



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ५, अंक ५७(२)]

बुधवार, सप्टेंबर १८, २०१९/भाद्र २७, शके १९४१

[पृष्ठे १२, किंमत : रुपये ११.००

असाधारण क्रमांक १०८

प्राधिकृत प्रकाशन

नगरविकास विभाग

४ था मजला, मुख्य इमारत, मंत्रालय, मुंबई ४०० ०३२, दिनांक ३ सप्टेंबर, २०१९.

अधिसूचना

टिपीएस-१२१९/१८६५/प्र.क्र.१०८/१९/नवि-१२.—ज्याअर्थी, प्रारूप नगररचना परियोजना नैना क्र. १ (मौजे आकुर्ली, बेलवली व चिखले) (यापुढे ज्याचा उल्लेख " उक्त प्रारूप परियोजना " असा करण्यात आला आहे), उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको यांनी शासनाने महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख " उक्त अधिनियम " असा करण्यात आला आहे) चे कलम १५१ मधील तरतुदीनुसार प्रदान केलेल्या अधिकारात उक्त अधिनियमाच्या कलम ६८ उप कलम (२) मधील तरतुदीनुसार अधिसूचना क्र.सिडको/नैना/टिपीएस-१/२०१८, दिनांक २१ सप्टेंबर २०१८ अन्वये मंजूर केली आहे ;

आणि ज्याअर्थी, शासन, नगरविकास विभागाने अधिसूचना क्र.टिपीएस-१७१८/४३५४/ प्र.क्र.२२३/१८/नवि-१२, दि. २३ ऑक्टोबर २०१८ अन्वये श्री. सु. व. सुर्वे, निवृत्त उप संचालक, नगररचना यांची उक्त अधिनियमाच्या कलम ७२ चे उप कलम (१) मधील तरतुदीनुसार लवाद म्हणून नेमणूक केली आहे (यापुढे ज्याचा उल्लेख " उक्त लवाद " असा करण्यात आला आहे) ;

आणि ज्याअर्थी, उक्त लवाद यांनी उक्त परियोजनेसंदर्भात आवश्यक ती वैधानिक कार्यवाही पूर्ण करून आणि उक्त परियोजना अंतिम करून, प्राथमिक नगररचना परियोजना नैना क्र. १ (आकुर्ली, बेलवली, चिखले) उक्त अधिनियमाच्या कलम ७२ चे उप कलम (५) सह कलम ८२ चे उप कलम (२) मधील तरतुदीनुसार दिनांक ४ जुलै २०१९ च्या पत्रान्वये शासनास मंजूरीकरिता सादर केली आहे ;

आणि ज्याअर्थी, आवश्यक ती चौकशी केल्यानंतर व संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचा सल्ला घेतल्यानंतर प्राथमिक नगररचना परियोजना नैना क्र. १ (आकुर्ली, बेलवली, चिखले) काही बदलांसह मंजूर करणे आवश्यक आहे, असे शासनाचे मत झाले आहे ;

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ८६ चे उप कलम (२) अन्वये प्रदत्त असलेल्या अधिकारात शासन, प्राथमिक नगररचना परियोजना नैना क्र. १ (आकुर्ली, बेलवली, चिखले) यासोबत जोडलेल्या परिशिष्ट-१ (अंतिम भूखंडांबाबत) व परिशिष्ट-२ (नगररचना योजना नैना क्र. १ च्या विशेष विकास नियंत्रण व प्रोत्साहन नियमावलीबाबत) मध्ये नमूद केल्यानुसार काही बदलांसह मंजूर करीत आहे ;

२. प्राथमिक नगररचना परियोजना नैना क्र.१ (आकुर्ली, बेलवली, चिखले) मंजूरीची अधिसूचना खालील कार्यालयांमध्ये कामकाजाच्या दिवशी कार्यालयातील वेळेत एक महिन्याच्या कालावधीकरिता आम जनतेच्या अवलोकनार्थ उपलब्ध राहिल :-

(१) व्यवस्थापकीय संचालक, सिडको, सिडको भवन, सीबीडी, बेलापूर, नवी मुंबई.

(२) सहसंचालक, नगररचना, कोकण विभाग, कोकण भवन, सीबीडी, बेलापूर, नवी मुंबई.

(३) सहाय्यक संचालक, नगररचना, रायगड-अलिबाग शाखा, जि. रायगड.

३. सदरची अधिसूचना ही शासनाच्या www.maharashtra.gov.in या वेबसाईटवरसुद्धा उपलब्ध आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

अशोक का. खांडेकर,
कार्यासन अधिकारी.

SCHEDULE-1

Preliminary Town Planning Scheme NAINA No. -1

Accompaniment to the Notification No.TPS-1219/1865/CR-108/19/UD-12, Dated 3/9/2019.

Sr. No.	Original Plot No.	Final Plot No.	Proposal submitted by the Arbitrator to the Government for sanction under section 72(5) and 82(2) of the M.R. & T. P. Act, 1966	Modification sanctioned by the Government under section 86(2) of the M.R. & T. P. Act, 1966
1	1	1	Final Plot No. 1 (Area 1786.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 1 to the owners.	Sanctioned as proposed.
2	4 & 7	5	Final Plot No. 5 (Area 262.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 4 alongwith his other holding in OP No. 7 to the owner.	Sanctioned as proposed.
3	8	6	Final Plot No. 6 (Area 408.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 8 to the owner.	Sanctioned as proposed.
4	9,11,12,13, 15,18,19,22, 29,31,33,34, 35,36,37,41 & 44	20	Final Plot No. 20 (Area 22013.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 9, 11, 12, 13, 15, 18, 19, 22, 29, 31, 33, 34, 35, 36, 37,41 & 44 alongwith company's other holdings to the owner.	Sanctioned as proposed.
5	23	--	The north-south road alignment between FPs 31 & 34 and the FPs 32 & 33 for open spaces shall be deleted. The concerned final plots shall be rearranged and the left out area shall be designated as Children Play Ground in FP No. 34. Final Plot No. 33 as finalised on the Plan No. 3 is allotted in lieu of OP No. 23 to the firm.	Refused to accord sanction.

6	28 & 30	40A & 40B	<p>Final Plots No. 40A (727.00 sq.mt.) and 40B (1816.00 sq.mt.) as per their shares in the ownership as finalised on the Plan No. 3 are allotted in lieu of OP No. 28 to the owners.</p> <p>Final Plot No. 42 of the draft scheme shall be deleted and the Final Plot No. 40A (727.00 sq.mt.) shall be increased in area by 80 sq.mt. as finalised on the Plan No. 3 and shall be allotted in lieu of OP No. 30 alongwith FP to be allotted in lieu of OP No.28 to the owners</p>	Sanctioned as proposed.
7	39	17	<p>Final Plot No. 17 (Area 1408.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 39 to the owner. The FP allotted to him shall not be transferred unless permitted by the Revenue Department.</p>	Sanctioned as proposed.
8	40	19	<p>Final Plot No. 19 (Area 1093.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 40 to the owner.</p>	Sanctioned as proposed.
9	46 & 47	2	<p>Final Plot No. 2 (Area 5463.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 46 alongwith their another OP No. 47 to the owner.</p>	Sanctioned as proposed.
10	48	26	<p>Final Plot No. 26 (Area 5504.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 48 to the owners.</p>	Sanctioned as proposed.
11	50	7 & 22	<p>Final Plot No. 7 (Area 2487.00 sq.mt.) & 22 (Area 4453.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 50 to the owners.</p>	Sanctioned as proposed.
12	45, 52, 54, 55 & 56	32	<p>Final Plot No. 32 (Area 2814.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 45, 52, 54, 55 & 56 alongwith company's other holdings to the owner.</p>	Refused to accord sanction.

13	57	31	Final Plot No. 31 (Area 1192.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 57 alongwith company's other holdings to the owner.	Refused to accord sanction.
14	58	23	Final Plot No. 23 (Area 784.00 sq.mt.) as finalised on the Plan No. 3 is allotted in lieu of OP No. 58 to the owners.	Sanctioned as proposed.

Note :- Final Plot Numbers 3, 4, 9, 10, 11, 12, 18, 21, 35 and 42 are not appearing as these final plots do not exist.

By order and in the name of Governor of Maharashtra.

ASHOK K. KHANDEKAR
Section Officer.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, 4th Floor, Main Building, Mumbai 400032, dated the 3rd September 2019.

NOTIFICATION

No. TPS-1219/1865/CR-108/19/UD-12.— Whereas, the Draft Town Planning Scheme No.1 (Villages Akurli, Belavali and Chikhale) (hereinafter referred to as “the said Draft Scheme”) has been sanctioned by the Vice Chairman & Managing Director, CIDCO as per the powers delegated under Section 151(1) of the Maharashtra Regional and Town Planning Act, 1966 **he..** off a help used to as “The Said Act.” To as by the Government in Urban Development Department *vide* Notification No.TPS-1817/973 /C.R.103 /17/UD-13, dated the 13th September, 2017 under sub-section (2) of the Section 68 of the said acts *vide* Notification No.CIDCO/NAINA/TPS-1/2018, dated the 21st September, 2018,

And whereas, the Government in Urban Development Department has appointed Shri S. V. Surve, Retired Deputy Director of Town Planning as the Arbitrator (hereinafter Referred to as ‘the said Arbitrator’) for the said sanctioned Draft Scheme *vide* Notification No. TPS-1718/4354/CR-223/18/UD-12, dated 23rd October 2018 under sub-section (1) of Section 72 of the said Act, ;

And Whereas, the said Arbitrator after following the prescribed legal procedure and finalising the said Draft Scheme, has submitted preliminary Town Planning Scheme NAINA No.1 (Akurli, Belavali, Chikhale) to the Government for sanction under sub-section (5) of section 72 and sub-section (2) of section 82 of the said Act, *vide* letter dated the 4th July 2019 ;

And whereas, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune, the State Government is of the opinion that it is necessary to sanction the Preliminary Town Planning Scheme NAINA No. 1 (Akurli, Belavali, Chikhale) with some changes ;

Now therefore, in exercise of the powers conferred under sub-section (2) of section 86 of the said Act, the State Government hereby sanctions the Preliminary Town Planning Scheme NAINA No. 1 (Akurli, Belavali, Chikhale) with some changes as described in the Schedule-I (regarding Final Plots) and Schedule-II (regarding Special Development Control and Promition Regulations of the Town Planning Scheme NAINA No.1) appended hereto;

02. This notification of sanctioning the Preliminary Town Planning Scheme NAINA No. 1 (Akurli, Belavali, Chikhale) shall be available for inspection of General public wing working hours on all working days for the period of one month in the following Offices :—

- (1) The Managing Director, CIDCO, CIDCO Bhavan, CBD Belapur, Navi Mumbai.
- (2) Joint Director of Town Planning, Konkan Division, Konkan Bhavan, CBD Belapur, Navi Mumbai.
- (3) Assistant Director of Town Planning, Raigad-Alibaug Branch, Dist. Raigad.

03. This notification is also made available on the Government Website www.maharashtra.gov.in.

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

ASHOK K. KHANDEKAR,
Section Officer.

SCHEDULE-2

Preliminary Town Planning Scheme NAINA No. -1

Accompaniment to the Notification No. TPS-1219/1865/CR-108/19/UD-12, Dated 3/9/2019.

<p>Proposal submitted by the Arbitrator to the Government for sanction regarding the Development Control Regulations under section 72(5) and 82(2) of the M.R. & T. P. Act, 1966</p>	<p>Modification sanctioned by the Government under section 86(2) of the M.R. & T. P. Act, 1966</p>
<p>In addition to the Development Control and Promotion Regulations in force in the area included in the Interim Development Plan of 23 villages from Panvel Tahsil of Raigad District which have been sanctioned vide Urban Development Department Notification No. TPS-1215/245/CR-332/2015/SM/UD-12 dated 27th April 2017 (hereinafter called as 'DCPR-2017'), the following Special Sanctioned as proposed, Regulations shall apply to the development of any sort to be carried out in the Final Plots of the Town Planning Scheme, NAINA No. 1 (Akurli, Belevali, Chikhale). In case of any conflict between the regulations in the DCPR-2017 and these special regulations prescribed below arises, then these special regulations shall prevail.</p>	<p>Regulation No. 20.3.1 of the sanctioned Development Control and Promotion Regulations of the Interim Development Plan is suspended by the Government in Urban Development Department vide dated 23/10/2018 under section 56(1)(b)(ii) of the Maharashtra Regional and Town Planning Act, 1966. Hence sanctioned as proposed.</p>
<p>7) The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the DCPR-2017 shall not be considered necessary in a Final Plot admeasuring 0.40 ha or more in view of common Open Spaces in the form of garden, play-ground and children play ground in addition to the Development plan Reservations are provided for the same purpose for which owners of final plots have shared the land.</p>	<p>Regulation No. 20.3.11 of the sanctioned Development Control and Promotion DCPR-2017 shall not be considered necessary in a Final Plot admeasuring</p>
<p>8) The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the DCPR-2017 shall not be considered necessary in a Final Plot admeasuring</p>	<p>Regulation No. 20.3.11 of the sanctioned Development Control and Promotion</p>

<p>2.00 ha or more, in view of common amenities for the same purpose in the form of Community Centre and Educational Site are provided in addition to the Development Plan reservations for which owners of Final Plots have shared the land</p>	<p>Regulations of the Interim Development Plan is suspended by the Government in Urban Development Department vide dated 23/10/2018 under section 56(1)(b)(ii) of the Maharashtra Regional and Town Planning Act, 1966. Hence sanctioned as proposed.</p>
<p>9) The provision of 20 % plots/tenements for EWS / LIG inclusive housing prescribed under Regulation No. 20.6 of the DCPR-2017 read with Annexure- 4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides EWS / LIG housing in a dedicated Final Plot No. 44 for which the owners of final plots have shared the land.</p>	<p>Annexure-4 of Regulation No. 20.6 of the sanctioned Development Control and Promotion Regulations of the Interim Development Plan is suspended by the Government in Urban Development Department vide dated 23/10/2018 under section 56(1)(b)(ii) of the Maharashtra Regional and Town Planning Act, 1966. Hence sanctioned as proposed.</p>
<p>13) Additional FSI, Premium FSI or FSI in the form of TDR generated outside the Town Planning Scheme shall not be permissible for loading or for consumption in any final plot. However, TDR generated outside the scheme area only by surrender of land under any site / road reserved in the Interim development Plan to the Special Planning Authority shall be permissible for loading or consumption in a Final Plot admeasuring 0.40 ha or more subject to FSI in aggregate shall not exceed 4.00 and subject to provisions of Regulation No. 43 of the DCPR – 2017.</p>	<p>Refused to accord sanction.</p>
<p>14) If the FSI mentioned in the Special regulation No. 11 above permissible in a Final Plot is unable to be consumed in view of maintaining marginal distances / height restrictions / fire fighting requirements or due to any such restriction, in such cases, the balance FSI over and above FSI of 1.00 may</p>	<p>Refused to accord sanction.</p>

<p>be permitted to be transferred as TDR to a Final Plot situated within this Town Planning Scheme subject to</p> <p>The provisions of Regulation No. 43 of the DCPR - 2017 shall be applicable</p> <p>Such transfer of development right from a Final Plot to another Final Plot shall be permitted once only.</p> <p>The aggregate FSI in a receiving Final Plot shall not exceed 4.00</p> <p>The Owner shall not develop his Final Plot at any time to consume FSI more than 1.00 or more than utilized FSI.</p> <p>The Final Plot, after such transfer, shall not be eligible for any additional FSI / TDR in future.</p> <p>The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially consuming the FSI received in lieu of monetary compensation.</p>	<p>Refused to accord sanction.</p>
<p>16) Development of Final Plots allotted to the Special Planning Authority, NAINA (CIDCO) designated for public purposes in the Scheme shall be irrespective of any restriction on width of the access they are fronting.</p>	<p>Refused to accord sanction.</p>

18) The Set-backs from the roads and the marginal distances are prescribed below as relaxed so as to consume the permissible potential in respect of Final Plots whose breadths or depths are narrow. If owners of these Final Plots have opted for monetary compensation and thereby FSI permissible is restricted to 1.00 or these Final Plots are combined with adjacent Final Plots for integrated development, then these relaxed set-backs and marginal distances shall not be applicable.

Provided that the structures to be constructed in these Final Plots with relaxed marginal distances or set-backs shall not be more than 15 m in height.

Relaxed Set-Backs and Marginal distances from the plot boundary

Sr. No.	Final Plot No.	Relaxed Distances from plot boundaries (in meters)		
		Set back	Side margin	Rear Margin
1	5	3.00	1.00	1.50
2	6	3.00	1.50	1.50
3	17	3.00	1.50	3.00
4	23	3.00	2.25	1.50
5	27	3.00	1.50	1.50

Refused to accord sanction. The Special Development Control and Promotion Regulations of the Town Planning Scheme NAINA No. 1 will be applicable.

6	28	3.00	1.50	1.50
7	31	3.00	1.50	3.00
9	36	3.00	3.00	1.50
10	37	3.00	2.25	1.50
11	38	3.00	3.00	1.50 North side
12	40A	3.00	1.50	2.25

Note:- Projections of any sort except weather sheds over windows and doors (maximum upto 0.5 m) shall not be permissible in the above relaxed set-backs and the marginal distances.

19) With due consideration that final plots are reduced in area with higher FSI to consume the side and rear marginal distances in respect of other final plots not mentioned in regulation No. 18 above shall be H / 5 subject to maximum of 12 m, where H is the height of building as defined in the DCPR-2017. Further, a building having height more than 15m shall have marginal distances as 6.00 m minimum considering the fire requirements.

Refused to accord sanction. The Special Development Control and Promotion Regulations of the Town Planning Scheme NAINA No. 1 will be applicable.

20) The Set-back in respect of Final Plots not mentioned in Regulation No. 18 above and fronting on the Scheme Roads of 15 m width shall be 3.00 meter as minimum.	Refused to accord sanction.
21) With due consideration that reconstituted Final Plots are of reduced area and narrow in width, the Regulation No. 22.3.5 of the DCPR-2017 prescribing additional marginal distance of 10 % for structures more than 40 m in length/width shall not be made applicable in the scheme area	Regulation No. 22.3.5 of the sanctioned Development Control and Promotion Regulations of the Interim Development Plan is suspended by the Government in Urban Development Department vide dated 23/10/2018 under section 56(1)(b)(ii) of the Maharashtra Regional and Town Planning Act, 1966. Hence sanctioned as proposed.

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

ASHOK K. KHANDEKAR,
Section Officer.