



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग दोन

वर्ष ५, अंक ५१]

शुक्रवार, नोव्हेंबर १, २०१९/कार्तिक १०, शके १९४१

[पृष्ठे ७, किंमत : रुपये १२.००

असाधारण क्रमांक ७४

प्राधिकृत प्रकाशन

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

अधिसूचना

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

क्रमांक सिडको/नैना/न.र.यो. ३/प्रा.यो./२०१९/१२९९/SAP/११४४.—ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ (महा.अधिनियम XXXVII, १९६६ ) (येथून पुढे उक्त अधिनियम असे निर्देशित करण्यात येईल) च्या कलम ४० च्या उप कलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासनाच्या नगर विकास विभाग (नविवि) ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/प्र.क्र.-९८/१२/नवि-१२ दिनांक १० जानेवारी २०१३ व वेळोवेळी झालेल्या सुधारणा अन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्रभावित अधिसूचित क्षेत्र (नैना), (येथून पुढे उक्त क्षेत्र असे निर्देशित करण्यात येईल) साठी शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे वि.नि.प्रा. असे निर्देशित करण्यात येईल) म्हणून नेमणूक केली आहे ;

आणि ज्याअर्थी महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस-१२१५/२४५/सीआर -३३२/२०१५/एस.एम./यूडी -१२, दिनांक २७ एप्रिल २०१७ नुसार नैनातील २३ गावांसाठी अंतरिम विकास आराखडा मंजूर केला आहे आणि अधिसूचना क्र. टीपीएस. १२१५/२४५/प्र.क्र. ३३२/१६/ई.पी./नवि-१२, दिनांक १ मार्च २०१९ अन्वये अधिनियमाच्या कलम ३१ च्या उप कलम (१) नुसार अंतरिम विकास आराखड्याचा वगळलेले भाग मंजूर केले आहेत ;

आणि ज्याअर्थी, अधिनियमातील कलम ६० च्या उप कलम (१) नुसार सिडकोच्या संचालक मंडळाने दिनांक ८ मे २०१८ रोजीच्या ठराव क्र. १२०३८ अन्वये मौजे नेरे (भाग), विहिघर (भाग), मोहो (भाग), कोप्रोली (भाग) आणि चिपळे (भाग), तालुका पनवेल, जिल्हा रायगड येथे नगररचना परियोजना क्रमांक ३ (टीपीएस -३) करण्याकरिता त्याचा उद्देश घोषित केला आहे.

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६०(२) मध्ये नमूद तरतुदीनुसार टीपीएस -३ करण्याच्या उद्देशाची घोषणा दिनांक १० मे २०१८ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि दिनांक १६ मे २०१८ रोजीच्या स्थानिक वृत्तपत्रे 'लोकमत' आणि 'एशियन एज' यात प्रकाशित करण्यात आली आहे.

(१)

आणि ज्याअर्थी, सह संचालक, नगररचना, कोकण विभाग यांनी आदेश क्रमांक प्रा.न.र.यो.क्र.३/नैना/कलम ६१(३)/मुदतवाढ/सहसंकोवि/२३२, दिनांक ५ फेब्रुवारी २०१९ अन्वये प्रारूप योजना बनवून प्रकाशित करण्यासाठी तीन महिन्यांचा म्हणजेच दिनांक ९ मे २०१९ पर्यंतचा वाढीव कालावधी दिलेला आहे ;

आणि ज्याअर्थी, दिनांक ४, ५, आणि ६ ऑक्टोबर २०१८ रोजी संबंधित जमीन मालकांची सभा आयोजित करून आणि संचालक, नगररचना, महाराष्ट्र राज्य यांची सल्लामसलत करून आणि सल्लामसलतीनुसार आवश्यक ते बदल करून उक्त अधिनियमाच्या कलम ६१(१) अन्वये प्रारूप टीपीएस-३ तयार करण्यासंबंधीची नोटीस दिनांक १० मे २०१८ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग-२) आणि स्थानिक वृत्तपत्रे यात उक्त अधिनियमाच्या कलम ६७ च्या तरतुदीनुसार नोटीसच्या एक महिन्याच्या आत सूचना/आक्षेप मागविण्यासाठी प्रकाशित करण्यात आली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना, महाराष्ट्र राज्य यांनी दिनांक ९ मे २०१९ रोजीच्या पत्र जा.क्र. नैनानरयो क्र.३/प्र.क्र.८५/१८/टीपीव्ही-३/२४६३ अन्वये टीपीएस -३ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९(२) अन्वये मंजूरी दिलेली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने उक्त अधिनियमाच्या कलम १५१ च्या उप कलम (१) नुसार प्रदान करण्यात आलेल्या अधिकारांचा वापर करून दिनांक १३ सप्टेंबर २०१७ रोजीच्या अधिसूचना क्रमांक टीपीएस-१८१७/९७३/सीआर-१०३/१७/यूडी-१३ अन्वये त्यांच्यातर्फे कलम ६८(२) अंतर्गत वापरण्यात येणारे अधिकार सिडकोचे उपाध्यक्ष व व्यवस्थापकीय संचालक, यांना प्रदान केलेले आहेत ;

आणि ज्याअर्थी, प्राप्त झालेल्या सूचनांप्रमाणे आवश्यक बदल समाविष्ट केल्यानंतर, प्रारूप योजना उपाध्यक्ष व व्यवस्थापकीय संचालक यांना उक्त अधिनियमाच्या कलम ६८(१) नुसार दिनांक ५ ऑगस्ट २०१९ रोजी मंजूरीसाठी सादर करण्यात आली ;

आणि ज्याअर्थी, परीयोजनेच्या प्रभावी अंमलबजावणीसाठी उक्त अधिनियमाच्या कलम ५९(१)(ख)(iii) अन्वये महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस-१२१९/१५२४/प्र.क्र.६४/१९/नवि १२, दिनांक ३१ जुलै २०१९ अन्वये मंजूर अंतरिम विकास योजनेच्या विकास नियंत्रण व प्रोत्साहन नियमावलीच्या काही तरतुदींच्या तहकुबीला मंजूरी दिलेली आहे ;

आणि ज्याअर्थी, उपा. व व्य. सं. यांनी दिनांक २० ऑगस्ट २०१९ रोजी उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (२) नुसार, प्रारूप योजना मंजूर करण्यापूर्वी संचालक, नगररचना, महाराष्ट्र राज्य यांची सल्लामसलत मागितली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना महाराष्ट्र राज्य यांनी दिनांक २३ ऑक्टोबर २०१९ रोजीचे पत्र. क्र. नैनानरयो क्र. ३/प्र.क्र./१९/टीपीव्ही-३/५२५६ अन्वये प्रारूप योजनेच्या मंजूरीसाठी सल्ला दिला आहे ;

म्हणून, आता या अधिसूचनेद्वारे, दिनांक १३ सप्टेंबर २०१७ च्या अधिसूचनेअन्वये राज्य सरकारद्वारे मला प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील मौजे नेरे व नेरेपाडा (भाग), विहिघर (भाग), मोहो (भाग), कोप्रोली (भाग) आणि चिपळे (भाग) येथे एकसंलग्न अशा प्रारूप नगररचना परीयोजना क्रमांक ३ (टीपीएस -३) त्यासोबतच्या विशेष विकास नियंत्रण नियमावलीसह उक्त अधिनियमाच्या कलम ६८ च्या पोट-कलम (२) अन्वये मंजूर करण्यात येत आहे.

उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (३) नुसार मंजूर प्रारूप टीपीएस-३ योजनेची प्रत संबंधित विशेष नियंत्रण नियमावलीसह नैना कार्यालय, ८ वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४ येथे कार्यालयीन कामकाजाच्या सर्व दिवशी नागरीकांच्या अवलोकनार्थ खुली ठेवण्यात आली आहे. तसेच प्रारूप टीपीएस-३ सिडकोचे संकेतस्थळ <https://cidco.maharashtra.gov.in//naina> येथे सुद्धा अपलोड केली गेली आहे आणि विहित शुल्क भरल्यानंतर देखील मिळू शकते.

स्थळ : नवी मुंबई.

दिनांक : १ नोव्हेंबर २०१९.

लोकेश चंद्र,

उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको.

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

*NOTIFICATION*

**[Under section 68(2) of the Maharashtra Regional and Town Planning Act, 1966.]**

No. CIDCO/NAINA/TPS-3/Draft Scheme/2019/1299/SAP/1144.—Whereas, the Government of Maharashtra in exercise of powers conferred under clause (b) of sub-section (1) of section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “ the said Act ”) declared by Notification, No. TPS - 1712/475/CR-98/12/UD-12, dated 10th January 2013 and subsequent amendment (hereinafter referred to as “ the said Notification ”) City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as “ the Corporation ”) as Special Planning Authority (hereinafter referred to as “ the SPA ”) for Navi Mumbai Airport Influence Notified Area (NAINA) (hereinafter referred to as “ said notified area ”) as specified therein.

And whereas, the Government of Maharashtra *vide* Notification No. TPS-1215/245/CR- 332/2015/SM/UD-12, dated 27th April 2017 has sanctioned the Interim Development Plan (IDP) for the 23 villages of NAINA, and also *vide* Notification No. TPS. 1215/245/C.R. 332/16/EP/UD-12, dated 1st March 2019 has sanctioned the Excluded Parts of the IDP under section 31(1) of the said Act.

And whereas, as per sub-section (1) of section 60 of the said Act CIDCO's Board *vide* Resolution No. 12038, dated 8th May 2018, had declared its intention for making of Town Planning Scheme No. 3 at part of Villages Nere, Vihigar, Moho, Koproli and Chipale in one contiguous pocket of Taluka Panvel, District Raigad.

And whereas, a notice about declaration of making TPS-3 as per provision in section 60(2) of the Act, has been published in the extraordinary *official Maharashtra Government Gazette* (Part-II), dated 10th May 2018 as well as in the daily newspapers “Lokmat” and “Asian Age” dated 16th May 2018.

And whereas, 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 5th February 2019 has granted extension of three months' time *i.e.* upto 9th May 2019 for making and publication of the said draft scheme.

And whereas, after conducting owners meet on 4th to 6th October 2018, and seeking consultation of Director of Town Planning, GoM, as per section 61 (1) of the said Act, and incorporating necessary changes as per consultation, a Notice of making draft TPS-3 has been published in extraordinary *official Maharashtra Government Gazette* (Part-II), dated 9th May 2019 and in local newspapers for inviting suggestions/objections within one month of notice in accordance with the provisions of section 67 of the said Act.

And whereas, the Director of Town Planning, Maharashtra State *vide* letter जा. क्र. नैनानरयो क्र. ३/प्र.क्र. ८५/१८/टिपीव्ही-३/२४६३, dated 9th May 2019 had accorded approval for suitable amendment in the sanctioned IDP reservation while making provisions in a draft TPS-3 as per provisions of section 59(2) of the said Act.

And whereas, the Government of Maharashtra in exercise of powers conferred by sub-section (1) of section 151 of the said Act, *vide* Notification No TPS-1817/973/CR-103/17/UD-13, dated 13th September 2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO (hereinafter will be referred to as “ VC and MD ”).

And whereas, after incorporating necessary changes as per suggestions received, the draft scheme has been submitted to VC and MD for sanction in accordance with section 68(1) of the said Act on 5th August 2019.

And whereas, the Government of Maharashtra *vide* Notification No. टीपीएस-१२१९/१५२४ प्र.क्र. ६४/१९/नवि-१२, दिनांक ३१ जुलै २०१९ had sanctioned the suspension of certain regulations of Development Control and Promotion Regulations of Interim Development Plan of NAINA corresponding to proposed special DCR of TPS-3 in accordance with section 59(1)(b)(iii) of the Act for the proper carrying out of the scheme.

And whereas, in accordance with sub-section (2) of section 68 of the said Act, VC and MD had sought consultation of Director of Town Planning, Maharashtra State on 20th August 2019 prior to sanction of Draft Scheme.

And whereas, the Director of Town Planning *vide* letter No. जा. क्र. नैानरयो क्र. ३/प्र.क्र./१९/टिपीव्ही-३/५२५६, dated 23rd October 2019 had given his consultation for sanction of Draft TPS-3.

Therefore, now in accordance with the powers delegated to me by the State Government *vide* Notification dated 13th September 2017, the **Draft Town Planning Scheme No. 3 (TPS-3)** at part of Villages Nere and Nerepada, Vihighar, Moho, Koproli and Chipale in one contiguous pocket of Taluka Panvel, District Raigad is hereby sanctioned under section 68(2) of the MR and TP Act, 1966 along with corresponding Special Development Control Regulations.

Copy of sanctioned draft TPS-3 along with corresponding special DCRs are made available for inspection by the public during office hours on all working days in the office NAINA, 8th Floor, Tower No. 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400 614 in accordance with sub-section (3) of section 68 of the said Act. The same is also uploaded on website of CIDCO i.e. <https://cidco.maharashtra.gov.in//naina> and further can be obtained after payment of prescribed fees.

Navi Mumbai,

dated 1st November 2019.

LOKESH CHANDRA,

Vice Chairman and Managing Director, CIDCO.

### **SPECIAL DEVELOPMENT CONTROL REGULATIONS FOR DRAFT TPS-3**

(Accompanied with Notification No. CIDCO/NAINA/TPS-3/Draft Scheme/2019/1299/SAP/1144, dated 1st November 2019)

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 27th April 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 numbers 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 :—

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

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 (1)	Category of building (2)	Maximum permissible height of the building (3)	Min. Marginal Open Space (in M.)	
			Side (4)	rear (5)
48 M2 to less than 150 M2	Row houses type	15 M	0.0	1.5
	Semi-detached type	15 M	1.5	1.5
150 M2 to less than 450 M2	Semi-detached type	15 M	1.5	2.25
	Detached type	15 M	2.25	2.25
450 M2 to 1000 M2	Detached type	Above 15 M upto 24 M	6.00	6.00
		15 M	3.00	3.00
		Above 15 M upto 37.5 M	6.00	6.00
1000 M2 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.

LOKESH CHANDRA,  
VC and MD, CIDCO.