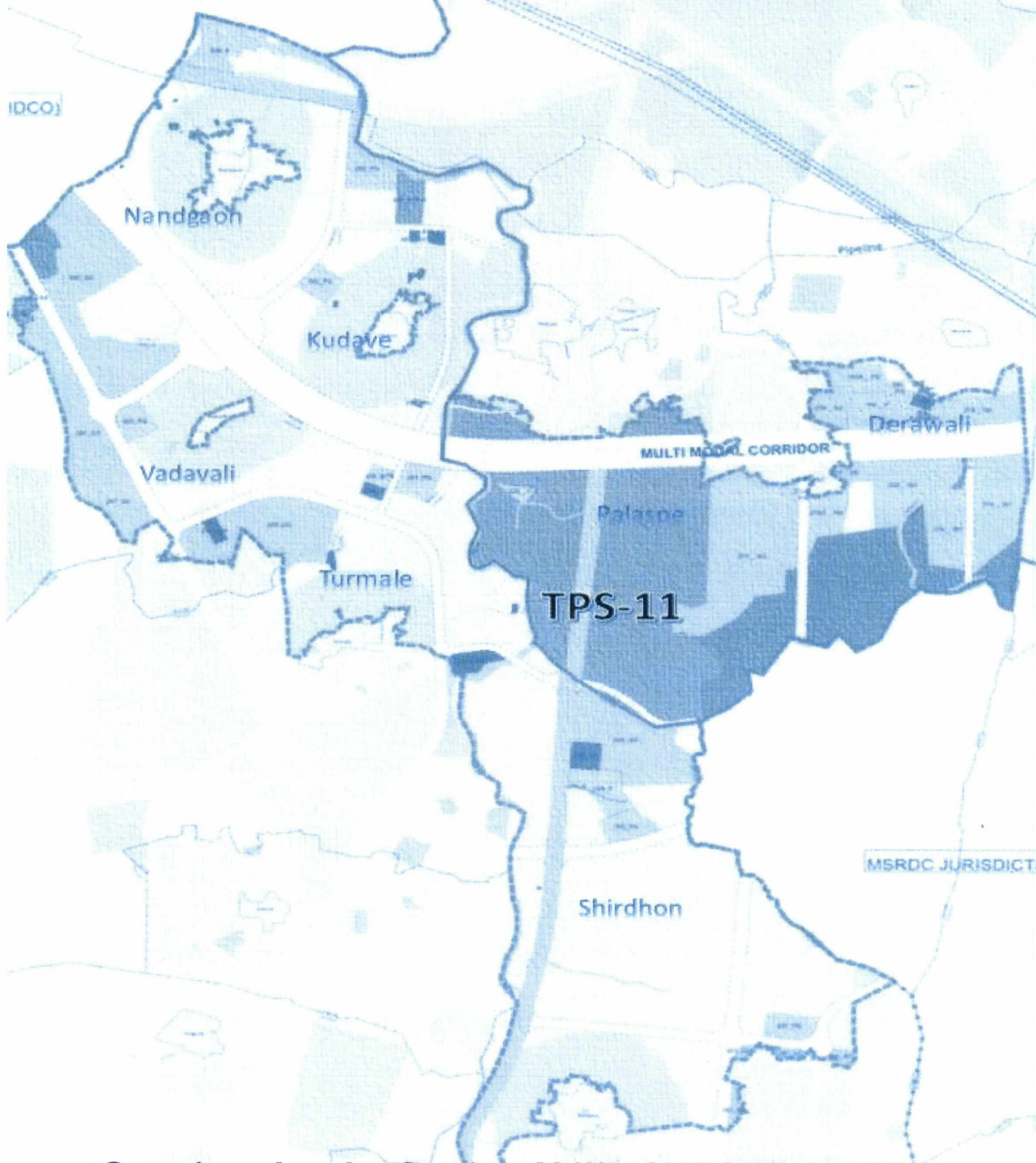


# DRAFT TOWN PLANNING SCHEME-II

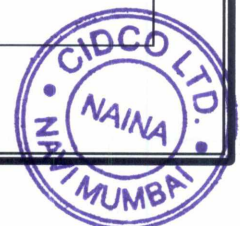
**NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA**

**Part of Villages: DERAVALI, PALASPE, SHIRDHON, KUDAVE,  
NANDGAON, TURMALE AND VADAVALI**



**Sanctioned under Section 68(2) of MR&TP Act 1966**

**City and Industrial Development Corporation  
of Maharashtra Ltd.(CIDCO)**





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# Chapter I Introduction

## 1.1 Preamble

The Government of Maharashtra in exercise of powers conferred under clause (b) of the Section 40(1) 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 10<sup>th</sup> January, 2013 City and Industrial Development Corporation Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as “CIDCO”) as Special Planning Authority (SPA) for 270 villages as Navi Mumbai Airport Influence Notified Area (hereinafter referred to as “NAINA”) as specified therein. 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.

Initially, NAINA comprised total 270 revenue villages from Uran, Panvel, Karjat, Khalapur, and Pen Talukas of Raigad district and Thane Taluka of Thane district of Maharashtra admeasuring 558 sq.km. (approx.). Thereafter, the Government of Maharashtra vide Notifications dated 22.09.2015 and 18.03.2016 had declared Maharashtra Industrial Development Corporation Limited (MIDC) and Maharashtra State Road Development Corporation Limited (MSRDC) respectively as SPA, for some villages in NAINA. Thus, resulting NAINA with 224 villages admeasuring approx. 474 sq.km. While sanctioning Development plan of balance 201 villages on 16.09.2019, considering the contiguity of NAINA project, the Urban Development Department (UDD) in Government of Maharashtra (GOM) has excluded 49 non-contiguous village pockets from Khalapur, Karjat and Thane Tahsil. As a result, the notified area of NAINA remained with 174 villages of Raigad district (92 villages of Panvel tehsil, 77 villages of pen tehsil and 5 villages of Uran tehsil) encompassing about 371 sq.km. area.

### 1.1.1 Role of CIDCO

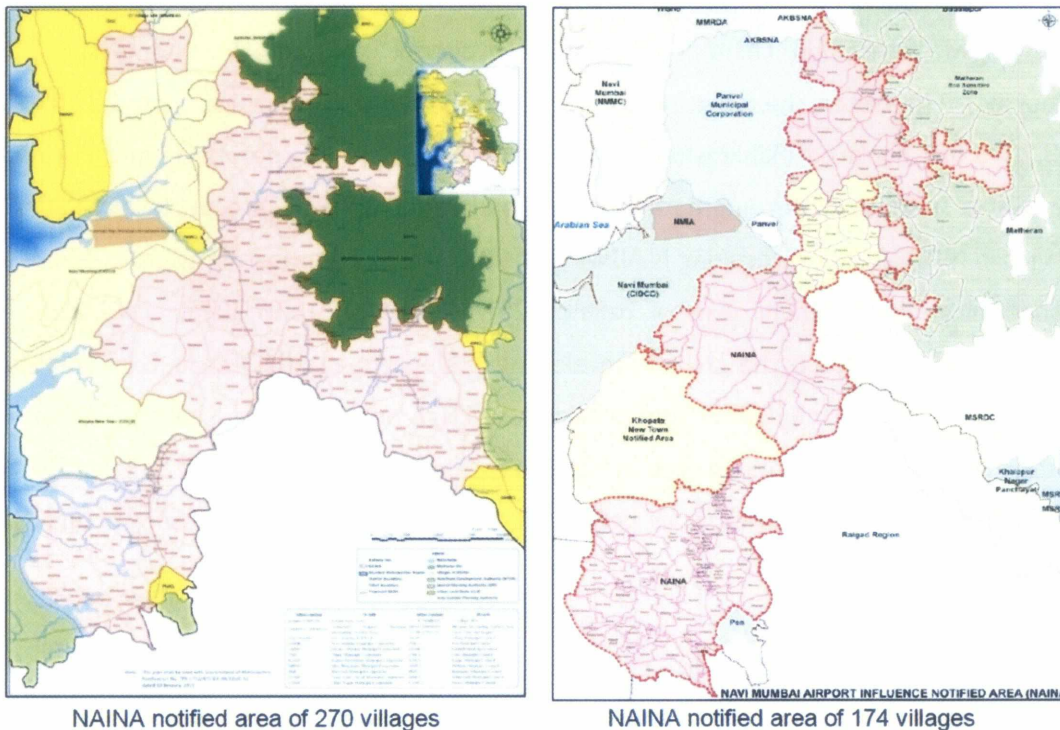
CIDCO as SPA is entrusted with the responsibility of preparation of development plan, corresponding development control regulations and mechanism for implementation of the plan. An innovative concept that promotes voluntary land assembly, contributes land for public purpose, finances infrastructure development, has been developed by CIDCO for NAINA. To realize this model and to assess the acceptability of the landowners it is decided to test the concept at a smaller scale. Based on the above consideration, CIDCO decided to prepare an Interim





Development Plan (IDP) on priority for the area under pressure of development due to its proximity with the developed node of New Panvel. Accordingly, the Government of Maharashtra, vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27.04.2017 had 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 wherein the voluntary participatory NAINA Scheme was approved.. The excluded part (EP) of IDP was sanctioned vide Notification No. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 01.03.2019.

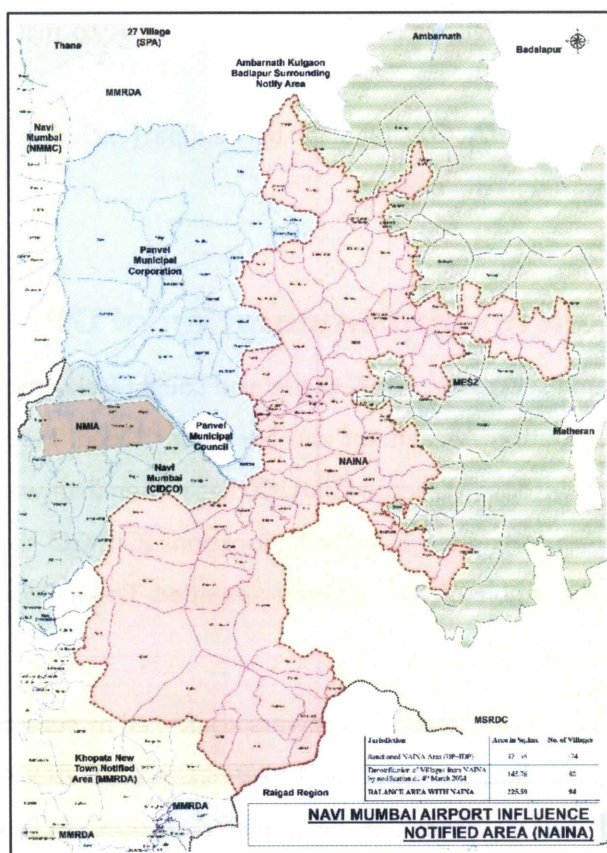
The Development Plan (DP) for 151 villages of NAINA along with Development Control and Promotion Regulations (hereinafter referred to as "DCR-2019") was sanctioned by the Government of Maharashtra vide Notification No. TPS-1717/MIS-2750/C.R.91/ 2019/ UD-12, dated 16.09.2019 and also vide Gazette Notification 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.



**Figure 1: Plan showing NAINA notified area**

Now, the Government of Maharashtra vide notification no. TPS-1221/2461/CR 83/21/UD-12 dated 4<sup>th</sup> March 2021 has withdrawn 80 villages (77 villages from Pen Tahsil and 3 villages from Uran Tahsil) of NAINA. Thus, after deducting the villages, the final Sanctioned Notified area of NAINA comprised 94 villages with an area of 22,559 Ha (225.59 km<sup>2</sup>).





**Figure 2 NAINA notified area of 94 villages**

### 1.1.2 Vision of NAINA

The development model for NAINA is pivoted on eliciting participation and contribution of the private land owners. CIDCO intends to play the role of facilitator encouraging land aggregation for self-sustaining and participatory model of development; without full-fledged land acquisition. The highlights of the sanctioned NAINA Scheme are as under:

- Minimum land area or land aggregation required for participation is 10 Ha.
- For financial sustainability of the NAINA Project, 40 % land shall be surrendered to Authority “free of cost” which shall be preferably include of IDP reservations.
- The FSI of original land is permitted to be utilized on land retained by the owner Thus on 60% land, the maximum permissible FSI will be 1.7.
- Uses permissible on retained land are Residential, Comm., R+C, Hotels, Offices etc.
- Additional, 20% BUA over & above BUA generated on 60% land shall necessarily be constructed for EWS/LIG housing. The constructed tenements of EWS/LIG will be handed over to CIDCO at pre-determined rates (as per MHADA formula).

- Flexibility to join non-contiguous land under reservations to make aggregation of 10 Ha.
- Reservations within NAINA Cluster shall be flexible (excluding roads) and will be allowed to be relocated in the cluster.

## 1.2 Initiative taken for implementation of DP

To make the NAINA scheme successful, CIDCO has also sought Relaxation in Stamp duty for the execution of the Cooperation Agreement and Surrender Deed. However, after various discussions, the Govt. in its wisdom, directed CIDCO that rather than waiting for relaxations and to avoid land aggregation to happen at sporadic locations, CIDCO should implement the NAINA Scheme itself in the ambit of the recently amended Town Planning Scheme (TPS) regulations.

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 13<sup>th</sup> Sep. 2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO, for speedier implementation of the scheme.

Thereafter, Board of CIDCO approved the proposal to take forward Town Planning Scheme regulations by giving all the benefits, approved under NAINA Scheme.

Accordingly, a proposal of NAINA scheme received to CIDCO has been decided to be implemented through pilot TPS, and the Board of CIDCO vide Resolution No 11915 dated 11<sup>th</sup> Aug. 2017 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No 1 (TPS-1) at Village- Akurli, Belavali, and Chikhale (non-contiguous pocket) of Taluka – Panvel, District Raigad admeasuring about 19.12 Ha.

After following the due procedures as per said Act, the Final TPS-1 drawn by Arbitrator was sanctioned by Govt. under section 86(1) of the act on 30<sup>th</sup> Aug. 2022. All infrastructure related works are completed by the Engineering Department of CIDCO on ground. Process of taking and handing over of possession of land was completed by issuing Property cards to all land owners. The same is being uploaded of website by Land Record Office. Subsequently TPS-2 and TPS-3 declaration process were started under the said act provisions. Currently, Preliminary Scheme and Final scheme of TPS-2 is sanctioned by Govt. on 21.11.2021 and 28.12.2022 respectively. Preliminary scheme of TPS-3 is also sanctioned by Govt. on



29.11.2022 and sanctioning of final scheme is under process at Government level. Thus, the concept and method adopted by CIDCO in preparation of Scheme is accepted and vetted by the State Government.

CIDCO-NAINA, is now implementing Sanctioned Development Plan by means of Town Planning Schemes mechanism. Till date CIDCO has declared 12 town planning schemes, its status as on 19.07.2024 is as follows (Table I):

**Table I 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 on 24/07/2022
TPS - 2	08/12/2017	194	Chipale, Devad, Bhokarpada, Vihighar, Sangade and Belavali	Preliminary Scheme sanctioned on 03/11/2021 and Final Scheme sanctioned on 29/11/23.
TPS - 3	10/05/2018	440	Nere, Vihighar, Moho, Koproli and Chipale	Preliminary Scheme sanctioned on 29/11/2022
TPS - 4	21/06/2019	350	Adai, Akurli, Nevali, Shilottar Raichur and Pali devad	Draft Scheme sanctioned on 21/10/2022. Arbitrator Published Preliminary Scheme on 01/12/2023
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	Draft Scheme Sanctioned u/s 68(2) on 08/07/2024
TPS - 9	20/12/2022	412	Belavali, Sangade, Chikhale, Kon, Bhingar, Bherle, Loniwali, Wardoli and Borle	Draft Scheme Sanctioned u/s 68(2) on 27/02/2024

TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
TPS -10	29/10/2022	405	Shivkar, Chikhale, Kolkhe, Kolkhepeth, Kon, Palaspe and Deravali	Draft Scheme Sanctioned u/s 68(2) on 27/02/2024
TPS -11	14/10/2022	590	Derawali, Palaspe, Kudave, Nandgaon, Turmale, Vadavali and Shirdhon	Draft Scheme Sanctioned u/s 68(2) on 19/07/2024
TPS-12	14/10/2022	504	Chinchavali tarf Waje, Kondale, Morbe, Mahalungi, Ritghar, Umroli, Usarli Budruk and Vakadi	Draft Scheme Sanctioned u/s 68(2) on 08/07/2024

\* \* \*



## Chapter 2 Town Planning Scheme No. 11

### 2.1 Purpose of Town Planning Scheme No - 11

Provision under section 59 of MR&TP Act, 1966, specifies the purpose of implementing the proposal in Sanctioned Development Plan. Post sanctioning of IDP, CIDCO was under pressure from public to provide infrastructural facilities at par with other developed nodes by CIDCO within Navi Mumbai jurisdiction.

With this background, CIDCO has declared intention to prepare scheme no. 1 to 10 for the purpose of implementing the proposals in the sanctioned DP of NAINA.

Subsequently, for development of Multi Modal Corridor (MMC), Government formed a High-Power Committee (HPC) and prioritized the land acquisition of MMC. Majority of MMC stretch is passing through NAINA project. Maharashtra State Road Development Corporation Limited (MSRDC) being the Implementing Authority for MMC project, a joint committee was formed comprising of officers of CIDCO and MSRDC for exploring land acquisition of MMC within CIDCO jurisdiction. After various meetings and deliberations, it was decided to acquire land from Morbe to Karanjade falling within NAINA area through the Town Planning scheme mechanism.

Thereafter, CIDCO has proposed Town Planning Schemes 8, 9, 10 by inclusion of additional area under section 62 of said Act for obtaining land under MMC traversing through NAINA project and for the balance stretch of MMC (from Morbe to Karanjade) it is proposed to take-up new schemes i.e. scheme no. 11 & 12.

Accordingly, CIDCO Board, vide resolution no. 12551, dated 2<sup>nd</sup> April 2022 had approved making available the land under Multi Modal Corridor (Morbe to Karanjade) traversing through NAINA Project by means of Town Planning Schemes and delegated VC&MD the powers to get the schemes declare its intention under sub section (1) of section 60 of the MR & TP Act, 1966 for making of Town Planning Scheme No. 11 & 12 (TPS 11 & TPS-12).

In accordance with the powers delegated by CIDCO Board, VC&MD has accorded approval for declaration of intention for making of Town Planning Scheme no. 11 at part villages of Derawali, Palaspe, Shirdhon, Kudave, Turmale, Vadavali & Nandgaon of Taluka Panvel, District Raigad (admeasuring approximately 591 Ha) under section 60(1) of the act, vide

CIDCO/NAINA/2022/E-146059 dated 22<sup>nd</sup> September 2022. The same was published in Govt. gazette under Section 60(2) dated 14<sup>th</sup> October 2022.

Meanwhile, a per Minutes of Hon'ble Chief Minister's War room meeting held on 29<sup>th</sup> Aug 2022, it is decided that " land acquisition from Morbe to Karanjade and Karanjade to Chirle to be started through cash Compensation".

## 2.2 Concept of Layout Plan of Town Planning Scheme:

The Town Planning Scheme is implemented as per the provisions of the Acts and guidelines of the Maharashtra Town Planning Rules 1974. The draft layout in the scheme is prepared on the following principles which are adhered in all the Town Planning Schemes by CIDCO for NAINA area which are published in the recent times.

- All contribute equal percentage of land for the project.
- Forest lands, water bodies, existing structure of valid permissions are kept intact.
- Land owners to get 40% of original land holding as net final plot.
- As far as possible final plots anchored to their original location.
- Approximate 10% open space and 5% amenity are provided commonly in scheme layout and distributed spatially on neighbourhood concept
- As far as possible existing structures are protected and final plot is given around existing structures.
- An attempt has been made to carve out final plots in such a way that they are of regular shape and are developable.
- As far as possible, land affected by gas pipe line, H. T. line are given unencumbered final plots to its nearby original location.
- Same owner with scattered land parcels is given single bigger plot considering his consent for amalgamation.
- Ownerships, tenures and area will be ascertained from the latest 7/12 extract.
- After giving access to all final plots, actual area under internal roads is arrived at. Thereafter, plots for 10% open spaces and 5 % amenity spaces were reserved. Balance plot is kept for EWS/LIG, which in instant proposal works out to approximately 2.7 % of net scheme area.



- On the basis of suggestions/ objections received from owners during meet and after Publication under section 61(1) of the said act, necessary changes have been carried out in the tentative proposal.

As committed in NAINA scheme, the FSI of original plot is going to be loaded on the final plot (FP) area, which is 40% of Original Plot (OP), thus the permissible FSI on the FP will be 2.5. To enable the holder of FP to consume the permissible FSI, it is necessary to make Special Development Control Regulations for TPS-II. Therefore, along with approval of Draft TPS-II under section 68(2) of the Act, requisite special DCR in accordance with sub-section (2) of section 159 of the said Act are proposed to be approved with Draft TPS.

The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of NAIAN for all future Town planning schemes vide letter TPS-1219/ 2382/ C. No. 186/ 19/ UD-12 dated 28/02/2024. Based on Special DCPR of Preliminary TPS-2 & 3 and subsequent schemes 4 to 10, provisions are proposed in Special DCPR of TP Scheme no. 11 with minor modifications to extend in all the TPS in NAINA for ensuing uniformity.

## 2.3 Compliance of the MR&TP Act, 1966 provisions in the Draft TP Scheme – 11

### 2.3.1 Identification of the TPS boundary

The boundary for TP Scheme no. 11 is identified in the proximity of already published boundary of TP Scheme no. 10 and boundary of Navi Mumbai project at Karanjade village.

The scheme is bounded by:

- On the North by the boundary of Scheme no. 10 and Kolkhewadi river.

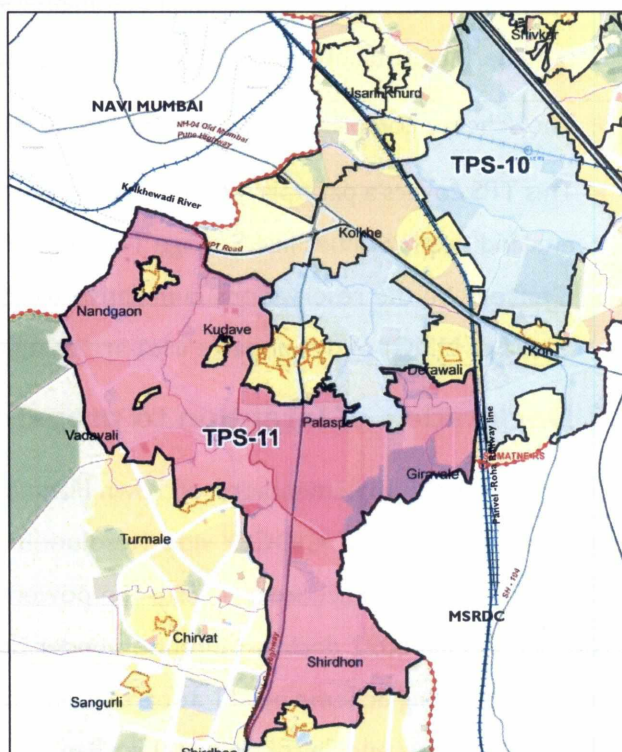


Figure 3: Plan showing location of TPS-11

- On the East by the boundary of Panvel- Roha Railway line & boundary of MSRDC.
- On the South by the gaathan of village Shirdhon and Turmale & tributary of Kolkhewadi river.
- On the West by boundary Navi Mumbai Project and boundary of Phase-I area of NAINA DP.

The main features for identification of the boundary are-

- Mumbai-Goa Highway (NH 66) with ROW 60M is passing vertically through the villages Palaspe and Shirdhon of the scheme. JNPT road (NH-348A) is passing horizontally from Village Nandgaon towards northern side of the scheme.
- Scheme eastern boundary at village Derawali is abutting Panvel–Roha Railway line.
- One tributary of Kolkhewadi river is traversing through the scheme and one tributary along the west side of scheme boundary.
- GAIL gas pipe line passes through village Nandgaon, along JNPT road.
- Tata Power land is located in village Nandgaon, Vadavali & Turmale as per revenue map.
- MMC, ROW of 126m passing through village Derawali, Palaspe, Kon, Turmale, Kudave, Vadavali & Nandgaon and part of Karanjade interchange falling at Nandgaon included in scheme. The total area of MMC within proposed scheme boundary is around 50 Ha.
- The scheme comprises of approximately 40% of IDP/DP reservations.
- This TPS covers a park/playgrounds, major Social facilities like Fire station, General Hospital etc. and public utilities like Sewage Treatment Plant, ESS, ESR/GSR etc, **and also Growth Center**. All the reservations cumulative to the extent of 40% (approx. 204 Ha including 50 Ha of MMC) of developable area are going to be materialized through TPS- I I.

### 2.3.2 Declaration of Intention to prepare scheme u/s 60(I) of Act

The proposal for implementation of Town Planning Scheme- I I was placed before CIDCO Board. The Board of CIDCO vide Resolution No. 12551, dated 2<sup>nd</sup> April 2022 and VC&MD, CIDCO in accordance with the powers delegated by CIDCO Board, on dated 22<sup>nd</sup> September 2022 declared intention under Section 60(I) of the said Act, for making of Town Planning Scheme no. I I at part villages of Derawali, Palaspe, Kudave, Nandgaon, Vadavali, Turmale and Shirdhon of Taluka Panvel, District Raigad admeasuring approx. 591 Ha of area.



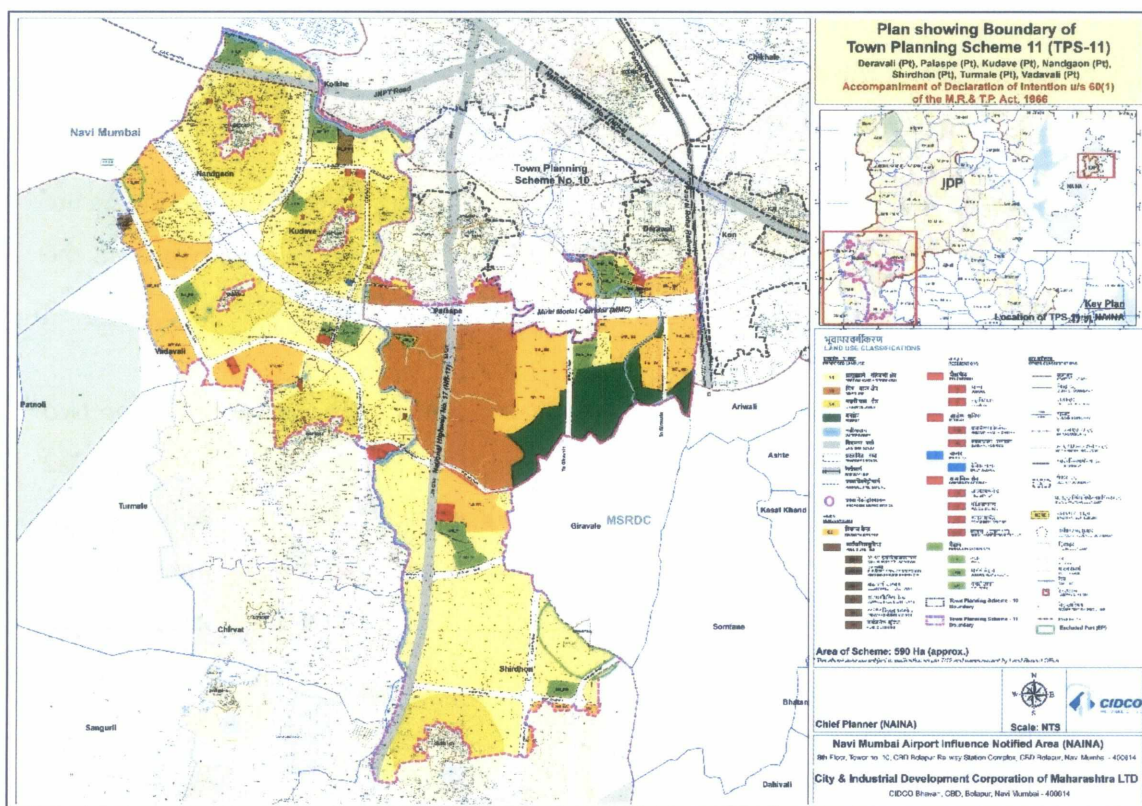
### 2.3.3 Publishing Declaration of Intention u/s 60(2) of Act

As compliance of the Acts within 30 days of such declaration of intention to make a scheme, actions taken by CIDCO are as below;

- Gazette Notification: A notice about declaration of making Town Planning Scheme no. II as per provision in Section 60(2) of MR&TP Act, 1966 has been published in the extraordinary official Maharashtra Government Gazette (part-II) dated 14<sup>th</sup> October 2022.
- Local News Paper: The Gazette Notice of declaration was then published in the two local reservation newspapers “Dainik Sagar” and “Free Press Journal” on 20/10/2022 informing all land owners and inviting them to give their consent. The declaration copies were also made available in NAINA office and concerned Grampanchayat offices. In the notice, the participant owners were asked to verify their names, area as per 7/12 extract and the tenure of the land and their willingness of consent for amalgamation if any.
- Information to Govt. and to director of town planning, maharashtra state: As per provisions of Sub- Section (2) of Section 60 of the said Act, a copy of gazette notice together with a copy of the map showing the scheme area has been dispatched to the Urban Development Department (UDD)-12, Director of Town Planning office, Pune and Joint Director of Town Planning, Konkan Division on 17th October 2022.
- Information to Gram Panchayat: A copy of gazette notice along with a copy of the map showing the scheme area has been delivered to the all Gram Panchayat offices on 20th October 2022.

### 2.3.4 Display for public u/s 60(3) of Act

- Display in the NAINA Office: In accordance with the provisions of Section 60(3) of the Maharashtra Regional and Town Planning Act, 1966 a copy of the declaration along with the map showing the area to be included in the Town Planning Scheme- II is kept open for inspection of public in the NAINA office during office hours on all working days.
- CIDCO's official website: The Public notice and the map is also uploaded in the CIDCO's official website <https://cidco.maharashtra.gov.in/naina>.



**Figure 4: Declaration plan of TPS-I I**

### 2.3.5 Extension of 3 Months u/s 61(3) of MR&TP ACT, 1966

- As per Section 61(1) of the Act, it is mandatory to publish the draft scheme within 9 months (i.e. 13th July, 2022) from date of declaration. Accordingly extension in time limit as per section 61(3) of the said Act, was sought by placing a proposal before the Board.
- The Board of CIDCO vide Resolution No 12551, dated 02.04.2022 had delegated the powers to VC&MD, CIDCO to authorize the proposal for seeking extension under section 61(3) of the said Act for publication of the draft scheme and authorized Chief Planner (NAINA) for submitting request for extension to Government. The request letter was sent to the Government on 8<sup>th</sup> June, 2023.
- In response to proposal dated 28<sup>th</sup> June, 2023, Joint Director Town Planning Konkan division under power delegated under section 61(3) of MR&TP Act 1966, has granted extension upto three months (i.e. upto 13<sup>th</sup> October, 2023 as per order) vide letter no. TPS No.11/ NAINA/ Sect 61 (3)/ Time-limit Extension/ JDTP-KDN/1886, Dt: 28<sup>th</sup> June, 2023, under section 61(3) of MR&TP Act, 1966.



## 2.4 Code of Conduct

In accordance with the provisions of section 148(A) of the said Act, 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 or periods during which any action could not be completed under the said chapters due to enforcement of any Code of conduct by the Election Commission of India or the State Election Commission in respect of any election shall be excluded.

Such prescribed time limit of Code of conduct was came into force in the State of Maharashtra, by the Government from 16/03/2024 and was in force till the completion of the General Elections and bye-elections till 06/06/2024 and Code of conduct for Model Legislative Assembly was came into force in the State of Maharashtra, by the Government from 24/05/2024 and was in force till the completion of the General Elections and bye-elections till 05/07/2024.

## 2.5 Time line for the project

**Table 2: Table showing timeline of TPS-I I**

Sr. No.	Section	Action	Act Provisions	Timeline
1	60(1)	Declaration of Intention	Starting date	22.09.2022
2	60(2)	Declaration in the Official Gazette (Notice published in two local newspapers, Display in the office Intimation to Urban Development Dept., Director, Town Planning Dept., Joint Director office & Gram panchayat offices)	Within 30 days	14.10.2022
	61(1)	Preparation of conceptual layout plan	--	Oct to April 23
		Conducting owners Meet	--	19 <sup>th</sup> , 20 <sup>th</sup> & 21 <sup>st</sup> April 2023
		Submission of Draft Scheme to Director, Town Planning for first Consultation	Before 3 months of publication	10.07.2023

Sr. No.	Section	Action	Act Provisions	Timeline
3		Extension 60(3)	3 months	14.07.2023 to 13.10.2023
		Receipt of Consultation-I Report from Director, Town Planning	3 months from the submission	05.10.2024
		Publication of Draft Scheme	Within 9 from declaration (with 3 months extension)	11.10.2023
4	67	Suggestion/ Objection after publication of draft scheme	30 Days from Publication of Draft Scheme (i.e 11.10.2023 to 11.11.2023)	11.10.2024 to 18.12.2023 (addl. time considered due to festival time)
5	68(1)	Submission to VC&MD, CIDCO (under the capacity of Govt.)	Within 3 months from publication By 10.01.2024	01.01.2024
		Submission of draft scheme to DTP for 2 <sup>nd</sup> Consultation by VC & MD	By 10.01.2024	10.01.2024
6.	148-A	Extension of due to Election Code of Conduct	111 days	05.07.2024
7.	68(2)	Sanction of draft scheme	Within 3 months from the date of Submission (By 31.03.2024) Now considering the duration of the code of conduct.	22.07.2024

## 2.6 Methodology for preparation of Draft Town Planning Scheme

As specified in Rule number 4(I) of Maharashtra Town Planning Schemes Rules, 1974, public meetings of the land owners included in scheme boundary is called to explain them tentative proposal of the draft scheme for eliciting public opinion and suggestions.

In the scheme, 2147 land parcels and about 1031 Final Plot holders are participating. The notice in this regard is published in two local newspapers 'Krushival' & 'Newsband. Individual notice to all the owners for public meeting is also issued by register post. The said notice along with the declaration plan is also made available in the respective Gram Panchayat offices.





## 2.6.1 Collection of TILR (measurement plan) and certified 7/12 extracts

Digital 7/12 extracts are downloaded with payment of necessary fees and those 7/12 extract not available online, are procured from TILR office. Based on certified 7/12 procured, the list of all landholders included in the scheme has been prepared and entitlement is derived.

The area mentioned in the 7/12 extract is considered for entitlement calculation. The irrevocable consents of land owners for aggregating land parcels is also accepted from the willing parties. Physical survey/ drone survey plan received from the survey agency appointed by Engineering Department showing all existing features are considered while preparation of draft layout.

For certified land measurement plans of lands within TP scheme no. 11, the Lands & survey office of NAINA has requested office of Dy. SLR office vide 07.11.2022. However, land measurement plan is yet to receive.

In absence of measurement plan, maximum possible details of sub-division of survey numbers have been collected and incorporated in scheme. Sanctioned Development Plan, Physical survey plan, details of revenue records such as village maps, Gut Book, Tenure, Phalani map, 7/12 & 8A extracts, certified land measurement plans of permissions granted by CIDCO, and details of government lands are incorporated in scheme. On the basis of all the above information the Base Map is prepared showing Original Plots (in Green color).

Further, as per CIDCO's request for speedy implementation of all the revenue related works of NAINA project, Govt. has approved the proposal for appointment of cadre-based revenue officers vide Notification No. CID/ 3321/ 604/ C.N. 73/ UD-10 dtd 10/04/2023. As of now, Dy. Collector, SLAO and two Dy. SLR were joined and it is expected that very soon the survey work will be carried out by this team.

## 2.6.2 Existing features within Scheme area

### a) GAIL pipeline:

GAIL pipeline is traversing from West to East in the scheme area at Village Nandgoan and continuing to TPS-10. The length of GAIL pipeline passing through scheme area is approximately 0.7 Km along the existing JNPT road (NH-348A). As per the

communication with the concerned office, the buffer of said pipeline is shown as 10 m and 20 m (i.e total 30 m) on either side as shown in the plan.

In some 7/12 extract, the remarks of GAIL pipeline is mentioned towards the right of use. 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 land under this pipeline will be required to keep for non- buildable use.

**b) River & Tributary:**

Kolkhewadi river is abutting North boundary of scheme at village Nandgaon and Kudave. A tributary flowing through village Palaspe and Derawali meets to river at boundary of village Kudave & Palaspe.

The existing undulating course of tributary is constraint for preparing layout. Hence, for training of this existing undulating tributary a correspondence has been made with Engg. Dept. and accordingly to allow smooth flow of water, channel is proposed as shown in scheme layout.

**c) Forest land:**

The Scheme comprises of 33.62 Ha of total forest land as per 7/12 extract. The shape of Forest land parcels is irregular. At many locations some area as open space is added to make these Forest land parcels of regular shape and layout is prepared along these land parcels.

While preparing layout and making provision of layout roads, roads passing through forest lands are avoided so that forest land parcels are kept intact.

**d) Existing structures and structures with valid Building Permission:**

The existing structures within scheme boundary are marked as per Physical survey received from agency. Majority of structures are sheds/ temporary construction for the purpose of farming. As far as possible care is taken to provide the final plots around the structure to retain it.

The unauthorized structures falling under IDP/DP/TPS reservations shall be demolished before giving possession of final plots to the land owners. The land owners shall hand

over unencumbered land in lieu of unencumbered developed Final Plot. The unauthorized structures falling in alignment of roads shall be demolished while executing infrastructure work on site. Unauthorized structures falling on Govt. land shall be compulsorily demolished as these are encroachments on Govt. lands.

In case, where Building Permission is issued by the competent authority, the same is honored and final plot is carved out by maintaining the structure.

**e) Preservation of Religious structures:**

An attempt has been made to protect religious and many other structures which were found in the ELU survey. Existing crematorium/ Burial ground at Vadavali, Nandgaon and Kudave villages are retained as existing amenity plots as per 7/12 extract. Temples and school on government land are protected by anchoring 40% Final Plot at its Original Plot location with adjoining layout amenity.

### **2.6.3 Engineering and Transportation aspects**

**a) Engineering Aspects:**

TP Scheme no. 11 is located adjacent to Navi Mumbai project and in continuation with TPS-10. The proposed water supply network needs to be extended till boundary of scheme. There are two ESR/GSR reservations within TPS-11, admeasuring area of 1100 sqm & 3000 sqm. As informed by Design section, additional ESR/GSR plot of around 5700 sqm area is required. The same is proposed within the amenity plots proposed in the scheme. However, as the M/s HSA consultant appointed for the infrastructure provision within TPS, the requirement of this ESR/GSR plot will be assess as and when required.

There is a Sewage Treatment Plant (STP) reserved in sanctioned DP of NAINA along Kolkhwadi river at Kudave village. Till the STPs earmarked in the IDP/DP gets developed, it will require to develop package treatment plants within the scheme area. Provision for underground sewage connection to every plot shall be made, which will finally get connected to STP once it gets operational. The natural tributary shall carry major storm water from TPS-11 area and also any run off coming from adjoining hills.

**b) Proposed Multi Modal Corridor(MMC):**

As per sanctioned IDP/DP of NAINA, part of 126M wide ROW of proposed Virar-Alibag multi modal corridor (MMC) at villages Derawali, Palaspe, Kudave, Vadavali and Nandgaon



along with interchange at Karanjade junction at village Nandgaon falls in TPS-II boundary. MMC is passing through horizontally from the centre of scheme.

The Virar-Alibaug Multi Modal corridor, to be developed by MSRDC passes through the scheme. The alignment received from MSRDC vide letter no. MSRDC/ 02/ Land Surveyor/ 2023/ 119 dtd 22.02.2023 and soft copy of alignment received via mail is incorporated in the layout during the time of publication.

Now, it is learnt that PWD vide notification dtd. 10.08.2023 declared the list of survey numbers mentioning the area of acquisition under sub section 2(3) of section 15 and section 17 of Maharashtra National Highway Act 1955. Also, this office has procured the Joint Measurement (JM) Plan of MMC from Divisional Office, Panvel (Mojani date; Derawali-22/04/2023, Nandgaon-27.04.2023, Kudave-26.05.2023, Vadavali-03.06.2023 and Palaspe- 13.06.2023). After examination of JM plan and its area statement with notification dtd 10.08.2023 few additional survey numbers which are not mentioned in the notification are seen to be affected by MMC as per JM sheet.

Also, the alignment shared by MSRDC vide dtd 22.02.2023 is in accordance with JM along the 126m wide corridor; however the variation in alignment is observed at the MMC Karanjade interchange at Village Nandgaon in TPS II. In accordance, the latest notification dt 10.08.2023 and updated JM data is referred for deriving entitlement of the Final plot and necessary changes are made in the forms and layout of Draft TPS-II.

It is to note that this office till date has not received final certified copies of MMC alignment from MSRDC. Vide letter dated 21/05/2024, the details of MMC as followed in the Draft Sanction Plans of TPS-II has been informed to MSRDC for cognizance.

**c) Panvel-Roha railway line:**

Panvel-Roha railway line passes along the boundary of the scheme at village Derawali. The details of Panvel Roha railway line received via letter No. BB/ W/ 6001/ LM/ LB/ 17/ DB dtd 30.08.2021 is referred while preparing layout. Also, this office is in receipt of K.J.P. (1/1970) pherphar No. 781 dt. 02/12/93 from the CLSO Office recently. From this KJ patrak it is observed that area under railway is deducted earlier and separate 7/12 is formed. However, the area deducted under railway is not clear and also in plan 7/12 boundaries of respective survey numbers are not divided at Derawali Village.

However, assuming the area under railway is deducted and separate 7/12 is formed, no deduction considered towards railway from S. No. 72/2, 73/1, 74, 75, 76, 78/1, 78/2, 80, 82/1, 82/2, 83/1, 83/2, 84/2/A and 84/2/B; however, the same need to be verified again.

**d) Panvel-Indapur Road (National Highway-66):**

Panvel-Indapur Road (NH-66) is one of the major road passing through the scheme from North to South. As per sanctioned development plan of NAINA, the ROW of NH-66 is 60m. Joint measurement sheets of this road has been procured from TILR office and the alignment is received from NHAI consultant. The same is incorporated in the scheme, while preparing the scheme. It is observed that, at some locations, mutations are not done, and common area deducted for road from multiple adjacent 7/12 hissa numbers. In such cases, though separate 7/12 extract available, common final plot is proposed under the scheme layout.

**e) JNPT Road (NH-348):**

Part of JNPT road at village Nandgaon is falling in scheme boundary. JM sheets and ferfar procured from TILR office and alignment of JNPT road procured from Transportation Dept. of CIDCO Navi Mumbai project.

**f) Road network within scheme:**

The road network in Draft TPS-II is prepared in consultation with CIDCO's Transportation (T&C) Department. The proposed road sections have provisions for future service lines such as cooking gas lines, fiber optics, and electric cables. The footpath will have tree guards. The main roads will have Bus bays and Bus shelter. Continuity of IDP and DP roads is maintained keeping the entry exit points intact with slight modification to alignment as per the scheme layout and road geometries as suggested by CIDCO's Transportation Dept.

## **2.6.4 Excluded Part of Sanctioned Development Plan**

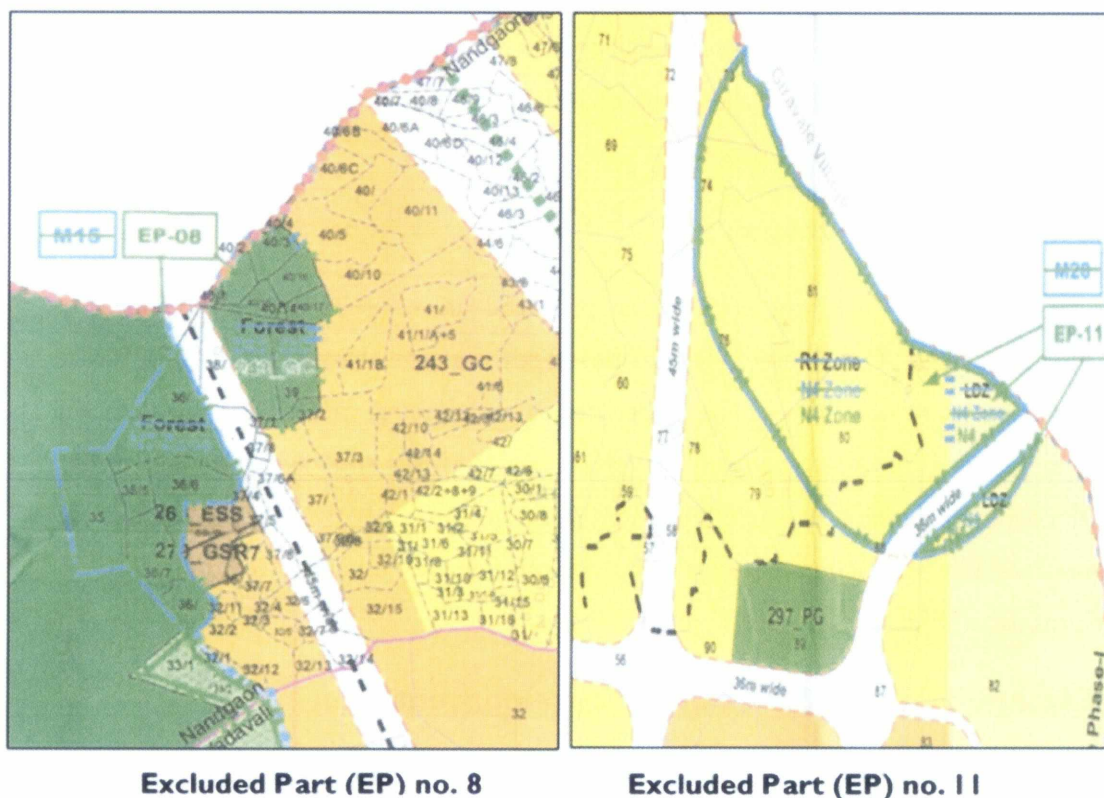
Government while sanctioning of Development Plan of NAINA, sanctioned modifications made in Draft Development Plan, excluding the modifications which are of substantial nature. These substantial modifications are referred as Excluded Part and also published in gazette along with sanctioned DP notification for inspection of general public and



inviting suggestions/ objections. Such excluded parts will be subsequently sanctioned by Government after consideration of valid objections/ suggestions.

In similar manner, Government while sanctioning of Development Plan of NAINA vide notification no. TPS 1717/ MIS 2750/ C.R. 91/ 2019/ UD-12 dated 16<sup>th</sup> September 2019, certain modifications which are of substantial nature shown as E.P.-I to E.P.-38 were kept as excluded part by Government. As per notification no. TPS-1221/1041/CR71/21/UD-12 dated 24.06.2022, Govt. sanctioned excluded part of the Development Plan partly, namely EP-12, EP-23, EP-26, EP-27, EP-32, EP-33 & EP-35 under section 31(I) of the MR&TP act, 1966. However, EP-8 and EP-11 falling within the scheme boundary are yet to sanction.

Excluded part no. 8 and 11 are partly falls within proposed boundary of TP scheme no. 11. Details of these excluded part is explained below. **Sanctioned Development Plan of NAINA showing Excluded part**



**Figure 5: Sanctioned Development Plan of NAINA showing Excluded part**



**(i) Excluded Part no. 8: Modification no. 15 (M15)**

EP-8 (M15): “Part of survey nos. 37, 38, 39 & 40 on the eastern side of 45 m wide road to be deleted from Forest and is to be included in adjoining 243\_GC reservation as shown on plan.” & “Part of survey no. 35 & 36 on the western side of 45 m wide road to be deleted from Forest and is to be included in adjoining N7 zone as shown on plan.” Government while sanctioning the Plan, the said modification was excluded as EP no. 8 under section 31(I) of MR&TP Act, 1966.

The small part of proposed 45m road separating EP no. 8 is providing connectivity to Navi Mumbai Project area. Part of eastern side of this 45 m road, under Growth center reservation (243\_GC) of area around 1.9 ha, which is proposed for inclusion in scheme no. 11, so as to develop the part of GC under EP no. 8 along with remaining Growth center. Also, forest remarks are not shown on 7/12 extract of under EP-8. Hence, 40% final plot is proposed under the scheme and the area under EP-8 is included in Growth center.

**(ii) Excluded Part no. 11: Modification no. 20 (M20)**

EP-11 (M20): “The new N4 Zone (Urban village) to be shown in village Shirdhon falling within 200M Influence of Giravale Gaothan of MSRDC jurisdiction as shown on plan”. Government while sanctioning the Plan, the said modification was excluded as EP no. 11 under section 31(I) of MR&TP Act, 1966.

Part of this EP included in scheme for providing connectivity to the village Giravale which is under MSRDC jurisdiction. As regard to the land within EP-11, 40 % final plot proposed under scheme, however the benefit of additional FSI for land parcel eligible of 1.00 FSI as per provisions of sanctioned DCPRs of NAINA (i.e. within 200 m of Gaothan) as per Special DCPR of TPS, can be applicable subject to govt. sanction.

Further, in due course of time, as per sanction of Excluded Part of NAINA by Government, the necessary modifications can be incorporated in the scheme.

**2.6.5 Details of sanctioned IDP/DP within scheme area**

Total scheme area is about 591 Ha. Within the scheme about 125 Ha of lands is non-developable such as rivers, railways, existing highway, forests and MMC. The developable land is 467 Ha. The scheme contains 40% of the sanctioned IDP/DP reservations. These reservations include roads, Schools, School Playgrounds, Parks, General Hospital, Primary

health center, Community Center, Daily Bazars, Police Station, fire Station, Sewage Treatment Plant, Electric Sub Station, etc. and Growth Centre. The total area under such reservations is 154 Ha.

The detail of sanctioned IDP/DP reservation in the scheme and its area after draft layout prepared is mentioned in the Table 3 placed below –

**Table 3: Details of sanctioned IDP/DP reservation within TPS-II**

Reservation type	Reservation No.	As per IDP/DP report (in sqm) within scheme	As per layout (Sq.M.)
Burial Ground/ Crematorium	DP_238_BG/C (P)	11153	11200
Elevated/ Ground Service Reservoir	IDP_179_ESR/ GSR	1100	1100
	DP_270_GSR7	2900	2987
Community centre	DP_239_CC	2850	3705
Daily Bazar	DP_241_DB	1084	1100
Electric Sub Station	DP_266_ESS	3309	3500
Fire Station	DP_242_FS	10058	10100
General Hospital	DP_247_GH	5000	5420
Primary Health Centre	DP_257_PHC	1516	1600
School	IDP_195_S	3800	4000
	DP_258_S	3966	4200
Sewerage Treatment Plant	DP_260_STP6	17445	20166
School Playground	DP_259_SPG	5969	6455
Playground	IDP_186A_PG (P)	13120	12400
	IDP_190_PG	6200	6200

Reservation type	Reservation No.	As per IDP/DP report (in sqm) within scheme	As per layout (Sq.M.)
	IDP_210A_PG (P)	22308	24787
	DP_250_PG	23399	23400
	DP_251_PG	17004	17010
	DP_252_PG	17386	17400
	DP_253_PG	14647	14650
	DP_255_PG	13705	13705
	DP_297_PG	16163	19287
Park	IDP_186_P	23600	26817
	IDP_226_P	5300	5300
	DP_248_P	23699	8429
	DP_249_P	23992	24000
Growth Centre	IDP_210_GC (P)	352600	326207
	DP_243_GC	164349	168590
	DP_245_GC (P)	92395	98436
	DP_246_GC	93896	87922
	DP_267_GC (P)	113340	113069
	DP_291_GC(P)	12610	24445
	DP_293_GC(P)	4897	16081
IDP/DP roads		399507	400508
<b>Total area under IDP/DP reservation in sq.m.</b>		<b>1524265</b>	<b>1524176</b>



## 2.6.6 Reshaping and Realignment of the IDP/DP reservations within the TPS u/s 59(2)

While preparing scheme layout, for betterment of the scheme, reshaping or realignment of sanctioned reservations are carried out by maintaining the area of reservation and maintaining the entry and exit of roads with adjoining area. A separate proposal requesting Director, Town Planning, Govt. of Maharashtra has been submitted for approval as per provision of section 59(2) of MR&TP Act, 1966. The proposal is in principle approved by DTP with minor suggestions.

The details of sanctioned IDP/DP reservation in the scheme and its area after draft layout prepared and justification for modification in reservation is mentioned in the Table 4 placed below.

**Table 4: Table mentioning justification for modification in reservation in TPS-II**

Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
Burial Ground/ Crematorium	DP_238_BG/C (P)	11153	11200	As per DP report, total area under this reservation is 1.6966 Ha. Part area 1.1153 Ha lies in TPS-II. Remaining area lies outside the scheme. Minor modification done due to realignment of adjoining water channel. The reservation is rearranged at its location to make it of proper shape with marginal increase in area deriving access from same 36 M and 27 M wide road.
Elevated/ Ground Service Reservoir	IDP_179_ESR / GSR	1100	1100	Minor modification due to shift of adjoining road (9 M DP road increased to 15 M). The reservation is rearranged at its location to make it of proper shape without change in area.
	DP_270_GSR7	2900	2987	The reservation is rearranged at its location with marginal increase in area deriving access from same 45 M DP road.

Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
Community centre	DP_239_CC	2850	3705	The reservation is rearranged at its location to make it of proper shape with marginal increase in area deriving access from same 24 M DP road.
Daily Bazar	DP_241_DB	1084	1100	The reservation is rearranged at its location with marginal increase in area deriving access from same 24 M DP road.
Electric Sub Station	DP_266_ESS	3309	3500	The reservation is rearranged at its location with marginal increase in area deriving access from same 45 M DP road.
Fire Station	DP_242_FS	10058	10100	The reservation is shifted along the same 45 M DP Road and provided in regular shape corner plot with minor increase in area.
General Hospital	DP_247_GH	5000	5420	The reservation is shifted towards corner along the same 36 M wide DP road within same block so as to accessible to all the public within scheme with minor increase in area.
Primary Health Centre	DP_257_PHC	1516	1600	The reservation is rearranged at its location with marginal increase in area deriving access from same 24 M DP road.
School	IDP_195_S	3800	4000	The reservation is shifted on other side of 9M DP road (which is increase to 15 M in TPS-II) and provided regular shape plot on same corner plot. The land so release, FP is anchored at the OP.
	DP_258_S	3966	4200	The reservation is rearranged at its location with marginal increase in area deriving access from same 24 M DP road.
Sewerage Treatment Plant	DP_260_S TP6	17445	20166	The reservation is relocated nearby adjacent to existing Kolkhwadi river with around 2700 sqm increase in area.



Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
School Playground	DP_259_S PG	5969	6455	The reservation is rearranged at its location to make it of proper shape with increase in area deriving access from same 24 M DP road.
Playground	IDP_186A_PG (P)	13120	12400	As per DP Report, total area under this reservation is 3.68 Ha. Area provided in TPS-10 is 2.44 Ha. Remaining area 1.24 Ha is provided in TPS-II. Minor modification due to increase in road width from 9M to 15M. The reservation is rearranged at its location to make it of proper shape.
	IDP_190_PG	6200	6200	The reservation is shifted on other side of 9M DP road (which is increase to 15 M in TPS-II) and provided regular shape plot. The land so release, FP is anchored at the OP.
	IDP_210A_PG (P)	22308	24787	As per DP report, total area under this reservation is 2.49 Ha. Out of this, 0.2523 Ha is provided in TPS-10. In TPS-II, part area of this reservation(1.0172 Ha) is located on Forest land(S. No. 137). As the area is landlocked with Road and forest, 1.2562 Ha is provided at that location. Remaining area provided in two other location one in Village Palaspe (FP-91 of 5521 sq.m.) and other is located in Village Shirdhon (FP-137 of 6704 sq.m.) with increase in area.
	DP_250_PG	23399	23400	The reservation is rearranged at its location with marginal increase in area deriving access from same 36 M DP road.
	DP_251_PG	17004	17010	The reservation is rearranged at its location with additional adjacent 20M layout road and provided regular shape corner plot. The land so release, FP is anchored at the OP.



Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
	DP_252_P G	17386	17400	The reservation is rearranged at its location to make it of proper shape with marginal increase in area deriving access from same 45 M DP road.
	DP_253_P G	14647	14650	The reservation is rearranged at its location to make it of proper shape deriving access from same 45 M DP road.
	DP_255_P G	13705	13705	The reservation is rearranged at its location to make it of proper shape deriving access from same 36 M DP road.
	DP_297_P G	16163	19287	The reservation is rearranged at its location with marginal increase in area deriving access from same 36 M DP road.
Park	IDP_186_P	23600	26817	Minor modification due to increase in road width from 9M to 15M. The reservation is rearranged at its location with increase in area.
	IDP_226_P	5300	5300	The reservation is rearranged at its location with minor shift to make it of proper shape with marginal increase in area.
	DP_248_P	23699	8429	This complete reservation is under MMC Karanjade interchange, and MSRDC is acquiring the land required for MMC. As per the geometry of Karanjade interchange, 2.42 ha circulation space is falling within TPS-II boundary. However, as suggested by Director of Town Planning, DP-248_P reservation is provided at FP-1232 admeasuring 8203 Sq. M. Remaining area of said park reservation is considered to be provided

Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
				at circulation space in interchange of MMC.
	DP_249_P	23992	24000	The reservation is rearranged at its location to make it of proper shape with marginal increase in area.
Growth Centre	IDP_210_GC (P)	352600	326207	Total Report Area =46.54 Ha. Out of this, 11.28 Ha is provided in TPS-10. 32.62 Ha provided in TPS-II, which is 2.64 Ha less than required as area is landlocked due to Forest, railway acquisition and MMC. This reduced area under GC is added in reservation DP_291_GC(P) & DP_293_GC(P).
	DP_243_GC	164349	168590	The part of this reservation is under EP-08, shown as forest. As per 7/12 extract, that land parcel is private ownership and there is no remarks of forest on 7/12 extract. Hence, the area under EP is included in adjacent GC reservation and final plot provided in scheme for the respective land parcels. The reservation is rearranged at its location to make it of proper shape with increase in area.
	DP_245_GC (P)	92395	98436	Total Report Area =13.7029 Ha. This reservation is partly (9.2395 Ha) in TPS-II. Remaining area is outside the scheme. The reservation is rearranged at its location to make it of proper shape with marginal increase in area.
	DP_246_GC	93896	87922	The reservation is rearranged at its location to make it of proper shape with minor reduction in area. This reduction in area is due to consent received for the adjoining residential plot. This reduced area under GC is added in reservation DP_291_GC(P).



Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
	DP_267_ GC (P)	113340	113069	Total Report Area =40.6747 Ha. This reservation is partly (11.334 Ha) in TPS-II. The reservation is rearranged at its location to make it of proper shape with marginal decrease in area due to addition of 20 M road towards the landlocked LDZ (Limited Development Zone).
	DP_291_ GC(P)	12610	24445	Total Report Area =20.6806 Ha. This reservation is partly (1.26 Ha) in TPS-II. The reservation is provided at its location with increase in area. FP- 294 is considered under this reservation in lieu of reduction in DP_246_GC reservation.
	DP_293_ GC(P)	4897	16081	Total Report Area =7.12 Ha. This reservation is partly (0.4897 Ha) in TPS-II. The reservation is provided at its location without change in area. However, FP- 276 is considered under this reservation in lieu of reduction in IDP_210 GC & DP_267_GC(P) reservation.
Multi Modal Corridor (MMC)	126 m wide proposed road & Part of Karanjade Interchange	373035	500263	In DP, area under MMC was 37.30 Ha. PWD vide notification dtd. 10.08.2023 declared the list of survey numbers mentioning the area of acquisition under sub section 2(3) of section 15 and section 17 of Maharashtra National Highway Act 1955. Also, this office has procured the Joint Measurement (JM) Plan of MMC from Divisional Office, Panvel. (Mojani date; Derawali-22/04/2023, Nandgaon-27/04/2023, Kudave-26/05/2023, Vadavali-03/06/2023 and Palaspe- 13/06/2023). In accordance, the latest notification dt 10.08.2023 and updated JM sheets and



Reservation type	Reservation No.	As per IDP/DP report within scheme (Sq.M.)	As per TPS-II layout (Sq.M.)	Justification
				JM plans area under MMC admeasures 50.0263 Ha. Thereafter, the details of MMC as followed in the draft sanction of TPS-II has been informed to Maharashtra State Road Development Corporation Limited (MSRDC) vide letter dated 21/05/2024.
<b>Proposed DP roads</b>		399507	400508	The road area is changed due to increase in road width at some locations. The DP road is widen to next level as per availability of area 15M to 24M, 12M to 15 M and 9M to 15M. The alignment of road is slightly modified without changing entry and exit locations.

### 2.6.7 Provisions for Lands falling within the Urban Village Zone

As per sanctioned DP, the 200 m around the gaathan area is considered as urban village with 1.0 FSI. The rest of the lands under predominantly residential zone and mix use zone is having the FSI as 0.50 and limited development zone is having the FSI as 0.20.

In the TPS II, at eight locations urban village zones are existing. It was the demand of the landowners that as they are having lands with more advantage in the present scenario the same should be protected in the TPS also. Therefore, original plot value of land parcels falling more than 50% in urban village zone has been increased in Form I redistribution and valuation statement. 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.

## 2.7 Content of Draft Town Planning Scheme as per sec. 64 of the Act

As per section 64 of MR&TP Act, 1966, the draft scheme shall contain the particulars so far as may be necessary as mentioned in table 5 below.

**Table 5: Content of Draft TPS-II as per Section 64 of MR&TP Act, 1966**

Sr. No	Section	Content/particulars	Compliance/provision
1	64(a)	The ownership, area and tenure of each original plot	The 7/12 extracts are considered as ownership document for the purpose of finalizing entitlements. Tenure as mentioned on 7/12 such as class-I, class-II etc. are incorporated in the form -I
2	64(b)	Reservation, acquisition or allotment of land required under sub-clause (i) of clause (b) of section 59 with a general indication of the uses to which such land is to be put and the terms and conditions subject to which, such land is to be put to such uses	<p>Section 59(1)(b)(i) of the Act deals with any of the matters specified in section 22.</p> <p>The IDP of NAINA has been sanctioned on 27.04.2017 and DP is sanctioned on 16.09.2019</p> <p>Area of land reserved for public purposes in IDP/DP such as schools, colleges, PHC, DB, open spaces, playgrounds, roads, public utilities, amenities etc. are kept intact with minor modification / re-alignment of roads for proper planning and carrying out of layout. The areas of IDP/DP reservations is either remained unchanged or increased in layout plan.</p> <p>The Growth center reservation of an extensive scale is also kept intact in terms of section 22 (g).</p> <p>There is no low lying area or, swampy or unhealthy areas in the scheme. The leveling up of land is included in costing of scheme by engineering section of CIDCO.</p> <p>As per clause (m), special DCR are proposed for effective controlling and regulating the use and development of final plot.</p>
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by reconstitution ;	<p>The Final plots are proposed as far as possible at the location of their original land. As far as possible, the FP against land under reservation has been allotted within same village or within nearby village.</p> <p>The boundaries of OP has been altered to make the FP regular shape and developable.</p>



Sr. No	Section	Content/particulars	Compliance/provision
4	64(d)	An estimate of the total cost of the scheme and the net cost to be borne by the Planning Authority	Estimate of total cost is given in Form-I and Form- 2 of the Scheme.
5	64(e)	A full description of all the details of the scheme with respect to such matters referred to in clause (b) of section 59 as may be applicable	<p>As per Section 59(1)(b), new roads have been laid out to give access to each final plot. Also, minor diversion, extension, alteration of IDP/DP roads are made to have better connectivity. Existing structures falling under IDP/DP roads, growth centers are proposed to be demolished.</p> <p>The scheme contains approximate <b>4.4% Open spaces</b> and <b>3.7% amenities</b> apart from IDP/DP reservations. The amenities shall be assigned uses such as Daily Bazaar, Town hall, Electric Sub-Station, etc. as per requirements. Also, <b>06 no. of schools with school Playground</b> will be materialized from the layout amenities &amp; Open space.</p> <p>All infrastructure and engineering utilities such as drainage, inclusive of sewerage, surface or sub-soil drainage and sewage disposal; lighting; water supply; shall be done in consultation with Engineering Department of CIDCO.</p> <p>Existing school and temples are protected and additional open space and amenity spaces are carved out around it for its beautification and enhancement.</p> <p>As per sub-section (iii) the corresponding regulations of sanctioned DCPRs of NAINA have been suspended by Govt. vide letter dated 30/12/2019 and 28/02/2024 for implementation of Special DCR for TPS.</p>
6	64(f)	The laying out or re-laying out of land either vacant or already built upon including areas of comprehensive development	The layout has been prepared on vacant land (excluding land under reservations), taking into consideration comprehensive development of regional linkages such as 45m wide roads, MMC, National Highways and reserving spaces for social facilities, utilities, inclusive housing etc.





Sr. No	Section	Content/particulars	Compliance/provision
7	64(g)	The filling up or reclamation of low lying swamp or unhealthy areas or leveling up of land	There is no low lying swamp or unhealthy areas. The cost towards leveling up of land is considered in engineering infrastructure estimates.
8	64(g-l)	<p>The allotment of land from the total area covered under the scheme, to the extent of,-</p> <p>(i) the reservation of land to the extent of ten percent of the total area covered under the scheme, for the purpose of providing housing accommodation to the members of economically weaker section and for lower income group and for persons dispossessed in the scheme;</p> <p>(ii) The allotment of land to the extent of forty per cent. of the total area covered under the scheme, in the aggregate, for any or all of the following purposes, namely:</p> <p>(A) for roads;</p> <p>(B) for parks, playgrounds, garden and open spaces;</p> <p>(C) social infrastructure such as schools, dispensary, fire brigade and public utility place;</p> <p>(D) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development</p>	<p>In the layout, <b>2.7%</b> land of the scheme area is reserved for providing housing accommodation to the members of economically weaker section and for lower income group.</p> <p>CIDCO is proposing 9.2% open space, 5.2% amenity and 2.7% EWS in the layout as common space, and it is proposed that the land owners need not to provide these spaces again on final plots. Therefore, the land pooled from all land owners for common open spaces, amenity and EWS shall be considered to be carved out from final plots (which is otherwise is going to be provided by land owners from their final plots).</p> <p>Also, there is no loss of land potential as FSI equal to original land holding area is proposed to be given to the owner on final buildable plots, thus on the final plot, FSI works out to 2.5</p> <p>The extent of 40% mentioned in 64(g-l)(ii) is for purposes of roads, parks, playgrounds, garden and open spaces, social infrastructure such as schools, dispensary, fire brigade and public utility place and sale by Planning Authority.</p> <p>It is to submit that, the Growth centers earmarked in IDP/DP are of extensive scale reservations (in terms of section 22-g of the Act) and are meant to recover the cost of these infrastructure along with recovery of cost towards water source development, metro, etc.</p> <p>CIDCO is reserving <b>16.39 Ha (3.5%)</b> of land in layout for sale purpose in terms of section 64(g-l)(ii)(D).</p>



Sr. No	Section	Content/particulars	Compliance/provision
9	64(h)	Any other prescribed particulars.	Minimum 6m buffer is proposed along the water channel while preparing layout of TPS II.

The total number of Final plots (to be returned to land owners) is 1041. Out of this about 699 plots are anchored around their original location. The plots which could not anchored are mainly due to the IDP/DP reservations, buffer of GAIL line, railway buffers and channelization of tributary. In case of plots affected by any IDP/DP reservation, care is taken that as far as possible the shift shall be within the same village boundary. If the same is not possible then the plot shall be shifted to the nearby village.

**Table 6: Detail of anchored of plots in TPS-II**

Details of anchoring of Final Plots of Town Planning Scheme-II		
1	Total original plots (7/12 extracts)	2147
2	Total final plots (against 7/12 extract)	1034 (including existing amenity-4 in nos and TATA land-5 in Nos and Forest-13 in Nos, Railway-1 in No. and Existing road(NH)-2 in Nos)
3	Total no. of residential Final plot	1009
	Total Anchored Plots	684 (67.8%)
	Total Relocated Plots	325 (32.2%)

## 2.8 Meetings with land holders and framing of the tentative proposals:

As specified in Rule No. 4(1) of Maharashtra Town Planning Scheme Rules 1974, authority has to call for meeting of owners of land included in the draft scheme. VC & MD CIDCO dtd. 31/03/2023 approved the proposal to conduct land owners meet of TPS II. In accordance, owners meet was conducted on 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> April 2023 at NAINA office, Floor No. 8, Tower No. 10, CBD Belapur Railway Station Complex, CBD Belapur, Navi Mumbai-400614.

All the landowners in Town Planning Scheme no. II were invited by:

1. Sending letters through Registered post or by hand delivery.



2. The notice regarding owner's meet was published in two local newspapers namely Krushival and Newsband dated 05.04.2023.
3. Notice along with schedule of public meet was displayed in respective Gram Panchayat offices.
4. Notice along with schedule of public meet was displayed at CIDCO's NAINA office.
5. Notice along with schedule of public meet was uploaded on CIDCO's official website.
6. For the available contact numbers, details of meeting informed via bulk messages.

The plans and details of Town Planning Scheme no.11 depicting benefits to the land owners, commitment to the landowners during earlier meetings and way forward were displayed at the entrance of NAINA office.

There were overall 2147 land parcels (7/12), in the scheme. Before schedule of owners meet, 10 land owners have submitted their consent to give them one single plot for the land parcels owned by them jointly or severally within the scheme. Lands in same ownership (though located at different locations) were proposed to be given a single final plot, considering consent of such land owners for giving single plot. After voluntary and deemed consent the numbers of final plots in the scheme were 973 numbers. The 973 land owners of final plot were invited by sending individual letters for eliciting public opinion and suggestions thereon.

For the sake of convenience and handling the all the land owners in efficient manner, the land owners from village Nandgaon & Kudave were invited on 19<sup>th</sup> April, the land owners from village Derawali, Palaspe & Shirdhon were invited on 20<sup>th</sup> April and land owners from village Vadavali & Turmale were invited on 21<sup>st</sup> April between 10 am to 5 pm.

On all the three days, land owners from village- Derawali, Palaspe, Shirdon, Kudave, Turmale, Vadavali & Nandgaon of Taluka Panvel have attended the owners meet individually or in groups. On 19<sup>th</sup> April, 142 land owners have attended the meeting and 81 & 98 land owners have attended the meeting on 20<sup>th</sup> April & 21<sup>st</sup> April respectively. Another 85 landowners visited the office during subsequent week. Thus, in all 406 owners out of 973 i.e., @ 42 % owners have attended the meeting.

All the owners participated in public meet were shown location of their final plot and their original land with the help of flex sheets displayed in meeting room and the entitlement statement showing area details on A3 size booklets kept for display. The team of planners explained the landowners about procedure and timeline of TPS, benefit of having single amalgamated plot, reason for giving back 40 % land, relaxations proposed in Special DCPR, enhanced potential of land without losing





FSI potential and overall proliferation of physical and socio-economic base of the area due to TP schemes.

Some land owners brought to the notice that, there are existing structures on their original land, and requested to shift the location of their final plot. Some land owners requested to give better shape to the plot on larger road etc. Majority of land owners expressed their satisfaction during the meet and overall response to the scheme was positive.



**Figure 6: Glimpses of Landowners meet of TPS-II**

The owners were requested to submit their written suggestions/ objections within 7 days i.e. till 04<sup>th</sup> May 2023, so that the same can be considered by CIDCO before seeking consultation from Director of Town Planning. However, many applications/ suggestions received after given time of 7 days. Hence, applications received till the discussion with management are considered at this stage.

## 2.9 Suggestion/ Objections summary:

The land owners meet got overwhelming response of suggestion/ objections submitted by land owners and other applicants. The suggestions / objections received from applications received from 19.04.2023 to 30.05.2023 are considered. Total of 620 suggestions-objections applications are received in context of Public Meet and Draft Scheme of TPS II. The details of applications are tabulated in table 6 below;

**Table 7: Details of Applications received during Owners meet**

Sr. No.	Type of Applications	No. of Applications
1	Plan related	89
2	Ownership Change	20
3	Courtcase	4
4	General	12
5	Objection to NAINA/TPS	495
6	TOTAL	<b>620</b>

Suggestions/Objections are reviewed and the demand raised by land owners during owners' meet are as below;

1. TPS shall not made binding on them.
2. Their land parcels should be excluded from the scheme.
3. The existing unauthorized structures (chawls) shall be protected.
4. No development charges and betterment charges shall be applicable.
5. The structure within 200M gaathan shall be considered under gaathan expansion scheme.



6. Some land owners wanted to have their final plot divided according to the transactions and sub-divisions happened thro' part sale of land parcel, mutual sharing / amalgamations amongst family members etc.
7. The farmers shall be declared as Project Affected People (PAP) and shall be given certificate to this effect.
8. Land parcels of same ownership falling in adjacent schemes shall be amalgamated and given single final plot in any one scheme along the major roads.
9. Villagers demanded to expedite development of roads and infrastructure in the scheme.
10. The time limit for suggestion-objection shall be increased to discuss and submit their objection.
11. Exclusion of land from TPS which are developed on site with or without permission and lands for which development permission proposal is submitted.

Other than above referred queries, some landowners/developers also requested final plot equal to 60% of their original land. These landowners were explained the land use composition of 60% to be utilized by planning authority.

The Decisions drawn for suggestions /objections based on consideration of applicants request to protect their structures. The care was taken that this shall not affect the planning of draft layout plan and the other final plots in the scheme. With this effect, total number of changes required to be carried out in Draft Layout Plan of TPS-II are 63 out of 109.

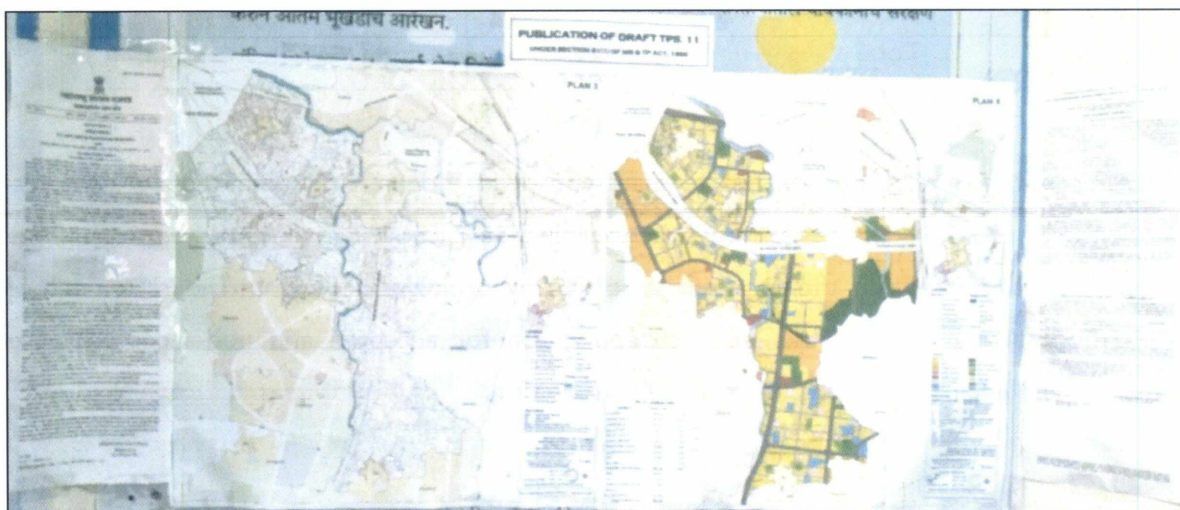
## 2.10 Publication of Scheme u/s 61(1)

After incorporating justified suggestions received from the owners, consultation as per Section 61 (1) and approval for suitable amendments in Development Plans under section 59(2) was sought from the Director of Town Planning, GoM vide submission dated 10<sup>th</sup> July 2023. The Director of Town Planning vide letter जा.क्र.वि.यो.नैना/नरयो क्र. 11/कलम 61(1)/प्र.क्र.345/23/टिपीव्ही-3/५१४८ dated 3<sup>rd</sup> Oct 2023 had offered remarks for consultation and sanctioning of reshaping and realignment of DP reservations of TPS-II. Necessary changes suggested by Director Town Planning in the consultation have been incorporated in the draft scheme.



In accordance with provisions of section 61(I) of the MR&TP Act, TPS II draft plan along with Special DCR was published in the Govt. Gazette dated 11.10.2023 inviting suggestions/ objections with reference to the provision of section 67 of MR & TP act, 1966. The notice of the draft plan publication was also made in local newspaper namely “Dainik Sagar” and “Newsband” dated 17.10.2023.

A copy of the Gazette notification of draft TPS-II along with plans and Forms were kept open for inspection by the public during office hours on all working days in the office of CIDCO-NAINA. The same is uploaded on website of CIDCO i.e. <https://cidco.maharashtra.gov.in//naina>.



**Figure 7: Display of Gazette notification and Publication plan of Draft TPS-II**

## **2.11 Suggestion-objection after publication**

In the publication notice, as per the provision u/s 67 of the act, 30 days' time was given for submitting suggestions/ objections on scheme. Accordingly, till 10/11/2023, this office is in receipt of total 7 applications. Some land owners have submitted applications after the 30 days' time period, such applications are 10 in numbers. All these applications are considered while submitting the proposal.

Also, 26 no. of applications was received during the intervening period, post time given for submitting suggestions/ objections after owners meet and before publication of draft scheme. All these applications were broadly categorized as shown in Table 8 below.

**Table 8: Board categories of application received after publication**

Sr. no	Category	Application received		Total applications
		Before publication	After publication	
(i)	Plan related	22	11	33
(ii)	Ownership related	3	5	8
(iii)	Contribution/Betterment Charges	0	0	0
(iv)	General related to scheme	1	1	2
Total		26	17	43

After examining applications related to plan along with documents submitted by applicant, possibility of accepting the suggestions was explored and accordingly necessary modifications have been carried out in the Draft Scheme and accordingly in Form-I. The statement of applications along with remarks on each application for accepted and non-accepted were tabulated and enclosed in the submission of consultation.

## **2.12 Reshaping and realignment of the Sanctioned DP reservations in TPS-II post publication**

Director Town Planning vide जा.क्र.वि.यो.नैना/नरयो क्र.11/कलम 61(1)/प्र.क्र.345/23/टिपीव्ही-3/५१४८ dated 3<sup>rd</sup> Oct 2023 had in principle approved the suitable amendments to sanctioned IDP/ DP while making provision of draft TPS II, in accordance with provision of section 59 (2) of the MR&TP Act, 1966. Now after Publication of the scheme under section 61(1) dated 11.10.2023; while reviewing the suggestions/ objections, changes required to be made in shape and proportion of some plots which lead in revision of fewer adjoining DP reservations, keeping the area more than sanctioned DP reservation area.

Also, with respect to the latest PWD notification dtd. 10.08.2023 and Joint Measurement (JM) Plan of MMC from Divisional Office, Panvel (Mojani date; Derawali-22/04/2023, Nandgaon-27/04/2023, Kudave-26/05/2023, Vadavali-03/06/2023 and Palaspe- 13/06/2023); there are some minor revision in DP reservations has been made for the betterment of the scheme without any change in location and area. Hence, the proposal for reshaping and realignment of the DP



reservations within the scheme boundary under section 59(2) of the act has been initiated once again dtd. 10/01/2024.

## 2.13 Consultation u/s 68(2) vis-s-vis its compliance:

After carrying out necessary changes arising out of valid suggestions, the draft TP Scheme no. II was submitted to VC&MD for sanction on 01/01/2024 under Sub-section (2) Section 68 of the Act in accordance with powers delegated to him vide notification dated 13.09.2017.

As per Sub-section (2) of Section 68 of the Act, VC&MD before sanction of Draft Scheme, had sought consultation of Director of Town Planning (DTP), Maharashtra State vide letter dated 01/01/2024. The Director Town Planning Office, Pune vide letter No. जा. क्र. प्र. ना. रा. यो./ नरयो क्र. ११/ नैना/ कलम ६८(१)/ १७२५ दि. २६/०३/२०२४ had offered his consultation.

As per suggestions given by DTP, necessary compliance is done and all plans, Sp. DCPR and Report of Draft TPS-II is prepared for sanction.

## 2.14 Land use distribution in TPS- II

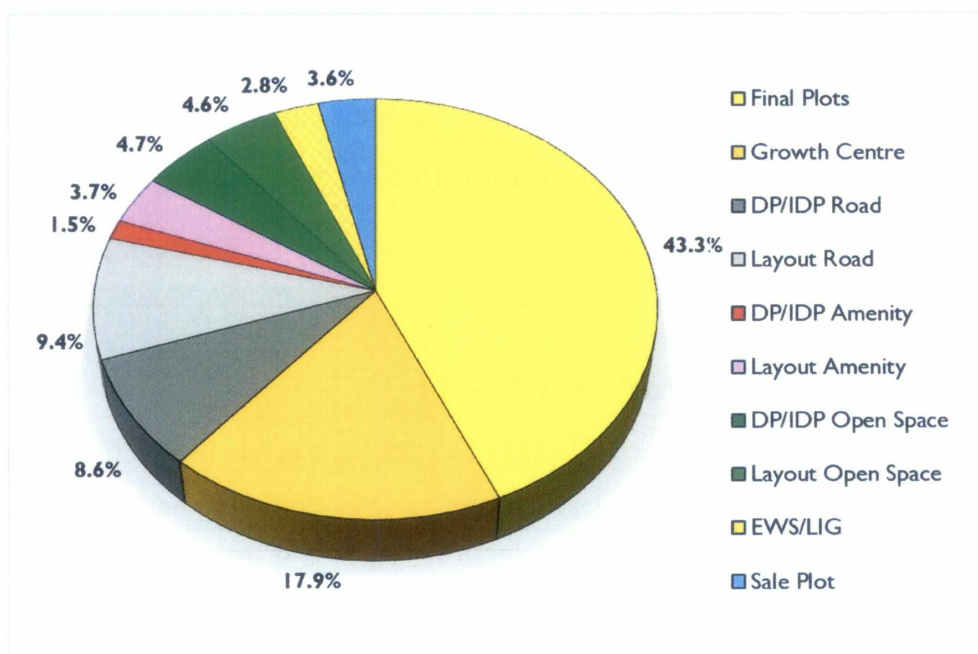
In TPS-II, total scheme area is 591 Ha. Out of 591 Ha, 125 Ha area falls in non-developable areas such as rivers, railway corridor, existing highways, forests and MMC. The net area of scheme or developable land is 466 Ha. The land use distribution in TPS-II is as under:

**Table 9: Land use distribution in TPS-II**

Land use	Area (in Ha)	% on Net scheme area	Total percentage
Final Plots	202.23	43.3%	34.2%
Growth Centre	83.48	17.9%	14.1%
DP/IDP Road	40.05	8.6%	6.8%
Layout Road	43.72	9.4%	7.4%
DP/IDP Amenity	6.91	1.5%	1.2%
Layout Amenity	17.26	3.7%	2.9%
DP/IDP Open Space	21.98	4.7%	3.7%
Layout Open Space	21.26	4.6%	3.6%



Land use	Area (in Ha)	% on Net scheme area	Total percentage
EWS/LIG	13.08	2.8%	2.2%
Sale Plot	16.63	3.6%	2.8%
<b>Total Net scheme area</b>	<b>466.60</b>	<b>100.0%</b>	<b>-</b>
MMC	50.03		8.5%
Forest	31.46		5.3%
Proposed water channel	17.46		3.0%
Railway	3.02		0.5%
Existing Roads	22.78		3.9%
<b>Gross Scheme area</b>	<b>591.34</b>		<b>100.0%</b>



**Figure 8: Pie chart showing percentage distribution of Landuse of TPS-I I**

As far as possible the principles of providing Layout amenities, layout Open space and EWS at neighborhood level is attempted to achieve. All the IDP/DP reservations falling within the scheme are either retained or provided with increase in areas wherever possible.

As per Section 64 (g-I) (i), the EWS provided in the scheme is 12.60 Ha (2.7%) and as per 64 (g-I) (ii), the total amenities provided in scheme is 24.17 Ha (5.2%), total open space is 42.71 Ha (9.2%), sale plot area is 16.39 Ha (3.5%) and total roads area is 83.57 Ha (17.9%) of Net/ Developable scheme area of TPS-I I.

\* \* \*

## **Chapter 3 Development Control & Promotion Regulation**

### **3.1 Development Control in the Scheme Area**

As per the provisions of sub-section (2) of section 159 of the said Act, the State Government may, by notification in the Official Gazette, make Special Development Control Regulations consistent with this Act and the rules made thereunder, for the purpose of implementing any scheme, project, programme or policy, of the Central or the State Government, in the whole or a part of the State.

To enable the land owner to consume the assigned FSI, it is necessary to give certain relaxations in the sanctioned DCPR of IDP/DP to ensure consumption of FSI. This concern has been raised by Architects and land owners at various forums including land owners meet. Such relaxation would probably make the land owners to accept the schemes.

In line of Sanctioned Special DCPRs of Preliminary TP Scheme no. 2 / 3 and subsequently Sanctioned Special DCPR of Draft TP Scheme no. 4 to 7 and tentative draft scheme no. 8 to 10 of NAINA, the Special DCRs of TP Scheme no. 11 has been prepared.

For these Special regulations formed for TPS, suspension of corresponding regulations of Sanctioned DCPRS of NAINA had been sought. The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of NAIAN for all future Town planning schemes vide letter TPS-1219/ 2382/ C. No. 186/ 19/ UD-12 dated 28/02/2024.

### **3.2 Special Development Control Regulations for Draft TPS-11**

In addition to the Development Control and Promotion Regulations, which are made applicable to the 23 Revenue villages of NAINA vide directives given by Government vide no. TPS-1717/ 2750/ C.R.91/ 19/ UD-12, dated 06/01/2020 (hereinafter called as 'sanctioned DCPRs of NAINA') under section 37(IAA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any sort to be carried out in the final plots of the Town Planning



Scheme, NAINA No.11. Rest of the provisions of prevailing sanctioned DCPRs of NAINA as amended from time to time shall be applicable.

In case of any conflict between the regulations in sanctioned NAINA DCPRs 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 12.0m or more shall be permissible for development either under regulation of predominantly residential zone or under mixed use zone of sanctioned DCPR irrespective of the actual zonal boundaries of the IDP.

2. Boundaries of the Final Plots shall not be changed, modified, or altered during development.
3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots 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 a 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 up to the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under Chapter VI-A of the Maharashtra Regional and Town Planning Act, 1966.
6. Internal Sub-division/ partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to provisions of



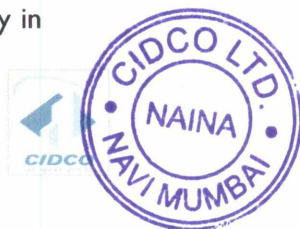


sanctioned DCPRs of NAINA.

7. The 10% Recreational Open Space prescribed under regulation No. 20.3.I of the sanctioned DCPRs of NAINA shall not be enforced in developing Final Plot admeasuring 0.40 ha or more considering that such open spaces are provided in the form of playground and open spaces in the scheme in addition to those reserved in Interim Development Plan / Development Plan for which owners of the original plots have shared their lands.
8. The 5% Amenity Space prescribed under regulation No. 20.3.II of the sanctioned DCPRs of NAINA shall not be enforced in developing Final Plot admeasuring 2.00 ha or more considering that such Amenity spaces are provided separately in the scheme in addition to those reserved in the Interim Development Plan / 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 DCPRs of NAINA read with Annexure- 4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides dedicated plots for EWS/ LIG housing for which the owners of final plots have shared the lands from their original plot.

Notes:

- i. The regulations at serial number 7, 8 and 9 above shall not be applicable for Final Plots having area more than 50% of the original plots. For such plots the provisions of sanctioned 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 shall not be insisted. However, location & land area of remaining Open Space & Amenity inside the final plot shall be maintained as per CC.
10. The owners of Final Plots are entitled for monetary compensation as recorded in form No. I of the Final Scheme as per Rule 6(v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in



amount shall not be permissible.

11. The base FSI applicable to the 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:

$$\text{FSI of Final Plot} = \frac{\text{Area of O.P.}}{\text{Area of Respective F.P.}}$$

(Where, O.P. stands Original Plot and F.P. stands for 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. I of the Final Scheme.

The land parcel eligible of 1.00 FSI as per provisions of sanctioned DCPRs of NAINA (i.e. within 200 m of Gaothan), 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 stand-alone plot or amalgamated with other land parcels.

$$\text{FSI of Final Plot} = \frac{\text{Area of O.P.}}{\text{Area of Respective F.P.}} + \left[ \left( \frac{\text{Area of O.P.} - \text{Area of respective F.P.}}{\text{Area of O.P.}} \right) \times 0.25 \right] \times \left[ \frac{\text{Area of OP}^*}{\text{Area of O.P.}} \right]$$

(\*eligible for benefit within 200 M from Gaothan)

(Where, O.P. stands Original Plot and F.P. stands for Final Plot)

12. The permissible FSI in respect of Final Plots, whose owners have been awarded monetary compensation as per Form No. I of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00, as the case defined at Regulation no. 11 above.
13. If the FSI mentioned in the Special regulation no. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances/ height restrictions /fire-fighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any Final Plot situated in this scheme subject to



- i. The provision of Regulations no. 43 of the sanctioned DCPR of NAINA shall be applicable.
- ii. Such transfer of development right from a Final Plot to another Final Plot situated in the adjoining sanctioned preliminary scheme may 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 center shall be 2.5.

15. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR, Burial ground & Crematorium in the scheme shall be 1.00.

16. The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this scheme shall be 4.0

17. The permissible FSI in respect of Final plots designated to Growth center in this scheme shall be 2.5

Provided that the aforesaid FSI may be increases maximum 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 of 0.30

18. The Final Plots designated for Open Spaces, Parks, Green Belts or Play-Grounds are permissible to built-up area equal to 15% of the respective final plot area subject to ground coverage up to 10% of the respective final plot and structures shall be only



of ground floor or ground plus one upper floor. Such structure shall be at one corner of respective final plot and shall be used for any use complementary to the designated use of such Final Plot.

Provided that area of such plots shall not be less than 1000 sq.m.

19. 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:

Area of plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	Rear
40 M <sup>2</sup> to less than 150 M <sup>2</sup> *Please refer Special Note	Row houses type	Upto 15 M	0.0	1.5
	Semi-detached type	Upto 15 M	1.5	1.5
*Special Note: Irrespective of the road width on which these plots abuts, the maximum front margin shall be 3.00M.				
150 M <sup>2</sup> to less than 450 M <sup>2</sup>	Semi-detached type	Upto 15 M	1.5	2.25
	Detached type	Upto 15 M	2.25	2.25
		Above 15 M upto 24.0 M	H/5	H/5
450 M <sup>2</sup> to the less than 1000 M <sup>2</sup>	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00
1000 M <sup>2</sup> and above	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	H/5 or 9.00m whichever is less	H/5 or 9.00m whichever is less

		Above 60.00 M	12.00	12.00
(Where H = Height of the building above ground level).				
<p>a) Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40-meter length shall not be applicable.</p> <p>b) The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable</p> <p>c) For special building use No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.</p> <p>d) Provided that projections required for firefighting and chajja or weather shed up to 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided.</p> <p>e) Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m up to 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m.</p> <p>f) The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.</p>				

20. Mechanical/Hydraulic / Stack parking / multi-storey 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 up to 1.5 m. from the plot boundary and beyond the building lines at ground level subject to a clear minimum front margin of 4.5 m and further subject to non-habitable uses and provision for mechanical ventilation and all safety provisions and drainage. However, it is essential that the basement top slab below the external circulation at ground level should be designed for firefighting vehicular loads as per NBC 2016.

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

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

23. The service road of the State highways, 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.

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.

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 subject to minimum 6m driveway.

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

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

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

27. For any other earlier approved proposal like ITP, Rental Scheme, Integrated Logistic Park (ILP) etc. the regulations applicable under that scheme shall be applicable to such plots.

\* \* \*



## Chapter 4 Finance of the scheme

### 4.1 Redistribution and Valuation Statement

Sections 97 to 107 of the Maharashtra Regional and Town planning Act, 1966 deal with finance of the scheme. The compensation to be paid to the owners for their lands acquired for public sites, widening of existing roads and for new roads proposed in the Town Planning Scheme is based on NA land rate mentioned in ASR of corresponding year prevailing to the date of declaration of intention of making of this scheme and this date is 14.10.2022. It is observed that as transactions registered during the period of 2010 to 2022, market value (agreement value) of the land involve huge variation. Therefore, for uniformity NA land rate of the village is considered as base for determining Original Plot value in the scheme. This estimation was used to decide the values of the Original Plots.

For the purpose of Semi-Final value of plot, considering regular shape of the plot and proposed access, it is presume that the value of the land will rise at least two times original value. Therefore, Semi-Final value of the plot is considered as one and half times of NA land rate of ASR 2022-2023. The Final Plots were estimated in the draft scheme at the rate of four times of NA land rate of ASR 2022-2023.

The re-distribution and valuation statement of original plots as well as of final plots are worked out in form no.1. The same is enclosed herewith for reference.

Finance of the TPS-II as required under Rules 6 (vii) and 21 (2) of the Maharashtra Town Planning Schemes Rules, 1974 has been prepared under Form No. 2 and is enclosed wherewith for reference.

As per Act provision and formats of TPS rules, the Redistribution and Valuation Statement in the format of Form 1 and Form 2 need to be prepared and constitutes part of draft scheme. It is to mention that, in earlier schemes, the receipts/earning from Growth center and cost of IDP reservations were not considered in redistribution and valuation statement with an assumption that Growth Centre will be take care in subsidizing cost of providing city scale infrastructure. However, the Director of Town Planning as well as appointed arbitrator in the first three schemes have opined that, since CIDCO is getting the IDP reservations as final plots though TPS, the valuation as well as cost of its development need to be considered in the valuation statement of the scheme. Based on the assumptions made

in earlier approved draft scheme following assumptions made in this scheme and Form I is prepared.

The assumptions in preparation of the finance of scheme are as under:

- i. For original plot value of land parcels, ASR of Non-agriculture land of 2022-2023 is considered.
- ii. If more than 50% of a particular survey number falls under no construction activity area due to restriction of buffer due to HT line/ pipe line etc., 50% of NA rate mentioned in ASR is considered for original plot value.
- iii. For the already granted CC/permissions by competent Authority, OP value is considered equal to semi-final value, considering that there will be enhancement only in terms of provision of infrastructure by CIDCO.
- iv. For the land parcels falling 50% or more in 200mts of gaathan or in urban village, original plot value is considered as 1.1 times ASR of Non-agriculture land of 2022-2023, so that the net demand becomes zero for such plots.
- v. For the purpose of semi-final value of plot, 1.5 times ASR of Non-agriculture land of 2022-2023 of OP is considered.
- vi. For original plot value of land parcels along Highway ASR of Highway land of 2022-2023 is considered.
- vii. Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2022-2023.
- viii. No contribution is levied on plot reserved for public purpose which will be solely for the benefit of the owners/residents within scheme area or purposes of Planning Authority. Plots of water channel, small amenities which are solely for the benefit of residents within scheme area don't attract contribution. The Growth Centre (GC) and sale plots (SP) are reserved for purpose of Planning Authority. The economic or commercial activity envisaged through GC & SP shall mainly serve to the benefit of entire IDP/DP. Hence it is assumed that GC shall be beneficial to the general public. Plots carved out for EWS/LIG in the scheme are requirement of scheme as per Act Provision and shall mainly serve to the benefit of entire IDP/DP, hence shall be beneficial to the general public.
- ix. Plot numbers are given to roads only as per the request of Dy. SLR for preparing property cards. No compensation/ contribution is work out on such final plots.

- x. Plots reserved for Planning Authority such as park, open space, gardens, common play grounds which are non-saleable plots. Hence, semi-final value is considered as ASR and equal to final plot value.
- xi. For survey numbers/ hissa numbers partly in scheme, area as per drawing (Auto CAD) is considered in scheme.
- xii. Compensation as mentioned in Column no. II considered zero since FSI in lieu of compensation is provided. ( Modified as per consultation of Director Town Planning Pune)
- xiii. Survey numbers affected by Multi Modal Corridor are mentioned in the form, however final plots are not given for the affected area.
- xiv. The area of final plot less than 40sqmt. are dispossessed and it is expected that such land owners will merge their entitlements with other final plots by consent.

## 4.2 Cost of the scheme

In Town Planning schemes all infrastructure facilities including last mile connectivity shall be developed by CIDCO. The expenditure required for development of infrastructure in sanctioned DP of NAINA project i.e. for Town Planning Schemes I to II is worked out by Economist Dept., CIDCO which includes onsite and offsite costs/ City level costs. On site project cost provided by Engg. Dept and offsite costs/ City level costs such as Metro, Sub Urban Railway, BRTS, Multimodal Corridor (MMC), PSID & Street lighting, Construction and maintenance of Fire station and water source development (off site infrastructure cost) provided by Transportation, Water supply, Electrical and Fire Dept. has been apportioned for individual Town Planning scheme on the basis of its area.

Sr. Economist by note CIDCO/ECO/2023/E-175316 dated 09.08.2023 has forwarded cost for TPS-I to TPS-12 considering revised scheme area. Cumulative scheme wise infrastructure costs works out considering few assumptions like project duration for 20 years, Miscellaneous charges are considered 1.5% and Contingency, Escalation, Overheads are considered as 5% year on year. Also, interest during construction (IDC) is considered as 8% on average cost.

In case of TPS-II, the onsite infrastructure cost provided by Engg. Dept is 1034.63 Cr. However, considering all the onsite, offsite and city level costs with assumption mentioned



above the cumulative cost of scheme no. 11 worked out as Rs. 4847.22 Cr for the scheme area of 590 Ha. The same is considered while preparing Finance of the scheme i.e. Form-II.

### 4.3 Sources of revenue

The exercise undertaken by the Economics Department to establish financial viability for Interim Development Plan (IDP) of NAINA is ongoing. The following sources of revenue are expected to be generated from the all-Town Planning schemes for the recovery of onsite and offsite charges incurred in the development of these Town Planning Schemes.

1. Development Charges (DC)
2. Disposition of Plots
3. Contribution/ Betterment Charges
4. Infrastructure Contribution Charges (ICC)

#### 1. Development Charges

Development Charges are statutory charges that are to be levied on the owners of both, saleable (the social facility plots, growth center) plots and final (40% residential) plots within the Town Planning Schemes. DC applicable for land per sq m is 0.5% of the Annual Statement Rate (ASR) or Rs. 100, whichever is higher and DC applicable for built up area per sq m is 2% of the Annual Statement Rate (ASR) or Rs. 400, whichever is higher.

#### 2. Disposition of Plots

The total component of saleable land available for disposition within the 12 Town Planning schemes is 543 Ha. This includes land for disposition under Growth Centre and Sale plots with an FSI upto 4.

#### 3. Contribution/ Betterment Charges

As per provision of act, contribution (betterment charges) is proposed to be levied and to be recovered from land owners in annual installments as per Form-I of TP Scheme no.11.

However, there is continuous opposition for these charges from the land owners. About these charges, in the assembly session of Feb-March 2022 of Vidhan Parishad, State Govt. has announced stay on levying of betterment charges on land owners and these charges will be recovered from the last beneficiary by alternative mechanism. CIDCO is in process

of deriving mechanism for collecting these charges and will be made applicable after approval from Government.

#### **4. Infrastructure Contribution Charges**

Apart from the development of TPS level infrastructure facilities, CIDCO to develop basic Development plan level infrastructure and water sources development which will requires huge funds.

A study is conducted by the appointed consultant for financial feasibility of Town Planning Schemes. The study inferred that the expected revenue from land disposition cannot support the estimated infrastructure investment. As per the suggestion of the consultant to match the expenditure the Infrastructure Contribution Charges to be made applicable in NAINA jurisdiction area. A proposal in this regard is submitted to Govt. for approval.

The financial part of scheme i.e. Final Scheme shall be decisively completed by Arbitrator. Therefore, all the matters related to financial part of the scheme can be addressed at the time of finalizing final scheme.

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## Chapter 5 Legal Formalities

### 5.1 Legal Formalities of Scheme

**Table 10: Legal Formalities from Declaration to Draft Sanction of the TPS-II**

Sr. No.	Legal Stage	Section / Rule of the Act	Reference	Date
1.	Declaration of Intention	60 (1)	Resolution No. 12551, Board Meeting No. 635	02.04.2022
			CIDCO/NAINA/2022/E-146059	22.09.2022
2.	Gazette Publication of notice	60 (2)	Maharashtra Government Gazette, Extraordinary Part II	14.10.2022
3.	Newspaper Publication of notice	60 (2) Rule 3(2)	Dainik Sagar (Marathi) & The Free Press Journal (English)	20.10.2022
4.	Copies of Intention and Plan to Govt. and DTP	60 (2)	Letter No. CIDCO/ NAINA/ CP / TPS-II / 2022/ 557	17.10.2022
5.	Publication of Plan and Gazette notice in SPA's office	60 (3) Rule. 3(1)	-----	14.10.2022
6.	Suspension of Regulation	59(1)(b)(iii)	Letter No. टिपीएस -१२१९ / २३८२ / प्र.क्र. १८६/१९ / नवि-१२ दिनांक 30/12/2019 व दिनांक 28/02/2024	30.12.2019 and 28.02.2024.
7.	Newspaper publication for owners meet	Rule 4(1)	Krushival (Marathi) & Newsband (English)	05.04.2023
8.	Meeting with Owners	Rule 4(1)	----	19.04.2023 20.04.2023 & 21.04.2023
9.	JDTP, Konkan Division Extension Letter	61 (3)	No. TPS no. 11/ NAINA/ Sec.61(3)/ Time-limit Extension/ JDTP-KDN/ 1886 Dt. 28/06/2023	14.07.2023 to 13.10.2023
10.	Submission for Consultation with DTP	61(1) Rule 4(2)	CIDCO/NAINA/TPS-II / Consultation/Sec61(1)/2023/ 557	10.07.2023
11.	Submission of Suitable Amendments in IDP/DP	59(2)	CIDCO/NAINA/TPS-II / Amendment/sec 59(2)/2023/ 558	10.07.2023
12.	DTP's Remarks on draft scheme and Approval of Suitable Amendments in IDP/DP	61(1) Rule 4(2)	जा.क्र.वि.ओ. नैना/ न.र.यो.क्र.११/ कलम६१(१)/ प्र.क्र.३४५/ २३/ टिपीव्ही-३/ ५१४८	03.10.2023



13.	Gazette publication of notice	61(1) Rule 5(1)	Maharashtra Government Gazette, Extraordinary Part II	11.10.2023
14.	Newspaper Publication of notice	61(1) Rule 5(2)	Dainik Sagar and Newsband	17.10.2023
15.	Suggestions/ Objections received timeframe	Rule 5(2)	-----	11.10.2023 – 18.12.2023
16.	Submission to Govt. for Sanction (Now to VC&MD, CIDCO)	68(1)	CIDCO/NAINA/TPS-11/Sec68(1)/2024/02A	01.01.2024
17.	Submission of Suitable Amendments in IDP Reservation	59(2)	CIDCO/NAINA/TPS 11 Amendment/sec 59(2)/2024/38	10.01.2024
18.	Letter for Consultation with DTP	68(2)	Letter No. CIDCO/ NAINA/ TPS-11/ Consult 68(2)/ 2024/ 37	10.01.2024
19.	Exclusion of time due to Model Code of Conduct by the Election Commission of India & State Election Commission for State Legislative Council Election of Post-Graduate Constituency Konkan Division	148-A	No. 437/6/1/ECI/INST/ FUNCT/MCC/2024	16.03.2024 to 05.07.2024
20.	Consultation received from DTP to VC&MD office	68(2)	जा. क्र. प्र. ना. रा. यो./ नरयो क्र. ११/ नैना/ कलम ६८(१)/ १७२५	26.03.2024 received by VC&MD office on 21.05.2024.
21.	Sanction of Draft Scheme	68(2)	CIDCO/NAINA/TPS-11/	19.07.2024

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## Chapter 6 Scheme Accompaniments

### 6.1 Submission towards Scheme

- I. CIDCO's Board Resolution No. 12551, dated 02.04.2022.
- II. CIDCO, VC&MD approval vide CIDCO/NAINA/2022/E-146059 dated 22.09.2022.
- III. A notice as per provision in Section 60(2) of MR&TP Act, 1966 - published in the extraordinary official Maharashtra Government Gazette (part-II) dated 14.10.2022.
- IV. A notice as per provision in Section 60(2) of the Act in the daily newspapers Dainik Sagar & The Free Press Journal dated 20.10.2022.
- V. Copy of Gazette Notice together with a copy of the plan showing the area to be included in the scheme is dispatched to the UDD-12 and Director of Town Planning, Maharashtra State as per provisions of Sub- Section (2) of Section 60 of the Act.
- VI. Notice as per section 61(1) published in Gazette dated 11.10.2023.
- VII. Notice published in the local newspaper Dainik Sagar and Newsband on 17.10.2023.
- VIII. Suspension of Regulations dated 30/12/2019 and 28/02/2024.
- IX. Extension granted by the Joint Director of Town Planning, Konkan Division vide Order No TPS no. 11/ NAINA/ Sec.61(3)/ Time-limit Extension/ JDTP-KDN/ 1886 dated 28.06.2023.

### 6.2 Accompaniments

Accompaniments with draft scheme as per section 68(2) of the Act are as under:

- a) Plan no. 1 showing the Location of the area under scheme.
- b) Plan no. 2 showing the Original Plots included in the scheme.
- c) Plan no.3 showing the Original Plots and the Final Plots allotted in the scheme.
- d) Plan no. 4 showing the Final Plots allotted in the scheme.
- e) Plan no. 5 showing details of roads & infrastructure to be carried out by the Authority.
- f) Plan no. 6 showing uses/ zones of final plots and sites reserved for public purposes by the Authority.
- g) Report on the Scheme.
- h) Redistribution and Valuation Statement in Form-1 and finance of TPS-11 in Form-2.



**Chief Planner  
NAINA (CIDCO)**



**Vice Chairman & Managing Director  
(CIDCO)**

