<b>C</b>	<b>Parks</b>					
1	IDP Park	207	1100	207	1100	IDP Reservation
2	IDP Park	208	15434	208	15436	IDP Reservation
3	IDP Park	237	5437	237	5446	IDP Reservation
4	IDP Park	238	4063	238	4059	IDP Reservation
5	IDP Park	235B	9396	235B	9395	IDP Reservation
6	IDP Park	228	2000	228	2005	IDP Reservation
7	IDP Park	239	2817	239	2816	IDP Reservation
8	IDP Park	240	4520	240	4529	IDP Reservation
9	IDP Park	241	14853	241	14857	IDP Reservation
10	IDP Park	495	5197	494	5200	IDP Reservation
11	IDP City Park	527	11476	527	11476	IDP Reservation
12	IDP City Park	528	3330	528	3328	IDP Reservation
	<b>Total 12 Sites</b>	<b>Total</b>	<b>78523</b>	<b>Total</b>	<b>78547</b>	
<b>D</b>	<b>Play Grounds</b>					
1	IDP Play Ground	26	7090	26	7135	IDP Reservation
2	IDP Play Ground	196	6599	196	6600	IDP Reservation
3	IDP Play Ground	247A	91249	247A	98338	IDP Reservation
4	IDP Play Ground	242	6857	242	6860	IDP Reservation
5	IDP Play Ground	244	1218	244	1218	IDP Reservation
6	IDP Play Ground	246	262	246	262	IDP Reservation
7	IDP Play Ground	341	6278	341	6278	IDP Reservation
8	IDP Play Ground	519	1513	519	1514	IDP Reservation
9	IDP Play Ground	526	20471	526	20471	IDP Reservation
	<b>Total 9 Sites</b>	<b>Total</b>	<b>141536</b>	<b>Total</b>	<b>148675</b>	
<b>E</b>	<b>Primary Health Centre</b>					
1	IDP Primary Health Centre	167	2447	167	2400	IDP Reservation



**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
2	IDP Primary Health Centre	46	1700	46	1700	IDP Reservation
3	IDP Primary Health Centre	352	1405	352	1410	IDP Reservation
	<b>Total 3 Sites</b>	<b>Total</b>	<b>5551</b>	<b>Total</b>	<b>5510</b>	
<b>F</b>	<b>Daily Bazar</b>					
1	IDP Daily Bazar	9	1211	9	1210	IDP Reservation Shown as Sale Plot
2	IDP Daily Bazar reservation	264	1287	264	1290	IDP Reservation Shown as Sale Plot
3	IDP Daily Bazar reservation	330	1580	330	1580	IDP Reservation Shown as Sale Plot
	<b>Total 3 Sites</b>	<b>Total</b>	<b>4078</b>	<b>Total</b>	<b>4080</b>	
<b>G</b>	<b>Police Station</b>					
1	IDP Police Station	254	11804	254	11800	IDP Reservation
	<b>Total 1 Site</b>	<b>Total</b>		<b>Total</b>		
<b>H</b>	<b>Fire Station</b>					
1	IDP Fire Station	253	10700	253	10700	IDP Reservation
	<b>Total 1 Site</b>	<b>Total</b>		<b>Total</b>		
<b>I</b>	<b>Electric Sub-Station</b>					
1	IDP Electric Sub-Station	327	2200	327	2200	IDP Reservation
	<b>Total 1 Site</b>	<b>Total</b>		<b>Total</b>		
<b>J</b>	<b>Hospital</b>					
1	IDP General Hospital	204	27503	204	27500	
	<b>Total 1 Site</b>	<b>Total</b>		<b>Total</b>		
<b>K</b>	<b>Crematoria</b>					
1	Masanvata group Grampanchayat, chipale	71	40	71	40	
2	Group Grampanchayat Chipale Smashan Bhumi	135	200	135	200	
3	Masanvata, Group gram Panchayat Shivkar	268	320	268	320	
4	Masanvata	401	200	401	201	
5	Masanvata	431	240	431	240	



PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
6	Masanvata	472	400	472	400	
	<b>Total 6 Sites</b>	<b>Total</b>	<b>1400</b>	<b>Total</b>	<b>1401</b>	
<b>L</b>	<b>EWS</b>					
1	EWS	1	7667	1	5773	
2	EWS	10	6336	10	6377	
3	EWS	18	4171	18	4172	
4	EWS	24	2107	24	2055	
5	EWS	44	8515	44	8516	
6	EWS	77	3212	-	-	Converted to Sale Plot
7	EWS	82	3646	82	3646	
8	EWS	-	-	120	3452	Newly Proposed During Reconstitution
9	EWS	127	6238	127	6238	
10	EWS	147	3660	-	-	Converted to Sale Plot
11	EWS	-	-	159	2549	Newly Proposed During Reconstitution
12	EWS	198	4800	198	4800	
13	EWS	283	2021	283	2021	
14	EWS	398	2522	398	2523	
15	EWS	403	2830	403	2830	
16	EWS	503	3227	514	3919	FP no is changed
	<b>Total 15 Sites</b>	<b>Total</b>	<b>60952</b>	<b>Total</b>	<b>58872</b>	
<b>M</b>	<b>Plots for Sale</b>					
1	Sale Plot	-	-	9	1210	Converted from Daily Bazar
2	Sale Plot	-	-	47	2362	Converted from Layout Amenity
3	Sale Plot	-	-	77	3212	Converted from EWS
4	Sale Plot	-	-	147	3661	Converted from EWS
5	Sale Plot	-	-	258	6967	Converted from Layout Openspace
6	Sale Plot	-	-	259	4672	Converted from Layout Amenity
7	Sale Plot	-	-	264	1290	Converted from Daily Bazar





## PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
8	Sale Plot	-	-	330	1580	Converted from Daily Bazar
	<b>Total 8 Sites</b>	<b>Total</b>		<b>Total</b>	<b>24954</b>	
<b>N</b>	<b>Government / Public Semi Public</b>					
1	Government / Public Semi Public	-	-	17B	1412	
2	Government / Public Semi Public	-	-	103	680	Newly Categorized During Reconstitution
3	Government / Public Semi Public Land	-	-	176	4343	Newly Categorized During Reconstitution
4	Government / Public Semi Public	-	-	178	2400	Newly Categorized During Reconstitution
5	Government / Public Semi Public	-	-	306	2713	Newly Categorized During Reconstitution
6	Government / Public Semi Public	-	-	318	2308	Newly Categorized During Reconstitution
7	Government / Public Semi Public	-	-	319	3398	Newly Categorized During Reconstitution
8	Government / Public Semi Public	-	-	332	2764	Newly Categorized During Reconstitution
9	Government / Public Semi Public	-	-	361	2517	Newly Categorized During Reconstitution
10	Government / Public Semi Public	-	-	382	1995	Newly Categorized During Reconstitution
11	Government / Public Semi Public	-	-	404	3449	Newly Categorized During Reconstitution
12	Government / Public Semi Public	-	-	429	3855	Newly Categorized





PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Public User	Draft Scheme		Preliminary scheme		Remarks
		FP No.	Area (sqm)	FP No.	Area (sqm)	
						During Reconstitution
	<b>Total 12 Sites</b>	<b>Total</b>		<b>Total</b>	<b>31835</b>	
<b>0</b>	<b>Forest Land</b>					
<b>1</b>	Forest	63, 76, 154, 166	117461	63, 76, 154, 166	117115	
<b>2</b>	Protected Forest	197, 199, 200, 203, 233, 234	203545	197, 199, 200, 203, 233, 234	203531	
<b>3</b>	Protected Forest	236, 243, 245, 320, 323	51318	236, 243, 245, 320, 323	51366	
	<b>Total 15 Sites</b>	<b>Total</b>	<b>372324</b>	<b>Total</b>	<b>372011</b>	

Table 11: User-wise Area Analysis of Plots Provided for SPA in the Preliminary Scheme

Sr. No.	Purpose of Reservation or allotment of Plots	Area in sqm	Percentage with the Scheme Area
<b>A</b>	<b>LANDS ACQUIRED FOR SPA NAINA</b>		
<b>1</b>	Layout Open Spaces	57464	2.38%
<b>2</b>	Layout Amenities	76981	3.19%
<b>3</b>	FWS	58872	2.44%
<b>4</b>	IDP Community Centre	2200	0.09%
<b>5</b>	IDP Daily Bazar	4080	0.17%
<b>6</b>	IDP Electric Sub-Station	2200	0.09%
<b>7</b>	IDP Fire Station	10700	0.44%
<b>8</b>	IDP General Hospital	27500	1.14%
<b>9</b>	IDP Growth Centre	208050	8.63%
<b>10</b>	IDP City Park	14805	0.61%
<b>11</b>	IDP Park	64842	2.69%
<b>12</b>	IDP Play Ground	148675	6.16%
<b>13</b>	IDP Police Station	11800	0.49%
<b>14</b>	IDP Primary Health Centre	5510	0.23%
<b>15</b>	IDP School	8601	0.36%
<b>16</b>	IDP STP	33000	1.37%
<b>17</b>	IDP and Layout Roads	470635	19.51%
<b>18</b>	Crementoria	1401	0.06%



**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Purpose of Reservation or allotment of Plots	Area in sqm	Percentage with the Scheme Area
19	Proposed Channel	3087	0.13%
	<b>Total area Vesting in SPA NAINA</b>	<b>1210403</b>	<b>50.18%</b>
<b>B</b>	<b>PLOTS FOR PUBLIC USE NOT PROVIDED FOR SPA, NAINA</b>		
1	Plots for Forest Department	372011	15.42%
2	Plots for Maharashtra Shasan	31835	1.32%
	<b>Total Plots Provided under Public &amp; Semi-Public Plots provided to other Authorities</b>	<b>403846</b>	<b>16.74%</b>
<b>C</b>	<b>Final Plots allotted to Land Owners</b>	<b>797658</b>	<b>33.07%</b>
	<b>Total Area</b>	<b>2411907</b>	<b>100.00%</b>

Note: - The Scheme has included the sanctioned IDP reservations including Growth Centers which are falling in the scheme area. In addition to these IDP 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 Tables no. 12 & 13.

The Growth Centres, being city-level proposals of the IDP 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 NAINA 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 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 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 also 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 FP no. 127 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 may lead to unutilisation of FSI. In such cases, TDR facility would be allowed to them without charging premium.
- 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 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 12 below. Draft scheme numbers are maintained. The deleted FP numbers will not now appear in the preliminary scheme. Thus FP no. 51, 53, 131, 295, 454 & 480 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.

Table 12: Renumbered FP nos in Preliminary Scheme

Draft Scheme FP no.	Preliminary Scheme FP no.	Draft Scheme FP no.	Preliminary Scheme FP no.	Draft Scheme FP no.	Preliminary Scheme FP no.
454	477	495	494	502A	503A
461	462	496	495	502B	503B
462	463	497	496	502C	503C
463	461	500	502	510A	510
477	476	503	514	510B	511
480	464	511	513		
494	497	514	500		



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. 5, such mixed use zone proposed in the sanctioned IDP is 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. 25,55,24,12,933.

In the Preliminary Scheme all draft scheme roads and the works are maintained and hence, remain unchanged. Other changes in the reservation sites are also 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 shown in Table 13.





Table 13: Comparison of Users provided in Draft and Preliminary Schemes

Sr. No.	Public Sites and Users	Percentages with Scheme area				Remarks
		Draft Scheme		Preliminary Scheme		
		Area (Sq.m.)	%	Area (Sq.m.)	%	
1	Layout Open Spaces	62887	2.61%	57464	2.38%	
2	Layout Amenities	68872	2.86%	76981	3.19%	
3	IDP Community Centre	2200	0.09%	2200	0.09%	
4	IDP Daily Bazar	4100	0.17%	4080	0.17%	
5	IDP Electric Sub-Station	2200	0.09%	2200	0.09%	
6	IDP Fire Station	10700	0.44%	10700	0.44%	
7	IDP General Hospital	27200	1.13%	27500	1.14%	
8	IDP City Park	14800	0.61%	14805	0.61%	
9	IDP Park	64800	2.69%	64842	2.69%	
10	IDP Play Ground	148511	6.16%	148675	6.16%	
11	IDP Police Station	11800	0.49%	11800	0.49%	
12	IDP Primary Health Centre	5800	0.24%	5510	0.23%	
13	IDP School	8600	0.36%	8600	0.36%	
14	IDP STP	33000	1.37%	33000	1.37%	
15	IDP and Layout Roads	470882	19.52%	470635	19.51%	
16	Cremetoria	1401	0.06%	1401	0.06%	
Total	Users as per Section 64 (g-1) (ii)	937754	38.88%	940394	38.99%	Below the Cap of 40%
17	EWS	60952	2.53%	58872	2.44%	
Total	Users as per Section 64 (g-1) (i)	60952	2.53%	58872	2.44%	Below the Cap of 10%
18	IDP Growth Centre	208062	8.63%	208050	8.63%	
19	Plots for Forest Department	372352	15.44%	372011	15.42%	Some forest land is utilized to pass roads through
20	Plots for Maharashtra Shasan	-	-	31835	1.32%	
21	Proposed Channel	3086	0.13%	3087	0.13%	
Total	Plots of Users not falling under 64(g-1)	583500	24.19%	614983	25.50%	
22	Final Plots allotted to Land Owners	829700	34.40%	797658	33.07%	
	Total Scheme Area	2411907	100.00%	2411907	100.00%	



The percentage of lands under IDP/Scheme roads, social infrastructure, utilities IDP/Scheme Amenities, IDP/Scheme open spaces proposed in the draft scheme was at 38.83% of the scheme area. In the Preliminary scheme, this percentage is slightly increased and it is now at 38.96%. The infra-structural sites have been provided in the scheme in addition to the IDP reservations mainly because the scheme area will be developed with higher FSI of 2.5 and will have higher population density.

While drawing the award of this scheme no. 5, 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 14 below gives these details in this respect and the Preliminary Scheme satisfies these statutory provisions.

*Table 14: User-wise category as per Section 64(g-1) and its percentage with Preliminary Scheme area*

Sr. No.	Purpose	Area in sq. m.	Percentage with Scheme Area	Remarks
1	Open Spaces 64(g-1)(ii)(B)	285786	11.85%	Open Spaces, City Park, Park, Play Ground
2	Social Infrastructure 64(g-1)(ii)(C)	148773	6.17%	Layout Amenities, Community Centre, Daily Bazar, Fire Station, General Hospital, Police Station, Primary Health Centre, School, Cremetoria
3	Public Utility 64(g-1)(ii)(C)	35200	1.46%	Electric Sub-Station, STP
4	Roads 64(g-1)(ii)(A)	470635	19.51%	IDP and Layout Roads
<b>Total</b>	<b>Users as per Section 64(g-1) (ii)</b>	<b>940395</b>	<b>38.99%</b>	
5	EWS	58872	2.44%	This also includes housing of the dis-housed during scheme implementation
<b>Total</b>	<b>Users as per Section 64 (g-1) (i)</b>	<b>58872</b>	<b>2.44%</b>	
6	Growth Centre	208050	8.63%	City-level IDP Reservation
7	Forest Lands	372011	15.42%	
8	Plots for Maharashtra Shasan	31835	1.32%	Plots allotted in ownership of Maharashtra Shasan
9	Channel	3087	0.13%	Nallah Chanel



**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Purpose	Area in sq. m.	Percentage with Scheme Area	Remarks
10	Land under Final Plots allotted back to owners of OPs included in the Scheme	797658	33.07%	
<b>Total</b>	<b>Users not falling under section 64(G-1)</b>	<b>1412641</b>	<b>58.57%</b>	
<b>Total</b>	<b>Total Scheme Area</b>	<b>2411907</b>	<b>100.00%</b>	

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 seven villages are as recorded in Table B. The Common decisions are also 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 also 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-2017 (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. 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 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

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 & scheme roads in the preliminary scheme.

The Preliminary NAINA Town Planning Scheme no. 5 has been drawn up accordingly under sub-section (7) of Section 72 of the said Act on 30<sup>th</sup> November 2023. The notices in English and in Marathi regarding drawing-up of this preliminary scheme have been published in the Extra-Ordinary Gazette no.99, in Part II; dated 1<sup>st</sup> December 2023(Annx-11).

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.-५/सर्वसाधारण/२०२३/७३९ 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 30th November 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(Annx-11) as required under Rule 13 (9) that the Preliminary Scheme no. 5 has been drawn up. These notices have also been published in the local Newspapers, Free press journal and Ramprahar dated 08/12/2023(Annx-12).

The Preliminary NAINA Town Planning Scheme no. 5 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<sup>th</sup> December 2023 vide his letter bearing no. ARB/TPS-5/Pre-Sub/2023/834; dated 13/12/2023.

  
(S. D. Landge)

**Arbitrator**

13<sup>th</sup> December 2023

**NAINA Town Planning Scheme No. 5**

The State Government has sanctioned the Preliminary Scheme vide Urban Development Department Notification no. TPS-1224/04/CR-21/24/UD-12 dated 28th February 2024 under sub-section (1) of section 86 of the Maharashtra Regional and Town Planning Act, 1966. The notification is published in the Maharashtra Government Gazette, Part-1 of Konkan Division Supplement dated 26<sup>th</sup> Sept - 2<sup>nd</sup> Oct 2024 on pages 52 to 85. The Preliminary Scheme is in force w. e. f. 3<sup>rd</sup> November 2024.

  
(Nirmalkumar Chaudhari)  
Deputy Secretary  
Urban Development Department





**NAINA TOWN PLANNING SCHEME NO. 5**

(At part of villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe, Vihighar)

**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. 5.

- 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. They are required to be demarcated on ground and their areas are decided on the basis of actual measurements on land.
- 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 TP Scheme NAINA 5 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 exists 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.127 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 utilised 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.
- 20) 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]
- 21) 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.
- 22) 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.
- 23) 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 record 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.





- 24) 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.
- 25) 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.
- 26) 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.
- 27) 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.
- 28) 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.
- 29) The SPA, NAINA shall sell FPs provided as sale plots under clause (ii) (D) of the section 64 (g-1) of the MT & 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
- 30) The Growth Centres as proposed in the IDP 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.
- 31) The Crematoria exist in the scheme, being used by the villagers, have been maintained in the scheme with 40% of their area. All of them have been provided with adjoining amenity plots for their expansion. These crematoria lie close to the Gaothan expansion which may affect the potential for the development of residential or commercial plots. Also, on request of Villagers, a separate plot for





Burial/Crematorium is provided on FP- 247B close to water channel away from settlements. So, the existing use of Crematoria may be discouraged based on the demand from Villagers.

- 32) The FPs under Government Forest at various locations in the scheme do not have any tree cover except sporadic shrubs. However, these lands may act as air-lungs in the scheme area. The SPA, NAINA shall, with the prior permission of the Forest Department, develop these FPs for social forestry / afforestation.
- 33) 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.
- 34) 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

13<sup>th</sup> December 2023

NAINA Town Planning Scheme No. 5



  
(Nirmalkumar Chaudhari)  
Deputy Secretary  
Urban Development Department

**NAINA TOWN PLANNING SCHEME, NO. 5**

(At part of villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe, Vihighar)

**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. 5

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 uses prescribed in Regulation No. 31 of the Sanctioned DCPRs 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 use zone of the sanctioned DCPR irrespective of the actual zonal boundaries of the IDP.

- 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 DCPRs of NAINA.
- 7) The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the DCPRs of NAINA shall not be enforced in developing Final Plot, admeasuring 0.40 ha or more, considering that such Open Spaces are already provided in the form of playgrounds 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.
- 8) The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the sanctioned DCPRs of NAINA 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 original plots have shared their lands.



- 9) The provision of 20 % plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPR-2019 read with Annexure-4 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 DCPRs 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 lands included 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.

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

\*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 DCPRs 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.

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

- 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 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 DCPRs 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 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 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.



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.	Row House Type	Up to 15 m	0.0	1.5
*Please refer special note	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.				
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
(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				



Area of Plot	Category of Building	Maximum permissible height of the building	Min. Marginal Open Spaces (in m)	
			Side	Rear
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 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.				
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.				
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.				

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;

- Title Ownership & easement right of the plot on which building is proposed.
- Workmanship, soundness of material & structure safety of building.
- Variation in area from recorded areas of building unit.
- Location & boundary of building unit.
- Safety of the user of the building.
- NOC from appropriate authority.
- 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

13<sup>th</sup> December 2023

NAINA Town Planning Scheme No. 5

The modifications carried out while sanctioning the Preliminary NAINA Town Planning Scheme No. 5 are shown in blue colour.



  
(Nirmalkumar Chaudhari)  
Deputy Secretary  
Urban Development Department





## 10. Legal Formalities observed in TPS- 5

Sr. No.	Legal Stage	Section/Rule of the Act	Reference	Date
(A) Draft Scheme by SPA, NAINA				
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	26/06/2019
3	Newspaper publication of notice	60 (2) Rule 3(2)	Newsband (English)	10/07/2019
			Dainik Raigad Nagari (Marathi)	01/07/2019
4	Copies of intention declaration and plan to Govt. and DTP	60 (2)	Letter No. CIDCO/ NAINA/CP /TPS-5/ 2019/SAP 448/279	03/07/2019
5	Publication of plan and Gazette notice in SPA's office	60 (3) Rule. 3(1)	-----	26/06/2019
6	Extension for publication of draft scheme	61 (3)	No. TPS No. 5/ NAINA/ Sect 61(3)/ Time-limit Extension/ JDTP-KND/ 2059	04/03/2020
7	Newspaper publication for owners meet	Rule 4(1)	निर्भीड लेख and दैनिक किल्ले रायगड	14/02/2020 & 20/02/2020
8	Meeting with Owners	Rule 4(1)	-----	05/03-2020
				06/03/2020
9	Consultation with DTP	61(1) Rule 4(2)	Letter No. CIDCO/NAINA/ TPS-5/Consultation u/s 61(1)/2020 /89/SAP-1159	20/03/2020
10	National Lockdown applicable as per Maharashtra Ordinance XV of 2020 dated 31st August 2020			
11	DTP's Remarks on draft scheme	61(1)	जा. क्र. नैना न र यो क्र ५ प्र./ क्र./ ७२ / २० - टीपीव्ही/ ३ / १३५२	05/03/2021
		Rule 4(2)		
	Publication of the draft scheme	61(1) Rule 4(2)	CIDCO/NAINA/TPS-05/2022/1393	25/04/2022



PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Legal Stage	Section/Rule of the Act	Reference	Date
12	Gazette publication of notice	61(1) Rule 5(1)	Maharashtra Government Gazette, Extraordinary Part II	25/04/2022
13	Newspaper publication of notice	61(1) Rule 5(2)	रामप्रहर and दैनिक लोकदृष्टी	28/04/2022
14	Suggestions/ Objections Received Timeframe	61(1) Rule 5(2)	-----	25/04/2022 - 27/05/2022
16	Submission to Govt. for sanction ( Now to MD, CIDCO)	68(1)	CIDCO/NAINA/TPS-5/ Sec.68(1)/2022/E-136651	22/07/2022
16	Consultation with DTP	68(2)	जा. क्र. प्रा. न. र. यो./नरयो क्र. ५/नैना /कलम ६८(१)/४६५	17/10/2022
17	Sanction to the Draft Scheme	68(2)	No. CIDCO/ NAINA/ TPS-5/ Draft Scheme/ 2022/ 564	21/10/2022
18	Gazette publication of notification	68(2)	Maharashtra Government Gazette, Extraordinary Part II	04/11/2022
19	Newspaper publication of notification	68(2)	Dainik Kille Raigad (Marathi) Free Press Journal (English)	10/11/2022 11/11/2022
20	Publication of sanctioned draft scheme in SPA's office	68(3)	-----	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-5/GEN/2023/08	05/04/2023
24	Gazette of commencement of duties	Rule 13	Maharashtra Government Gazette, Extraordinary Part II	25/04/2023



**PRELIMINARY TOWN PLANNING SCHEME NO.5**

Sr. No.	Legal Stage	Section/Rule of the Act	Reference	Date
25	Newspaper publication of commencement of duties	Rule 13(1)	Freepress Journal (English) Krushival (Marathi)	13/04/2023
26	Special Notices in Form 4 to Owners	72(4)(i) Rule 13(3)	---	19 <sup>th</sup> June 2023 to 14 <sup>th</sup> July 2023 and on 8 <sup>th</sup> August 2023
27	Hearings of land owners	72(4)(i) Rule 13(4)	----	05/07/2023 to 04/08/2023
28	Public notice for hearing of Kul and Other Rights holders  owners those remained absent to hearing	72(4)(i) Rule 13(4)	Raigad Nagari Wadalwara	10/08/2023
29	Arbitrator to subdivide the scheme into Preliminary and Final Schemes	72(3)	ARB/TPS-5/GEN/2023/816	20/10/22
30	Letter for hearing to SPA, NAINA	72(4)(i) Rule 13(4)	ARB/TPS-5/GEN/2023/713	14/07/23
31	Hearing to SPA, NAINA (CIDCO)	72(4)(i) Rule 13(4)	-----	07/08/23
32	Remarks of SPA, NAINA (CIDCO) on hearing to Arbitrator	--	CIDCO/NAINA/PLNG/DP//TPS-5/2023/666	11/08/22
33	Arbitrator to draw the Preliminary T. P. Scheme	72(7)	ARB/TPS-5/Award/2023/825	30/11/23
34	Publication of notice regarding drawing the preliminary	Rule 13(9)	Maharashtra Govt. Gazette, Extra-Ordinary Part II	01/12/23



PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr. No.	Legal Stage	Section/Rule of the Act	Reference	Date
	scheme in M. G. Gazette			
35	Publication of notice regarding drawing the preliminary scheme in Newspaper	Rule 13(9)	Free Press Journal (English)	08/12/23
			Ramprahar (Marathi)	
36	Submission of Preliminary Town Planning Scheme to Govt. for sanction	72(5)	ARB/TPS-5/Pre-Sub/2023/834	13/12/23
37	Sanctioning of Preliminary Scheme by State Government	86(1)	Notification no. TPS-1224/04/CR-21/24/UD-12	28/02/2024
38	Gazette of Sanction of Preliminary Scheme	86(2)	MGG, Part 1, Konkan Division Supplement, pages 52-85	26/09/2024 to 02/10/2024

  
(S. D. Landge)

Arbitrator

13<sup>th</sup> December 2023

NAINA Town Planning Scheme No. 5



  
(Nirmalkumar Chaudhari)  
Deputy Secretary  
Urban Development Department



**11. Time Limits followed in preparing TPS- 5**


Sr No.	Section of the Act	Time Limit prescribed	Time limit followed
1	60(1)	Declaration of Intention	CIDCO Board's Resolution 7 <sup>th</sup> June 2019
2	60(2)	Publication of Intention 30 days (upto 6 <sup>th</sup> July 2019)	Gazette on 26 <sup>th</sup> June 2019 10 <sup>th</sup> June 2019 (Newsband) 1 <sup>st</sup> June 2019 (Dainik Raigad Nagari)
3	61(1)	Publication of draft scheme 9 months+3months extension + period of Lockdown (upto 1 <sup>st</sup> June 2022 )	Gazette on 25 <sup>th</sup> April 2022
4	68(1)	Submission of draft scheme to Govt. 3 months from publication (upto 24 <sup>th</sup> July 2022)	22 <sup>nd</sup> July 2022
5	68(2)	Sanction to draft scheme by Govt. 3 months from submission by Planning Authority (upto 21 <sup>st</sup> October 2022)	21 <sup>st</sup> October 2022
6	72(1)	Appointment of Arbitrator One month (upto 3 <sup>rd</sup> December 2022)	2 <sup>nd</sup> December 2022
7	72(3)	To draw Preliminary Scheme 9 months+3 months extension (upto 1 <sup>st</sup> December 2023)	30 <sup>th</sup> November 2023





PRELIMINARY TOWN PLANNING SCHEME NO.5

Sr No.	Section of the Act	Time Limit prescribed	Time limit followed
8	72(5)	Submission of the Preliminary scheme (No time limit is prescribed)	13 <sup>th</sup> December 2023
9	86(1)	Sanctioning of Preliminary Scheme by State Government	28 <sup>th</sup> February 2024
10	86(2)	Gazette Publication	26 <sup>th</sup> Sept -2 <sup>nd</sup> Oct 2024

  
(S. D. Landge)

Arbitrator

13<sup>th</sup> December 2023

NAINA Town Planning Scheme No. 5





(Nirmalkumar Chaudhari)

Deputy Secretary

Urban Development Department



## 12. Annexure

## Annexure 1: Declaration of Intention of TPS-5

RNI No. MAHBIL/2012/46121



## महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ५, अंक २४(३)]

बुधवार, जून २६, २०१९/आषाढ ५, शके १९४९

[पृष्ठ ८, किंमत : रुपये १२.००]

असाधारण क्रमांक ४०

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/नैना/मु.नि/बोएन-३२/टीपीएस ५/२०१९

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 (नवि) ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/प्र.क्र.-९८/१२/नवि-१२, दिनांक १० जानेवारी २०१३ व वेळोवेळी झालेल्या सुधारणा अन्ये 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 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 अन्ये अधिनियमाच्या कलम ३१ च्या उप-कलम (१) नुसार अंतरिम विकास आराखडाचा वगळलेले भाग मंजूर केले आहेत ;

आणि ज्याअर्थी सिडकोच्या संचालक मंडळाने दिनांक ७ जून २०१९ रोजीच्या ठराव क्र. १२१८९ अन्ये पनवेल तालुक्यातील रायगड जिल्ह्यातील बोनशेत, मोहो, भोकरपाडा, देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ करण्याकरिता, अधिनियमातील कलम ६० च्या उप-कलम (१) नुसार त्याचा उद्देश घोषित केला आहे.

आता, म्हणून, उक्त अधिनियमाच्या कलम ६० च्या उप-कलम (२) द्वारा प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील बोनशेत, मोहो, भोकरपाडा, देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ करण्याचा इरादा घोषित करत आहे.

प्रस्तावित टीपीएस नं. ५ 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 संयुक्तीकरणे 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 संमती देण्यास विनंती आहे.

(१)

शा.प.नं-४०-१



२

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २६, २०१९/आषाढ ५, शके १९४९

उक्त अधिनियमाच्या कलम ६० च्या उप-कलम (३) च्या तरतुदीनुसार, नगररचना परीयोजना क्रमांक ५ ची घोषणा व त्यामध्ये अंतर्भूत करण्यात येणारे क्षेत्र (गुलाबी रंगाच्या सीमेने) दर्शविणाऱ्या नकाशाची प्रत जनतेच्या तपासणीसाठी मुख्य नियोजनकार (नैना), ८ वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्थानक संकुल, सी.बी.डी. बेलापूर, नवी मुंबई ४०० ६१४ येथे कार्यालयीन वेळेत उपलब्ध आहेत.

विषयांकित परीयोजनेचे 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.

नगररचना योजना ५ मध्ये समाविष्ट असलेल्या क्षेत्राच्या चतुःसीमा खालीलप्रमाणे आहेत.

उत्तरेला — २३ गावांमधील चिपले(टीपीएस-२) व विहिघर(टीपीएस-३) गावांच्या हद्दी

पूर्वेला — २३ गावांमधील विहिघर(टीपीएस-३) व मोहो गावांच्या हद्दी

दक्षिणेला — २३ गावांमधील शिवकर गावाची हद्द

पश्चिमेला — मुंबई-पुणे द्रुतगती मार्ग.

सिडको संचालक मंडळाच्या आदेशानुसार,

ज्ही. वेणू गोपाल,  
मुख्य नियोजनकार (नैना).

नोंदणीकृत कार्यालय : निर्मल, २ रा मजला, नरीमन पॉइंट, मुंबई ४०० ०२९,

दिनांक २६ जून २०१९.



महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २६, २०१९/आषाढ ५, शके १९४१

३

**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.5/2019.—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 the 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 the 27th April 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 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 the 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. 5 at part of Villages Bonshet, Moho, Bhokarpada, Devad, Shivkar, Vichumbe and Vihighar 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. 5 at part of Villages Bonshet, Moho, Bhokarpada, Devad, Shivkar, Vichumbe and Vihighar 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. 5 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 alongwith the plan showing the area to be included in the Town Planning Scheme No. 5 (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.

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 <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 Chipale (TPS-2) and Vihighar (TPS-3)  
of 23 villages of NAINA,

भाग दोन-४०-१३



PRELIMINARY TOWN PLANNING SCHEME NO.5

४

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, जून २६, २०१९/आषाढ ५, शके १९४१

On the East--by boundary of villages Vihighar (TPS-3) and Moho of 23 villages of NAINA,

On the South--by boundary of villages Shivkar of 23 villages of NAINA,

On the West--by Mumbai-Pune expressway.

By the order of Board of Directors of the Corporation,

V. VENU GOPAL,  
Chief Planner (NAINA).

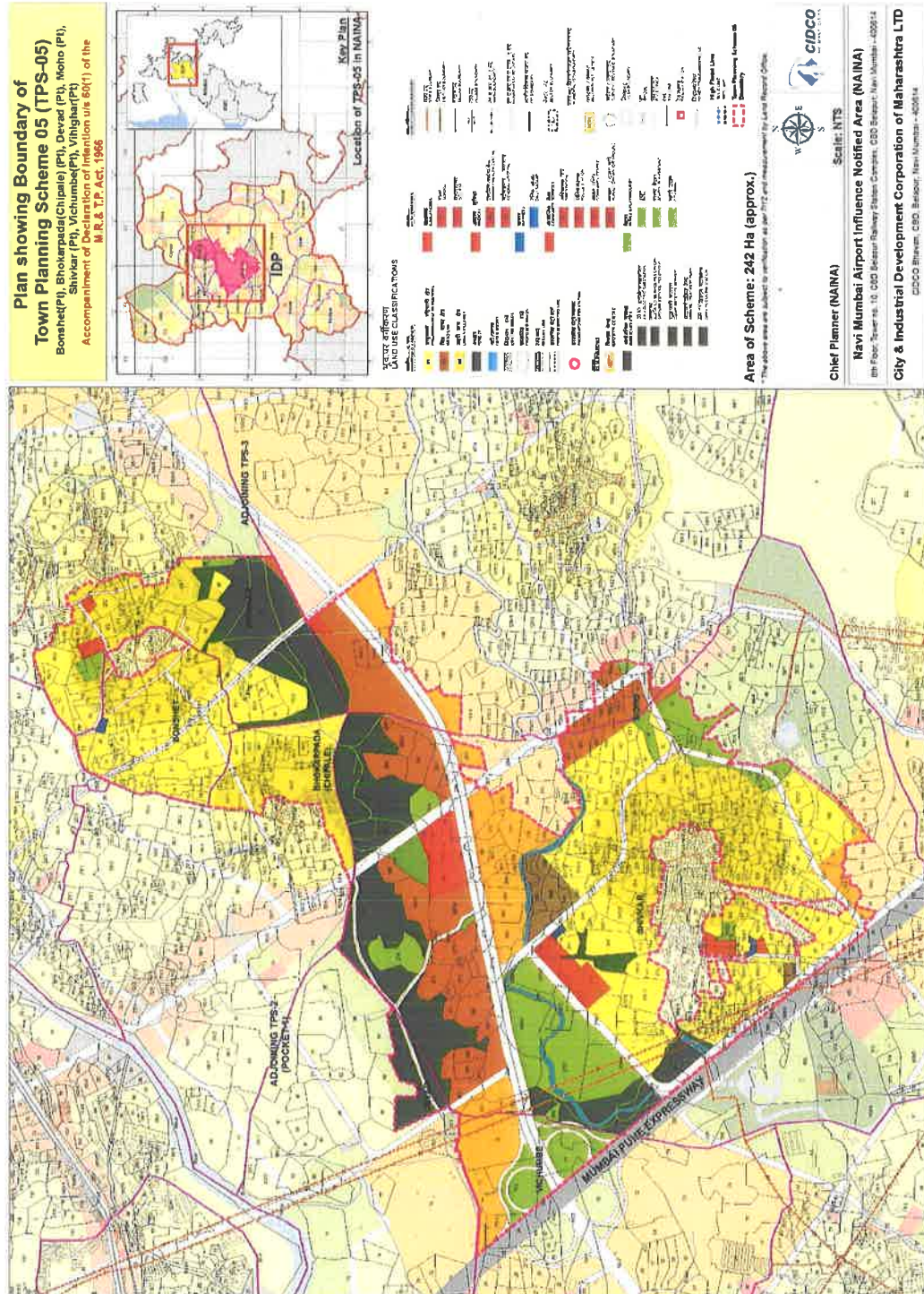
Regd. Office: Nirual, 2nd Floor, Nariman point, Mumbai 400 021.

Dated 26th June 2019.





Annexure 2: Declaration Map





## Annexure 3: Notice of Declaration of Intention in Newspaper

1)

दिनांक

रायगड नगरी

सोमवार दि. १ जुलै 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 / पु.नि / बीएन - ३२/टीपीएस ५/२०१९/

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 (नवि) 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) (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 बोनशेत, मोहो, भोकरपाडा, देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ 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 बोनशेत, मोहो, भोकरपाडा, देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ करण्याचा इरादा घोषित करत आहे.

प्रस्तावित टीपीएस नं. ५ 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 संमती देण्यास विनंती आहे.

उक्त अधिनियमाच्या कलम ६० च्या उपकलम (३) च्या तरतुदीनुसार, नगररचना परियोजना क्रमांक ५ 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/N-IN-.aspx> येथे सुद्धा उपलब्ध राहतील.

नगर रचना योजना ५ मध्ये समाविष्ट असलेल्या क्षेत्राच्या चतुःसिमा खालीलप्रमाणे आहेत.

- उत्तरेला - २३ गावांमधील चिपले (टीपीएस-२) व विहिघर (टीपीएस-३) गावांच्या हद्दी
- पूर्वेला - २३ गावांमधील विहिघर (टीपीएस-३) व मोहो गावांच्या हद्दी
- दक्षिणेला - २३ गावांमधील शिवकर गावाची हद्दी
- पश्चिमेला - मुंबई-पूणे द्रुतगती मार्ग

सिडको संचालक मंडळाच्या आदेशानुसार.

(व्ही. वेणू गोपाल)

मुख्य नियोजनकार (नैना)

नोंदणीकृत कार्यालय : निर्मल, २ रा मजला, नरीमन पॉइंट, मुंबई ४०० ०२१  
दिनांक : २६.०६.२०१९

CIN - U09999 MH 1970 SGC-014574

[www.cidco.maharashtra.gov.in](http://www.cidco.maharashtra.gov.in)

सिडको/जनसंपर्क/०८९/२०१९-२०



2)

Wednesday, 10 July 2019

Newsband


**CIDCO**  
 WE MAKE CITIES

**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.5/2019/

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. 5 at part of Villages Bonshet, Moho, Bhokarpada, Devad, Shivkar, Vichumbe and Vihghar 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: 5 at part of Villages Bonshet, Moho, Bhokarpada, Devad, Shivkar, Vichumbe and Vihghar 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. 5 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. 5 (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.

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 & 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 Chipale (TPS-2) and Vihghar (TPS-3) of 23 villages of NAINA,
- On the East – by boundary of villages Vihghar (TPS-3) and Moho of 23 villages of NAINA,
- On the South – by boundary of villages Shivkar of 23 villages of NAINA,
- On the West – by Mumbai- Pune expressway.

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: 26/06/2019

CIN - U99999 MH 1970 SGC-014574

[www.cidco.maharashtra.gov.in](http://www.cidco.maharashtra.gov.in)

CIDCO/PR/089/2019-20





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

**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.5/NAINA/Sect 61(3)/Time-limit Extension/JDTP-KDN/2059 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.5 (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 26/06/2019 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 24/06/2020.

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.24/06/2020.



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

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**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.५/ नैना/ कलम ६१(३)/मुदतवाढ/सहसंकोवि/२०५८ दिनांक :- ०८/०३/२०२०

ज्याअर्थी, शहर आणि औद्योगिक विकास महामंडळाने (यापुढे "विशेष नियोजन प्राधिकरण" असे संबोधिलेले) नगर रचना योजना क्र.५ 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.२६.०६.२०१९ 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-१३, 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.२४.०६.२०२० 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.२४.०६.२०२० हा दिवस धरून त्या दिवसापर्यंत वाढवित आहेत.



(प्रकाश भुक्ते)

**सहसंचालक, नगर रचना,  
कोकण विभाग, नवी मुंबई**

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## Annexure 5: Draft Sanction to the scheme

RNI No. MAHBIL/2012/46121



## महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ८, अंक ७८(२)]

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

[ पृष्ठे १२, किंमत : रुपये १२.००

## असाधारण क्रमांक १३९

## प्राधिकृत प्रकाशन

## शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

## अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ च्या कलम ६८ च्या उप कलम (२) नुसार

## नगररचना परियोजना क्रमांक - ५

क्र. सिडको / नैना / न.र.यो. ५/प्रा. यो./२०२२/ ५६४, दिनांक 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 नगरविकास विभाग (नविवि) 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) 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 -११ / २०१९/ यूडी -१२, दिनांक १६ सप्टेंबर, २०१९ नुसार नैनातील १५२ गावांसाठी विकास आराखडा अधिनियमाच्या कलम ३१ च्या उप कलम (१) नुसार 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 पनवेल तालुक्यातील रायगड जिल्ह्यातील बोनशेत, मोहो, भोकरपाडा(चिपळे), देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ (टीपीएस - ५) करण्याचा उद्देश घोषित केला आहे ;

आणि ज्याअर्थी , उक्त अधिनियमाच्या कलम ६० च्या उप कलम (२) मध्ये नमूद तरतुदीनुसार टीपीएस - ५ करण्याच्या उद्देशाची घोषणा दिनांक २६ जून २०१९ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि दिनांक १ जुलै २०१९ रोजीच्या स्थानिक वृत्तपत्रात "रायगड नगरी" व १० जुलै २०१९ रोजीच्या "न्यूजबॅण्ड (Newsband)" वृत्तपत्रात प्रकाशित करण्यात आली आहे ;

भाग दोन-१३९-१

(१)



PRELIMINARY TOWN PLANNING SCHEME NO.5

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

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (१) नुसार, नियोजन प्राधिकरणाने संचालक, नगररचना, 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, नगररचना, कोकण विभागा यांनी आदेश क्रमांक प्रा.न.र.यो.क्र. ५ / नैना / कलम ६१(३) / मुदतवाढ / सहसंकोवि / २०५९, दिनांक ४ मार्च, २०२० अन्वये प्रारूप योजना बनवून प्रकाशित करण्यासाठी तीन महिन्यांच्या म्हणजेच दि. २४ जून, २०२० पर्यंतचा वाढीव कालावधी दिलेला आहे ;

आणि ज्याअर्थी, टीपीएस नियम १९७४ च्या नियम क्रमांक ४(१) नुसार दिनांक ५ आणि ६ मार्च, २०२० रोजी संबंधित जमीन मालकांची सभा आयोजित करून आणि जमीन मालकांकडून मिळालेल्या सूचनांचा समावेश केल्यानंतर दिनांक २० मार्च, २०२० रोजी च्या प्रस्तावान्वये टीपीएस-५ चा मसुदा उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (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, अधिनियमातील प्रकरणे दोन, तीन, चार व पाच मधील तरतुदीप्रमाणे, कोणत्याही विकास योजना, प्रादेशिक योजना किंवा योजनांसाठी कालावधी विचारात घेतांना, 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 टाळेवंदी उपाययोजनांच्या अंमलबजावणीमुळे, उक्त प्रकरणानुसारची कोणतीही कार्यवाही पूर्ण होऊ शकली नसेल तर, असा कालावधी वाढवणे आवश्यक आहे ;

आणि ज्याअर्थी, उक्त प्रारूप नगररचना परियोजना क्र. ५ मंजुरीचा विहित कालावधी, महाराष्ट्र राज्यात दिनांक २३ मार्च २०२० पासून कोविड-१९ विषाणूच्या प्रादुर्भावामुळे जाहीर केलेला ताळेबंदीचा कालावधी वाढता अजून अस्तित्वात आहे ;

आणि ज्याअर्थी, संचालक, नगररचना, महाराष्ट्र राज्य यांनी दिनांक ५ मार्च २०२१ रोजीच्या पत्र क्र. जा. क्र. नैना/नरयो क्र. ५/ प्र. क्र. ७२ / २० / टीपीसी-३ / १३५२ अन्वये टीपीएस -५ बाबत सल्लामसलत दिली आहे तसेच टीपीएस -५ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (२) अन्वये मंजुरी दिलेली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना यांनी सल्लामसलतीत सुचविल्याप्रमाणे आवश्यक ते बदल टीपीएस- ५ मध्ये करण्यात आलेले आहेत आणि सल्लामसलतीनुसार आवश्यक ते बदल करून उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (१) अन्वये प्रारूप टीपीएस-५ 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 च्या उप कलम (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 च्या उप कलम (१) नुसार दिनांक २२ जुलै २०२२ रोजी मंजुरीसाठी सादर करण्यात आली ;

आणि ज्याअर्थी, परियोजनेच्या प्रभावी अंमलबजावणीसाठी उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (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, उपाध्यक्ष व व्यवस्थापकीय संचालक यांनी दिनांक ८ ऑगस्ट २०२२ रोजी उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (२) नुसार, प्रारूप योजना मंजूर करण्यापूर्वी संचालक, नगररचना महाराष्ट्र राज्य यांची सल्लामसलत मागितली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना महाराष्ट्र राज्य यांनी दिनांक १७ ऑक्टोबर २०२२ रोजीचे पत्र. जा. क्र.प्रा.न.र.यो./नरयो क्र. ५/ नैना / कलम ६८(१)/४६५ अन्वये प्रारूप योजनेच्या मंजुरीसाठी सल्लामसलत दिली आहे. तसेच प्रारूप टीपीएस -५ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (२) अन्वये मंजुरी दिलेली आहे.



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

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म्हणून, आता या अधिसूचनेद्वारे, दिनांक १३ सप्टेंबर २०१७ च्या अधिसूचनेअन्वये राज्य सरकारद्वारे मला प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील मौजे वोनशेत, मोहो, मोकरपाडा(चिपळे), देवद, शिवकर, विचुंचे आणि विहिघर यांच्या काही भागात एकसंलग्न अशा प्रारूप नगररचना परियोजना क्रमांक ५ (टीपीएस -५) त्यासोबतच्या विशेष विकास नियंत्रण नियमावलीसह उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (२) अन्वये मंजूर करण्यात येत आहे.

उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (३) नुसार मंजूर प्रारूप टीपीएस-५ योजनेची प्रत संबंधित विशेष नियंत्रण नियमावलीसह नैना कार्यालय, ८ वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर, नवी मुंबई ४००६१४ येथे कार्यालयीन कामकाजाच्या सर्व दिवशी नागरीकांच्या अवलोकनार्थ खुली ठेवण्यात आली आहे. तसेच प्रारूप टीपीएस-५ सिडकोचे संकेतस्थळ <https://cidco.maharashtra.gov.in/naina> येथेसुद्धा अपलोड केली गेली आहे आणि विहित शुल्क भरल्यानंतर देखील मिळू शकते.

नवी मुंबई,  
दिनांक : २१ ऑक्टोबर २०२२.

डॉ. संजय मुखर्जी,  
उपाध्यक्ष व व्यवस्थापकीय संचालक,  
सिडको.

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



**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. 5**

No. CIDCO/ NAINA/ TPS-5/ Draft Scheme/ 2022/ 564

Dated 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. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 1st March 2019 has sanctioned the Excluded Parts of the IDP as per Sub section (1) of Section 31 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 152 villages of NAINA as per Sub section (1) of Section 31 of the said Act;

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. 5 (TPS- 5) at part of Villages Bonshet, Moho, Bhokarpada (Chipale), Devad, Shivkar, Vichumbe and Vihighar of Taluka Panvel, District Raigad;

And whereas, a notice about declaration intention of making TPS-5 as per provision under Sub section (2) of in Section 60 of the Act, has been published in the Extraordinary official Maharashtra Government Gazette (part-II) dated 26th June, 2019 as well as in the daily newspapers "Dainik Raigad Nagari" (Marathi) dated 1st July 2019 and "Newsband" (English) dated 10th July 2019;

And whereas, as per Sub section (1) of Section 61 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. 5/NAINA/Section 61(3)/Time Limit Extension/JDTP-KDN/2059, dated 4th March, 2020 has granted extension of three months' time i.e. up to 24th June 2020 for making and publication of the said draft scheme;

And whereas, after conducting owners meet on 5th and 6th March 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 20th 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

५

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. ५/ प्र. क्र. ७२/ २०/ टोपीव्ही-३ /१३५२, dated ५ मार्च २०२१ had offered consultation on TPS-5 and also accorded approval for suitable amendment in the sanctioned IDP reservation while making provisions in a draft TPS-5 as per provisions of Sub-section (2) of Section 59 of the said Act;

And whereas, necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-5;

And whereas, in accordance with provisions of Sub-section (1) of Section 61 of the said Act, a Notice of making draft TPS-5 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&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. टिपीएस - 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-5 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. ५/ नैना / कलम ६८(१)/४६५, दिनांक १७ ऑक्टोबर २०२२ had given consultation for sanction of Draft TPS-5 also accorded approval for suitable amendment in sanctioned IDP reservation in Draft TPS-5 as per provisions of Sub-section (2) of Section 59 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. 5 (TPS-5)** at part of Villages Bonshet, Moho, Bhokarpada (Chipale), Devad, Shivkar, Vichumbe and Vihigar in one contiguous pocket of Taluka Panvel, District Raigad is hereby sanctioned under Sub-section (2) of Section 68 of the said Act along with corresponding Special Development Control Regulations.

भाग दोन-१३९-२



PRELIMINARY TOWN PLANNING SCHEME NO.5

६

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, नोव्हेंबर ४, २०२२/कार्तिक १९, शके १९४४

Copy of sanctioned draft TPS-5 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 after payment of prescribed fees.

Navi Mumbai,  
Dated : 21st October 2022.

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

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



## Annexure 6: Draft Sanction newspaper notice

1)

www.maharashtra.gov.in NUMBER FROM 11 NOVEMBER 11, 2022

**सिडको**

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

**NOTIFICATION**

**UNDER SECTION 84(2) OF THE MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966**

**TOWN PLANNING SCHEME NO. 5**

**No. CIDCO/NAHA/TPS-5/Draft Scheme/2022/564**

**Dated 21st October 2022**

WHEREAS, the Government of Maharashtra in exercise of powers conferred under clause (b) of Sub-section (1) of the Section 43 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") decided by Notification, No. TPS-17/12/1966/CR-10/12 dated 10th January, 2017 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 a Special Planning Authority (hereinafter referred to as "the SPA") for the Mumbai Airport Influence Modified Area (NAHA) (hereinafter referred to as "said modified area") as specified therein.

And whereas, the Government of Maharashtra vide Notification No. TPS-12/18/24/CR-33/2018/SAUD-12, dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAHA, and also vide Notification No. TPS-12/18/24/CR-33/2018/SAUD-12, dated 1st March 2019 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAHA.

And whereas, the Government of Maharashtra vide Notification No. TPS-17/12/1966/CR-10/12 dated 10th January, 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAHA.

And whereas, as per Sub-section (1) of Section 60 of the said Act, CIDCO/Board vide Resolution No. 12/18/24/CR-33/2018/SAUD-12, dated 27th April 2017, had declared its intention for making of Town Planning Scheme No. 5 (TPS-5) at part of Villages Barshi, Mhe, Bhokarpet (Chape), Devai, Shikar, Vichur and Vihar of Taluka Parvat, District Raigad.

And whereas, a notice about declaration of making of TPS-5 as per provision under Sub-section (1) of Section 60 of the said Act, has been published in the Extraordinary Official Maharashtra Government Gazette (part I) dated 20th June, 2019 as well as in the daily newspapers "Dainik Bhaskar" (Marathi) dated 21st July 2019 and "Dainik Bhaskar" (English) dated 10th July 2019.

And whereas, as per Sub-section (1) of Section 61 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 six 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. 5/NAHA/Section 61(2) Time Limit Extension/JOTI-MN-2020 dated 04th March, 2020 has granted extension of time limit of 18 months from 20th June 2020 for making and publication of the draft scheme.

And whereas, after conducting necessary meeting on 5th and 6th March 2020, as per rule 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 advertisement dated 20th March, 2020 from the Director of Town Planning, CIDCO, as per section 61(1) of the said Act and as per rule 4(1) 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. XX of 2020), in completing the period in relation to any Development Plan, Regional Plan or Scheme under the provisions of Chapter I, II, IV and V of the said Act, the period of periods during which any action shall not be completed under the said chapter due to enforcement of any Quarantine 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 India shall be excluded.

And whereas, such prescribed time limit is still in existence on the date of the declaration of the said scheme.

And whereas, the Director of Town Planning vide letter No. 5/NAHA/Section 61(2) dated 03/03/2021 had offered consultation on TPS-5 and also accepted approval for suitable amendment in the sanctioned IDP reservation while making provisions in a draft TPS-5 as per provisions of Sub-section (2) of Section 61 of the said Act.

And whereas, necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-5.

And whereas, in accordance with provisions of Sub-section (1) of Section 61 of the said Act, a Notice of making draft TPS-5 has been published in the Extraordinary Official Maharashtra Government Gazette (part I) dated 20th June 2022 and also in the daily newspapers for making necessary adjustments within one month of notice in accordance with the provisions of Section 61 of the said Act.

And whereas, the Government of Maharashtra in exercise of powers conferred by Sub-section (1) of Section 61 of the said Act, vide Notification No. TPS-18/17/27/CR-103/17/UD-13 dated 13th September 2017 had delegated the powers conferred by Sub-section (2) of the said Act to CIDCO (hereinafter referred to as "VCMO").

And whereas, after incorporating necessary changes as per suggestions received, the draft scheme has been submitted to VCMO for sanction in accordance with the provisions of Sub-section (2) of Section 61 of the said Act.

And whereas, the Government of Maharashtra vide Notification No. 12/18/24/CR-33/2018/SAUD-12 dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAHA.

And whereas, in accordance with sub-section (2) of section 61 of the said Act, VCMO had sought sanction of Director of Town Planning, Maharashtra State on 08th August 2022 prior to sanction of Draft Scheme.

And whereas, the Director of Town Planning vide letter No. 5/NAHA/Section 61(2) dated 03/03/2021 had offered consultation on TPS-5 and also accepted approval for suitable amendment in the sanctioned IDP reservation in Draft TPS-5 as per provisions of Sub-section (2) of Section 61 of the said Act.

Therefore, now in accordance with the powers delegated to me by the State Government vide Notification dated 03/03/2021, the Draft Town Planning Scheme No. 5 (TPS-5) at part of Villages Barshi, Mhe, Bhokarpet (Chape), Devai, Shikar, Vichur and Vihar in one contiguous pocket of Taluka Parvat, District Raigad is hereby sanctioned under Sub-section (2) of Section 61 of the said Act along with corresponding Special Development Control Regulations.

Copy of sanctioned draft TPS-5 along with corresponding Special DCRs are made available for inspection by the public during office hours on all working days in the office NAHA, 6th floor, Tower No. 10, Rajapur Highway Station Complex, CIDCO Bldg., New Mumbai-400141 in accordance with sub-section (3) of section 61 of the said Act. The same is also uploaded on website of CIDCO, i.e. <http://www.cidco.maharashtra.gov.in> and further can be obtained after payment of prescribed fee.

**Special Development Control Regulations for Draft TPS-5**

In addition to the Development Control and Provision Regulations, which are made applicable to the 23 Revenue villages of NAHA vide directives given by Government vide No. TPS-17/12/1966/CR-10/12 dated 10th January, 2017 (hereinafter referred to as "sanctioned DCRs of NAHA") under section 21(1A) read with section 15A of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any part to be carried out in the final plots of this Town Planning Scheme, NAHA No. 5. Read of the provision of providing sanctioned DCRs of NAHA as amended from time to time shall be applicable.

In case of any conflict between the regulations in sanctioned NAHA DCRs and these special regulations, provided below, then these special regulations shall prevail.

- The Final Plots situated in the zones in the Original Plan shall be considered as included in the Preliminary 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 NAHA. Provided that the final plots having fronting width of 12.0m or more shall be permitted for development either under regulation of preliminary residential zone or under Mixed use zone of sanctioned DCRP in respect of the actual front boundaries of the IDP.
- Boundaries of the Final Plots shall not be changed, modified or altered during development.
- Amalgamation of two or more Final Plots shall 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.
- Temporary short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstruction in a Final Plot not allotted to the holders (owners) of such original plots.
- 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(1) of the Maharashtra Town Planning Scheme Rules, 1974 is fully recovered. However, the Special Planning Authority, NAHA (CIDCO) may allow such amount to be recovered in suitable installments within a period up to the expiry of Co-ownership Certificate. This amount is in addition to the Development Charges prescribed under Chapter IV-A of the Maharashtra Regional and Town Planning Act, 1966.
- Internal Sub-division 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 NAHA.
- The 10% Recreational Open Space prescribed under regulation No. 20.3.1 of the sanctioned DCRs of

NAHA shall not be enforced in developing Final Plots measuring 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 provided in the Development Plan for which consent of the original plots have been obtained. That above regulation shall be applicable subject to suspension of regulation No. 20.3 of sanctioned DCRP of NAHA/NAHA Govt. of Maharashtra.

- The 5% Amenity Space prescribed under regulation No. 20.3.11 of the sanctioned DCRs of NAHA shall not be enforced in developing Final Plots measuring 2.50 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 consent of the original plots have been obtained. That above regulation shall be applicable subject to suspension of regulation No. 20.3 of sanctioned DCRP of NAHA/NAHA Govt. of Maharashtra.
- The provision of 20% provisions for EWS/LMS as inclusive housing prescribed under Regulation No. 20.6 of the DCRs of NAHA read with Amendment-4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides dedicated plots for EWS/LMS housing for which the owners of Final Plots have shared Plot lands from their original plot.

**Notes:**

- 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 NAHA/NAHA Govt. shall be applicable.
- In cases wherein CC is already granted (below outdeline of TPS-5) for final plot is given by replacing land area under Preliminary Open Space (POS), Amenity & Recreational, then while processing Amended CC or DC of such final plots, land area as per CC for such Open Space, Amenity may not be subject. However, location & land area as per CC for such Open Space & Amenity shall be subject to CC.
- The owners of Final Plots are entitled for monetary compensation as recorded in Form No. 1 of the Final Scheme as per Rule 6(1) of the Maharashtra Town Planning Scheme Rules, 1974. However, the compensation may not be paid for the Final Plots which are not included in the list of Final Plots of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation payable to the holders of Final Plots and partially included in the list included under the Town Planning Scheme shall be 100. However, the Basis FSI applicable to the lands included under the Town Planning Scheme shall be 100. However,

the Basis FSI applicable to the lands included under the Town Planning Scheme shall be 100. However,

CIN-1188811-1830-DCC-CHRD  
www.cidco.maharashtra.gov.in

File No./Date: 11/10/22-13



# PRELIMINARY TOWN PLANNING SCHEME NO.5

www.cidco.maharashtra.gov.in MUMBAI (FRIDAY, NOVEMBER 11, 2022)

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

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

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) within 200 m of (Dahisar), 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(i) 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 distance/height restriction/landholding 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

- The provision of Regulations no. 43 of the sanctioned DCPR of NAINA shall be applicable.
- Each transfer of development right from a final plot to another Final Plot shall be permitted once only.
- The aggregate FSI in a receiving Final Plot shall not exceed 4.00.
- 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, ES/UGSR 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 disadvantaged 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 increased maximum up to 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 0.50

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 structures 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 houses type	Upto 15 M	0.0	1.5
	*Pls refer Special Note			
150 M2 to less than 450 M2	Semi-detached type	Upto 15 M	1.5	1.5
450 M2 to less than 1000 M2	Detached type	Upto 15 M	1.5	2.25
		Above 15 M upto 24.0 M	2.25	2.25
		Above 15 M upto 24.0 M	11.5	11.5
		Above 15 M upto 24.0 M	3.00	3.00
		Above 15 M upto 24.0 M	11.5	11.5
		Above 24.0 M upto 37.5 M	6.00	6.00

Place :-Navl Mumbai

Date:-21.10.2022

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

Dr. Sanjay Mukherjee  
Vice Chairman & Managing Director,  
CIDCO

(CIN : U50909MH1332GCC019374)  
www.cidco.maharashtra.gov.in

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	11.5	11.5
		Above 24.0 M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	11.5 or 9.00m whichever is less	11.5 or 9.00m whichever is less
		Above 60.0 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 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.

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.

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 / multistored 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 shall be below the external circulation at ground level should be designed for fire-fighting vehicular loads as per NBC 2018. 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 as 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/Retain 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 and 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 respect to:

- Title Ownership & easement right of the plot on which building is proposed
- Workmanship, soundness of material & structure safety of building
- Variation in area from recorded area of building unit
- Location & boundary of building unit
- Safety of the user of the building
- NOC from appropriate authority
- Structural reports and Structural drawing

स्थान: नवी मुंबई  
दिनांक: २१ ऑक्टोबर २०२२

विकासीय विकास अधिकारी, ईशान, २ वा मजरा,  
सर्वोपरी मंडळ, मुंबई ४०००२१.

डॉ. संजय मुखर्जी  
उपअध्यक्ष व व्यवस्थापन निदेशक, सिआरसी

सिआरसी/अनसंकी/४१२/२०२२-२३



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## Annexure 7: Appointment of Arbitrator by the Government

महाराष्ट्र शासन राजपत्र भाग एक—कोकण विभागीय पुरवणी, गुरुवार ते बुधवार, मार्च २३-२९, २०२३/चैत्र २-८, शके १९४५ ३

## नगर विकास विभाग

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

## अधिसूचना

क्रमांक टीपीएस-१२२२/२१५२/प्र.क्र.१४८/२२/नवि-१२.— ज्याअर्थी, शासनाच्या नगर विकास विभागाकडील अधिसूचना क्रमांक टीपीएस. १८१७/१७३/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/नैना/न.र.यो.५/प्रा.यो./२०२२/५६४, दिनांक २९ ऑक्टोबर २०२२ अन्वये मो. बोनशेत, मोहो, भोकरपाडा (चिपळे), देवद, शिवकर, विचुंबे आणि विहीघर ता. पनवेल, प्रारूप नगररचना योजना क्र. ५ 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.



PRELIMINARY TOWN PLANNING SCHEME NO.5

४ 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. 5 of villages Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihigar, Taluka Panvel has been sanctioned by the Vice Chairman and Managing Director, CIDCO vide Notification No.CIDCO/NAINA/TPS-5/Draft Scheme/2022/564, 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 8: Commencement of duty by Arbitrator

RNI No. MAHBIL/2012/46121



## महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ९, अंक २६(२)]

मंगळवार, एप्रिल २५, २०२३/वैशाख ५, शके १९४५

[पृष्ठ ६, किंमत : रुपये १२.००]

असाधारण क्रमांक ४०

प्राधिकृत प्रकाशन

लवाद, नगररचना परियोजना क्र.५, नैना यांचे कार्यालय

बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंवे आणि विहिघर.

जाहीर सूचना

क्रमांक: लवाद /नरयो-५/साधारण/२०२३/०८.—महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ (सन १९६६ चा महाराष्ट्र अधिनियम क्र. ३७) च्या कलम ६८ (२) मधील तरतुदीनुसार सिडको नैना प्रारूप नगररचना योजना क्र. ५ ही योजना उपाध्यक्ष व व्यवस्थापकीय संचालक सिडको, यांचेकडील अधिसूचना क्रमांक सिडको/नैना/टीपीएस-५/प्रा.यो./२०२२/५६४, दिनांक २१ ऑक्टोबर २०२२ प्रमाणे मंजूर केली आहे. उक्त अधिसूचना ही महाराष्ट्र शासन राजपत्रात असाधारण, भाग-२ मध्ये दिनांक ४ नोव्हेंबर २०२२ रोजी प्रसिद्ध झालेली आहे.

उपनिर्दिष्ट नगररचना योजनेतील सर्व संबंधितांना या सूचनेद्वारा जाहीर करण्यात येते की, कलम ७२ मधील तरतुदीप्रमाणे, नैना प्रारूप नगररचना योजना क्र. ५. ला अंतिम स्वरूप देण्यासाठी निम्नस्वाक्षरीकार यांची लवाद म्हणून नगरविकास 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. ३ यावर प्रसिद्ध झालेली आहे.

तसेच सर्व हितसंबंधितांना, महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ च्या कलम ७२ मधील तरतुदीनुसार आणि त्याअंतर्गत केलेल्या महाराष्ट्र नगररचना योजना नियम, १९७४ च्या नियम १३ नुसार, या सूचनेद्वारे जाहीर कळविण्यात येते की, आज दिनांक ५ एप्रिल २०२३ रोजी नियुक्त लवाद यांनी वरील योजने संदर्भात लवादीय कामकाजास सुरुवात केली आहे आणि या योजनेमुळे बाधित झालेल्या जमीनधारकांना 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.

भाग दोन-४०-१

(१)





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महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, एप्रिल २५, २०२३/वैशाख ५, शके १९४५

वरील प्रमाणे योजना तयार केल्यामुळे, ज्या जमीनधारकांच्या कोणत्याही मिळकती बाधित (Injurious Affected) होतील आणि त्यामुळे कलम १०२ प्रमाणे यासंदर्भात मोबदला देय असेल त्यांनी निम्नस्वाक्षरीकार यांचेकडे, सदरहू नोटीस महाराष्ट्र शासन राजपत्रात प्रसिद्ध 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 उप विभागणी करून तदनंतर पुढील वैधानिक कार्यवाही करण्यात येणार आहे.

श्रीरंग लांडगे,

लवाद,

नगररचना परियोजना नैना क्र. ५,

बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर,

विचुंबे आणि विहिघर.

दिनांक ५ एप्रिल २०२३,

नैना कार्यालय, टॉवर नं. १०, आठवा मजला,

बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर-नवी मुंबई ४०० ६१४.



PRELIMINARY TOWN PLANNING SCHEME NO.5

महाराष्ट्र शासन राजपत्र असाधारण भाग दोन, एप्रिल २५, २०२३/वैशाख ५, शके १९४५

२

OFFICE OF THE ARBITRATOR, TOWN PLANNING SCHEME NO. 5, NAINA

(Part villages of Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihighar)

Public Notice

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

No. ARB/TPS-5/GEN/2023/08.—The NAINA draft Town Planning Scheme No. 5 in part villages of Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihighar 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-5/Draft Scheme/2022/564, 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. 4.

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.5 in part villages of Bonshet, Moho, Bhokarpada (Chipale), Devad, Shivkar, Vichumbe and Vihighar 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.5, 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.5 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. 5, NAINA

[ Part Villages of Bonshet, Moho,

Bhokarpada(Chipale), Devad, Shivkar,

Vichumbe and Vihighar].

Dated : 5th April, 2023.

Place : NAINA Office, 7th floor,

Tower No. 10, Belapur Railway Station Complex,

C.B.D. Belapur 400 614.

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 9: Notice of Commencement of Duty by Arbitrator in Newspaper

MUMBAI | THURSDAY | APRIL 13, 2023 [www.freepressjournal.in](http://www.freepressjournal.in)
**OFFICE OF THE ARBITRATOR, TOWN PLANNING SCHEME NO. 5, NAINA**  
 (Part villages of Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihigar)

**Public Notice**

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

No.ARB/TPS-5/GEN/2023/08

The NAINA draft Town Planning Scheme No. 5 in part villages of Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihigar 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-5/Draft Scheme/2022/564 dated 21<sup>st</sup> 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 13<sup>th</sup> September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-II dated 4<sup>th</sup> 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 2<sup>nd</sup> 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 23<sup>rd</sup> -29<sup>th</sup> March, 2023 on page No.4.

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.5 in part villages of Bonshet, Moho, Bhokarpada (Chipale), Devad, Shivkar, Vichumbe and Vihigar from 5<sup>th</sup> 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.5, 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.5 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: 5<sup>th</sup> April, 2023.
 Place: NAINA Office, 7<sup>th</sup> floor, Tower No. 10,  
 Belapur Railway Station Complex,  
 C.B.D. Belapur- 400 614.

 (Shrirang D.Landge)  
 Arbitrator

 Town Planning Scheme No. 5, NAINA  
 (Part villages of Bonshet, Moho, Bhokarpada(Chipale),  
 Devad, Shivkar, Vichumbe and Vihigar)

CIN - U99999 MH 1970 SGC-014574

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CIDCO/PR/030/2023-24





गुरुवार, दि. १३ एप्रिल, २०२३

कृषीवरु



## लवाद, नगर रचना परियोजना नैना क्र.५, नैना यांचे कार्यालय

बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंबे आणि विहिघर

### जाहीर सूचना

क्रमांक: लवाद/नरयो-५/साधारण/२०२३/०८

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. ५ ही योजना उपाध्यक्ष व व्यवस्थापकीय संचालक सिडको, यांचेकडील अधिसूचना क्रमांक सिडको/नैना/टीपीएस-५/प्रा.यो./२०२२/५६४ 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. ५. 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. ३ 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 तदुनंतर पुढील वैधानिक कार्यवाही करण्यात येणार आहे.

दिनांक : ०५/०४/२०२३

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

(श्रीरंग लांडगे)

लवाद,

नगर रचना परियोजना नैना क्र. ५

बोनशेत, भोकरपाडा (चिपळे),

देवद, मोहो, शिवकर, विचुंबे आणि विहिघर

CIN - U99999 MH 1970 SGC-014574

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सिडको/जनसंपर्क/०३०/२०२३-२४





Annexure 10: Sub-Division of the Scheme

**Office of Arbitrator**  
**NAINA Town Planning Scheme - 5,**  
**Bonshet(pt), Bhokarpada(Chipale)(pt), Devad(pt), Moho(pt), Shivkar(pt),**  
**Vichumbe(pt), Vihighar(pt)**  
CIDCO, NAINA Office, Tower No.10, 7<sup>th</sup> Floor, Belapur Railway Station Complex, CBD  
Belapur, Navi Mumbai - 400614

ARB/TPS-5/GEN/2023/ § 1C

Date - 20/10/2023

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

Sub.: Town Planning Scheme, NAINA No. 5 Sub-division of the Sanctioned Draft Scheme

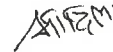
Ref.: CIDCO/ NAINA/ TPS-5/ Draft Scheme/ 2022/ 564 Date of Gazette for Draft Sanction 21st October 2022

Sir,

Above referred sanctioned draft Town Planning Scheme, NAINA No. 5 (Bonshet(pt), Bhokarpada(Chipale)(pt), Devad(pt), Moho(pt), Shivkar(pt), Vichumbe(pt), Vihighar(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 20<sup>th</sup> October, 2023.

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

Yours faithfully,

  
Shrirang D. Landge,  
Arbitrator, NAINA TPS - 5

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 11: Gazette of Preliminary Award

RNI No. MAHBIL /2012/46121



## महाराष्ट्र शासन राजपत्र असाधारण भाग दोन

वर्ष ९, अंक ७३(२)]

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

[पृष्ठ ४, किंमत : रुपये ११.००

असाधारण क्रमांक ९९

प्राधिकृत प्रकाशन

प्राथमिक नैना नगररचना परियोजना क्र. ५

[ वोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंवे आणि विहिघर ]

जाहीर सूचना

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

क्र.लवाद/नरयो-५/ नैना / निवाडा/२०२३/ ८२५

ज्याअर्थी, प्रारूप नैना नगररचना परियोजना क्र.५, [ मौजे वोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंवे आणि विहिघर ] ही उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको, यांनी नगरविकास विभाग, अधिसूचना क्र. टीपीएस/१८१७/९७३/ प्र.क्र.१०३/१७/नवि-१३, दिनांक १३/०९/२०१७ 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.५ /प्रा.यो. /२०२२/ ५६४, दिनांक २१/१०/२०२२ 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 प्रसिद्ध झालेली आहे ;

आणि ज्याअर्थी, शासनाच्या नगरविकास विभागाने श्री. श्रीरंग दि. लांडगे, निवृत्त संचालक, नगररचना यांची नेमणूक उक्त अधिनियमाच्या 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 ०२/१२/२०२२ अन्वये केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र नगररचना परियोजना नियम क्र. १९७४ च्या नियम क्र. १३ अन्वये महाराष्ट्र शासन राजपत्र, असाधारण, भाग-२ मध्ये दिनांक २५/०४/२०२३ रोजी सूचना प्रसिद्ध करून नैना नगररचना परियोजना क्र. ५ [ मौजे वोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंवे आणि विहिघर ] करिता लवाद म्हणून कर्तव्ये पार पाडण्याचे काम दिनांक ५ एप्रिल २०२३ पासून सुरू करण्यात आले आहे ;

आणि ज्याअर्थी, विहीत केलेल्या नमुना 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-९९-१



PRELIMINARY TOWN PLANNING SCHEME NO.5

२

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

आणि ज्याअर्थी, नैना नगररचना परियोजना क्र. ५, [ मौजे बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंबे आणि विहिघर ] हीची उक्त अधिनियमांच्या पोट-कलम (३) कलम ७२ अन्वये दिनांक २० ऑक्टोबर २०२३ रोजी प्राथमिक योजना व अंतिम योजना अशी उपविभागणी 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. ५, [ मौजे बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो, शिवकर, विचुंबे आणि विहिघर ] 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 यांच्याकडून 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, सी.बी.डी. बेलापूर- नवी मुंबई ४०० ६१४ येथे प्रसिद्ध 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. ५,  
बोनशेत, भोकरपाडा (चिपळे), देवद, मोहो,  
शिवकर, विचुंबे आणि विहिघर.



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

३

**PRELIMINARY NAINA TOWN PLANNING SCHEME, No. 5**

[ At part of villages Bonshet, Bhokarpada(Chipale), Devad, Moho, Shivkar, Vichumbe, Vihighar ]

**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-5/Award/2023/825

Whereas, the Draft NAINA Town Planning Scheme, No. 5 at part of Villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe and Vihighar 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-5/ Draft Scheme/ 2022/ 564, 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 Shirang 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*, Extraordinary, Part-II, dated 25th April 2023 that he has commenced the duties as Arbitrator in respect of the NAINA Town Planning Scheme, No. 5 at part of Villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe and Vihighar 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. 5 at part of Villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe and Vihighar 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. 5 at part of Villages Bonshet, Bhokarpada (Chipale), Devad, Moho, Shivkar, Vichumbe and Vihighar 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.

भाग दोन-९९-२





PRELIMINARY TOWN PLANNING SCHEME NO.5

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. 5.  
at part of Villages Bonshet, Bhokarpada  
(Chipale), Devad, Moho, Shivkar,  
Vichumbe and Vihighar.

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







**शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित**

## जाहीर सूचना

प्राथमिक पेना नगर रचना परियोजना क्र. ५,  
(बॉम्बेलेत, पोकरापहा (चिखोड), देवद, मोहो, शिखन, चिचुंघे अरि विहिधन)  
(बहादुर नगर रचना परियोजना नियम १९५४ च्या नियम क्र. १३(९) वहित  
हजार प्रादेशिक नियोजन नगर रचना परियोजना १९६६ च्या कलम ७९(७) अन्वये

क. स्वराज/भारपो-५/ कैना / निवाहा/१०१३/ ८२५

WHEREAS, the Draft Maharashtra Urban Planning Scheme, No. 5 of part of Village Bomrat, Bhokarpada (Ghate), Devrat, Murali, Sivkar, Vichurte and Vighar has been sanctioned by the Vice Chairman & Managing Director, CIDCO under sub-section (2) of section 68 of the Maharashtra Regional & Town Planning Act, 1962 (hereinafter referred to as the said Act) vide Notification No. CIDCO/MANA/TPS-105-Draft Scheme dated 20th May 2016, and the said Draft Scheme has been assigned to him by the Urban Development Department vide Notification No. TPS-1181/793/C 101/17UD-1, dated 31st September, 2017. The said Notification is published in Maharashtra Government Gazette, Extraordinary, Part-3, dated 4th November 2017 under No. 116/6.

And whereas, the Government of Maharashtra in Urban Development Department has appointed Shri Shrawan D. Landge, retired Director of Town Planning as the Administrator for the said mentioned Draft Scheme, vide notification No. TFS-12222/152/C.R. 145/22/AJ-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 (I) of Maharashtra Town Planning Scheme Rules, 1974 thereinafter referred to as the "said Rules", has declared under his notice dated 26 April 2023 published in Maharashtra Government Gazette, Extraordinary, Part-II, dated 26 April 2023 that he has considered the claims as Arbitrator in respect of P/NA/NA Town Planning Scheme, No. 5 at part of Village Bonabel, Bhokardga (Chavali), Dist. Muz. Shrihar, Vidharb and Vishnar with effect from 15 April 2022.

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 NAMA Town Planning Scheme, No. 5 of part of Villages Bonituel, Brokopada (Chapite), Dévau, Moba, Shikar, Vichumbe and Vihpar has been sub-divided by the Attorney General's Law Firm under the NAMA Town Planning Scheme No. 5 of part of Villages Bonituel, Brokopada (Chapite), Dévau, Moba, Shikar, Vichumbe and Vihpar as provided under sub-section (3) of section 22 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 section 14 of section, 12 of the said Act

Now, therefore, the undersigned as Arbitrator hereby declares that this Preliminary NALFA Town Planning Scheme No. 8 is part of Village Bomahat, Bilihaatnas (Chiquito), David, Mofu, Sôwêr, Vichumbé and Vilghat 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 (2) of the said Rules.

The Preliminary Scheme as 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, Brihanpura Railway Station Complex, CBO, Brihanpura, New Mumbai 400054.

Date : 30th November, 2023

B. D. LANGGE

Arbitrator,  
NARPA Town Planning Scheme No. 5,  
part of Villages Bursheet, Blockarpeda (Chilpaile),  
Devid, Moha, Shikar, Vichumbe and Vichohar

CIN - U99999 MH 1976 SOC 014574  
www.cldco.maharashtra.gov.in

[illegible][illegible]

आणि ज्याच्या विहीत केलेल्या नमुना क्रमांक ४ मधील विविध सूचना उक्त नसत राहणाऱ्या व्यक्तीसमोर घ्याव्यात व त्याच्या पातळीचा देशात उल्लेखाने अन्वयितवाही या संदर्भातील मुद्यावरील पूर्ण अर्थाने त्याचा बराच दिवस सोडविलेला आहे. असेही आहे.

अतिम भाषा अथवा मरारत भाषा परीक्षाया क्र. ५, (प्रीति बरमेला, श्रीमन्तराज (विष्णू), रण, मोदी, भिस्कर, विष्णु आणि विष्णुभा)  
होवी तऱ्हा अतिमभाषाया परीक्षाया (१) कालाप ५२ अन्वये दिनांक २० ऑक्टोबर २०२३ रोजी आयोजित होईल अशी अतिमभाषाया  
परिक्षा आदेशी आहे.

आणि स्वाग्रही एक नियामधील नियम क्र. १३ इताने रात्री कार्यावाही पूर्ण करून उक्त अधिनियमाच्या कलम ३२ च्या पोटकलम (ख) मधील कर्तव्ये बरे पाडण्यात आलेली आहेत.

१७. **पंचांग** : पंचांग के अनुसार २०२३ ई. में २० फरवरी को नवरात्रि का प्रथम दिन होगा। नवरात्रि के अवसर पर २० फरवरी को रात १२ बजे के बाद नवरात्रि के प्रथम दिन का शुभारंभ होगा। नवरात्रि के अवसर पर २० फरवरी को रात १२ बजे के बाद नवरात्रि के प्रथम दिन का शुभारंभ होगा। नवरात्रि के अवसर पर २० फरवरी को रात १२ बजे के बाद नवरात्रि के प्रथम दिन का शुभारंभ होगा।

[illegible]

दिवांक : १०/११/२०१३  
परा : पैरा कर्वावस्य, टावर नं. १०, सतवा मजला,  
बेलगाव देव सेंटन, सी.बी.डी. चेस्तापुरा नवी मुंबई ४०० ६३४

(औरंग ज़ि. खांजने)

संख्या,  
श्री नारायण स्वामीजी महाराज कृ. ५,  
बोमरीत, धोकपुरावाडा (पिठले), टेंदर, पोहो,  
विचवट, जिखने आणि विठ्ठल.

CIDCO/PR/447/2023-24

