

NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA (NAINA)

DRAFT TOWN PLANNING SCHEME – 3

Part of Villages: CHIPALE, KOPROLI, NERE, NEREPADA, VIHIGHAR, MOHO

REPORT

SANCTIONED UNDER SECTION 68(2) OF MR&TP ACT, 1966

**CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF
MAHARASHTRA LTD. (CIDCO)**

CBD BELAPUR, NAVI MUMBAI



REPORT ON: TOWN PLANNING SCHEME NO. 3, NAINA

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 (hereinafter referred to as “the said Notification”) City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as “the Corporation”) as Special Planning Authority (hereinafter referred to as “the SPA”) for 270 villages (hereinafter referred to as “said notified area”) as Navi Mumbai Airport Influence Notified Area (NAINA) as specified therein.

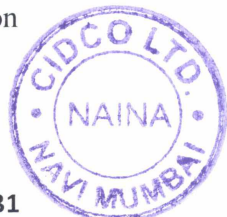
In pursuance of the powers conferred by Sub Section (1) of the Section 23 of the said Act, the Corporation published notice declaring its intention to prepare Development Plan for the said notified area, and inviting suggestions or objections from the public within a period of not less than sixty days from the publication of this notice in the Maharashtra Government Gazette, Part-II, Thursday to Friday, dated 15-21 May, 2014.

The Government of Maharashtra vide notifications dated 22nd September, 2015 and 18th March, 2016 had declared Maharashtra Industrial Development Corporation Limited, (MIDC) and Maharashtra State Road Development Corporation Limited, (MSRDC) respectively as SPA, resulting NAINA to 224 villages with total area of 474 sq.km.

ROLE OF CIDCO

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

Based on the above consideration, CIDCO decided to prepare an Interim Development Plan (IDP) on priority for the area under pressure of development due to its proximity with the developed node of New Panvel. Accordingly IDP was prepared for 23 villages. The Government of Maharashtra vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) along with Development Control and Promotion Regulations for the 23 villages of NAINA under Section 31(1) of the said Act, wherein the voluntary participatory NAINA Scheme was approved under Regulations No. 12.6 and 13. The excluded part of IDP were sanctioned on 1st March 2019.



VISION FOR NAINA

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

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

2) Initiative taken for implementation of IDP

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

The Government of Maharashtra in exercise of powers conferred by sub-section (1) of section 151 of the Said Act, vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13/09/2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO, for speedier implementation of the scheme.

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

Accordingly, a proposal of NAINA scheme received to CIDCO has been decided to be implemented through pilot TPS, and the Board of CIDCO vide Resolution No 11915 dated 11.08.2017 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of **Town Planning Scheme No 1 (TPS-1)** at Village- Akurli, Belavali, and Chikhale(non-contiguous pocket) of Taluka – Panvel, District Raigad admeasuring about 19.12 Ha.



Thereafter, as per provisions of the Act and TPS Rules 1974, after conducting owners meet, inviting suggestions/objections and seeking consultation from the Director of Town Planning, GoM, the VC&MD, CIDCO, in accordance with the powers delegated to him by the State Government vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13.09.2017, had sanctioned the **Town Planning Scheme No 1 (TPS-1)** on 21/09/2018 under section 68(2) of the Act with corresponding special DCRs.

The Preliminary TPS-1 drawn by Arbitrator was sanctioned by GoM vide Notification No TPS-1219/1865/CR-108/19/UD-12 dated 03.09.2019, published in Extra-Ordinary Maharashtra Government Gazette, Part-I, Konkan Division Supplement dated 18.09.2019.

The concept of giving back 40% net final plots to the land owners, non- applicability of open spaces, amenity spaces and EWS on final plots and special DCR was approved by Govt in the preliminary TPS-1

3) Purpose of Town Planning Scheme No-3:

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

With this background, CIDCO has declared intention to prepare TPS-03 for the purpose of implementing the proposals in the sanctioned IDP of NAINA.

The Board of CIDCO vide Resolution No 12038 dated 08.05.2018 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No-03 at Village – Nere (part), Vihighar (part), Moho (Part), Koproli (Part) and Chiple (Part) in one contiguous pocket of Taluka – Panvel, District Raigad. Copy of the Board note is annexed herewith for reference.

The declaration of intention to make TPS-3 has been published in Government Gazette (extra-ordinary Part-II) on 10.05.2018

4) Concept of Layout Plan:

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.

- All contribute equal percentage of land for the project
- Forest lands, water bodies, existing structure of valid permissions are kept intact
- Land owners to get 40% of original land holding as net final plot
- As far as possible final plots anchored to their original location
- Approximate 10% open space and 5% amenity are provided commonly in scheme layout and distributed spatially on neighborhood concept



- As far as possible existing structures are protected and final plot are given around existing structures.
- An attempt has been made to carve out final plots in such a way that they are of regular shape and are developable.
- Land affected by gas pipe line, between river & blue line have been given unencumbered final plots to its nearby original location.
- Same owner with scattered land parcels have been given single plot considering his consent for amalgamated.
- 7/12 is considered as basis for finalizing entitlement.
- No one is 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 % of scheme area.
- On the basis of suggestions received from owners during meet, necessary changes have been carried out in the tentative proposal.

As committed in NAINA scheme, the FSI of original plot is going to be load on the final plot (FP) area, which is 40% of Original Plot (OP), thus the permissible FSI on the FP will be 2.5. To enable the holder of FP to consume the permissible FSI, it is necessary to make Special Development Control Regulations for TPS-3. Therefore, along with approval of Draft TPS-3 under section 68(2) of the Act, requisite special DCR in accordance with sub-section (2) of section 159 of the said Act are proposed to be approved with Draft TPS.

CIDCO has advocated special DCR in TPS-1 and proposed to extend the same special DCRs for ensuing TPS in NAINA. The proposal of suspension of corresponding provisions of the sanctioned DCPRs of IDP has been approved by the Government in TPS-3 on 31.07.2018.

6) Compliance of the Act provisions in the Draft Town Planning Scheme no 3

I. IDENTIFICATION OF THE TPS BOUNDARY

The boundary for TPS-3 is identified in the proximity of already published boundary of Town Planning Scheme No-02, along the State Highway (Panvel-Matheran Road). The core goathans, padas and already developed pockets at edge are excluded from the scheme area. At the north the Kalundre River earmarks the boundary, in the east the boundary extends up to Matheran Eco sensitive Zone. In the west the scheme has a common boundary with TPS-2. In the south side the extent of growth Centre reservation is defined the boundary. The main features for identification of the boundary are -

- Existing access from State Highway – 103 (Panvel-Matheran Road).



- Continuity with Town Planning Scheme No-2, the physical infrastructure of TPS-2 can be extended as a comprehensive system.
- Demand from the villagers of Nere Village.
- Major part of identified pocket is virgin lands, hence less constrain for proper planning.
- Scheme area with 40% IDP reservation working out in contiguous pocket. The identified scheme area is sizable for township.

II. DECLARATION OF INTENTION TO PREPARE TPS – 3 U/S 60(1) OF THE ACT

The proposal for implementation of Town Planning Scheme is placed before CIDCO Board. The Board of CIDCO vide Resolution No 12038 dated 08.05.2018 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No.- 3 at Village- Nere (part), Vihighar (part), Moho (Part), Koproli (Part) and Chiple (Part) of Taluka – Panvel, District Raigad in one contiguous pocket. The scheme area is approximately 442 ha.

III. PUBLISHING DECLARATION OF INTENTION U/S 60(2) OF MR&TP ACT, 1966

As compliance of the Acts within 30 days of such declaration of intention to make a scheme -

- Gazette Notification : A notice about declaration of making Town Planning Scheme No 3 as per provision in Section 60(2) of MR&TP Act, 1966 has been published in the extraordinary official Maharashtra Government Gazette (part-II) dated 10.05.2018.
- Local News Paper: A public notice is also published in two widely circulated local News Papers, the daily newspapers “Lokmat” and “Asian Age” on 16.05.2018.
- Information to Govt. : 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 on 17.05.2018
- Information to Director of Town Planning, Maharashtra State. : A copy of gazette Notice together with a copy of the map showing the scheme area has been dispatched to the office of Director of Town Planning on 17.05.2018

IV. 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 Maharashtra Regional and Town Planning Act, 1966, a copy of the declaration along with the map showing the area to be included in the Town Planning Scheme- 3 is kept open for inspection of the public in the NAINA office during office hours on all working days.
- Display in Govt. Offices: The same is also made available in Collector’s office, Tahsildar’s office 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.cidcoindia.com
- V. EXTENSION OF 3 MONTHS U/S 61(3) OF MR&TP ACT, 1966
- CIDCO vide letter no. CIDCO/NAINA/TPS-3/Ext/2019/42 SAP-138 dated 23.01.2019 had requested State Govt. for extension of time limit under section 61(3) of MR&TP Act, 1966 for publication of draft scheme TPS-3.
- The Joint Director of Town Planning, Konkan division vide Order No TPS No. 3/NAINA/Sect.61(3)/Time-limit Extension/JTDP-KDN/232, dated 05.02.2019 has granted extension of three months' time i.e. up to 09.05.2019 for making and publication of the said draft scheme.
- VI. PUBLICATION OF DRAFT SCHEME U/S 61(1) OF MR&TP ACT, 1966
- DTP 1st Consultation: After owners meet, consultation was sought vide submission dated 30.01.2019 from the Director of Town Planning, GoM, as per Section 61 (1) of the said Act and as per rule no 4 (2) of TPS Rules 1974. The Director of Town Planning vide letter जा. क्र. नैनास्यो क्र.3/प्र.क्र.85/18/टिपीव्ही-3/2463 दि.09.05.2019 had offered consultation on TPS-3.
- Necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-3.
- Gazette Notice: In accordance with provisions of section 61(1) of the MR&TP Act, TPS-3 draft plan was published in the Gazette on 09.05.2019.
- Local News Paper: Notice of the draft plan publication was also made in Marathi (Prahar) and English (The Asian Age) Newspapers on 15th & 16th May 2019 respectively.
- Display in the NAINA Office: In accordance with the provisions of Section 61(1) of the Maharashtra Regional and Town Planning Act, 1966, a copy of the Notice along with the map showing all Plans 1 to 5 of Town Planning Scheme- 3 is kept open for inspection of the public in the NAINA office during office hours on all working days.
- VII. SUBMISSION OF DRAFT SCHEME U/S 68(1) OF MR&TP ACT, 1966
- Suggestion / Objection on Draft Scheme: After publication of draft scheme on 09.05.2019, map showing all Plans 1 to 5 of Town Planning Scheme- 3 was kept open for inspection of the public for one month for giving suggestion and objection on plan.
- After carrying out necessary changes arising out of valid suggestions, the draft TPS-3 was submitted to VC&MD for sanction on 05.08.2019 under section 68(2) of the Act in accordance with powers delegated to him vide Notification dated 13.09.2017.
- VIII. SANCTION OF DRAFT SCHEME U/S 68(2) OF MR&TP ACT, 1966
- As per sub-section (2) of section 68 of the Act, VC&MD before sanction of Draft Scheme, had sought consultation of Director of Town Planning (DTP), Maharashtra



State wide letter dated 20.08.2019. The DTP, MS, Pune vide letter No जा.क्र.नैनानरयो क्र.३/प्र.क्र./१/टिपीव्ही-३/५२५६ दिनांक २३/१०/२०१९ had offered his consultation.

- The draft Town Planning Scheme-3 is sanctioned by VC&MD on 01.11.2019 with the necessary modifications and the modifications suggested by DTP.

6) Time line for the project:

Sr No	Section	Action	Act Provisions	completed
1	60(1)	Declaration of Intention	Starting date	08.05.2018
2	60(2)	Declaration in the Official Gazette Two local news papers Display in the Intimation to Urban Development Dept. Intimation to Director, Town Planning Dept.	Within 30 days	10.05.2018
3	61(1)	Preparation of conceptual layout plan, conducting the owners meet, modification in the layout as per suggestions received, submission of draft scheme to Director, Town Planning for consultation	Within 6 months or time extended u/s 61(3) (sought 3 months' time extension)	30.01.2019 (after seeking 3 months' time extension)
4	61(1)	Publication of Draft Scheme		09.05.2019
5	67	Objection to the draft scheme to be submitted within 30 Days from Publication of Draft Scheme	Application for Suggestion received from 09.05.2019 to 10.06.2019 are considered.	10.06.2019
6	68(1)	Submission of draft scheme with any modification and copy of objections received to VC&MD for its sanction.	By 09.08.2019	Submitted on 05.08.2019
7	68(2)	Sanction of draft scheme with or without any modification by VC&MD after seeking consultation of DTP, MS, Pune	By 04.11.2019	Sanctioned on 01.11.2019



7) Effect of change in MESZ Boundary on the Scheme

On the east side of TPS-3 falls Matheran Eco Sensitive Zone along with its 200 m buffer, which is also the NAINA Boundary.

Vide notification no. TPS-1218/2888/PK120/18/NV-12 dated 6th Dec. 2018 has declared updated boundary for Matheran Eco Sensitive Zone (MESZ). Due to change in MESZ boundary, some part of NAINA is now included in Eco sensitive zone. Change in NAINA boundary has ultimately changed TPS-3 Boundary from MESZ side. Change in MESZ boundary has resulted in following changes in the scheme:

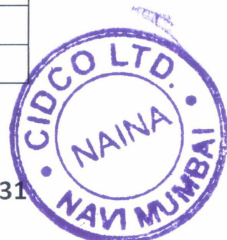
- TPS-3 total area reduced from 441.93 ha to 438.85 ha
- Few survey no. completely falls in MESZ boundary
- few survey no.s which were earlier fully in the scheme are now partly in the scheme and partly outside NAINA boundary
- Change in survey no. has resulted change in Final Plots allotted in the scheme.
- Details mentioned in ANNEXURE A-3

As per section 34 (2) of the Act, *Where any area is withdrawn from the jurisdiction of a Planning Authority the proposals, if any, made for that area so withdrawn in a Development plan shall also be deemed to be withdrawn therefrom.*

Thus, the area of 3.08 Ha from village Nere, which is now part of MESZ has been deleted from the TPS-3 and accordingly necessary changes arising due to deletion/reduction of survey numbers have been carried out in the scheme layout.

The details of Survey Numbers affected by MESZ and its repercussion of FP are as under:

Sr. no	Village Name	Old S. No	New S. no.	After New MESZ Boundary, S.no. is partly in the scheme or Deleted from Scheme	Old FP No.	FP area either Deleted / shifted / area reduced	New FP no.
1	Nere	378	255	Part	509, 511, 530	FP area reduced	509, 511, 530
2	Nere	399	246	Part	517	FP area reduced	517
3	Nere	400	247	Part	516	FP area reduced	516
4	Nere	401	248	Part	480	FP area reduced	480
5	Nere	405	252	Deleted	451 (Combined/A malgamated with other S. Nos)	FP area reduced	451
6	Nere	407	254	Deleted	521	Deleted	-
7	Nere	408	255	Deleted	523	Deleted	-



8	Nere	409	256	Part	532, 522	FP area reduced	531
9	Nere	410	257	Part	532	FP area reduced	532
10	Nere	411	258	Part	528 & othr	FP area reduced	528 & othr
11	Nere	402/1	249/1	Deleted	520 (Combined/A malgamated with other S. Nos)	FP area reduced	429B
12	Nere	402/2	249/2	Part	517	FP area reduced	517
13	Nere	402/3	249/3	Deleted	523	Deleted	-
14	Nere	406/1	253/1	Part	524	FP area reduced	521
15	Nere	406/2	253/2	Part		FP area reduced	
16	Vihighar	138		Part	124	FP area reduced	124
17	Vihighar	139		Part	551	FP area reduced	552
18	Vihighar	141		Part	702	FP area reduced	702
19	Vihighar	142		Part	124	FP area reduced	124
20	Vihighar	143		Deleted	124 (Combined/A malgamated with other S. Nos)	FP area reduced	124
21	Vihighar	144		Deleted	567 (Combined/A malgamated with other S. Nos)	FP area reduced	567
22	Vihighar	148		Part	618	FP area reduced	618
23	Vihighar	140/2		Part	554	FP area reduced	520
24	Vihighar	145/7		Part	458	FP area reduced	459
25	Vihighar	145/8		Part	404	FP area reduced	404

8) Methodology for preparation of Draft Town Planning Scheme

As specified in Rule number 4(1) of Maharashtra Town Planning Schemes 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. In the scheme about 600 lands owners are contributing. The notice in this regard is published in two local newspapers and individual notice to such owners for public meeting is also issued. In the notice the participant owners are asked to verify their name, area as per 7/12 extract and tenure of the land. They are also asked to submit the request for amalgamation for their entitlement. The list indicating the names, area and tenure of each plot is also uploaded in the CIDCO's official website and the same is made available in the respective Gram panchayat Offices and Tahsildar office. On receipt of the consent for amalgamation the entitlements are combined in the tentative scheme layout plan.



The public meeting was scheduled on 4th to 6th October, 2018 at NAINA office, 8th floor, Tower no. 10, Belapur Railway Station Complex, CBD, Belapur.

A presentation for understanding of the draft scheme layout for TPS-3 is made by concerned officer for suggestion and objection. The tentative layout plan is displayed during the meeting indicating the Final plot Numbers. Separate plans in A2 size is prepared for each Final plot with its original location for explaining to the concerned Lands owner; their original plot and the final plot. This is to explain the anchoring of the final plot in respect to the original location and its positioning in the proposed layout plan.

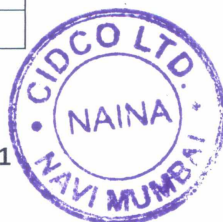
COLLECTION OF TILR (MEASUREMENT PLAN) AND CERTIFIED 7/12 Extracts:

The data regarding ownerships, 7/12 extracts and maps of all holdings included in the Scheme were collected from the Revenue and Land Records Departments. The land records Department had issued measurement plan for the TPS 3 area vide MR No 12078 (15.10.2018), 12079 (29.09.2018), 12080 (29.09.2018), 12081 (29.09.2018), 12430 (29.10.2018). The details of Land Ownership, area of land parcels and tenure of each Original Plot is collected and tabulated.

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

Due to change in MESZ boundary, the total scheme area is reduced from 442 ha to 438.78 Ha. Within the scheme about 6.98 ha of lands are under Forest and water bodies. The net developable land is 432.63 ha. The scheme boundary is identified in such a manner to accommodate about 40% of the sanctioned IDP reservations. These reservations includes IDP roads, Schools, School Playgrounds, Parks, College, Primary health center, Community Center, Daily Bazars, Fire Station, Police Station, Elevated Water Tanks, Electric receiving stations, Electric Sub Station and Growth Centre. The total area under such reservations is 168 ha. The detail of sanctioned IDP reservation in the scheme and its area after draft layout prepared is mentioned in the Table placed below –

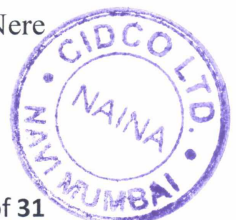
Total area (sq.m)			4387882	
Undevelopable Area	Waterbody		8606	
	Forest		102123.71	
	Total		110730.18	
Developable Area			4277151.45	
Reservations			As per IDP (sq.m)	As per TPS 3 layout (sq.m)
	Roads		565221	614196
	MMC		97906	97906
	Park (P)	232_P	8500	8650



		231_P	5400	6168
		87_P	10600	10600
		71B_P	51900	51900
	School Play Ground (PG)	70_PG	25800	25801
		88_PG	5400	5400
		89_PG	6000	6000
		204A_PG	25300	25301
		206A_PG	15300	15300
		205A_PG	30100	30123
		108_PG	5995	5995
		73_PG	6900	6900
		72_PG	6500	6501
		87A_PG	18900	18900
		School (S)	92_S	4400
	93_S		4600	4600
	82_S		4200	4381
	80_S		4000	4000
	115_S		3492	3505
	College (C)	83_C	10700	10701
		94_C	10700	10700
	Primary Health Centre (PHC)	91_PHC	1800	3403
		76_PHC	2000	2002
		90_PHC	1900	1901
	Daily Bazaar (DB)	85_DB	1000	1205
		65_DB	1600	1600
		64_DB	1600	2081
		67_DB	1100	1640
	Fire Station (FS)	11_FS	10000	10000
	Police Station (PS)	79_PS	9900	10001
	Community Center (CC)	63_CC	2500	2500
	Elevated Service Reservoir (ESR/GSR)	68_ESR/GSR	2400	2634
	Electric Sub Station (ESS)	86_ESS	2700	3730
		69_ESS	2700	2700
	Growth Centre (GC)	204_GC	710302	693039
		205_GC		
		206_GC		
		(pt)		

The area of Growth center is reduced from 71.03 Ha to 69.30 Ha, due to identification of additional forest land after measurement plan of land records office.

As per newly constituted village of Nerepada, and its effect in land records, S.Nos of Nere have been changed. The list of Old and new S. Nos of Nere are placed as Annexure-D



Within the scheme area there are few natural and existing features which possess constrain as well as asset for the layout :-

I. High Flood line/ Buffer line of Kalundri River:

Kalundre River is located on the North-West boundary of Town Planning Scheme-3. The stretch of river in the scheme area is about 3.9 km. The detail of blue line & red line furnished by S.E. Thane Irrigation Circle, Thane vide letter dated 14.06.2016 superimposed on IDP. These superimposed maps are considered for preparation of layout plan for TPS-3. Since no development is permissible on land between river line and blue line, this area or a buffer of 20 mts whichever is more is proposed to keep open and utilized as riverfront development. Though the development on land between Blue line – Red line is allowable subject to clearance from Irrigation Department, an effort has been taken to relocate all such land holdings outside red line and keep this land for riverside development and public amenities. It is to also mention that, the content and making of scheme may include filling-up/reclamation/leveling-up of land in the scheme area. This shall be done in such a way that the finished level of final plot will be in accordance with road edge levels. After leveling of land, there will be further change in blue line/red line towards river side.

II. GAIL pipelines:

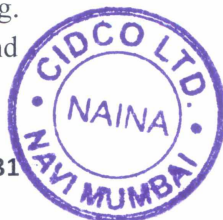
The alignment of the GAIL (INDIA) pipeline is passing across the entire Scheme area from north to south. The length of this line is about 3.44 km. GAIL officials vide letter no. GAIL/MUM/ROUPA/2018/CIDCO, dated 30.04.2018 communicated that the land under GAIL pipeline has been acquired the right of use for laying the pipe lines by paying nominal compensation on terms and conditions of Petroleum and Mineral Right To Use Act 1962. The 7/12 furnished by GAIL specifies ROU in other rights and the agreement executed with the GAIL authority indicates the condition that “No Construction can be executed on the buffer area”. The width of buffer is 30mt. Total area under GAIL buffer is 10.30 ha.

Existence of this pipeline imposed the constraint to the owner and planning authority to utilize the land for development. Though the land under GAIL pipeline is acquired under Right of Use condition, the land holders having the ownership of the land under this corridor; and hence considered for entitlement in the TPS.

In the scheme layout the land parcels affected by buffer of GAIL Pipe Lines are given the final plot outside of the buffer area and the area under pipelines is considered in the layout planning as open land for public use (without any construction) such as off street parking area, solar panel park, decentralized kiosks for treatment of wet kitchen garbage, green corridor etc.

III. Forest Lands- “A joint management plan” :

In the scheme area the forest land is existing at 11 locations. The total area is 16.59 Ha (after identification of new forest area after TILR measurement plan). The shape of these pockets are very irregular and hence it is difficult to integrate such pockets within the layout planning. Therefore in the layout the forest pockets are kept as it is with giving some additional land



around these pockets to make the regular shaped with proper access from the layout roads. These additional area is kept as green pockets so that the entire area including the forest area can work as green lungs for the scheme. The final plot area for forest lands is kept as original area. Out of total forest area of 16.59 Ha, 6.19 Ha area is being used for existing and proposed roads. However, no forest area is assigned for any other uses.

IV. Existing structures and structures with valid Building Permission :

Within the scheme area, there are about 495 structures as per survey map. Out of this, majority of structures are sheds/ temporary construction for the purpose of farming. About 25 structures are found pucca or RCC structure with Ground floor or G+ 2 structures in average. As far as possible care is taken to provide the final plots around the structure to retain it. There are about 25 unauthorized structures falls in IDP reservations (amenity/SF/OS), 31 unauthorized structures on which TPS amenity is proposed, 36 unauthorized structures falls in Growth Centre, 103 unauthorized structures falling in IDP road alignment, 24 unauthorized structures falling in TPS road alignment, 49 unauthorized structures on which TPS open space is proposed, 11 unauthorized structures on which EWS plots have been proposed. Thus, overall 279 unauthorized structures shall be demolished. These unauthorized structures have to be demolished, as they are of nature of encroachments on Govt /forests lands or encroachments on another's land or falls in alignment of IDP roads. Out of 495 structures, 216 existing structures have been given final plot accommodating the same.

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

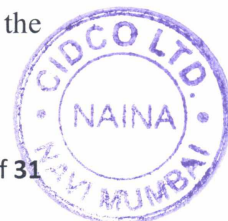
The owners /developers who had submitted applications for Building Permission for lands within the TPS-3 and this office had refused the application under section 45 of MRTP Acts on the ground mentioned in the refusal letter are intimated under sub-section (4) of the section 69 of the Acts to apply freshly on approval of the draft Town Planning Scheme .

V. Preservation of the old religious structure and ponds-

Within the scheme area, a very old Shiv Temple is existing in Nere Village. A pond also exists near to this temple. In the layout an open space is created including the pond and temple is retained as amenity plot. The final plot to the land parcel under the temple is given outside the earmarked open space and amenity area. Another man made pond is observed at Moho village which is used by the villagers for Ganesh Visarjan. The same is also retained by adding some open space around the pond for construction of Ghats and beautification of the pond.

VI. Widening of State Highway No-103 (Panvel Matheran Road)-

The State Highway no-103, locally known as Panvel Matheran road is the single main access to the entire NAINA area. This scheme is identified at both sides of this road. At present the



entire Panvel Matheran road is with Public Works Department. The present width of this road is 9.00 to 12.00 mt. The Right of Way is 30.0 mts. The land under the width of 30m has been partially acquired by PWD in the past; 40 to 50 years ago and no documents are available with PWD or the Land revenue department. The development and widening of this road to its ROW is also pending by PWD since many years. CIDCO has taken a step forward to finance the PWD to develop the stretch of this road from Chipale to Nere with the width of 45 Mts as proposed in the IDP through TP Scheme. An effort has been made to accommodate all the land owners contributing to road expansion in the vicinity of Panvel-Matheran road, however plot location and entitlement will be subject to the authenticity of land ownership.

VII. Engineering and Transportation aspects:

- TPS-3 is located at around 5.0 km away from already developed New Panvel node of CIDCO, extending water supply line will be required to be extended to the scheme along with widening of Panvel-Matheran road.
- There is a Sewerage Treatment Plant (STP) reserved in sanctioned IDP of NAINA across the Kalundri River at Akurli Village about 2 Kms away. Till the STPs earmarked in the IDP get 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 development of the River Front will be taken as a separate project. This will include training of river, rejuvenating the river and developed to retain the water for a longer period by way of check dams, prevention of soil erosion and development of landscaped area, recreational areas, picnic area, plantation area etc.
- The road network in Draft TPS- 3 was 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, electric cables. The footpath will have tree guards. The main roads will have Bus bays and bus shelter.
- The block estimated cost for infrastructures in TPS-3 layout roads (excluding DP roads) with provision of service ducts works out to Rs. 477.87 crores with escalation of 3 years period whereas the block cost without service ducts works out to Rs. 459.05 crores.
- The block estimated cost for DP roads within TPS3 with service ducts, works out to Rs. 210.88 crores & without service duct it is Rs. 204.74 crores.
- The unit cost for development of Infrastructure works for TPS-3 with service duct & excluding DP roads works out to Rs. 1590.96/sq.m excluding the areas of Growth centers & housing.
- The unit rate for TPS-3 without service duct & excluding DP roads works out to Rs. 1528.30/sq.m excluding the areas of Growth centers & housing.

Cost of developing IDP level infrastructure shall be cross-subsidized through development and/or sale of Growth Centre lands.



VIII. Reshaping and Realignment of the IDP reservations within the TPS u/s 59(2) of MR&TP Act, 1966 :

While preparing the scheme layout, wherever necessity is felt for reshaping or realignment of the sanctioned IDP reservations, the same is carried out for betterment of the scheme.

The changes in sanctioned IDP reservation and the reasons are given below-

- a. Increase in road width – The 20 mt wide IDP road is widened to 27 mt to make the entire loop of the road network as 27.0 mt.
- b. Additional stretch – An additional stretch is identified to complete the above mentioned 27.0 mt loop.
- c. Minor shifting of road- The road alignment at one location is marginally shifted due to the GAIL pipe Lines.
- d. Growth Centre- As per the certified 7/12 extracts it is observed that few forest land parcels are under the Growth Center reservation. Hence the same is considered as Forest Land in the scheme. Overall Growth center is reduced by 2 Ha due to forest, GAIL line and making of layout.
- e. Reshaping of the School, Police station and Fire station plots – In the IDP the shapes of these plots were kept as per the Survey boundary of the Govt. lands. However in the layout these plots are reshaped as regular plot by keeping the area and location intact.
- f. Marginal shifting of PHC and DB reservation considering the genuine and valid suggestions of the applicant

The existing amenity/facility/utility shown on IDP and having private ownership have been allotted final plot @ 40% of OP. As per provisions made in draft DCPRs of DP, these plots shall be permitted for redevelopment/reconstruction for the same use. Further, in case of discontinuance of use of such existing amenity/facility/utility shown on IDP, the same shall be permitted in accordance with provision of major adjoining zone.

Therefore, the FP are assigned residential use in which the existing user can continue as per permissibility in residential zone or it can be developed for other use in case of discontinuance of use.

Due to change in MESZ boundary as per notification dated 06.12.2018, some part within NAINA boundary now falls outside NAINA which has affected the final plots allotted in the draft scheme published on 09.05.2019. The reshaping and realignment of IDP reservations has already been sanctioned by DTP on 09.05.2019. However due to change in MESZ boundary IDP Reservation no. 232_P is again reshaped to accommodate it fully in the scheme. 232_P is reshaped and is placed along the forest so that it can be developed under Joint Forest Management as sanctioned in IDP. Area of 232_P as per sanctioned IDP is 8500 Sq.M, whereas in the scheme it is 8650 Sq.M.



IX. Special treatment for Lands falling within the Urban Village Zone:

As per sanctioned IDP the 200 mt around the gaathan area is considered as urban village with 1.0 FSI. The rest of the lands under predominantly residential zone and mix use zone is having the FSI as 0.50.

In the TPS-3, 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, so that the net demand from such participating land owners become zero. The land to be returned in terms of FP kept intact i.e. 40% of OP.

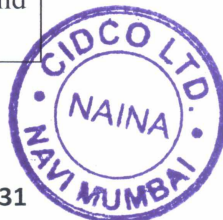
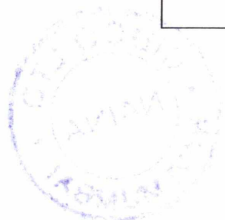
9) Content of Draft Town Planning Scheme as per section 64 of the Act

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

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 the form -1
2	64(b)	Reservation, acquisition or allotment of land required under sub-clause (i) of clause (b) of section 59 with a general indication of the uses to which such land is to be put and the terms and conditions subject to which, such land is to be put to such uses	Section 59(1)(b)(i) of the Act deals with any of the matters specified in section 22. The IDP of NAINA has been sanctioned on 27.04.2017 Area of land reserved for public purposes in IDP, such as schools, colleges, PHC, DB, open spaces, playgrounds, roads, public utilities, amenities etc are kept intact with minor modification / re-alignment of roads for proper planning and carrying out of layout. The areas of IDP reservations remained unchanged. The Growth center reservation of an extensive scale is also kept intact in terms of section 22 (g) The area under blue line/high flood line of Kalundri river is maintained as open



Sr. No	Section	Content/particulars	Compliance/provision
			<p>spaces out of 10% common OS of layout and are protected in terms of section 22 (j) of the Act.</p> <p>There is no low lying area or, swampy or unhealthy areas in the scheme. The leveling up of land is included in costing of scheme by engineering section of CIDCO.</p> <p>As per clause (m), special DCR are proposed for effective controlling and regulating the use and development of final plot.</p>
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by reconstitution ;	<p>The Final plots are proposed as far as possible at the location of their original land. The land under reservation has been allotted FP on land having ASR rate equal to or more than its OP value.</p> <p>The boundaries of OP has been altered to make the FP regular shape and developable.</p>
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.
5	64(e)	A full description of all the details of the scheme with respect to such matters referred to in clause (b) of section 59 as may be applicable	<p>As per Section 59(1)(b), new roads have been laid out to give access to each final plot. Also, minor diversion, extension, alteration of IDP roads are made to have better connectivity. Existing structures falling under IDP roads, growth centers are proposed to be demolished.</p> <p>The scheme contains approximate 10% OS and 5% amenities apart from IDP reservations. The amenities shall be assigned uses such as DB, Town hall, ESS, etc. as per requirements. Also, 7 schools and attached play grounds will be materialized from the layout OS and amenities.</p>



Sr. No	Section	Content/particulars	Compliance/provision
			<p>All infrastructure and engineering utilities such as drainage, inclusive of sewerage, surface or sub-soil drainage and sewage disposal; lighting ; water supply ; shall be done in consultation with engineering department of CIDCO.</p> <p>Existing temples are protected and additional open space and amenity spaces are carved out around existing temples for its beautification and enhancement.</p> <p>As per sub-section (iii) it is proposed to suspend the corresponding regulations of sanctioned DCPRs of IDP for implementation of Special DCR for TPS</p>
6	64(f)	The laying out or re-laying out of land either vacant or already built upon including areas of comprehensive development	The layout has been prepared on vacant land (excluding land under reservations), taking into consideration comprehensive development of regional linkages such as MMC 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)	<p>The allotment of land from the total area covered under the scheme, to the extent of,—</p> <p>(i) the reservation of land to the extent of ten 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 ;</p> <p>(ii) the allotment of land to the extent of forty per cent. of the</p>	<p>In the layout, 4.5% land of the scheme area is reserved for providing housing accommodation to the members of economically weaker section and for lower income group.</p> <p>CIDCO is proposing 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</p>



Sr. No	Section	Content/particulars	Compliance/provision
		<p>total area covered under the scheme, in the aggregate, for any or all of the following purposes, namely:</p> <p>(A) for roads;</p> <p>(B) for parks, playgrounds, garden and open spaces;</p> <p>(C) social infrastructure such as schools, dispensary, fire brigade and public utility place;</p> <p>(D) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development</p>	<p>be provided by land owners from their final plots).</p> <p>Also, There is no loss of land potential as FSI equal to original land holding area is proposed to be given to the owner on final buildable plots, thus on the final plot, FSI works out to 2.5</p> <p>The extent of 40% mentioned in 64(g-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.</p> <p>It is to submit that, the Growth centers earmarked in IDP are of extensive scale reservations (in terms of section 22-g of the Act) and are meant to recover the cost of these infrastructure along with recovery of cost towards water source development, metro, etc.</p> <p>CIDCO is not reserving any land in layout for sale purpose in terms of section 64(g-1)(ii)(D)</p>
9	64(h)	Any other prescribed particulars.	<p>A buffer of minimum 30 meters is kept along Kalundre river and the same is proposed to be developed as recreational open space as "river front development". A 5.5 Ha centrally located amenity is carved out in scheme layout which may be probably used as "sports complex/stadium" for general public.</p>

The total number of Final plots (to be returned to land owners) is 536. Out of this about 375 plots are anchored around their original location. The plots which could not anchored are mainly due to the IDP reservations, buffer of GAIL Pipe line and river flood line. In case of plots affected by Growth center 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. Detail of anchoring of plots are as below-



a)

Anchored Plots	375
100 % anchored	90
60-90% anchored	164
30-60% anchored	88
Upto 30% anchored	33
Non – Anchored Plots	143
A) Due to IDP Reservation	113
i) within same village	62
ii) In other village	51
- Vihighar to Nere	
- Moho to Nere	
B) Due GAIL pipeline	30

- b) Estimation of the total cost of the scheme- The scheme layout along with the detail land use of amenities plots, playground and garden plots, public utilities plots and all category of roads are submitted to Engineering department of CIDCO for costing of the scheme. Based on the cost estimation given by Engineering Department, the scheme finance is worked out.
- c) The major land of the scheme area is under cultivation as per the 7/12 extracts. No land is marshy, low laying or unhealthy. The infrastructure within the scheme area will be developed as per the levels designed by Engineering Department.
- d) the proposed land use distribution of the scheme area is as below-

10) Meetings with land holders and framing of the tentative proposals:

After declaration of intention, efforts were taken to explain the importance and benefits of Town Planning Scheme to the land owner by means of various meetings conducted in NAINA office as well as in villages.

While explaining the TPS the doubts raised by land holders were answered and the promises made during the meeting were displayed as under:

- All landowners to contribute equal percentage of land for development.
- All land owners to get 40% net serviced lands back.
- As far as possible all structures to be protected – final plot around existing structure.
- All infrastructures up to final plot level to be developed by CIDCO.
- Final plots to be regular shape, buildable and well accessible.
- As far as possible final plots anchored to original location.
- Unencumbered final plots will be given to land affected by gas pipeline between river & blue line, MSEB power corridor.
- 10% open space and 5% amenity to be utilized as common/public open space/amenity.

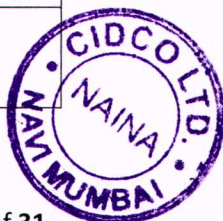


- Single/multiple owners with scattered land parcels can be combined for better FSI utilization with consent.
- Utilization of full land potential in terms of FSI up to 2.5 on final plot.
- Relaxation inside and rear marginal open spaces for FSI consumption.
- Internal open space, amenity and EWS are not necessary on final plots.

11) Land use distribution in TPS- 3:

The land use distribution in TPS-3 is as under:

Sr. No.	Particular	Area in Ha.	% on net scheme (non-reservation land)	% on overall scheme area
1	Area of the TPS-3 as per 7/12-overall	429.90		
	Area of 7/12 of individual land owners (excluding forest, water body and Govt road- 14.59 Ha), against which Final Plots are allotted	429.90		
2	Area of the TPS-3 as per measurement plan of land records office	438.79		
3	Area under non developable such as nala, forest, rail, already developed	11.07		
4	Area (Gross) for TPS-3	427.72		39.12%
5	Area under IDP Reservation			
	a. Area under IDP road and MMC	71.21		16.23%
	b. Area under other IDP reservations such as schools, hospitals etc.	8.77		2.00%
	c. Area under other IDP reservations such as park, playgrounds etc.	22.35		5.09%
	d. Area under Growth Center	69.30		15.79%
6	Area (NET) available for scheme preparation	256.08		58.36%
7	Area under internal roads (actuals)	21.84	8.53%	4.98%
8	Area reserved for Recreational open spaces	27.06	10.57%	6.17%

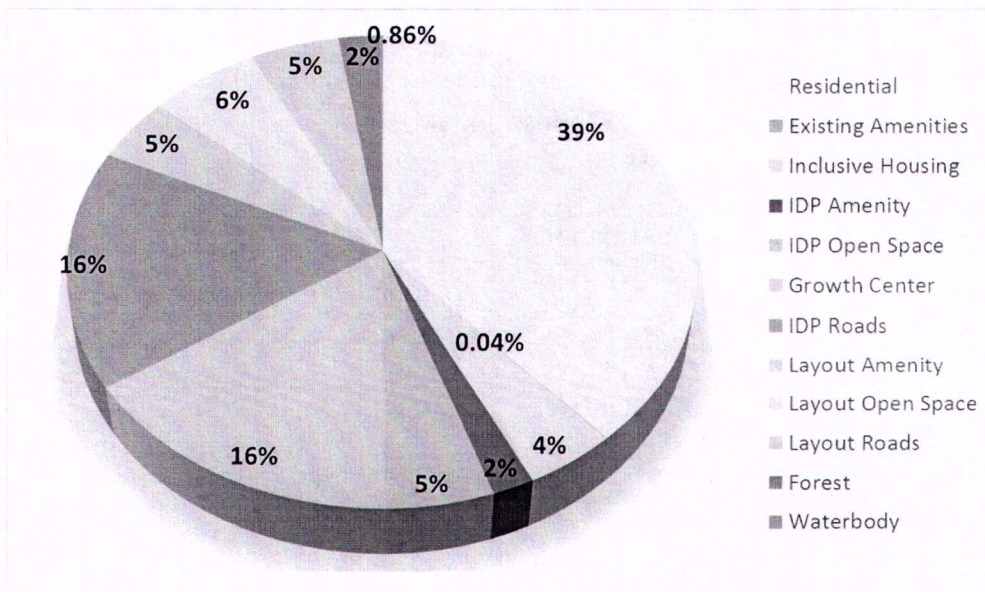


Sr. No.	Particular	Area in Ha.	% on net scheme (non-reservation land)	% on overall scheme area
9	Area reserved towards amenities / social facilities	19.55	7.64%	4.46%
10	Area available for inclusive housing	18.99	7.41%	4.33%
11	Area distributed in the form of residential final plots. <i>(The percentage of residential FP w.r.t. 7/12 area of 415.31 Ha works out to 40.60 %)</i>	168.63	65.85%	38.43%
12	Total Numbers of original Plots	837		
13	Total Numbers of final Plots	877		
14	Total number of Residential Final Plots	534		

Gross area of TPS-3 while making declaration of intention	=	441.93 Ha
Area of TPS-3 after MESZ boundary change	=	438.79 Ha
Area of TPS-3 as per 7/12 as per declaration	=	433.09 Ha
Area of TPS-3 as per 7/12 after MESZ boundary change	=	429.90 Ha

For the purpose of land use statement area as per measurement plan of land records office is considered. For the entitlement of FP, area of 7/12 is considered.

Now due to change in MEZS boundary the gross area of TPS-3 is 438.84 ha.



Percentage on Net Developable Area (427.77 ha) of the Scheme



12) Development Control in the Scheme Area:

As committed by CIDCO in NAINA scheme and as per approved DCPRs of IDP, no landowner should lose potential of land. The full FSI of land area is permitted to be utilized on land retained by the owners in NAINA scheme. On the same lines it is proposed to permit FSI equal to original plot area on final plot area. Thus the effective FSI on final plot will be 2.5 (since the FP is 40% of OP).

As per the provisions of sub-section (2) of section 159 of the said Act, the State Government may, by notification in the Official Gazette, make Special Development Control Regulations consistent with this Act and the rules made thereunder, for the purpose of implementing any Scheme, Project, Programme or Policy, of the Central or the State Government, in the whole or a part of the State. To enable the land owner to consume the assigned FSI, it is necessary to give certain relaxations in the sanctioned DCPR of IDP 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 IDP as per sub-section (2) of section 159 of the said Act.

Special Development Control Regulations for draft TPS-3

Notwithstanding anything contained in the Development Control and Promotion Regulations in force in the Interim Development Plan of NAINA sanctioned vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27.04.2017 (DCPRs-2017), and Draft Modified Development Control and Promotion Regulations of Development Plan of NAINA, the following special regulations shall apply to the development of any sort to be carried out in the Final Plots of the Town Planning Scheme No 3, NAINA. 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.

1. Land uses permitted in predominantly residential and mix use zone of regulation no 31 of DCPRs-2017 shall be permissible for final plots fulfilling the conditions mentioned therein.
2. Boundaries of the Final Plots shall not be changed, modified or altered during development.
3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot.



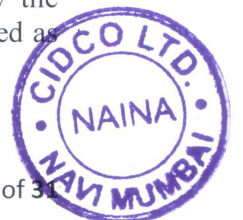
However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit for development.

4. Temporary / short term development proposals on any ground shall not be permitted in the portions of original plots which are proposed to be 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 upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.
6. Sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to DCPR-2017.
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 in addition to the Development plan Reservations are provided for the same purpose for which owners of final plots have shared the land.
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 2.00 ha or more in view of common amenities for the same purpose are provided in addition to the Development Plan reservations for which owners of Final Plots have shared the land.
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 for which the owners of final plots have shared the land.

Note: 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 IDP in force shall be applicable.

10. The owners of Final Plots are entitled for monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6(v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.
11. The FSI applicable to the lands included under the Town Planning Scheme shall be 1.00 in view of the lands pulled / assembled for residential development by the Special Planning Authority. The FSI permissible in a Final Plot shall be computed as below.

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



Provided that such total 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.

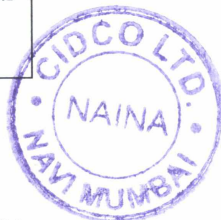
12. The permissible FSI in respect of Final Plots, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00
13. The permissible FSI for amenity plots, growth center and inclusive housing plot shall be 2.5.
14. In the Final Plots designated for open spaces in the form of Garden or Play-Ground: built-up area equal to 15 % of the total plot area under these users may be used for any complementary use to the main use subject to ground coverage upto 10 % and structure shall be only upto ground and one upper floor. Such structure shall be at one corner of the plot.
15. 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
48 M ² to less than 150 M ²	Row houses type	15 M	0.0	1.5
	Semi-detached type	15 M	1.5	1.5
150 M ² to less than 450 M ²	Semi-detached type	15 M	1.5	2.25
	Detached type	15 M	2.25	2.25
		Above 15 M upto 24 M	6.00	6.00
	450 M ² to 1000 M ²	Detached type	15 M	3.00
Above 15 M upto 37.5 M			6.00	6.00
1000 M ² and above	Detached type	15 M	3.00	3.00
		Above 15 M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	9.00	9.00
		Above 60.00 M	12.00	12.00

Note: 1. For Development of plots with building heights up to 15 M, the maximum front margin shall be 3.00 M, irrespective of the road width on which these plots abuts. The front open space for row house type development shall be 2.25 M.

2. Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon.

3. No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.



Provision of front open spaces shall be in accordance with sanctioned DCPRs of IDP.

16. 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.
17. The distance between two main buildings in a final plot shall be that required to be provided for a taller building.

13) Finance of the Scheme

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 10th May 2018. It is observed that as transactions registered during the period of 2010 to 2018, 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 presumes that the value of the land will rise at least two times original value. Therefore, Semi-Final value of the plot is considered as two times of NA land rate of ASR 2018-19. The Final Plots were estimated in the draft scheme at the rate of four times of NA land rate of ASR 2018-19.

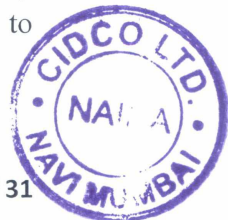
Expenditure towards development of IDP reservations, including IDP roads etc. is accounted against sale of Growth center lands. As regards the other internal infrastructure i.e. development of internal roads with all necessary infrastructure, development of garden/playgrounds, surface leveling of the scheme area etc. are assessed and this cost is to be recovered through betterment charges. No separate land is kept for the authority for commercial use to finance the development of internal infrastructure.

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-3 as required under Rules 6 (vii) and 21 (2) of the Maharashtra Town Planning Schemes Rules, 1974 has been prepared under Form No. 2 and is enclosed wherewith for reference.

Assumptions made in Redistribution and Valuation Statement:

- 1 For original plot value of land parcels, ASR of Non-agriculture land of 2018-19 is considered. However, if more than 50% of a particular S. No falls under GAIL, blue line of river 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.
- 2 For the purpose of semi-final value of plot, 2.25 times ASR of Non-agriculture land of 2018-19 of OP is considered
 - 3 Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2018-19
 - 4 For the land parcels falling 50% or more in 200mts of Urban village, original plot value is considered as 1.25 times ASR of Non-agriculture land of 2018-19, so that the net demand becomes zero for such plots.
 - 5 For original plot value of land parcels along Highway ASR of Highway land of 2018-19 is considered
 - 6 Final value of Amenities/Inclusive Housing plot is considered as NA land rate of ASR 2018-19. Considered 1/4th beneficial to the Scheme
 - 7 Growth Centre are meant for subsidizing cost of providing city scale infra. Hence not considered in costing of TPS
 - 8 For land parcels partly falling in the scheme, the area as per drawing of land records office is considered for entitlement.
 - 9 For the S. Nos falling in Panvel Matheran Road, the area of 7/12 is considered for finalizing entitlement. For S. Nos partly in scheme and also along Panvel Matheran Road, entitlement is considered by deducting area outside the scheme (as per drawing) of such S. No from its 7/12 area.
 - 10 The existing authorized structure is protected by giving FP around it. The cost of unauthorized structure is not considered in valuation.
 - 11 The land potential of original land area (considering 1.00 FSI) is committed to be protected in land pooling scheme. Therefore, the notional 1.00 FSI of original land area is proposed to be utilized on final plot area by way of deemed transfer rights. Therefore, as per section 100, separate valuation towards TDR is not considered.

14) Meeting of owners during 4th, 5th, 6th October 2018.

As per Rule No. 4 of Town Planning Scheme Rules 1974, owners meet was organized during 4th, 5th, 6th October 2018 at CIDCO's NAINA office, Tower No. 10, Floor No. 8, CBD Belapur Railway Station, Complex, CBD Belapur.

All the landowners in Town Planning Scheme no. 3 were invited by:

1. Sending letters through Registered post.
2. The list consisting of 7/12 area along with the name of land holders was made available on CIDCO website for checking by the land holders and a notice informing public about the list is published in *Karnala & Ramprahar* local newspapers and *Asian age* newspaper on 30th August, 2018.
3. Notice along with schedule of public meet was displayed in respective Gram Panchayat offices.
4. Notice along with schedule of public meet was displayed in Tahsil office, Panvel.
5. Notice along with schedule of public meet was displayed in CIDCO's NAINA office



6. Notice along with schedule of public meet was uploaded on CIDCO's official website.

The plans and details of Town Planning Scheme no. 3 depicting benefits to the landowners, commitment to the landowners during earlier meetings and way forward were displayed 512 plots showing land holders original land and final plot in A2 size were kept ready for public meet. All the owners participated in public meet were shown location of their final plot and their original land. The team of planners explained the landowners about Town Planning Scheme in general and TPS- 3 in particular.

15) Publication of Draft Scheme:

After owner's meet, around 391 applications were received and after examining suggestions, out of 83 Plan related applications, 37 were considered and accordingly necessary modifications were carried out in the draft plan.

After modification, consultation was sought vide submission dated 30.01.2019 from the Director of Town Planning, GoM, as per Section 61 (1) of the said Act and as per rule no 4 (2) of TPS Rules 1974. The Director of Town Planning vide letter जा. क्र. नैानरयो क्र.३/प्र.क्र.८५/१८/टिपीव्ही - ३/२४६३ दि.०९.०५.२०१९ had offered consultation on TPS-3. Necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-3.

In accordance with provisions of section 61(1) of the MR&TP Act, TPS-3 draft plan was published in the Gazette on 09.05.2019.

Notice of the draft plan publication was also made in Marathi (Prahari) and English (The Asian Age) Newspapers on 15th & 16th May 2019 respectively.

16) Suggestions received after Publication on Draft Plan:

Around 109 applications received and are broadly categorized as under:

	Before Publication		After Publication		Total Applications	
	Application Received	Applications Considered	Application Received	Applications Considered	Application Received	Applications Considered
General Demand	25	0	9	0	34	0
Plan related	35	17	28	15	63	32
Record Updation	8	8	4	3	12	11
Total Applications	68	25	41	17	109	43

After examining plan related suggestions, out of 63 applications, 32 were considered and accordingly necessary modifications have been carried out in the draft plan. Considering Plan related and record updating applications out of total 109 applications, 43 are considered.



Application wise remarks for considered and non – considered applications were tabulated and enclosed as Annexures – A1, A2, B1, B2, C1, and C2 in the submission of consultation.

17) Incorporation of sanctioned IDP reservation in TPS - 3

While identifying the Town Planning Scheme – 3, approx 40% reservations as per sanctioned IDP has been considered as part of scheme. Efforts have been made to maintained location of reservations, however as promised during various meeting with land owners, no land owner is proposed to be dispossessed. In consideration of GAIL pipeline, valid suggestions of owners, the size and shape of the reservation have been reconstituted. However the areas of IDP reservations have been maintained (except at one place). The entry and exit of roads has been maintained for contiguity with adjoining area of the DP/IDP. The Director of Town Planning vide letter No जा.क्र.नैनानरयो क्र.३ /प्र.क्र.८५/१८/टिपीव्ही-३/२४६३ dated ०९.०५.२०१९ had approved the modifications in the IDP reservations as per section 59(2) of MR&TP Act, 1966. The same have been incorporated before publishing scheme u/s 61(1). Now, due to change in MESZ boundary there is change in location shape of reservation of park, keeping the area more than sanctioned IDP reservation area.

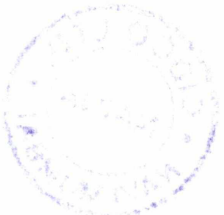
18) Consultation u/s 68(2) vis-à-vis its compliance:

After carrying out necessary changes arising out of valid suggestions, the draft TPS-3 was submitted to VC&MD for sanction on 05.08.2019 under section 68(2) of the Act in accordance with powers delegated to him vide Notification dated 13/09/2017.

As per sub-section (2) of section 68 of the Act, VC&MD before sanction of Draft Scheme, had sought consultation of Director of Town Planning (DTP), Maharashtra State vide letter dated 20.08.2019. The DTP, MS, Pune vide letter No जा.क्र.नैनानरयो क्र.३ /प्र.क्र. /१ /टिपीव्ही-३/५२५६ दिनांक २३/१०/२०१९ had offered his consultation.

Following are highlights of points of consultation and its compliance/remarks

1. The 20 M wide road passing to the west of 204A_PG and 205_GC was suggested to be re-aligned. Accordingly the alignment of road is retained as per plan prepared before first consultation and the exist point of re-aligned road shall be matched in declared TPS-6. Necessary changes in the layout have been made due to realignment of road.
2. The DTP, MS, Pune has suggested to consider part of growth center cost in recovery part of valuation statement i.e. Form No 1 & 2 of the scheme. A separate proposal for working out overall cost of development of infrastructure in IDP owing to anticipated increased population and additional infrastructure in TPS layout shall be initiated and decision regarding revised costing and applicability of contribution to the final plot owners shall be taken by management of CIDCO.



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

3. It was also suggested to adopt the provisions of special DCR sanctioned by Govt in Preliminary TPS No 1. Accordingly the special DCR for TPS 3 has been revised.
4. Govt has sanctioned Preliminary TPS No 1 on 03.09.2019, wherein rationality for giving back 40% final plot, non-applicability of 10% Open space, 5% amenity spaces and 20% EWS has been validated. The same shall be applicable for all the schemes.

In accordance with powers delegated vide Notification dated 13/09/2017; VC&MD is empowered to sanction the draft scheme with or without modifications

As per request of M/s Valuable Properties Pvt Ltd, locations of amenity and open space in the village Nere, have been changed to serve equitably to the high density development anticipated in larger plot and EWS plot.

The draft scheme is sanctioned on 01.11.2019 with the above modifications and the modifications suggested by DTP.

19) Submission/Scheme Accompaniments

- a. Declaration of intention under Sub- Section (1) of Section 60 of the said Act by the Board of CIDCO - Resolution No 12038, dated 8th May 2018
- b. 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 10th May 2018.
- c. A notice as per provision in Section 60(2) of the Act in the daily newspapers "Lokmat" and "Asian Age" dated 16th May 2018. The notice was also displayed and affixed on Notice Board of CIDCO Bhavan and NAINA office.
- d. Copy of Gazette Notice together with a copy of the plan showing the area to be included in the scheme is dispatched to the Urban development Department-12 and Director of Town Planning, Maharashtra State.as per provisions of Sub- Section (2) of Section 60 of the Act.
- e. Extension in time of three months u/s 61(3) received on 05.02.2019
- f. Consultation of DTP received u/s 61(1) vis-à-vis compliances done by CIDCO
- g. Notice as per Section 61(1) published in the Extraordinary official Maharashtra Government Gazette (part-II) dated 09.05.2019
- h. Notice published in the daily newspapers Asian Age and Ramprahar.
- i. Suggestion/ objections received to CIDCO till 10.06.2019
- j. Tabulated Summary of Suggestion/ objections and CIDCO's remarks /views.

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

- a. Plan no.1 showing the location of the area under scheme.



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

M. Ghosh

Chief Planner (NAINA)

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VC&MD, CIDCO

