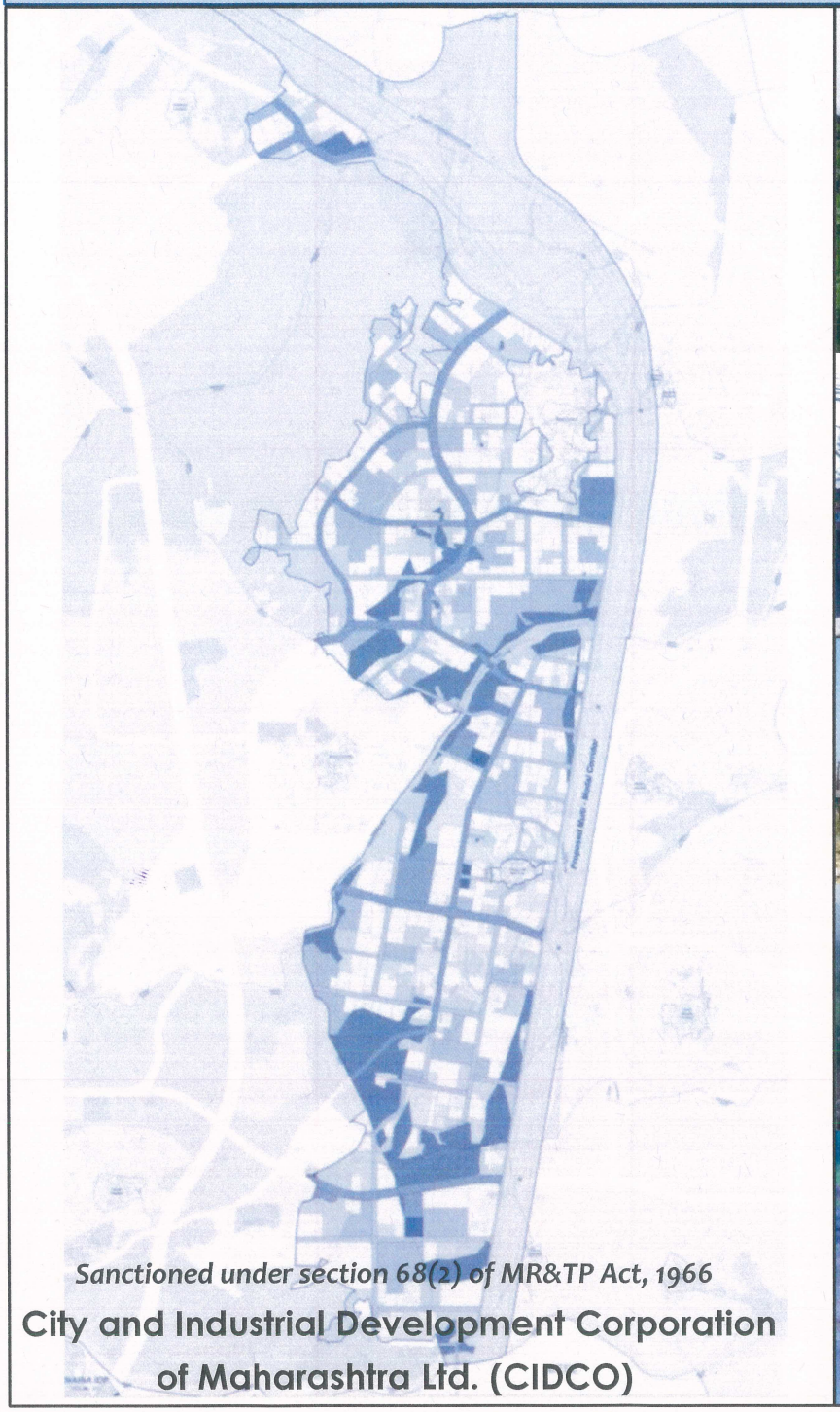
REPORT ON

TOWN PLANNING SCHEME NO. 12

NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA





Sanctioned under section 68(2) of MR&TP Act, 1966

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

CIDCO LTD. NAINA NAVI MUMBAI

NAINA TOWN PLANNING SCHEME No. 12

(Part of Villages Chinchavali tarfe Waje, Kondale, Mahalungi, Morbe, Ritghar, Umroli, Usarli Bk. and Vakadiof Taluka – Panvel, District – Raigad)

DRAFT SCHEME

REPORT – PART A

1. PREAMBLE

The Government of Maharashtra in exercise of powers conferred under clause (b) of subsection (1) of the section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification no. TPS - 1712/475/CR-98/12/UD-12, dated 10th January, 2013, City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "CIDCO") as Special Planning Authority (hereinafter referred to as "SPA- NAINA") for 270 villages for an area notified 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.

SPA- NAINA, while preparing a Development Plan for the area under its jurisdiction, prepared an Interim Development Plan under section 32 of the said Act for the 23 villages from Panvel Tehsil of the Raigad District which are under immediate pressure of development. The Government of Maharashtra, vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27/04/2017 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. 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.

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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 SPA (NAINA) to 224 villages with a total area of 474 sq.km. While sanctioning Development plan of balance 201 villages on 16/09/2019, considering the contiguity of NAINA project, the UDD in GOM has excluded 49 non-contiguous village pockets. Thus, now the notified area of NAINA is for 174 villages encompassing about 371.35 sq.km. area.

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.

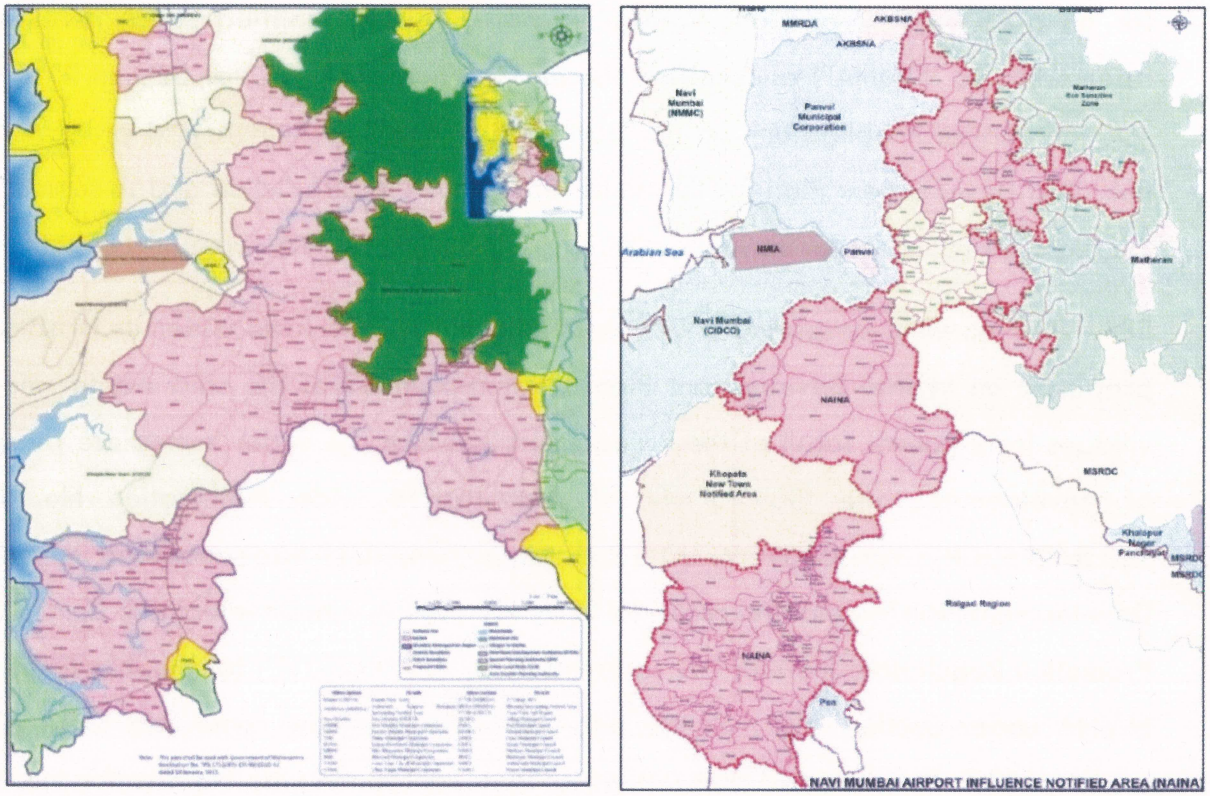


Figure 1: NAINA NOTIFIED AREA FOR 270 VILLAGES AND 174 VILLAGES.

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Now, Government of Maharashtra vide notification no. TPS-1221/2461/CR 83/21/UD-12 dated 4th March 2021 has withdrawn 80 villages (77 villages from Pen Tahsil and 3 villages from Uran Tahsil) of NAINA and included these villages in MMRDA jurisdiction. Thus, after deducting the villages under the notified area of MMRDA, the final Sanctioned Notified area of NAINA comprised of 94 villages with an area of 22559 Ha (225.59 km2).

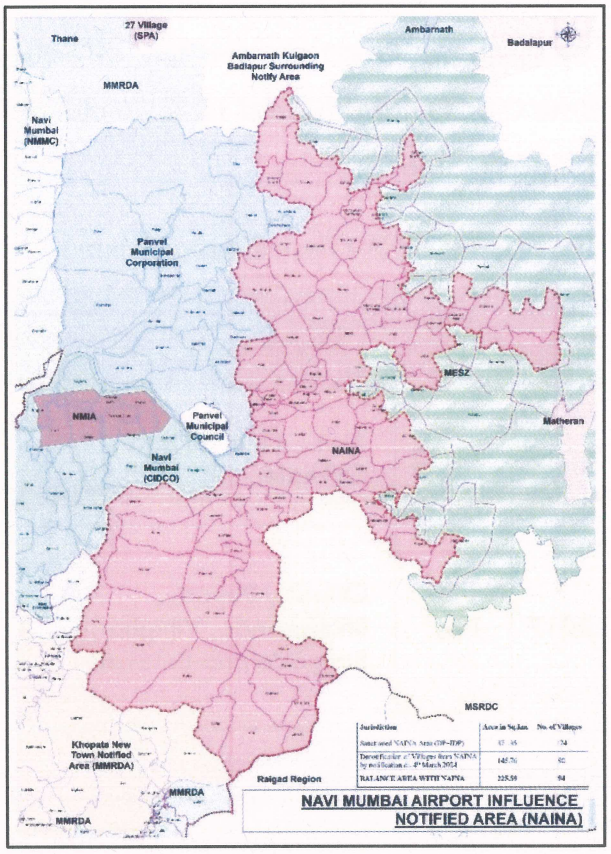


Figure 2: NAINA NOTIFIED AREA FOR 94 VILLAGES

In DCPR-2017, a new concept of voluntary and participatory land pooling and development by the land owners viz; NAINA Scheme has been approved under Regulations no.13. These special regulations for NAINA scheme are dealing with voluntary land pooling and development of areas from IDP lying within residential zones, within and outside 200 m from the village Gaothans.

However, after various discussions, the Urban Development Department (hereinafter referred to as 'UDD') directed CIDCO that, CIDCO should undertake Town Planning Schemes for the implementation of the IDP as provided under the chapter V of the said Act. Further, the Government of Maharashtra, in exercise of the powers conferred by

sub-section (1) of section 151 of the said Act, vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13/09/2017 has delegated the powers exercisable by it under section 68(2) of the said Act to the Managing Director, CIDCO for sanctioning the draft Town Planning Schemes.

SPA-NAINA has accordingly decided to undertake series of town planning schemes under the said Act covering as far as possible the entire IDP area leaving the densely developed areas and village Gaothans for the effective implementation of the sanctioned IDP. Till date CIDCO has declared 12 town planning schemes, its status as on 25/10/2023 is as follows (Table 1):

Table 1 : Details of various stages of NAINA Town Planning Schemes

TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
TPS - 1	08/09/2017	19.12	Akurli, Belavali and Chikhale	Preliminary scheme and Final Scheme sanctioned 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

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TPS No.	Date of Declaration in Gazette	Area in Ha	Villages	Stage
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 -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	Deravali, Kudave, Palaspe, Nandgaon, Turmale, Vadavali and Shirdhon	Submission to DTP for 2nd Consultation u/s 68(1) on 02/01/2024
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

2. PURPOSE OF TOWN PLANNING SCHEME NO-12:

Mumbai Metropolitan Region Development Authority's (MMRDA) regional connectivity proposal of Multi Modal Corridor (MMC) from Virar to Alibaug is passing through CIDCO's jurisdictions i.e. NAINA, Navi Mumbai and Khopta New Town. Now, MSRDC is the Implementing Authority for MMC project and in various meeting MSRDC has requested CIDCO, for the Cash contribution towards implementation of MMC.

High Power Committee (HPC) is constituted under the chairmanship of Hon. Chief Secretary with the members from NHAI, CIDCO, MMRDA, MSRDC, JNPT and MIDC. As per the minutes of High Power Committee meeting dated 5th Oct. 2021 circulated vide 25th Oct. 2021, land acquisition of MMC from Morbe to Dapoli (Km 47/700 to 72/200) and Dapoli to Balawali (Km 72/200 to 98/500) and making fund available for land acquisition was prioritized.

Further, various meetings and deliberations was held in between CIDCO and MSRDC officials and a Joint Committee was formed for exploring land acquisition of MMC in CIDCO jurisdiction. This Committee has prepared a report on land acquisition of MMC from Morbe to Karanjade through Town Planning Scheme mechanism.

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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 and 12.

With this background, CIDCO Board, vide resolution no. 12551, dated 2nd 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. 12 (TPS 12).

In accordance with the powers delegated by CIDCO Board, VC&MD vide CIDCO/CP (NAINA)/TPS-12/2022/E-148162 dated 22/09/2022 has accorded approval for declaration of intention for making of Town Planning Scheme no. 12 under Sub Section (1) of the Section 60 of the said Act at part in Villages Chinchavali tarf Waje, Kondale, Mahalungi, Morbe, Ritghar, Umroli, Usarli Bk. and Vakadi of Taluka Panvel, District Raigad (admeasuring approximately 504 Ha) for the purpose of implementing the proposals in the sanctioned DP of NAINA and to introduce proper road network with social as well as service infrastructure. Multi Modal Corridor's interchange at Morbe will be gateway for entire DP area which will open up the TP schemes as well.

Meanwhile, as per Minutes of Hon'ble Chief Minister's War room meeting held on 29th Aug 2022, it is decided that "land acquisition from Morbe to Karanjade and Karanjade to Chirle" to be initiated through cash Compensation by MSRDC".

3. Concept of Layout Plan of Town Planning Schemes:

The Town Planning Scheme is implemented as per the provisions of the acts and guidelines of the 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.

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- All landowners will contribute in general, equal percentage of land for the scheme and DP proposal.
- 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 are anchored to their original location.
- Approximate 10% open space and 5% amenity space will be provided commonly in scheme layout and distributed spatially on neighborhood concept.
- As far as possible existing structures are protected and final plots are given around existing structures.
- The final plots are of regular shape and developable.
- As far as possible, land affected by gas pipe line, between river and blue line will be allotted unencumbered final plots to its nearby original location.
- As far as possible, scattered holdings in the same ownership will be amalgamated to have a single bigger holding for better planning.
- Ownerships, tenures and area will be ascertained from the latest 7/12 extract.
- As far as possible, no land owner will be dispossessed in the scheme.
- 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 4.62 % of scheme area.
- EWS and LIG Housing sites will be provided below 10% of the scheme area, as most of the residents of the scheme area and the developers will construct the tenements to suit the LIG persons considering the present demand in the area.
- 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 shall 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-12. Therefore, along with approval of Draft TPS-12 for publication under section 68(2) of the Act,

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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 special DCR in TPS-1 have been approved by Government while sanctioning preliminary scheme. The same are proposed with some additions to extend in all the TPS in NAINA for ensuing uniformity. The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of DP in TPS on 30/12/2019 and 28/02/2024.

4. COMPLIANCE OF THE ACT PROVISIONS IN THE DRAFT TOWN PLANNING SCHEME NO. 12

4.1. IDENTIFICATION OF THE TPS BOUNDARY

The boundary for TPS-12 is identified in respect of proposed Multi Modal Corridor's interchange at Morbe. TPS-12 is a pioneering TPS in NAINA DP area, is located in the proximity of NAINA IDP and very close to already published boundary of Town Planning Scheme no. 3, and is having access from Panvel Tamsai Marg and Morbe Swapna Nagri Road and is located very close to Panvel railway station and Chikhale railway station on Konkan railway line. The core gaothan of Chinchavali Tarfe Vaje village, Morbe village and already developed area in its vicinity are excluded from the scheme area.

The boundaries of TPS-12 are formed by Multi Modal Corridor (MMC) and its interchange to the East and Vakadi, Chinchavali T. Waje, Morbe village to the West. TPS-12 shares its boundary at Mahalungi village on the North while NAINA IDP, TPS-3 and Gadhe River abuts in the South.

4.2. SALIENT FEATURES OF TPS -12

The Salient features of TPS-12 are as under;

i. The identified Town Planning Scheme No. 12 boundary admeasuring about total area 504.67 ha includes part of villages Chinchavali tarf Waje, Kondale,

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Mahalungi, Morbe, Ritghar, Umroli, Usarli Bk. and Vakadi of Taluka Panvel, District Raigad and is abutting proposed Multi Modal Corridor. The scheme is contiguous.

ii. Net developable area after deducting river and forest area is 456 ha (approx.) out of which 248 ha is in Phase -1 (Residential zone) of NAINA Development Plan and approx. 207 ha is in limited Development zone.

iii. The Scheme is bounded by;

- On the *North* - by the boundary of MMC interchange at village Morbe and Mahalungi.
- On the East – by Proposed Multi Modal Corridor (MMC).
- On the South - by the boundary of Development Plan of NAINA at village Umroli and Vakadi.
- On the West - by boundary of village Chichavali Tarf Waje and Morbe village (excluding forest land)

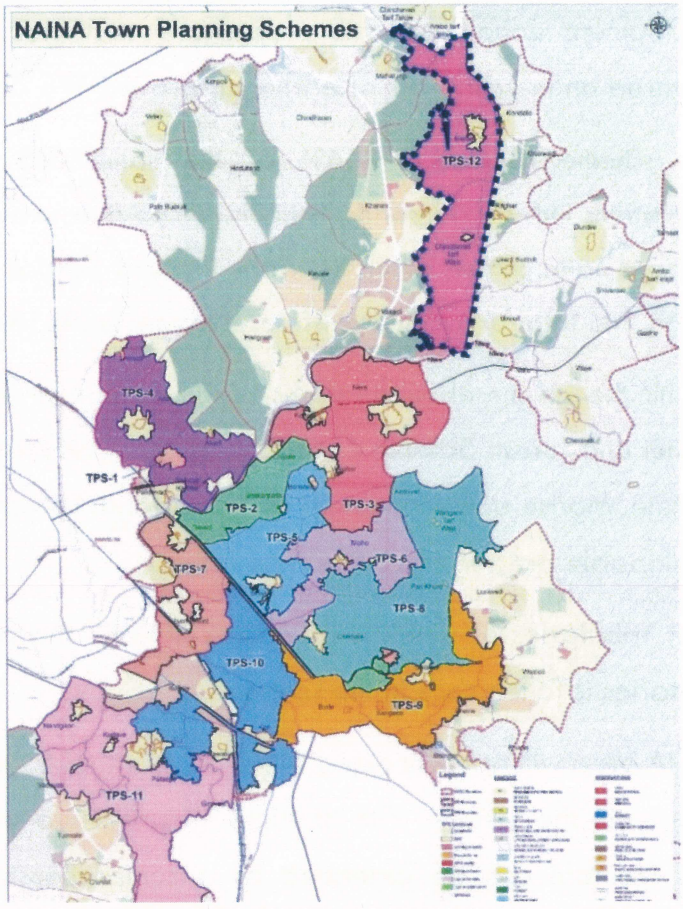


Figure 3- PLAN SHOWING IDENTIFICATION OF TPS_12 BOUNDARY IN NAINA DP

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iv. This Town Planning scheme is taken up for acquiring land under MMC. The total area under MMC in NAINA Development Plan area is 469 ha out of which approx.124.66 ha is proposed in TPS 12. From this interchange, the 126 m wide MMC ROW is passing through village Mahalungi, Morbe, Kondale, Ritghar, Chichavali Tarf Waje, Usarli Budruk and Umroli. MMC interchange falling at village Mahalungi and Morbe is included in the scheme.

v. As per Development Plan of NAINA, villages Mahalungi to Morbe falls in Limited Development zone (LDZ). Hence the boundary of TPS 12 is divided in two parts; limited development zone and Phase 1 area (residential zone) of NAINA DP so that final plot against lands falling in limited development zone (LDZ) shall be allotted in LDZ and that of falling in phase 1 area shall be allotted in phase 1 area.

vi. As per sanctioned DCPR of NAINA, the permissible FSI in residential zone is 0.5 (0.2+0.3) and in Limited Development Zone it is 0.2. However, in limited development zone permissible uses are restricted. The scheme shall be prepared on the concepts of earlier approved TPS and approved TPS DCR.

vii. The scheme contains 11.66% of the sanctioned DP reservations. These reservations include DP roads, Schools, School Playgrounds, Parks, Playgrounds, Primary health center, Daily Bazaars, Ground Service Reservoir and Receiving Station. The total area under such reservations is 38.58 ha.

viii. Within the scheme about 49.05 ha of lands are non-developable such as water channel and forest. Scheme comprises of 49 survey nos at village Chinchavali T. Waje, Morbe and Mahalungi as Forest land. Forest area is treated as non-developable area in Town Planning Scheme.

ix. Minor tributaries of rivers is traversing through the scheme. Buffer along the tributaries is taken care in the scheme

x. NAINA area will get connected with Navi Mumbai by means of proposed road linkages in the scheme. The physical infrastructure and road connectivity of Navi Mumbai can be extended as a comprehensive system. The network developed in the scheme no. 12 will further extend into the remaining part of the Development Plan (DP) of NAINA. The scheme abuts the proposed Multi

modal corridor and will have approach through the proposed 36m and 24m wide DP roads, which will turn a major point of connectivity for NAINA DP.

xi. Major part of identified pocket is virgin lands, hence less constraint for proper planning. This scales out compact neighborhood development in DP.

4.3. DECLARATION OF INTENTION TO PREPARE TPS – 12 U/S 60(1) OF THE MR&TP ACT, 1966.

The proposal for implementation of Town Planning Scheme-12 was placed before CIDCO Board. The Board of CIDCO vide Resolution No 12551, dated 02/04/2022 had delegated the powers to VC&MD, CIDCO to get the schemes declare its intention under Sub-section (1) of section 60 of the said act. VC&MD, CIDCO in accordance with the powers delegated by CIDCO Board accorded approval vide CIDCO/CP (NAINA)/TPS-12/2022/E-148162 dated 22/09/2022 for declaration of intention for making of TPS-12 under Sub Section (1) of the Section 60 of the said Act.

4.3.1. PUBLISHING DECLARATION OF INTENTION u/s 60(2) OF MR&TP ACT, 1966

As compliance of the Act, 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 of TPS-12 as per the provisions in section 60(2) of MR&TP Act, 1966 has been published in the extraordinary official Maharashtra Government Gazette (part-II) dated 14/10/2022.

- **LOCAL NEWS PAPER:** The Gazette Notice of declaration was then published in the newspapers "Ram Prahar" and "The Free Press Journal" on 19/10/2022 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

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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-12 and to the office of Director of Town Planning on 20/10/2022.

4.3.2. DISPLAY FOR PUBLIC u/s 60(3) OF MR&TP ACT, 1966

- **DISPLAY IN THE NAINA OFFICE:** In accordance with the provisions of section 60(3) of the MR & TP Act, 1966, a copy of the declaration notice along with the map showing the area to be included in TPS-12 is kept open for inspection of the public in the NAINA office during office hours on all working days.
- **DISPLAY IN LOCAL BODY OFFICES:** The declaration copy is also made available in concerned Grampanchayat and Group Grampanchayat offices for inspection of the public.
- **CIDCO'S OFFICIAL WEBSITE:** The Public notice and the map is also uploaded in the CIDCO's official website www.cidco.maharashtra.gov.in.

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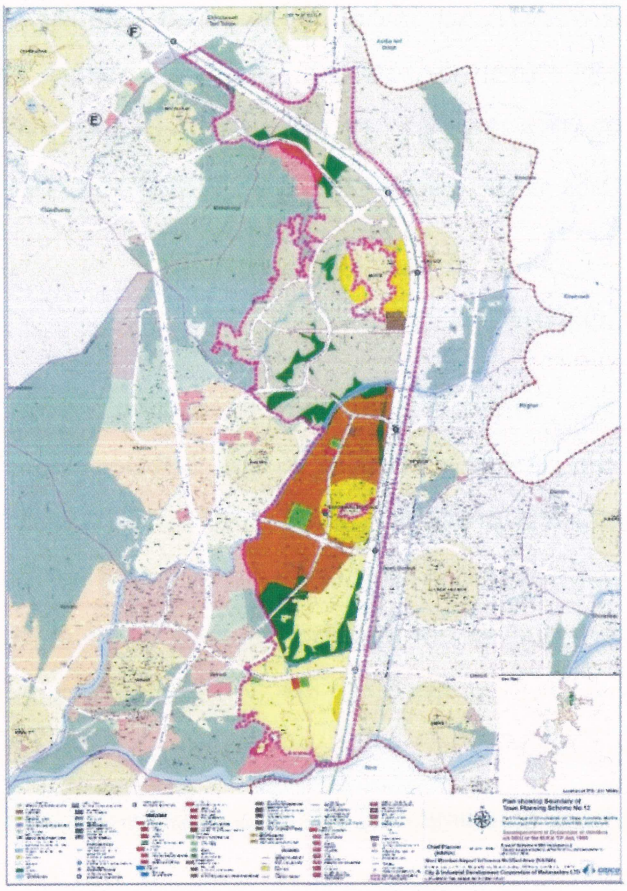


Figure 4: DECLARATION PLAN OF TPS 12

4.4. 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 8th June, 2023.

- In response to proposal dated 28th June, 2023, Joint Director Town Planning Konkan division under power delegated to him under section

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61(3) of MR&TP Act 1966, has granted extension upto three months (i.e. upto 13th October, 2023 as per order) vide letter no. TPS No.12/NAINA/Sect 61 (3)/Time-limit Extension/JDTP-KDN/1885, Dt: 28th June, 2023, under section 61(3) of MR&TP Act, 1966.

4.5. 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 6/06/2024 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

4.6. TIME LINE FOR THE PROJECT:

Table 2: Timeline of TPS 12

Sr No	Section	Actions	Act Provisions	Date
1.	60(1)	Declaration of Intention (CIDCO Board approval)	Starting date	22/09/2022
2.	60(2)	Declaration in the Official Gazette Intimation to Urban Development Dept. and Director, Town Planning	Within 30 days	14/10/2022

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Sr No	Section	Actions	Act Provisions	Date
3.	Rule No. 4 of TPS Rules 1974	Land Owners Meet conducted	--	05/04/2023 to 18/04/2023
4.	61(1)	Submission of Draft Scheme to Director, Town Planning for Consultation-I	Before 3 months of publication	10/07/2023
5.	61(1)	Receipt of Consultation-I Report from Director, Town Planning	10.10.2023	05/10/2023
6.	61(1)	Publication of Draft Scheme	Within 9 months or time extended u/s 61(3) (sought 3 months' time extension) viz; 12 months	11/10/2023
7.	67	Objection to the draft scheme to be submitted within 30 Days from Publication of Draft Scheme	Application for Suggestions/Objections received from 11.10.2023 to 30.11.2023 are considered due to festival time.	11/10/2023 - 30/11/2023
8.	68(1)	Submission of draft scheme with any modification and copy of objections received to VC&MD for its sanction.	Within 3 months from the date of Publication By 10.01.2024	01/01/2024
9.	68(1)	Submission of draft scheme to DTP for 2nd Consultation by VC & MD	By 10.01.2024	02/01/2024
10.	148-A	Extension of due to Election Code of Conduct	111 days	05/07/2024
11.	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

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4.7. COLLECTION OF TILR (MEASUREMENT PLAN) AND CERTIFIED 7/12 EXTRACTS:

For furnishing measurement and certified 7/12 abstracts of all landholders in TPS-12, the office of Deputy TILR, Panvel and Tahsil office, Panvel respectively were requested. The draft layout plan is prepared on the basis of 7/12 extracts and Drone survey plan received from the Survey agency appointed by Engineering department.

The area mentioned in the 7/12 extract is considered for the preparation of the scheme layout. The irrevocable consents of land owners for aggregating land parcels is also accepted from the willing parties. Based on the physical survey map, the Base Map is prepared showing Original Plots (in Green color). For the base map all available revenue records such as village maps, Gut Book, Tenure, Phalani map, 7/12 and 8A extracts, sanctioned layouts, measurement plan, government lands to the extent possible is compiled.

A note is forwarded to CL&SO vide letter dated 18/11/22 for requirement of land measurement survey from DySLR. The land measurement plan is yet to be received from DySLR. In absence of land measurement survey, TP Scheme layout is prepared with the help of base map of sanctioned IDP/DP, gut books and certified land measurement plans of permissions granted by CIDCO. Also, physical survey/ drone survey provided by Engineering Dept.

There may be some variation in the entitlement of the survey numbers which are situated along the boundary of scheme. On receipt of certified measurement plan, the necessary revision would have been made in entitlement and accordingly in layout.

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.

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4.8. PRESERVATION OF NATURAL AND EXISTING FEATURES UNDER THE SCHEME:-

4.8.1. FOREST LAND IN TPS 12:

Forest land within declared boundary of TPS is considered as non-developable land. The boundary and area of such forest land are not reconstituted in TPS. While preparing list of S.nos it is observed that some of the survey nos. are shown as forest in Development Plan of NAINA however as per 7/12 extract it is under private owners and there are no remarks of forest land in other right entry also.

This office has received forest data from Deputy Conservator Forest (DCF) Alibaug includes list of survey nos under forest as per section 4 notification, Govt. gazette etc. However, it is observed that in some cases the entry of these forest land is not reflected on the 7/12 extract.

In TPS, wherein survey numbers are found in the ownership of Forest or any other right remarks are recorded for forest as per 7/12 extract, those survey numbers are treated as non-developable and original plot (OP) is kept same as final plot (FP). And wherein survey numbers are found in the ownership of private land owners, 40% entitlement is given against those survey numbers.

In view of the above considering certified 7/12 extract, development plan of NAINA and data received from DCF, the forest lands are categorized as;

- **Category 1:** Survey Numbers under Private Ownership with Other Right Remarks of Forest.

  Fewer survey numbers ownership is in the name of private owners/**गवंड/ कातकरी गावठाण** where other right remarks (**इत्तर अधिकार**) is shown as **केंद्रशासनाच्या पूर्व परवानगी शिवाय वनत्तर वापरास/ कामास बंदी**

- **Category 2:** Survey Numbers under Private Ownership and shown as Forest in NAINA Development Plan and MMR Regional Plan 1996-2011.

  Fewer survey numbers ownership is in the name of private land owners

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where no other right remarks entry is of Forest as per 7/12 extracts. However this survey numbers are shown as Forest land in NAINA Sanctioned Development Plan and MMR Regional Plan 1999-2011.

- **Category 3:** Survey Numbers under Private Ownership and is falling in the List of Deputy Conservator, Alibag Data

  Fewer survey numbers ownership is in the name of private land owners where no other right remarks entry is of Forest as per 7/12 extracts. However this survey numbers are shown as Forest land in various list of Deputy Conservator Forest, Alibag vide Forest data.

In accordance, Category 1 is treated as forest land and no final plot is given to the private owner. In case of Category 2 and 3 since no remarks of forest land is mentioned in 7/12 extract, the 40% final plot is carved out at the same location as far as possible.

Assistant Conservator Forest, Panvel during land owners meet submitted letter dated 13/04/2023 to this office enclosing the list of survey numbers falling under the ownership of Forest with the applicability of section 35(3) of Indian Forest Act 1927 as well as Indian Forest Act 1980, along with the applicability of Karnala and Matheran Eco sensitive Zone, which is verified and it is found that there are 7 survey nos. in the list in the ownership of private land owners as per latest 7/12 extract and as per TPS principle 40% entitlement is given to these 7 survey nos. in TPS-12. The area of these survey nos. varies in 7/12 extracts and Forest Department List.

Letter dtd. 06/06/2023 is sent to Forest Department to confirm on any ownership updates with respect to 7/12 extracts for the 7 survey nos. along with the clarification on area variation. Necessary actions on these survey nos. related to forest will be taken only after getting the confirmation by Forest department regarding ownership variation.

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4.8.2. NATURAL TRIBUTARY:

As per Sanctioned NAINA DP map and the plain table survey by survey agency, it is observed that there are four Tributaries' features like river and nala passing from TPS 12 area.

- Gadhe River/ Tributary 1- passing from villages Umroli and Vakadi at south.
- Nala/ Tributary 2- passing from villages Usarli Budruk, Chinchavali T. Waje and Vakadi at south.
- River/ Tributary 3- passing from villages Morbe, Chinchavali T. Waje and Khanav at west.
- Nala/ Tributary 4- passing from villages Kondale, Morbe and Mahalungi

These tributaries are flowing from east to west through the scheme having an area of 4.58 ha under it. The existing course of tributary is haphazard, uneven and is surrounded by Forest land. While preparing the layout of TPS 12, natural flow of tributary is followed and as far as possible open space and Authority plots is kept around existing tributaries. This office has received HFL data from Irrigation department thro' letter dated 20/05/2019. The high flood line measures of Gadhe River as suggested by Irrigation department is followed in TPS 12 layout Plan. Wherever the final plots are proposed abutting tributary in the layout necessary buffer open space is created around the tributary according to DCR.

A correspondence has been made with Engineering department to offer any inputs/ remarks with respect to flood control measures for high flood line of rivers and on channelization of above mentioned tributaries if required. The work of report on river study and flood mitigation measures is under process by Engr. dept.

4.8.3. POWER TRANSMISSION LINE:

A power transmission line passes through village Morbe and Mahalungi and is falling under the proposed Multi modal corridor.

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4.8.4. EXISTING STRUCTURES AND STRUCTURES WITH VALID BUILDING PERMISSION :

Within the scheme area, there are around 687structures as per survey map and Google imagery. Out of this, majority of structures are sheds/ temporary construction for the purpose of farming. As far as possible, care is taken to provide the final plots around the structure.

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 handover unencumbered land in lieu of unencumbered developed Final Plot.

The unauthorized structures falling in alignment of roads shall be demolished while executing linear infrastructure works. 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 competent authority, the same is honored and final plot is carved out by maintaining the structure.

4.8.5. 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 at Chinchavali T. waje village and Burial ground at Morbe village are retained as existing amenity plots as per 7/12 extract. Temples in private ownership are protected by anchoring 40% Final Plot at its Original Plot location.

4.9. ENGINEERING AND TRANSPORTATION ASPECTS:

4.9.1. ENGINEERING : SEWAGE TREATMENT PLANT AND STORM WATER DRAINAGE:

TPS-12 is located towards the west of the DP. The area is relatively

undeveloped at present. The water supply and other utility network of adjoining Town Planning schemes will be extended till TPS-12 along with IDP and DP roads.

The engineering requirement of MBR and STP are formulated by engineering department for TPS-12. The provisions are made in the draft layout of TPS-12 accordingly. Till the STP proposed in layout is developed, it will be required 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 will carry storm water from TPS-12 area and also any run off coming from adjoining hills.

The infrastructure will be extended to the scheme from the same as per overall infrastructure master plan of NAINA.

Engineering department vide note dated 09/08/2023 has conveyed cost of onsite development of infrastructure (inclusive of GST 18%) which is Rs.892.12 Cr. The total infrastructure cost including escalation and IDC is Rs 3276.33 Cr. The cost includes land requirement for development of SWM facility outside IDP area. Other infrastructure cost like water source development, Electrical infrastructure includes street lighting, transportation infrastructure includes metro, and cost of Fire stations etc.

4.9.2. TRANSPORTATION:

The road network in Draft TPS-12 is prepared in consultation with CIDCO's T&C Dept. Necessary Modifications at major road junctions and other geometrics of the roads are planned after due suggestions from T&C Dept. The proposed road sections have provisions for future service lines such as cooking gas lines, fiber optics, and electric cables. The footpath will have tree guards. The main roads will have Bus bays and Bus 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.

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4.9.3. PROPOSED VIRAR-ALIBAG MULTI MODAL CORRIDOR (MMC):

As per sanctioned DP of NAINA, part of 126M wide ROW of proposed Virar-Alibag multi modal corridor (MMC) at village Umroli to Morbe along with interchange at village Morbe falls in TPS-12 boundary. The Eastern Boundary of TPS-12 declaration plan has been defined as per the alignment of proposed Multi modal corridor.

The alignment and interchange design of MMC are followed as per data shared by MSRDC dated 27/06/2022 and 21/11/2022 during the time of declaration, which was found under revision. Vide letter no. MSRDC/02/Land Surveyor /2023/1191 dated 22/02/2023, MSRDC has shared alignment of MMC with interchanges in CIDCO area. Prior Publication of the scheme, the area under MMC is followed from the Maharashtra Government Gazette Notification dated 12/08/2022 for Virar Alibag Multimodal corridor land acquisition and alignment drawing is followed as shared by MSRDC dated 21/11/2022 and 22/02/2023.

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 dtd. 18/04/2023 from Divisional Office, Panvel. 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.

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 Morbe interchange location in the JM in TPS-12. In accordance, the latest notification 10/08/2023 and updated JM data is referred for deriving entitlement of the Final plot while considering the MMC ROW alignment of JM maps in the layout plan after Publication of scheme and necessary changes are made in the form and layout of Draft TPS 12.

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It is to note, 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 12 has been informed to MSRDC for cognizance. The east boundary of the TPS-12 is bounded by MMC hence if any change in the alignment and interchange design by MSRDC there may be variation in layout and TPS declaration area. The area of survey numbers under MMC which are at the eastern boundary of TPS-12 that may change due to any change happens in MMC alignment in future shall be considered the part of NAINA DP.

4.10. RESHAPING AND REALIGNMENT OF THE DP RESERVATIONS WITHIN THE TPS U/S 59(2) OF MR&TP ACT, 1966:

Total scheme area is 504.67 Ha. Within the scheme about 49.05 Ha of lands are non-developable such as water channel and forest. Area under proposed Multi modal corridor is 124.66 Ha. The net developable scheme area is 330.96 ha. The scheme contains 11.66% of the sanctioned DP reservations. These reservations include DP roads, Schools, School Playgrounds, Parks, Playgrounds, Primary Health center, Daily Bazaars, Ground Service Reservoir and Receiving Station. The total area under such reservations is 38.58 ha.

Efforts have been made to maintained location of reservations. In consideration of allotment of final plots, protection of existing structures, water channel and others, the size and shape and location of the reservation have been reconstituted. However, the areas of DP reservations are not reduced. The entry and exit of roads has been maintained for contiguity with adjoining area of the DP/IDP. Since TPS-12 is part of sanction development plan, 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 detail of sanctioned DP reservation in the scheme and its area after draft layout prepared and justification for modification in reservation is mentioned in the Table placed below.

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Table 3: DP Reservations modification under section 59(2) of MR&TP Act, 1966

RESERVATION TYPE	RESERVATI-ON NO	AREA AS PER SANCTIONED DP (SQ.M.)	AREA AS PER TPS 12 (SQ.M.)	JUSTIFICATION
Proposed DP Roads		262098	291579.11	DP road area is changed due to slightly modification in Road alignment with the increase in road area without changing entry and exit locations for betterment of the scheme. After Publication with the revised alignment of MMC as per Panvel Division office vide JM sheets dtd. 18/04/2023, DP road area is changed with minor modification in Road alignment especially of 36m wide DP road passing from village Mahalungi to Morbe below MMC Morbe interchange for the purpose of better connectivity with the increase in road area without changing entry and exit locations for betterment of the scheme.
School (S)	433 _ S	3967	6000.13	The reservation is affected by Forest land as per 7/12 extract. Hence it is rearranged in same module to make it of proper shape with the increase in area
	434 _ S	4000	4683.09	The reservation is rearranged at its location to make it of proper shape with the increase in area
School Playground (PG)	435 _ SPG	6400	7080.92	The reservation is rearranged at its location to make it of proper shape with the increase in area
	436_SPG	6347	10108.06	The reservation is rearranged adjacent to 434_S School reservation, with the increase in area.

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RESERVATION TYPE	RESERVATI-ON NO	AREA AS PER SANCTIONED DP (SQ.M.)	AREA AS PER TPS 12 (SQ.M.)	JUSTIFICATION
Parks & Playgrounds (DP Reservations)	426_P (Pt.)	3504	3803.25	Total area of 426_P is 30862sq.m. Part area 3504sq.m of reservation falls within TPS 12. Balance area 27358sq.m. of reservation lies out of TPS 12 in NAINA DP. No change in location. Increase in area
	427_PG	28643	30839.36	The reservation is rearranged at its location to make it of proper shape with the increase in area.
Daily Bazaar	419_DB	993	1499.39	The reservation is rearranged at its location to make it of proper shape with the increase in area
	421_DB(P)	269.22	269.23	Total area of 421_DB is 954sq.m. Part area 269.22 sq.m of reservation falls within TPS12. Balance area 684.78sq.m. of reservation lies out of TPS 12 in NAINA DP. No change in shape and area.
Primary Health Centre	429_PHC	1494	1500.97	The reservation is rearranged at its location to make it of proper shape with the minor increase in area
Ground Service Reservoir (/GSR)	423_GSR 15	2500	3505.90	The reservation is rearranged on other side of same 24m wide DP Road with increase in area.
Receiving Station	560_RS	21883	24941.49	Due to revised alignment of MMC as per Panvel Division office vide JM sheets, the reservation is rearranged at its location to make continuous 12m wide layout road along MMC with increase in area.

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4.11. SPECIAL TREATMENT FOR LANDS FALLING WITHIN THE URBAN VILLAGE ZONE:

As per sanctioned DP, the 200 m around the gaothan 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 12, at four 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 1 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.

5. CONTENTS OF DRAFT TOWN PLANNING SCHEME AS PER SECTION 64 OF THE ACT

The draft scheme shall contain the following particulars so far as may be necessary

Table 4: Contents of Draft TPS 12

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-1, class-2 etc are incorporated in Form -1
2	64(b)	Reservation, acquisition or allotment of land required under sub-clause (*i*) of clause (*b*) of section 59 with a	Section 59(1)(b)(i) of the Act deals with any of the matters specified in section 22. The DP of NAINA is sanctioned on 16/09/2019

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SR. NO	SECTION	CONTENT/ PARTICULARS	COMPLIANCE/PROVISION
		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	Area of land reserved for public purposes in DP, such as schools, 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 DP reservations is increased in layout plan. 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. As per clause (m), special DCR are proposed for effective controlling and regulating the use and development of final plot.
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by reconstitution;	The Final plots are proposed as far as possible at the location of their original land. The land under reservation has been allotted FP on land having ASR rate equal to or more than its OP value. The boundaries of OP has been altered to make the FP regular shape and developable.
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 1 and Form 2 of the Scheme.

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SR. NO	SECTION	CONTENT/ PARTICULARS	COMPLIANCE/PROVISION
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	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 DP roads are made to have better connectivity. Existing structures falling under DP roads are proposed to be demolished. The scheme contains approximate 10% OS and 8% amenities apart from DP reservations. The amenities shall be assigned uses such as Daily Bazaar, Town hall, ESS, etc. as per requirements. Also, 4 schools and attached play grounds will be materialized from the layout Open Space and amenities. 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. Existing temples are protected and additional open space and amenity spaces are carved out around existing temples for its beautification and enhancement. As per sub-section (iii) the corresponding regulations of sanctioned DCPRs of DP have been suspended by Govt vide letter dated 30/12/2019 and 28/02/2024 for implementation of Special DCR for TPS

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SR. NO	SECTION	CONTENT/ PARTICULARS	COMPLIANCE/PROVISION
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 major linkages such as 36m roads and reserving spaces for social facilities, utilities, inclusive housing etc.
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-1)	The allotment of land from the total area covered under the scheme, to the extent of,- (*i*) the reservation of land to the extent of ten per cent. 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 ; (*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: (*A*) for roads;	In the layout, approx. 5% land of the scheme area is reserved for providing housing accommodation to the members of economically weaker section and for lower income group. CIDCO is proposing 10% open space, 5% amenity and 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). 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

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SR. NO	SECTION	CONTENT/ PARTICULARS	COMPLIANCE/PROVISION
		(*B*) for parks, playgrounds, garden and open spaces; (C) social infrastructure such as schools, dispensary, fire brigade and public utility place; (*D*) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development	final buildable plots, thus on the final plot, FSI works out to 2.5 The extent of 40% mentioned in 64(g-1)(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. It is to submit that, Sale plots as per the provisions of Act are meant to recover the cost of these infrastructure along with recovery of cost towards water source development, metro, etc. Around 14% of sale purpose land in layout in terms of section 64(g-1)(ii)(D) is proposed in TPS 12.
9	64(h)	Any other prescribed particulars.	9m buffer is proposed along the minor water course while preparing layout of TPS 12.

6. MEETING WITH LAND HOLDERS AND FRAMING OF THE TENTATIVE PROPOSALS:

As specified in Rule number 4(1) of MRTP Rules, 1974, public meetings of the land owners included in draft scheme is called to explain the tentative proposal of the draft scheme for eliciting public opinion and suggestions before the draft scheme is sent for 1st DTP consultation. VC & MD CIDCO dtd. 20/03/23 approved the proposal to conduct land owners meet of TPS 12. In accordance, owners meet was conducted on 5th and 6th April 2023 at NAINA office, Floor No. 8, Tower No. 10, CBD Belapur Railway Station Complex, CBD Belapur, Navi Mumbai-400614.

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6.1. PROCEDURES LAID FOR CONDUCTING LAND OWNERS MEET:

After decision of CIDCO to conduct the land owners meet, the Step wise procedures laid for in person conferencing of TPS 12 at CIDCO NAINA office is as below;

Table 5: Pre Landowners' meet Activities.

SR. NO	PROCEDURES	DESCRIPTION	DATED
A.	PRESS PUBLICITY VIA NEWSPAPERS:	Land owners meet notice published in 2 local newspapers namely 'Krushival' and 'Newsband'	23/03/2023
B.	INVITATION TO LAND OWNERS	All landowners' of TPS 12 were invited by sending letters through registered post or by hand delivery.	23/03/2023
C.	PUBLIC NOTICE UPLOADED ON CIDCO`S WEBSITE	➢ Public Notice along with declaration details was uploaded on CIDCO's official website at https://cidco.maharashtra.gov.in/naina so as to reach out maximum land owners and stakeholders to participate in TPS 12 Public Meet. ➢ Notice were displayed at CIDCO's NAINA office.	23/03/2023
D.	INVITATION TO CONCERNED AUTHORITIES	All the concerned authorities such as Irrigation Department, Thane and Kolad, Deputy Conservator Forest, Alibag, MSRDC, MSETCL, MSEDCL Panvel were invited to participate in TPS 12 Public Meet	23/03/2023
E.	INFORMING CONCERNED GRAMPANCHAYATS AND GROUP GRAMPANCHAYAT.	Letters were sent to all the concerned Grampanchayats and Group Grampanchayat from the respective villages falling under TPS 12, requesting the Gramsevaks to display Public notices at respective Gram Panchayat and Group Grampanchyat offices for the awareness of all the concerned landowners to participate in the in person conferencing of TPS 12.	27/03/2023

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SR. NO	PROCEDURES	DESCRIPTION	DATED
F.	SENDING BULK SMS MESSAGES	Invitation of Public meet was also sent to landowners in the form of bulk SMS messages to the available mobile numbers of around 150 landowners on the day of owners meet so as to spread the words of Public meet to reach to maximum land owners falling in TPS 12.	05/04/2023
G.	PUBLIC MEET EXTENSION- 10th April-18th April, 2023	➢ For the land owners who were not able to attend the public meet of TPS 12 on 5th and 6th April, 2023. An extension of 7 days for public meet was created and Public Notice in this regard was published in 2 local newspapers namely 'Free press journal' and 'Krushival'. ➢ The same was displayed at CIDCO's NAINA office and CIDCO's official website at https://cidco.maharashtra.gov.in/naina.	09/04/2023

Considering same ownership land parcels; the landowners of **792** land parcels were invited by sending **613** individual letters for eliciting public opinion and suggestions thereon. Lands in same ownership (though located at different locations) were proposed to be given a single final plot. After voluntary and deemed consent the numbers of final plots in the scheme are **563** in numbers.

6.2. TPS 12 PUBLIC MEET CONFERENCING ON 5th AND 6th APRIL, 2023

TPS 12 Land Owners' conferencing took place in person at CIDCO NAINA office, 8th Floor conference room during office hours from 10 am to 5pm. Various touch points of Public Interface was created for the purpose of Public Interventions. Details of same are listed below;

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Table 6: Conferencing of Land owners' meet.

SR. NO.	STEPS OF CONFERENCING	DETAILS OF SUPPORT SYSTEMS FOR PUBLIC INTERFACE
A.	HELPDESK (SUPPORT TO LAND OWNERS):	A team of administrative staff around 4 in nos. registered the attendance and navigated the land owners to check their land details as specified and published in the scheme and accordingly participate in TPS 12 land owners' conferencing.
B.	DRAFT SCHEME TPS 12 ARTICULATION TO LAND OWNERS IN PUBLIC MEET	➢ The wall panels of Draft Layout plan of TPS 12 in flex and detailed maps of the original and final plots are displayed in the conference along with the original and final plot entitlement sheets booklets. ➢ The details of TPS 12 depicting benefits to the landowners, commitment to the landowners during earlier meetings and way forward were displayed in the entrance foyer of NAINA office. ➢ Senior officials and Team of Planners around 7 in nos articulated the land owners to know the details of their lands in the draft scheme of TPS 12 showing the final plots in respect of original plot along with its entitlement. ➢ Government appointed facilitator facilitated in connecting maximum villagers and gram panchayats of TPS 12 with the authority orienting benefits of the scheme to the last mile.
C.	PUBLIC MEET EXTENSION-10th April-18th April, 2023	Dedicated staff was assigned to support the land owners who could not attend the Public meet on 5th and 6th April, 2023 during the extension time from 10th to 18th April from 10am to 5pm explaining the final plot details to the land owners.
D.	SUBMISSION OF SUGGESTONS/ OBJECTIONS	The land owners are given the opportunity to submit their written suggestions/objections within next 7 days i.e till 28th April 2023, so that the same can be considered by CIDCO before seeking consultation from Director of Town Planning.

The support system created, eased out the communication and procedures of TPS 12 to the land owners and all the concerned stakeholders in understanding the details of their final plots.

6.3. PUBLIC PARTICIPATION IN THE PUBLIC MEET (05/04/2023 - 18/04/20203).

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For the sake of convenience and handling all the land owners in efficient manner, the land owners from village Chinchavali tarf Waje, Ritghar, Umroli, Usarli Bk.and Vakadi were invited on 5th April.2023 and land owners from village Kondale, Mahalungi and Morbe were invited on 6th April, 2023 between 10 am to 5 pm. Land owners from all villages have attended the owners meet individually or in groups on both the days.

- All the land owners participated in public meet were shown location of their Final Plot and statement showing area details of their original land and Final Plot.
- 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. Some land owners requested to add land within declared TPS scheme boundary. Some of the land owners requested to separate or amalgamate final plot area due to change in ownership.
- Considering extended time period of owners meet, the owners were requested to submit their written suggestions/objections within 7 days i.e till 28th April 2023, so that the same can be considered by CIDCO before seeking consultation from Director of Town Planning.

A. ATTENDANCE:

Table 7: Attendance of Land owners' Meet in Draft TPS 12.

Sr. No.	DATE	NO OF LAND OWNERS VISITED THE PUBLIC MEET	NO OF FINAL PLOTS VIEWED BY LAND OWNERS
1.	05/04/2023	52	40
2.	06/04/2023	182	115
3.	10/04/2023-18/04/2023	68	102
4.	**Total**	**Approx. 250 and more**	**257**

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Thus, it can be summarized that 48% and above attendance was recorded for the Public Meet with respect to final plots viewed. The extension in public meet created a great response of public participation in public meet.



Figure 5: ***LAND OWNERS MEET OF TPS 12***

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B. LAND OWNERS CORRESPONDENCE THRO' SUGGESTIONS- OBJECTIONS TO TOWN PLANNING SCHEME NO. 12.

The land owners meet got overwhelming response of suggestion/ objections submitted by land owners and other applicants. Total of 166 suggestions-objections applications are received in context of Public Meet and Draft Scheme of TPS 12. The details of applications are tabulated as below;

Table 8: Type of Suggestions-Objections during Landowners' meet in Draft TPS 12

SR. NO	TYPE	NO. OF APPLICATIONS RECEIVED
1	Plan	23
2	Record Updates, Plan	4
3	Record Updates	6
4	Court Case	5
5	Exclusion of S.no. from TPS, Plan	2
6	Exclusion of S.no. from TPS	5
7	Non forest, inclusion of S.no. in TPS	7
9	MMC	2
10	Irrigation	1
11	Forest	1
12	General General Demand - 5 Objection to TPS - 47 S.no. 5-gaothan - 58	110
	TOTAL	**166**

C. REVIEW OF SUGGESTIONS-OBJECTIONS.

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

1. TPS shall not be made binding on land owners and their land parcels should be excluded from the scheme.
2. The existing unauthorized structures (chawls) shall be protected.
3. The structure within 200M from gaothan shall be considered under gaothan expansion scheme.
4. 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.
5. Villagers demanded to expedite development of roads and infrastructure

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6. Land owners shall be given 60% of land share instead of 40% land share.
7. No development charges and betterment charges shall be made applicable.
8. Funds for development of final plot to be given.
9. The time limit for suggestion-objection shall be increased.
10. Inclusion of land parcels which are shown as Forest in Development plan of NAINA however the land parcels are under private ownership in TPS as per 7/12 extract and final plot to be allotted for the same.
11. The farmers shall be declared as Project Affected People (PAP) and shall be given certificate to this effect. Compensation for the land surrender to be given by CIDCO
12. Exclusion of land from TPS which are developed on site with or without permission and lands for which development permission proposal is submitted.

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_12 are **23** out of **29**.

D. END NOTE:

The land owners were explained principles adopted for preparation draft town planning schemes which are also approved by Govt while sanctioning TPS 1, 2 and 3. The land use composition of 60% to be utilized by Planning Authority is explained in detail.

Also land owners were explained regarding relaxation given in special DCPR of Town Planning schemes for utilization of full potential of original plot on Final plots of Town Planning scheme.

Majority of land owners expressed their satisfaction during the meet and overall response to the scheme was positive.

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7. PUBLICATION OF DRAFT SCHEME U/S 61(1) OF THE ACT:

The justified suggestions helped in creating the draft layout plan to the accuracy. Based on this, the draft TPS 12 was submitted for consultation to Director Town Planning, GoM under section 61(1) of MR & TP Act, 1966 and as per rule no 4 (2) of TPS Rules 1974 dated 10/07/2023 for the purpose of Publication. The Director Town Planning office (DTP), Pune vide letter no. जा.क्र.वि.यो.नैना/नरयो क्र. १२/कलम ६१(१)/प्र.क्र. ३४८/२३/टिपीव्ही-३/५१४९ dated 5/10/2023 offered remarks for first consultation and sanctioning of reshaping and realignment of DP reservations of TPS 12. Necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS 12.

In accordance with provisions of section 61(1) of the MR&TP Act, TPS 12 draft plan along with Special DCR was published in the Govt. Gazette dated 11/10/2023 inviting suggestions/ objections. Notice of the draft plan publication was also made in local newspaper namely '*रायगड नगरी*' and '*The Freepress Journal*' dated 17/10/2023.

A copy of the draft TPS 12 scheme book and plans are 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 6: ***PUBLICATION OF DRAFT TPS 12***

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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. However due to festival months, the period of submitting suggestions/objections was extended by 15 days Accordingly, till 30/11/2023, this office has received 4 applications in total. Also, 3 no. of applications were received during the intervening period, post time period given for submitting suggestions/ objections after land owners' meet and before publication of draft scheme. All these applications were broadly categorized as,

Table 9: Type of Suggestions-Objections during Publication in Draft TPS 12

Sr. no.	Category	Application received		Total applications
		before publication	after publication	
(i)	Plan related	1	3	4
(ii)	Record Updation	1		1
(iii)	General related to scheme	1	1	2
Total		**3**	**4**	**7**

5 out of 7 applications were considered related to valid suggestions, record updation and others and the draft scheme was modified accordingly.

8. RESHAPING AND REALIGNMENT OF THE SANCTIONED DP RESERVATIONS IN TPS 12 POST PUBLICATION.

Director Town Planning vide जा. क्र. नैना नरयो क्र. १२/ कलम ६१(१)/प्र. क्र. ३४८/२३/टपीव्ही -३/५१४९ दि. ०३/१०/२०२३ had in principle approved the suitable amendments to sanctioned DP while making provision of draft TPS 12, 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 revised MMC alignment at Morbe interchange as per the latest PWD notification dtd. 10/08/2023 and Joint measurement maps dtd. 18/04/2023 received from Divisional Office, Panvel; there are some minor

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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. 09/01/2024.

9. CONSULTATION U/S 68(2) VIS-À-VIS ITS COMPLIANCE.

After carrying out necessary changes arising out of valid suggestions, the draft TPS 12 has been submitted to VC&MD on 01/01/2024 for sanction under section 68(2) of the Act in accordance with powers delegated to him vide Notification dated 13/09/2017. And further as per sub-section (2) of section 68 of the Act, VC&MD before sanction of Draft Scheme, has submitted the scheme to Director of Town Planning (DTP), Maharashtra State to seek 2nd Consultation vide letter dated 02/01/2024.

The DTP, MS, Pune vide letter No. जा. क्र. नरयो क्र. 12(प्रा.)नैना/कलम 68(1)/प्र.क्र. ८१/ २४/टीपीव्ही-३/१६९८ dated 15 March, 2024 had offered the consultation. As per suggestions given by DTP, necessary compliance is done and all plans, Sp. DCPR and Report of Draft TPS 12 is prepared for Draft Sanction.

10. STATUS OF LAND PARCELS IN TOWN PLANNING SCHEME NO. 12.

There are overall **1063** no. of land parcels (7/12) in the scheme. Out of which **874** no. of land parcels (7/12) are considered for entitlement in the scheme. **189** no. of land parcels (7/12) are fully falling under MMC. **157** no. of land parcels are partly falling under MMC. **12** no. of land parcels (7/12) are falling under SPUR. Total number of final plots allotted across entitlement is **563** in numbers.

Based on 7/12 extracts with same name, **421** land parcels are proposed for amalgamation. Further **135** plots amalgamated for the land parcels having same ownership. Balance **428** individual plots are proposed having individual ownership.

The details are enlisted as below;

- ❑ Original Plots : **1063**

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- ❑ Final Plots : **563**
- ❑ Forest Plots : **53** (no. of 7/12 – 49)
- ❑ Final Plot (min. size) : **40** SQ. M.
- ❑ Final Plot (max. size) : **35160** SQ. M
- ❑ Amalgamation (name) : **135** (no. of 7/12 - 421)
- ❑ Individual Plots : **428** (no. of 7/12 -593)
- ❑ Dispossessed Land Parcels : **3** (less than 40sq.m.)

The total number of Final plots (to be returned to land owners) is **563**. Out of this about 459 plots are anchored around their original location. The plots which could not be anchored are mainly due to the DP reservations, Tributary and Multimodal corridor interchange etc. In case of plots affected by 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 such location where ASR value is more than the original plot value. About 81% plots are anchored (either fully, partly or touching) to its original locations.

TPS 12 is divided in two parts; limited development zone and Phase 1 area (residential zone) of NAINA DP In accordance final plot against lands falling in limited development zone (LDZ) are allotted in LDZ and that of falling in phase 1 area are allotted in phase 1 area.

11. LAND USE DISTRIBUTION IN TPS- 12:

The land use distribution in TPS-12 is as under:

Table 10: Land use Distribution in Draft TPS 12

SR. NO.	PARTICULARS	AREA IN HA.	% ON SCHEME LAYOUT AREA (EXCL. RESERVATION LAND)	% ON OVERALL SCHEME AREA
1	Area of the TPS-12 as per 7/12 (Landowners)	380.55		
2	Area of the TPS-12 as per 7/12 (MMC)	105.76		
3	**Area of the TPS-12 as per Drawing**	**504.67**		
	NON DEVELOPABLE			

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SR. NO.	PARTICULARS	AREA IN HA.	% ON SCHEME LAYOUT AREA (EXCL. RESERVATION LAND)	% ON OVERALL SCHEME AREA
i	Area under Forest	**44.47**		
ii	Area under Water Body	4.58		
iii	Area under MMC	124.66		
4	**Area (Gross) for TPS-12**	**330.96**		
5	Area under DP Reservation	38.58		11.66%
a	Area under DP road	29.16		8.81%
b	Area under other DP reservations such as Schools, Public Health Centers, Daily Bazaars etc.	4.24		1.28%
c	Area under other DP reservations such as Park, Playgrounds etc.	5.18		1.57%
6	**Area (NET) available for scheme preparation**	**292.38**		
7	Area under Internal Roads (Actuals)	37.17	12.71%	11.23%
8	Area reserved for Recreational Open Spaces	35.71	12.21%	10.79%
9	Area reserved towards Amenities / Social facilities	25.2	8.62%	7.61%
10	Sale Plot	47.14	16.12%	14.24%
11	Area available for EWS Housing	15.29	5.23%	4.62%
12	**Area to be distributed in the form of Final Plots. (generally 40% of 7/12 area)**	**131.87**	**45.10%**	**40.00%**
13	Total Numbers of Original Plots	1063		
14	Total Numbers of Final Plots (including Roads)	1045		
15	Total number of Final Plots against 7/12 (Resi + Forest+ Ex. Amenity)	616		

The areas as per drawing are considered for the purpose of land use statement. For the calculation of entitlement of Final Plot (FP), area as per 7/12 extract is considered.

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NAINA TOWN PLANNING SCHEME No. 12

(Part of Villages Chinchavali tarfe Waje, Kondale, Mahalungi, Morbe, Ritghar, Umroli, Usarli Bk. and Vakadiof Taluka – Panvel, District – Raigad)

DRAFT SCHEME

SPECIAL DEVELOPMNET CONTROL REGULATIONS
PART B

12. 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, Program 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 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.

Since the powers of sanctioned of Draft Scheme u/s 68(2) of the Act are delegated to Managing Director, CIDCO vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13/09/2017, it is proposed to formulate Special Development Control Regulations for TPS-1 consistent with sanctioned DCPRs of DP as per sub-section (2) of section 159 of the said Act. A separate note was initiated by this office vide no. CIDCO/NAINA/PLNG/SP(DP)/2021/E-73050 dated 23rd Sept. 2021, for modifications in special DCR of TPS on request of CREDAI-MCHI and other architects to utilize full potential of final plot. Meanwhile Preliminary Scheme TPS-2 is approved by Government dated 03/11/2021 with Special DCPR.

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The State Government has sanctioned the Preliminary TPS-3 along with Special DCR vide Urban Development Department Notification no. TPS-1222/2186/CR-15/12/UD-12 dated 29/11/2022 under sub-section (1) of section 86 of the said Act.

Now for all the 12 Town Planning Schemes, it is proposed that uniform Special DCR shall be made applicable. Accordingly in Preliminary scheme submission of TPS-6, the modification is proposed in special DCR of TPS-6 by Arbitrator by preparing a comparison statement of Special DCR sanctioned by the Govt. for TPS-3 with Special DCR sanctioned in Draft TPS-6 and the modifications as communicated by SPA-NAINA to Arbitrator dated 02/11/2023 in the Special DCR for each regulations.

Accordingly, the Special DCR of TPS 12 is modified considering Special DCPR of sanctioned preliminary TPS-3, modification proposed in special DCR of Preliminary scheme TPS-6 and as suggested by Director Town Planning, Pune in 2nd Consultation of TPS-12.

13. SPECIAL DEVELOPMENT CONTROL REGULATIONS FOR TPS-12

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(1AA) 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.10. 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 DCPR -2019 and these special regulations prescribed below arises, then these special regulations shall prevail.

1. The Final Plots allotted to the owners in lieu of their Original Plots shall be

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considered as included in the Predominantly Residential Zone of the sanctioned Development Plan and shall be eligible for development for uses prescribed in Regulation No. 31 of the DCPRs -2019 irrespective of the actual zonal boundaries of the DP.

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 of 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 sanctioned DCPR- 2019.

7. The 10% Recreational Open Space prescribed under regulation No. 20.3.1 of the sanctioned DCPR-2019 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, Parks and Open spaces in the scheme in addition to

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those reserved in the Development Plan for which owners of the final plots have shared their lands from their original plots.

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

9. The provision of 20% plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPR-2019 read with Annexure-4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides 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 and layout road, then while processing Amended CC or OC of such final plots, land area as per CC for such Open Space, Amenity may not be insisted upon. However, location and land area of remaining Open Space and Amenity inside the final plot shall be maintained as per CC.

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

11. The base FSI applicable to the Final Plots allotted under the Town Planning

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Scheme shall be 1.00. However, if the owners of final plots opt compensation in the form of FSI as provided under section 100 of the Act, then the FSI permissible in a final plot shall be computed as below:

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

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

Provided further that, the 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.

$$\text{FSI of Final Plot} = \frac{\text{Area of OP}}{\text{Area of Respective FP}} + \left[\left\{ \frac{(\text{Area of OP} - \text{Area of Respective FP})}{\text{Area of OP}} \times 0.25 \right\} \times \frac{\text{Area of OP eligible for benefit within 200 M from Gaothan}}{\text{Area of OP}} \right]$$

12. The permissible FSI in respect of Final Plots, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00.

13. If the FSI mentioned in the Special regulation no. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances/ height 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 -2019 shall be

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applicable.

ii. Such transfer of development right from a Final Plot to another Final Plot situated in the adjoining sanctioned preliminary scheme shall be permitted once only and only with prior approval of the Managing Director of the CIDCO and upon his satisfaction that the concerned owner is unable to transfer his development right within the scheme where the TDR has generated.

iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00

iv. The owner transferring the FSI as TDR shall not develop his Final Plot at any time to consume FSI more than that already consumed at the time of issuing the DRC.

v. The Final Plot, after such transfer, shall not be eligible for any additional FSI/TDR in future.

vi. The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.

14. The permissible FSI in respect of Final Plots designated to Amenity Plots or to Schools, College, Education Purpose, Fire Station, Police Station, Community Centre, Hospital, Primary Health Centre and Town Hall shall be 2.5.

15. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR, Burial ground and Crematorium in the scheme shall be 1.0

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

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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.

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;

Table 11: Side and Rear Marginal Spaces

Area of Plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
40 M2 to less than 150 M2 *Pls 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 3.00 M.				
150 M2 to less than 450 M2	Semi-detached type	Upto 15 M	1.5	2.25
	Detached type	Upto 15 M	2.25	2.25
		Above 15 M Upto 24.0 M	**H/5**	**H/5**
450 M2 to the less than 1000 M2	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 M2 and above	Detached type	Upto 15 M	3.00	3.00
		Above 15 M Upto 24.0 M	**H/5**	**H/5**
		Above 24.0M 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).				

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Area of Plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
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 40meter length shall not be applicable. b) The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable. c) For special building use No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above. Provided that projections required for firefighting and chajja or weather shed upto 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided. d) Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m upto 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m. e) The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.				

20. Mechanical/Hydraulic / Stack parking / multistoried 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

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Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications, modern methods of disposals, shall be permitted at the discretion of the Authority.

23. The service road of the State highways, 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 all the above 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.

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

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14. FINANCE OF THE SCHEME

14.1. 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 presumed 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 2022-23. The Final Plots were estimated in the draft scheme at the rate of four times of NA land rate of ASR 2022-23.

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-12 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 herewith for reference.

As per the 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 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 through TPS, the valuation as

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well as cost of its development need to be considered in the valuation statement of the scheme.

Accordingly the assumptions in preparation of the same are as under:

- For original plot value of land parcels, ASR of Non-agriculture land of 2022-23 is considered.
- If more than 50% of a particular survey number falls under no construction activity area due to restriction of buffer/ HT line/ Gas pipe line etc, 50% of NA rate mentioned in ASR is considered.
- For the already granted CC permissions by competent Authority, OP value is considered equal to semifinal value, considering that there will be enhancement only in terms of provision of infrastructure by CIDCO.
- For the land parcels falling more than 50% within 200M from Gaothan boundary or in urban village, Original plot value is considered as 1.1 times ASR of Non-agriculture land of 2022-23. In survey numbers where sub hissas are not known, benefit of urban village shall be given only to those sub hissas which are falling more than 50% within 200M from Gaothan boundary.
- For the purpose of semi-final value of plot, 1.5 times ASR of Non-agriculture land of 2022-23 of OP is considered.
- Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2022-23.
- 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 as Roads, layout open spaces, small amenities which are solely for the benefit of residents within scheme area don't attract contribution. The Sale Plot is reserved for purpose of Planning Authority. The economic or commercial activity envisaged through sale plots shall mainly serve to the benefit of residents of the entire DP area. Hence it is assumed that sale plot shall be entirely beneficial to the general public. Plots carved out for EWS/LIG in the scheme are requirement of scheme as per Act Provision, hence shall be beneficial to the general public.
- Plot numbers are given to roads only as per the request of Dy. SLR for preparing property cards. No compensation/ contribution is worked out on such final plots.

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- Plots reserved for Planning Authority such as park, open space, gardens, common play grounds which are non-saleable plots. Hence, semifinal value is considered as ASR and equal to final plot value.
- For survey numbers/ hissa numbers partly in scheme, area as per drawing is considered in scheme.
- Compensation as mentioned in Column no. 11 considered zero since FSI in lieu of compensation is provided. (Modified as per consultation of Director Town Planning Pune).
- The area of final plot less than 40sqmt. is dispossessed.
- CIDCO Board vide resolution no. 12552 dated 02/04/2022 noted levying of Contribution/ Betterment Charges through alternative mechanism from the last beneficiaries. The proposal in this regard is prepared and the same shall be made applicable after approval from Government.

14.2. COST OF THE SCHEME

In Town Planning schemes all infrastructure facilities including last mile connectivity shall be developed by CIDCO. Economist Dept., CIDCO has work out the onsite and offsite costs/ City level costs involved for development of infrastructure in Interim Development Plan (IDP) and Development Plan (DP) of NAINA project i.e. for 12 Town Planning Schemes. On site project cost provided by Engg. Dept and offsite costs/ City level costs provided by Transportation, Water supply, Electrical and Fire Dept. has been apportioned for individual Town Planning scheme on the basis of its area.

Further, 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-12, the onsite infrastructure cost provided by Engg. Dept. is 892.12 Cr. However, considering all the onsite, offsite and city level costs with assumption mentioned above the cumulative cost of scheme no. 12 is Rs.3276.33 Cr. The same is considered while preparing Finance of the scheme i.e. Form-II.

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14.3. 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 12 Town Planning schemes for the recovery of onsite and offsite charges incurred in the development of these 12 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 12 Town Planning Schemes. DC applicable for land per sqm is 0.5% of the ready reckoner rate or Rs 100, whichever is higher and DC applicable for built up area per sqm is 2% of the ready reckoner rate 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 of 4.

3. 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.12.

As per section 99 of MR&TP Act, 50% contribution/betterment charges is proposed and to be recovered from land owners in 10 annual installments. However, there is continuous opposition from the local land owners. They also formed "Kruti Samittee" for opposing betterment charges.

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In the Assembly session of Feb-March 2022 in the discussion of the short notice of rule 97 in Vidhan Parishad by Shri Jayant Patil and others, the Hon'ble Urban Development Minister in the Vidhan Parishad has stayed the levying of Contribution (betterment charges) to the land owners of Town Planning Scheme. And it was informed to the Vidhan Parishad that the contribution (betterment charges) to be recovered from the last beneficiary by the alternative mechanism.

Further the issue of levying of betterment charges was also appraised to CIDCO Board on 2/04/2022 and accordingly CIDCO Board vide resolution no. 12552 has taken note of levying of Betterment charges and alternative mechanism to be adopted.

4. INFRASTRUCTURE CONTRIBUTION CHARGES

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

Alternative mechanism for recovery of contribution/ betterment charges, it is proposed to levy Infrastructure Contribution Charges (ICC) on the built up area of the Residential (40% landowners) and Growth Centre land. The charge will be a specific percentage of the sale cost of the constructed premise and will be levied on the end users based on land use (i.e. residential or commercial).

A study is conducted by the appointed consultant for financial feasibility of the Town Planning Scheme. The study inferred that the expected revenue from the 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 the 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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15. LEGAL FORMALITIES

NAINA TOWN PLANNING SCHEME No. 12

(Chinchavali tarf Waje, Kondale, Mahalungi, Morbe, Ritghar, Umroli, Usarli Bk. and Vakadi)

Table 12: Legal Formalities_Declaration to Draft Sanction of TPS 12

SR. NO	LEGAL STAGE	SECTION/ RULE OF THE ACT	REFERENCE	DATE
1.	Declaration of Intention	60 (1)	Resolution No. 12551, Board Meeting No. 635	02/04/22 & 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)	The Free Press Journal (English) Ram Prahar (Marathi)	19/10/2022
4.	Copies of Intention and Plan to Govt. and DTP	60 (2)	Letter No. CIDCO/ NAINA/Planning/DP/TPS-12/ 2022/559	20/10/2022
5.	Publication of Plan and Gazette notice in SPA's office	60 (3) Rule. 3(1)	-----	14/10/2022
6.	Application for Extension of 3 months	61 (3)	Resolution No. 12551, Board Meeting No. 635 CIDCO/NAINA/DP/TPS-11&12Extension/2023/E-207901 Letter No. CIDCO/NAINA/ TPS 11 & 12 Extension /2023/466	02/04/2022 05/06/2023 08/06/2023
7.	JDTP, Konkan Division Extension Letter	61(3)	TPS No.12/NAINA/Sect 61 (3)/Time-limit Extension/JDTP-KDN/1885 Dt: 28th June, 2023	13/10/2023
8.	Meeting with Owners	Rule 4(1)	----	05/04/2023-18/04/2023
9.	Consultation with DTP	61(1) Rule 4(2)	Letter No. CIDCO/NAINA/TPS-12/ Consultation u/s 61(1)/ 2023/ **559**	10/07/2023
10.	Submission of Suitable Amendments in DP	59(2)	CIDCO/NAINA/TPS-12/ Amendment_sec 59(2)/2023/ **560**	10/07/2023

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SR. NO	LEGAL STAGE	SECTION/ RULE OF THE ACT	REFERENCE	DATE
11.	DTP's Remarks on draft scheme and Approval of Suitable Amendments in IDP	61(1) Rule 4(2), 59(2)	जा.क्र.वि.यो.नैना/नरयो क्र. १२/कलम ६१(१)/प्र.क्र. ३४८/२३/टिपीव्ही-३/५१४९	03/10/2023
12.	Gazette Publication of Notice	61(1) Rule 5(1)	Maharashtra Government Gazette, Extraordinary Part II	11/10/2023
13.	Newspaper Publication of notice	61(1) Rule 5(2)	*'रायगड नगरी'* and *'The Freepress Journal'*	17/10/2023
14.	Suggestions/ Objections Received Timeframe	Rule 5(2)	-----	11/10/2023 – 30/11/2023
15.	Submission to Govt. for Sanction (Now to MD, CIDCO)	68(1)	CIDCO/NAINA/TPS-12/Sec68(1)/2024/04/E-271560	01/01/2024
16.	Consultation with DTP	68(2)	Letter No. CIDCO/NAINA/TPS-12/Consult 68(2) /2024/01	02/01/2024
17.	Submission of Suitable Amendments in IDP Reservation	59(2)	CIDCO/NAINA/TPS 12 Amendment/sec 59(2)/2024/36	09/01/2024
18.	Extension of due to Election Code of Conduct	148-A	No. 437/6/1/ECI/INST/ FUNCT/MCC/2024	16/03/2024-05/07/2024
19.	DTP's Remarks on draft scheme and Approval of Suitable Amendments in IDP	68(2) Rule 4(2), 59(2)	जा. क्र. नरयो क्र. 12(प्रा.)नैना/कलम 68(1)/प्र.क्र. ८१/ २४/टीपीव्ही-३/१६९८	15/03/2024
20.	Sanction of Draft TPS-12	68(2)	No. CIDCO/NAINA/TPS-12/ Draft Scheme/2024/.....	08/07/2024

16. SUBMISSION/SCHEME ACCOMPANIMENTS

ENCLOSURES

i. CIDCO's Board Resolution No 12551 dated 02.04.2022

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ii. CIDCO, VC&MD approval vide CIDCO/CP(NAINA)/TPS-12/2022/E-148162 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 Ramprahar and The Free Press Journal dated 19.10.2022.

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. Consultation of DTP received u/s 61(1) vis-à-vis compliances done by CIDCO

vii. Notice as per section 61(1) published in Gazette dated 11.10.2023

viii. Notice published in the local news paper Dainik Raigad Nagari and The Free Press Journel on 17.10.2023.

ix. Summary of suggestions/ objections and CIDCO's remarks.

ACCOMPANIMENTS

x. The Plan no. 1 showing the Location of the area under scheme.

xi. The Plan no. 2 showing the Original Plots included in the scheme.

xii. The Plan no. 3 showing the Original Plots and the Final Plots allotted in the scheme.

xiii. The Plan no. 4 showing the Final Plots allotted in the Scheme.

xiv. The Plan no. 5 showing Details of roads and infrastructure to be carried out by the Authority.

xv. The Plan no. 6 showing Uses/zones of final plots and sites reserved for public purposes by the Authority.

xvi. Report on the Scheme.

xvii. Redistribution and Valuation Statement in Form no. 1 and Finance of TPS-12 in Form no 2.

xviii. Suspension of Regulations dated 30/12/2019 and 28/02/2024.

xix. Extension granted by the Joint Director of Town Planning, Konkan Division vide Order No TPS No.12/NAINA/Section 61(3)/Time-Limit Extension/JDTP-KDN/1885, dated 28.06.2023.

CIDCO LTD. NAINA NAVI MUMBAI

Chief Planner,
NAINA-CIDCO

Vice Chairman &
Managing Director, CIDCO