PART A

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 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 22th 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 27.04.2017 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.

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.

Also, CIDCO has declared its intention to prepare TPS-2 admeasuring about 194 Ha on 06/12/2017. After seeking first consultation and compiling suggestion objections received by public to the draft scheme, the draft TPS 2 shall be sanctioned by VC&MD after seeking second consultation from DTP in three months' time.

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-1.

5) 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 gaothans, 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 <u>www.cidcoindia.com</u>

Sr Section Action Act Provisions completed No 1 60(1) **Declaration of Intention** Starting date 08.05.2018 2 60(2) Declaration in the Official Gazette Within 30 days 10.05.2018 Two local news papers Display in the Intimation to Urban Development Deptt. Intimation to Director, Town Planning Deptt. 30.01.2018 3 61(1)Preparation of conceptual layout plan, Within 6 conducting the owners meet, modification in months or time (after the layout as per suggestions received, extended u/s seeking 3 submission of draft scheme to Director, Town months' 61(3) (sought 3 Planning for consultation months' time time extension) extension)

6) Time line for the project :

7) 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.

The total scheme area is 441.93 Ha. Within the scheme about 6.98 ha of lands are under Forest and water bodies. The net developable land is 434.96 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		4419341.47	
Undevelopable	Waterbody	16845	
Area	Forest	52906	
	Total	69752	
Developable		4349589	
Area			
Reservations		As per IDP	As per TPS 3 layout
	Roads	565221	614442
	MMC	97906	97906

	Park (P)	232_P	0.85	8500	8631
	Park (P)	231_P	0.54	5400	6168
		87_P	1.07	10600	10600
		71B_P	5.19	51900	51900
	School Play Ground (PG)	70_PG	2.58	25800	25801
		88_PG	0.54	5400	5400
		89_PG	0.6	6000	6000
		204A_PG	2.53	25300	25301
		206A_PG	1.53	15300	15300
		205A_PG	3.01	30100	30123
		108_PG	0.61	5995	5995
		73_PG	0.69	6900	6900
		72_PG	0.65	6500	6501
		87A_PG	1.89	18900	18900
	School (S)	92_S	0.44	4400	4419
		93_S	0.46	4600	4600
		82 _ S	0.42	4200	4381
		80 _ S	0.4	4000	4000
		115_S	0.47	3492	3505
	College (C)	83_C	1.07	10700	10701
		94_C	1.07	10700	10700
	Primary Health Centre (PHC)	91_PHC	0.18	1800	3403
		76_PHC	0.2	2000	2002
		90_PHC	0.19	1900	1901
	Daily Bazaar (DB)	85_DB	0.10	1000	1046
		65_DB	0.16	1600	1600
		64 _ DB	0.16	1600	2147
		67_DB	0.11	1100	1640
	Fire Station (FS)	11_FS	1	10000	10000
	Police Station (PS)	79_PS	0.99	9900	10001
	Community Center (CC)	63_CC	0.25	2500	2500
	Elevated Service Reservoir	68_	0.24	2400	2634
	(ESR/GSR)	ESR/GSR			
	Electric Sub Station (ESS)	86_ESS	0.27	2700	3730
		69_ESS	0.27	2700	2700
	Growth Centre (GC)	204_GC 205_GC 206_GC		710302	692835
		(pt)			

The area of Growth center is reduced from 71.03 Ha to 69.28 Ha, due to identification of additional forest land after measurement plan of land records office.

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.

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 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 took 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 efforts have 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 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 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 gets developed, it will require to develop package treatment plants within the scheme area Provision for underground sewage connection to every plot shall be made, which will finally get connected to STP once it gets operational.
- The development of the River Front will be taken as separate project. This will includes-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 <u>Rs. 1590.96/sq.m</u> excluding the areas of Growth centers & housing.
- The unit rate for TPS-3 without service duct & excluding DP roads works out to <u>Rs. 1528.30/sq.m</u> 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 change in sanctioned IDP reservation and the reasons are given below-

- a. Increase in road width The 20 mt wide IDP road is widen 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 4 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 be continues as per permissibility in residential zone or it can be developed for other use in case of discontinuance of use.

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

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

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.

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

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>i</i>) of clause (<i>b</i>) 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 spaces out of 10% common OS of layout and are protected in terms of section 22 (j) of the Act. There is no low lying area or, swampy or unhealthy areas in the scheme. The leveling up of land is included in costing of scheme by engineering section of CIDCO. As per clause (m), special DCR are proposed for effective controlling and regulating the use and development of final plot.
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by	The Final plots are proposed as far as possible at the location of their original land. The land under reservation has been

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

		no constitution :	allotted ED on land having ACD (
		reconstitution ;	allotted FP on land having ASR rate equal to or more than its OP value. The boundaries of OP has been altered to make the FP regular shape and developable.
4	64(d)	An estimate of the total cost of the scheme and the net cost to be borne by the Planning Authority	Estimate of total cost is given in Form 1 and Form 2 of the Scheme.
5	64(e)	A full description of all the details of the scheme with respect to such matters referred to in clause (b) of section 59 as may be applicable	As per Section 59(1)(b), new roads have been laid out to give access to each final plot. Also, minor diversion, extension, alteration of IDP roads are made to have better connectivity. Existing structures falling under IDP roads, growth centers are proposed to be demolished.
			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.
			All infrastructure and engineering utilities such as drainage, inclusive of sewerage, surface or sub-soil drainage and sewage disposal; lighting ; water supply ; shall be done in consultation with engineering department of CIDCO.
			Existing temples are protected and additional open space and amenity spaces are carved out around existing temples for its beautification and enhancement.
			As per sub-section (iii) it is proposed to suspend the corresponding regulations of sanctioned DCPRs of IDP for implementation of Special DCR for TPS
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)	The allotment of land from the total area covered under the scheme, to the extent of,— (i) the reservation of land to the extent of ten per cent. of the total area covered under the scheme, for the purpose of providing housing accommodation to the members of economically weaker section and for lower income group and for persons dispossessed in the scheme; (ii) the allotment of land to the extent of forty per cent. of the total area covered under the scheme, in the aggregate, for any or all of the following purposes, namely: (A) for roads; (B) for parks, playgrounds, garden and open spaces; (C) social infrastructure such as schools, dispensary, fire brigade and public utility place; (D) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development	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. CIDCO is proposing 10% open space 5% amenity and EWS in the layout as common space, and it is proposed that the land owners need not to provide these spaces again on final plots. Therefore, the land pooled from all land owners for common open spaces, amenity and EWS shall be considered to be carved out from final plots (which is otherwise is going to be provided by land owners from their final plots). Also, There is no loss of land potential as FSI equal to original land holding area is proposed to be given to the owner on final buildable plots, thus on the final plot, FSI works out to 2.5 The extent of 40% mentioned in 64(g- 1)(ii) is for purposes of roads, parks, playgrounds, garden and open spaces, social infrastructure such as schools, dispensary, fire brigade and public utility place and sale by Planning Authority. It is to submit that, 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. CIDCO is not reserving any land in layout for sale purpose in terms of section 64(g-1)(ii)(D)
9	64(h)	Any other prescribed particulars.	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.

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-

9. 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.

10. 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	433.09		
2	Area of the TPS-3 as per measurement plan of land records office	441.93		
3	Area under non developable such as nala, forest, rail, already developed	11.15		
4	Area (Gross) for TPS-3	430.85		
5	Area under IDP Reservation			39.84%
	a. Area under IDP road and MMC	71.23		16.12%
	b. Area under other IDP reservations such as schools, hospitals etc.	8.78		2.00%
	c. Area under other IDP reservations such as park, playgrounds etc.	22.35		5.06%
	d. Area under Growth Center	69.28		15.67%
6	Area (NET) available for scheme preparation	259.21		60.16%
7	Area under internal roads (actuals)	22.35	8.62%	5.07%
8	Area reserved for Recreational open spaces	28.10	10.84%	6.36%
9	Area reserved towards amenities / social facilities	19.26	7.43%	4.36%

10	Area available for inclusive housing	19.65	7.58%	4.44%
11	Area to be distributed in the form of final plots (40%) of 7/12 area)	169.78	65.50%	38.41%
12	Total Numbers of original Plots	844		
13	Total Numbers of final Plots	878		
14	Total number of Residential Final Plots	536		

Gross area of TPS-3 while making declaration of intention	=	446.78 Ha
Gross area of TPS-3 as per measurement plan of TILR	=	441.93 Ha
Area of TPS-3 as per 7/12	=	433.09 Ha

While mentioning area in intention declaration plan, though the area of existing Koproli Gaothan and surrounding developed area (4.87 Ha) is not part of the scheme (as shown in plan), the same was inadvertently left out to be deleted from total area. Thus, actual area of scheme as per declaration should be 441.91 Ha, whereas it is inadvertently mentioned as 446.78 Ha (due to non-deduction of one pocket)

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.

11) Development Control in the Scheme Area:

As committed by CIDCO in NAINA scheme and as per approved DCPRs of IDP, no landowner should loose 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 of Interim Development Plan of NAINA sanctioned vide Notification No. TPS-1215/245/CR-332/2015/SM/UD-12, dated 27.04.2017, and Draft Modified Development Control and Promotion Regulations of Development Plan of NAINA, the following special regulations shall be applicable to development of plots in TPS-3, subject to condition that, implementation of the same shall be done after sanction of suspension of corresponding regulations of sanctioned Development Control and Promotion Regulations of Interim Development Plan of NAINA by the State Government under section 59(1)(b)(iii) of the Act. The corresponding Regulations of sanctioned DCPRs of IDP of NAINA shall be suspended, to such extent only mentioned herein under. Rest of the provisions of sanctioned Development Control and Promotion Regulations as amended from time to time shall be applicable.

- 1. Land uses permitted in predominantly residential and mix use zone shall be permissible for individual plots fulfilling the conditions mentioned therein.
- 2. Inclusive housing shall not be required for individual final plot above 4000 Sq.M.
- 3. Permissible FSI on final plots = 2.5^*

* The above permissible FSI is based on consideration that, final plot area is 40% of original land holding. However, if the area of final plot is more than or less than 40% of original land holding, the permissible FSI shall respectively decrease or increase proportionately. Provided that, no FSI or TDR in accordance with Proviso of Section 100 of the modified M.R.&T.P. Act, 2014 (Mah 35 of 2014) shall be applicable over the permissible FSI mentioned above.

- 4. Transferable Development Rights generated from other areas may be utilised in this scheme area as per regulation No. 43 of sanctioned IDP DCPR.
- 5. FSI of amenity plots, growth center and inclusive housing plot shall be 2.5
- 6. No FLP shall be applicable on final plot
- 7. Side and Rear Marginal Spaces

Area of plot	Category of building	Maximum permissible height	Min M Spaces	arginal Open s (in M.)	
	bunding	of the building	Side	rear	
48 M^2 to less than 150 M^2	Row houses type	15 M	0.0	1.5	
*Pls refer Special Note	Semi-detached type	15 M	1.5	1.5	
*Special Note					
Irrespective of the road width on which these plots abuts, the maximum front margin					

shall be 3.00 M.					
150 M^2 to less than	Semi-detached type	15 M	1.5	2.25	
450 M^2		15 M	2.25	2.25	
430 141	Detached type	Above 15 M upto 24 M	6.00	6.00	
450 M ² to 1000 M ²	Detached type	15 M	3.00	3.00	
		Above 15 M upto 37.5 M	6.00	6.00	
		15 M	3.00	3.00	
1000 M^2 and above	Detached type	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	

Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40 meter length shall not be applicable.

The provision of dead wall mentioned in sanctioned DCPRs of IDP shall be applicable

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.

- 8. Provision of Recreational open space, Amenity space and EWS mentioned in sanctioned DCPRs of IDP shall not made applicable for final plot.
- 9. One full side of a habitable room shall abut on the open space to the extent of required ventilation purpose only (i.e. 1/6th of carpet area of the room).
- 10. Distance between two buildings shall be the one which is required for the taller buildings. This distance shall also be treated as means of access /driveway and no separate setback/marginal distances shall be insisted from such driveway.
- 11. Grant of Development Permission does not constitute acceptance of correctness, confirmation, approval or endorsement of and shall not bind or render the competent authority liable in any way in regard to;
 - a. Title Ownership & easement right of the plot on which building is proposed
 - b. Workmanship, soundness of material & structure safety of building
 - c. Variation in area from recorded areas of building unit
 - d. Location & boundary of building unit
 - e. Safety of the user of the building
 - f. NOC from appropriate authority
 - g. Structural reports and Structural drawing

12) 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 euqal to semi final 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.

13) 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.

14) Suggestions received after public meet:

Around 391 applications received and are broadly categorized as under:

1.	Repetitive nature	-	267
2.	General	-	41
3.	Plan related	-	83

After examining plan related suggestions, out of 83 applications, 37 were considered and accordingly necessary modifications have been carried out in the draft plan.

The reasoning for non-consideration of plan related applications is mentioned in remark column of tabulated summary of suggestions. Enclosed as Annexure-1

15) 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. Since TPS- 3 is part of sanction IDP of 23 villages, proposal requesting Director, Town Planning, Govt. of Maharashtra will be submitted for approval as per provision of section 59(2) of MR&TP Act, 1966.

16) 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.

Accompaniments with draft scheme being sent for consultation as per section 61(1) of the Act are as under:

- a. The plan no. 1 showing the location of the area under scheme.
- b. The plan no. 2 showing the Original Plots included in the scheme.
- c. The plan no. 3 showing the Original Plots and the Final Plots allotted in the scheme.

- d. The plan no. 4 showing the Final Plots allotted in the scheme.
- e. The 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. Part A Report on the Scheme.
- h. Part B- Redistribution and Valuation Statement in Form no. 1 and finance of TPS-1 in Form no. 2

V. Venu Gopal Chief Planner, NAINA