



FREQUENTLY ASKED QUESTIONS

NAINA

TOWN PLANNING SCHEMES



VISION

- To promote participatory model of development
- Unleash the land potential by providing world –class infrastructure
- Sensitive to environment concerns
- Self-sustaining Financing model

Preface:

While granting the Environmental and Coastal Regulations Zone (CRZ) clearances to the proposed Greenfield airport Ministry of Environment & Forest (MoEF), Government of India, expressed concern about unplanned and haphazard development around Airport within 20 km of the airport. In pursuance of these concerns, the Government of Maharashtra vide notification dated 10.1.2013 appointed the City and Industrial Corporation of Maharashtra (CIDCO) as Special Planning Authority (SPA) under Section 40. (I) (b) of MR&TP Act, 1966 for Navi Mumbai Airport Influence Notified Area (NAINA) to prepare a comprehensive Action Plan, Development Plan with due regard to the protection of environment and the principles of Urban Planning for sustainable development within the Influence Zone of proposed Navi Mumbai International Airport (NMIA) and regulate the Influence Zone.

NAINA enjoys proximity of Navi Mumbai and has influence of Navi Mumbai International Airport (NMIA), JNPT (Jawaharlal Nehru Port Trust), and proposed transport corridors viz. Multi Modal Corridor, Mumbai Trans Harbor Link (MTHL), Dedicated Freight Corridor (DFC), SPUR, etc.

After following due procedure of law stipulated in the MR&TP Act, 1966, the Interim development plan of 23 villages of NAINA has been sanctioned by GoM on 27.04.2017. And the development plan of balance 201 villages has been submitted to Govt for sanction.

CIDCO now planned to implement sanctioned IDP by way of Town Planning Scheme. The development will be at micro and macro level in the larger national interest. No land will be acquired, the free-hold land will remain with the owners yet they will get compensation in the guise of developed physical infrastructure; appreciation for the support to the development project in the national interest. No individual's vested interest will be safeguarded but collective interests will be protected.

It is going to be one of the biggest urban development projects in India with world class amenities and superior infrastructure matching the international standards. CIDCO intends to play the role of a facilitator encouraging land aggregation, planned development and creation of physical infrastructure.

This is a sincere effort of CIDCO to create effective awareness among the landowners and encourage their participation towards the Town Planning Scheme for its optimum success.

NAINA Town Planning Scheme

The Maharashtra Regional and Town Planning Act is enacted to make provision for planning the development and use of land in Regions established for that purpose and for the constitution of Regional Planning Boards therefor; to make better provisions for the preparation of Development plans with a view to ensuring that town planning schemes are made in a proper manner and their execution is made effective and new towns are created. A remarkable amendment has been made in the Act during year 2014, by which timely implementation of town planning scheme in speedy manner can be possible.

For the implementation of Development Plans, for the areas covered under the jurisdiction of the Planning Authorities or in respect of any land which is likely to be in the course of development or which is already built upon, Town Planning Schemes are prepared with the methods such as micro-level planning and Land Pooling and Reconstitution, under the provisions of the Maharashtra Regional and Town Planning Act, 1966.

Conceptually, town planning scheme is a joint land development project undertaken by the owners. Planning authority steps in as an agent on behalf of owners. Provides for smooth vesting of lands to planning authorities for public purposes. The Lands in the scheme are pooled and reconstituted according to some equitable formula. The Town planning schemes are being sanctioned by the Government.

The object of the Act covers several activities which have as their ultimate object of the orderly development of an urban area. It envisages the preparation of a development plan, allocation of land for various private and public uses, preparation of a Town Planning Scheme and making provisions for future development of the area in question.

As an outcome of discussions with urban development department, CIDCO decided to implement sanctioned IDP by way of Town Planning Schemes. CIDCO shall play the role of facilitator encouraging land aggregation, planned development and creation of physical infrastructure. All infrastructure shall be developed by CIDCO with minimum road width of 15 meter as far as possible. Landowners will contribute equal percentage of land for development and will get 40% net final plot. Final plots to be regular shape and buildable, and as far as possible it will be anchored to original location. Final plot will be adjusted around existing structure to protect it. Development of entire IDP shall be covered by taking up around 11 to 12 TPS in due course of time.

1. **What is NAINA project?**

On 10.1.2013 an area of about 560 Sq.Km comprising 256 villages of Raigad District and 14 villages of Thane district has been earmarked as Navi Mumbai Airport Influence Notified Area (NAINA) and CIDCO has been appointed as Special Planning Authority (SPA) by State Govt. u/s 40(1) (b) of the MR&TP Act, 1966. Subsequently Govt vide notification dtd 17/2/2016 and 18/3/2016 had appointed MSRDC as SPA from part of earlier declared NAINNA jurisdiction resulting in reduction the NAINA project area to 474 Sq.Km comprising 224 villages.

2. **What is the role of CIDCO in NAINA project?**

As provision of MRTP Act, 1966, CIDCO has to prepare the Development Plan, Development Control Regulations, grant permissions, control and regulate developments and provide physical and social infrastructure viz. roads, schools, hospitals, playgrounds, gardens, Water treatment plants, Sewage Treatment Plants, etc. in NAINA as an SPA appointed by GoM.

3. **Prior to appointment of CIDCO, who was the authority for this area?**

Prior to appointment of CIDCO as SPA for NAINA, the District Collector Raigad was the Authority to grant permission in accordance to section 18 of MRTP Act in confirmation to the zoning provisions of sanctioned regional plan of MMR and corresponding prevailing DCRs prepared by MMRDA.

4. **How can landowners benefit from NAINA project?**

The project provides landowners grand opportunity to unlock their land potential by participating in the land pooling model that increases the prevailing low FSI and offers a mechanism for handing over lands under physical and social infrastructure voluntarily without losing their development potential. There shall not be any premium towards higher FSI than the zonal FSI for the participants of land pooling .

5. **What was the development potential of lands in NAINA as per MMR plan?**

The project area can be broadly classified into Gaothans, areas upto 200m of Gaothan, Special Township Projects, Rental Housing Projects, segregated by large swathes of lands largely under U1/U2/G1/G2 zones of MMR Plan.

The area around 200m of each goathan has benefit of 1.0 FSI. Beyond these areas, lands under U1 and U2 zones have base FSI of 0.2 to 0.35 depending upon sizes of the land holdings.

The lands located in G1 and G2 zones have low development potential with FSI ranging from 0.05 to 0.10 to maintain the environmental character of the area.

Thus as per MMR plan before CIDCO being appointed as SPA, the development potential available to the landowners is very low and there was no authority for taking up the physical and social infrastructure.

6. **Why Interim Development Plan was prepared?**

Pending the preparation of Development plan for entire Notified area of NAINA, an area of about 36.83 sq.km (3683 ha) close to Panvel experiencing developmental pressures, where existing infrastructure of CIDCO can be extended was identified for taking up pilot project.

7. **Which villages are covered under Interim Development Plan ?**

The 23 villages from Panvel taluka of Raigad district included in IDP are as follows: Adai, Akurli, Belavali, Bonshet, Borle, Chikhale, Chipale, Derawali, Devad, Kolkhe, Kon, Koproli, Moho, Nere, Palaspe, Pali Kh, Palidevad, Sangade, Shilottar Raichur, Shivkar, Usarli Kh, Vichumbe, Vihigar. Some villages are partly in NAINA and partly in Matheran Eco-sensitive Zone boundary

8. **Who decided the boundary of Matheran Eco-sensitive Zone (MESZ) and who grants permission in this area?**

The Ministry of Environment Forest and Climate Change (MoEF&CC), New Delhi, with inputs of MMRDA and Urban Development Department decides the boundary of zonal master plan of Matheran Eco-sensitive area. A committee comprising of District Collector, MMRDA and other officials decides the proposals of permission in MESZ area. CIDCO does not have authority to change the boundary of MESZ or grant permission in this area. Any change in MESZ boundary is binding on CIDCO.

9. **What is the comparison of this NAINA model with respect to land development model of 12.5% scheme and Pushpak land acquisition model (22.5% scheme)?**

Under 12.5% model every 2000 Sq.M land acquired from land owner, is given 170 Sq.M net land with all physical and social infrastructure developed by CIDCO. The FSI applicable on such piece of land is 1.5 with 15% of total built up area applicable for commercial utilization and BUA that can be generated is 262.5Sq.M. The lands allotted shall be on sixty years lease.

Under 22.5% Pushpak model every 2000 Sq.M land acquired from land owner, is given 315 Sq.M net land with all physical and social infrastructure developed by CIDCO. The FSI applicable on such piece of land is 2.0 with 15% of total built up area applicable for commercial utilization. The lands allotted shall be on sixty years lease. The BUA generated is 630 Sq.M.

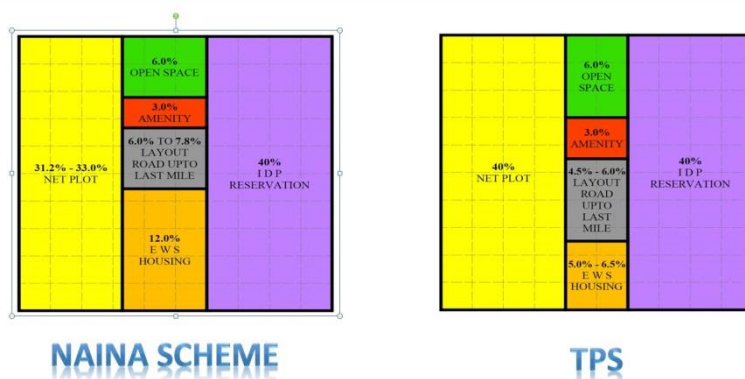
Under voluntary NAINA scheme every 2000 Sq.M land participating in the scheme shall getting final plot in the ranges of 620-640 Sq.M. Internal layouts roads, internal layout open spaces and layout amenity are to be developed by the group of land owners participating in the scheme. The FSI applicable on such piece of land is 3.2-3.0 and the land use of the plot can be as per the permissible landuses in the zone. The lands allotted shall be freehold land with new property card.

10. Is there any difference between earlier promoted voluntary land pooling scheme (NAINA scheme) and Town Planning schemes?

Voluntary land pooling scheme (NAINA scheme) and Town Planning Scheme are two sides of same coin. Both intend to land pooling and reconstitution thereby all landowners get to have a planned layout, buildable plots and more importantly the city gets land for public purpose reservations without losing FSI potential of their lands.

In Town planning scheme, the planning authority takes initiative for large scale pooling thereby ensuring speedier development of physical and social

infrastructure within the city ensuring an organized and planned development of the entire project area. However, in TPS, the land owners are getting relatively more net developable land with compare to NAINA scheme.



11. What made CIDCO to initiate Town Planning schemes?

Post sanction of IDP of 23 villages the responses received was as under:

- i. Small land owners demanded for CIDCO to initiate scheme as they short of funds, technical knowhow, lack of belief in person taking the lead for aggregation among themselves.
- ii. Due to internal clashes they are not able to come together
- iii. Sporadic proposal of NAINA scheme received
- iv. Developers still in the process of aggregation
- v. Aggregation odd shaped resulting in non-functional planning
- vi. Difficulty in Getting authorized access
- vii. Small Land owners - not receiving consent from all co-owners
- viii. Development of linear infrastructure not happening because of sporadic schemes

Looking at the above responses, the UDD in GoM directed CIDCO that, to ensure development of infrastructure within sanctioned Development Plan of 23 villages it is necessary for CIDCO to pitch in by taking land pooling scheme. The Govt advised CIDCO to initiate land pooling schemes within the ambit of amendments carried out by the State Govt in the Town Planning Schemes. The Govt further advised that while carrying out land pooling & reconstitution through Town Planning Scheme mechanism, all benefits accrued through NAINA scheme should be included in the land pooling through TPS mechanism. The Govt proactively vested its own powers to VC & MD CIDCO for sanction of draft scheme.

12. What are the benefits of participation in the Town Planning Scheme?

- a. All to contribute equal percentage of land for development
- b. All owners to get equal benefits
- c. All infrastructure shall be developed by CIDCO
- d. Final plots (40%) of regular shape and buildable with 2.5 FSI
- e. As far as possible final plots anchored to original location and existing structures tried to be protected



- f. 10% open space and 5% amenity to be located commonly for use by all
- g. Single owner with scattered land parcels can combine for better FSI utilization
- h. Relaxation in side and rear marginal open spaces for FSI consumption
- i. Final plots above 4000m², separately not to provide internal open space and EWS housing.

13. What are the Principles adopted for making a Town Planning Scheme?

The principles and procedure followed while making of schemes is as under:

- i. Every landowner contribute equal percentage of land for the infrastructure of the project.
- ii. Forest lands, water bodies, existing structure of valid permissions are kept intact.
- iii. Land owners to get 40% of original land holding as net final plot.
- iv. The land owners need not have to provide open spaces, amenity and social housing on final plot, whatever may be the size of Final Plot.
- v. Permissible FSI on final plots = 2.5 - considering plot area is exactly 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.
- vi. As far as possible final plots shall be anchored to their original location.
- vii. Approximate 10% open space and 5% amenity are provided commonly in scheme layout and distributed spatially on neighborhood concept
- viii. As far as possible final plots are given around existing structures.
- ix. An attempt has been made to carve out final plots in such a way that they are of regular shape and are developable.
- x. To the extent possible Land affected by gas pipe line, between river & blue line shall be given unencumbered final plots to its nearby original location.
- xi. Same owner with scattered land parcels shall be given single plot on his consent for amalgamation.
- xii. Area of land as mentioned in 7/12 is considered as basis for computing 40% entitlement of final plots
- xiii. As far as possible, no one shall be dispossessed in the scheme.
- xiv. The proposals of development permissions, wherein assessment orders/demand/intimation letters have been issued shall be granted permission

as per prevailing regulations. In absence of reaching final stage of permission as mentioned above, no land parcel shall be excluded from the scheme only for the reason of submission of proposal of development permission.

- xv. The filling-up/reclamation/leveling-up of land in the scheme area to be done by engineering department in such a way that the finished level of final plot shall be above the level of red line.
- xvi. Area under MMC and hill slopes (more than 1:5) with 100 feet buffer shall be excluded from the schemes.
- xvii. As far as possible, providing SF/Amenities/utilities as per planning norms mentioned in IDP report for Carrying capacity of scheme.
- xviii. Minimum internal road width shall be 15.00 M to the extent possible. At exceptional locations, 12.00 M width can be considered.
- xix. The arterial/main road width shall be increased to next high level as far as possible.
- xx. The odd shape reservations of IDP shall be corrected/ modified to proper and regular shape.
- xxi. Amalgamation of tribal land and land with restrictive tenure with other land shall not be done.
- xxii. Additional open spaces to be given around forest land to make it usable green space with joint forest management concept.
- xxiii. Existing Gaothan and existing developments shall be given access and openings.
- xxiv. Amenities such as library, Gymnasium daily bazar etc shall be proposed around Gaothan to serve the local villagers.
- xxv. As far as possible Final Plot to be given in same village in case of OP under reservations. If not, the Final Plot shall be given at place having equal or higher land value.
- xxvi. For amalgamated final plots, the Final Plot to the extent possible shall be located at place of vacant land parcels having largest land holding area.
- xxvii. For land parcels partly falling in the scheme, the area as per drawing of land records office is considered for entitlement.

14. What are the timelines prescribed for implementation of Town Planning Schemes?

TIMELINES of Town Planning Schemes			
Sr. No	Activity	No of Months	
		Without extension	With extension
1	Declaration of intention in Gazette	0	0
2	Making of draft scheme and publishing Notice after Consultation of Director of Town Planning by conducting owners meet	9	12
3	Submission of draft scheme for sanction after incorporating valid suggestions received within one month of publication of Notice	12	15
4	Approval/Sanction of draft scheme by VC&MD	15	18
5	Appointment of arbitrator by Govt	16	19
6	Preparation/Drawing of preliminary scheme by arbitrator	25	31
7	Sanction to preliminary scheme by Govt	27	30
8	Preparation of final scheme by arbitrator	34	37
9	Sanction to final scheme by Govt	37	40

15. **What is the importance of sanction of draft scheme?**

The draft scheme once sanctioned by VC & MD, all the lands under the infrastructure such as roads, gutter, electricity within the scheme stands deemed transfer to the Authority and the authority can immediately start execution of roads.

16. **What is the role of Arbitrator in the implementation of Town Planning Scheme?**

The arbitrator is an external technical person appointed by the State Government within one month from the date of sanction of the draft scheme. The arbitrator's primary role is to define, demarcate and decide the area allotted, or reserved for public purposes. The arbitrator shall also give notices to all the individual land owner and give them a hearing, finalize on the amount of increment payable, demarcate the lands, allot lands to the land owners and allot land to CIDCO. The Arbitrator has to carry out his functions within the time limit prescribed in the ACT. The role of arbitrator is detailed out U/S 72 of the MR & TP Act 1966.

17. **What efforts CIDCO has taken to ensure consumption of FSI on the final plots?**

To ensure that developments on the final plots do not become excessively high resulting in increase in cost of construction, relaxations in side and rear open spaces are proposed for high rise structures without compromising the firefighting movements. Even in the smaller plots, relaxations in marginal open spaces are proposed to ensure maximum possible consumption of the FSI.

18. **Whether the final plots shall be free hold or leasehold?**

The final plots allotted to the land owners by the arbitrator shall be totally freehold. The landowners shall be in all liberty to develop the lands as per their time lines by themselves or jointly with any developer. The development within the plots shall be governed by the prevailing regulations. Unlike Navi Mumbai plots, these final plots shall not attract any transfer charges as they are freehold lands nor there shall be any time line from CIDCO side for developing these within a certain time period. Thus there is no concept of levying additional lease premium as applicable in Navi Mumbai plots.

19. **Whether any payments or betterment charges payable at the time of allotment of final plots to land owners?**

As per the provisions of the MR & TP Act, along with every scheme FORM 1 as prescribed in the rules of the MR & RP Act are to be prepared.

As per this form every land owner who gives land to the project is entitled for compensation the formula of which is prescribed in the rules. Similarly, for every plot increase in the value of land owner's land is assessed due to provision of infrastructure by the authority. The Act mandates the authority to maximum levy 50% of the increased value (let us call it betterment charge). The difference of betterment charge and the compensation is payable either to the authority or to the landowners as the situation may arise. These charges shall be payable at the time of seeking development permission.

20. **What is the provision of landowners participation in the making of the scheme?**

The MR & TP Act ensures that owner's participation is adequately addressed and a third party check is very well woven in the provisions of the scheme.

At the draft scheme stage, the Authority has to interact with the land owners whereby the tentative proposal is placed before the land owners. After taking cognizance of

feedback from the owner the draft scheme is sent to director town planning for consultation. Based on the feedback from the Director Town Planning, the proposal is modified and published in the Government gazette inviting suggestion/objections from the landowners within in a period of 30 days. After incorporation of suggestion/objections, the draft scheme is submitted to VC & MD CIDCO for sanction of the draft scheme. VC & MD shall once again seek consultation of Director Town Planning before sanction of the scheme. Thus in the draft stage, the scheme is placed twice before the land owners and twice before the Director Town Planning, Pune.

Post sanction of the draft scheme, the arbitrator appointed by the Government shall once again call all landowners and give individual hearing to them. The scheme finalized by the arbitrator shall require sanction from the State Government. Thus the entire process gives opportunity to the land owners at every stage.

21. [What is the basis for identifying beneficiary in the scheme?](#)

Similar to Navi Mumbai project, here the beneficiary is one having valid 7/12. Each 7/12 title owner is given back 40% land back be it a private land owner or a public authority.

22. [Who carries out the land measurement survey for the scheme area?](#)

Since land records vests with the office of Taluka Inspector of land records, the responsibility of land measurement vests with TILR only. The land measurement fee for each of the scheme is borne by the Authority.

23. [Who shall correct the discrepancy in the land measurement or 7/12 extract, if any?](#)

CIDCO has no jurisdiction for correction of any documents related to land records. The landowner has to approach the respective department to update or correct any records and submit the same to CIDCO for incorporation in the draft scheme.

24. [Whether CIDCO can give more than 40% land back as final plot to the land owners?](#)

The IDP contains 40% reservations on developable area. CIDCO is taking up Town Planning Schemes for implementation of sanctioned IDP. Therefore, as far as possible, reservations to the extent of 40% are included in declared schemes. Apart from 40% IDP reservations, CIDCO is proposing an area to the extent of 10% to be allocated for economically weaker section/lower income group (which are in actual terms

contribution of the landowners to scheme within the framework of the Act). And, 10% open space and 5% amenity are proposed to be kept as common spaces in the layout, and the land owners need not to provide these spaces again on final plots. Making the open spaces and amenity common in a scheme, shall lead to better planning of the area and result in increased percentage of social facility and open spaces at DP level.

Thus, even though the net final plot proposed to be given back is 40% of original land holding, effectively final plot returned back to the owner is much more than 40% considering the common open spaces, amenities and EWS relaxations.

The land holding pattern in Panel Taluka is observed to be very fragmented as much as less to the extent of 200 Sq.M. Therefore, after giving proper access to all final plots and giving common layout open spaces and amenities keeping in mind social aspect of planning, it is practically impossible to give back 70% final plot.

25. Whether 3.5 FSI can be given on the Final Plots?

The permissible FSI to the lands falling in MMR was 0.2 prior to appointment of CIDCO as SPA for NAINA. As per sanctioned IDP, the permissible zonal FSI was increased to 0.5 (0.2 base Fsi +0.3 on payment of premium). However, for the voluntary participants of land pooling scheme (min area 10 Ha), who surrenders 40% land for the project, the permissible FSI on original land was assumed to be 1.00 and permitted to be utilized on balance land retained by the land owner. Thus the permissible FSI on 60% land retained by owner was 1.7. The land owners have to provide minimum 10% open spaces, 5% amenity and 20% EWS from within 60% land retained by them as a part of sanctioned DCPRs provisions. There was no FSI premium applicable for participants of land pooling scheme.

On the similar lines of voluntary land pooling scheme, though the zonal FSI in IDP is 0.5, in consideration of the contribution of the land owners for the project for provision of physical and social infrastructure, as per commitment made by Authority for notional FSI of 1.00 on original land holding, the final FSI of 2.5 was proposed to be permitted on net 40% final plot. The net 40% developable final plots are free from encumbrance or burden of provision of compulsory open spaces, amenity and EWS housing.

Also, the final plots eligible for utilization of additional FSI by way of TDR are permitted to load additional FSI up to 1.4. Thus, for the eligible plots, the FSI may go upto 3.9.

Therefore, making of 3.5 FSI for all final plots shall not be reasonable and cannot be considered, as FSI has already been enhanced without charging any premium.

26. Whether the requirement of side margins and open space criteria can be completely waived off?

To enable the owners of final plot holders to consume FSI, some relaxations in marginal open spaces have been proposed, without compromising fire norms. Also, as mentioned in above Para, the land owner need not have to provide 10% open spaces on final plot, as the same have been adequately provided in scheme layout as common open space. Non-requirement of marginal open spaces shall lead to health and safety of the residents and serious repercussions on light and ventilation. Therefore, non-requirement of marginal open spaces cannot be considered.

27. Can development charges and other charges be waived off for local residents/farmers?

The development charges are statutory charges mentioned in the Act and shall be levied while granting development permission required under the provisions of the Act. Every land owner participating in scheme is treated at par for passing on benefits as well as for contributing for the project and no discrimination by occupation can be made for levying of charges. The projects eligible for partial exemption in development charges have already been mentioned on the Act. Therefore the developments, other than for which development charges are exempted, are liable to pay applicable development charges.

Thus, development charges cannot be exempted for development undertaken by land owner on his final plot.

28. Can Project affected certificate and priority in services be given to farmers?

CIDCO is SPA for NAINA and not NTDA. The lands in NAINA are free hold. Like new towns, the entire lands are not proposed to be acquired by CIDCO. Only the lands reserved for public purposes in development plan are proposed to be made available to authority by land redistribution and readjustment through town planning schemes by passing on all possible benefits to the land owners with enhanced land potential in terms of FSI on final plots.

Since, nobody is becoming landless or dispossessed in the scheme, the question of project affected certificate does not arise. As regards priority in services, as of now no major projects wherein employment is given by CIDCO are proposed by NAINA.

29. Whether permission for plot selling is required to be obtained from CIDCO?

The final plots allotted to the land owners are free hold. Therefore, sale permission shall not be required for the same.

30. Whether basic amenities such as electricity, road, gutter, health and other facilities will be provided by CIDCO?

It shall be responsibility of the Authority to provide physical and social infrastructure in the scheme.

31. When physical infrastructure such as road etc will be provided by CIDCO?

As per amendment made in the Act in December 2014, after sanction of draft scheme under sub-section (2) of section 68, all lands required by the Appropriate Authority for the purposes of roads, drainage, sewerage, water supply shall vest absolutely in the Appropriate Authority free from all encumbrances. Therefore these basic infrastructure work can be immediately started after sanction of draft scheme.

32. Whether CIDCO can give Farmer certificate to project affected people?

CIDCO is not acquiring all lands in NAINA and nobody is getting dispossessed. Therefore giving farmer certificate is not under purview of CIDCO as Special Planning Authority.

33. How will CIDCO allot Social facilities plots in NAINA?

The allotment of reservations and or amenities shall be done in accordance with land disposal regulations going to be framed for NAINA. The social facilities such as school, college, hospitals etc shall be allotted as per policy of Corporation to be framed and eligibility criteria therein.

34. Whether compensation towards trees, houses, bore well etc shall be given by CIDCO?

The valuation of lands in TPS is done considering the land as non-agriculture. The compensation to be given and betterment to be charges are calculated in a specified format of Form of Town Planning Scheme Rules, 1974. The arbitrator appointed use to give hearing to all individual, wherein the issues regarding existing trees, well etc shall be heard and verified by the arbitrator.

35. Whether houses outside Gaothan be regularized by CIDCO without charging any fees?

There is separate provision in the act for compounded structures. The regularizations of structures shall be done in accordance with provisions of Act and rules. Giving final plot around structure shall not necessarily meet the requirements of regularization of the structure.

36. Whether the final plot can be allotted in the name of protected tenants.

The names appeared in 7/12 are considered as evidence of ownership for allotment of final plots. Section 71 of the MR&TP Act, 1966 deal with disputed ownership. When the scheme comes into force, all rights in the original plots are extinguished and simultaneously thereunder ownership springs in the reconstituted plots. There cannot be any restriction or impediment on the right of ownership of that person. Therefore, change in ownership as per law shall be taken care even after sanction of the scheme.

37. What initiative CIDCO taking to inform farmers about scheme?

The notice used to be published in local newspapers as well as in official Govt gazette. The same is kept in office of Authority and uploaded on website. The landowner as per 7/12 has been issued individual letters for owners meet. The declaration regarding making of scheme is also made available in local Grampanchayats offices.

All the landowners in Town Planning Scheme were invited by:

- Sending letters through Registered post or by hand delivery.
- Notice in local newspapers
- Notice along with schedule of public meet was displayed in respective Gram Panchayat offices.
- Notice along with schedule of public meet was displayed in CIDCO's NAINA office.
- Notice along with schedule of public meet was uploaded on CIDCO's official website.

Thus wide publicity and awareness has been made while declaring the scheme. The landowners are explained about steps, process & timelines of TPS, benefit of having single amalgamated plot, reason for giving back 40 % land, relaxations proposed in DCR, enhanced potential of land without losing FSI potential and overall proliferation of physical and socio economic base of the area due to schemes.

All the owners participated in public meet were shown location of their final plot and their original land.

Thus everything about scheme is discussed with participating land owners during owners meet as well as in small groups visiting NAINA and CIDCO representative visiting villages

38. Whether CIDCO is giving cow-graze (*gurcharan*) land to villagers?

Every land parcel (except forest and water bodies) in the scheme has been allotted 40% final plot. The land in the name of Grampanchayats or Gurcharan has also been allocated FP in the scheme. This final plot can be used for public purposes by respective Grampanchayats.

39. **Whether CIDCO is acquiring 60% land in TPS?**

The various aspects of a Town Planning Scheme have been set out in the act. On the draft and final Town Planning Scheme coming into force there is an automatic vesting of all lands required by the Authority. It is not a case where the provisions of the LARR Act 2013 have to be set in motion either by the Collector or by the Government. The divesting of title takes place statutorily.

40. **Whether farmer can continue farming on his land?**

Majority of land in 23 villages was earmarked as urbanizable zone in the regional plan of MMR, prior to appointment of CIDCO as SPA. Therefore, the area of 23 villages for which IDP was sanctioned was majorly earmarked as predominantly residential zone. Zoning of land doesn't restrict agriculture activity on the said land. The farmer can still make cultivation on the share of their land under their possession and free from reservations.

41. **What is the status of Town Planning Schemes initiated by CIDCO so far?**

On 27/04/2017, development plan of 23 villages were sanctioned by the state Government. Till the end of June 2019, CIDCO has initiated five town planning schemes total admeasuring 1250 ha. Status of each of the scheme is as under:

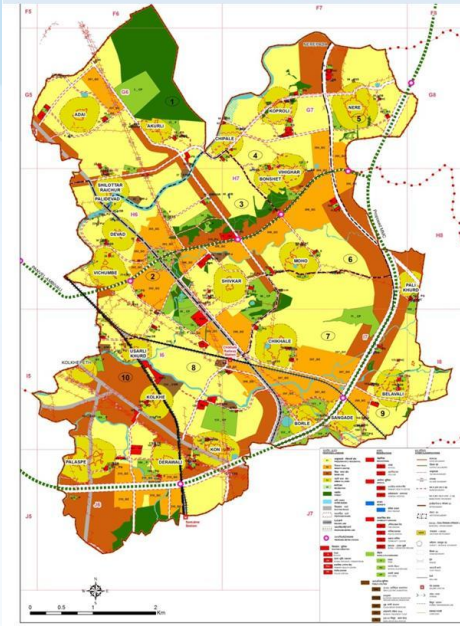
TOWN PLANNING SCHEMES - 1

- Scheme: 19.12 ha
- Declaration: 11/08/2017
- Owners' meet: 08/11/2017
- Gaz publication: 18/04/2018
- Draft Scheme sanctioned by VC & MD: 22/09/2018 (13 months 11 days)
- Arbitrator appointed by Govt on 23/10/2018
- Tenders for roads floated on 05/03/2019
- First scheme in MMR post amendments in MR & TP Act 1966

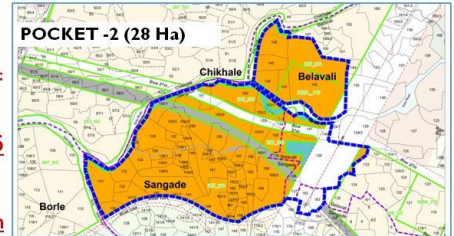
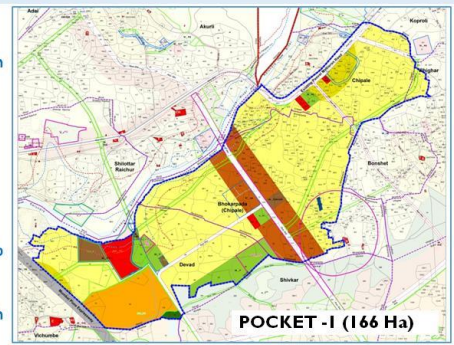


Transformation of Raw Land into serviced plots

TOWN PLANNING SCHEMES - 2



- Scheme area : 194 ha
- Area under development plan reservations : 77.6ha
- Scheme declared on 06/12/2017
- Gazette notification on 08/12/2017
- Owners meet on 8 - 10 May 2018
- Submission for First Consultation to DTP on 20th Sept 2018
- Extension of Three months to Publish Draft TPS-2
- Published on 6th Dec 2018.
- Draft Scheme approved by VC & MD : 26th April 2019
- Time taken : **16 months 16 days**
- Arbitrator appointed on **26/05/2019**



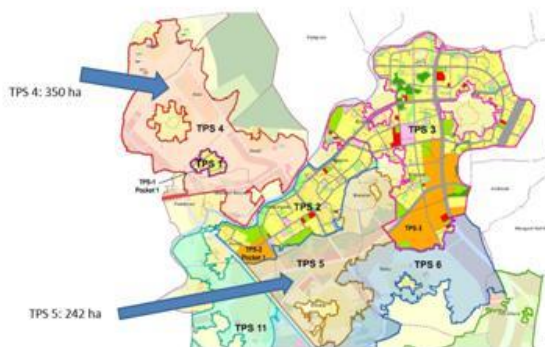
Total Scheme Area = 194 ha

TOWN PLANNING SCHEMES - 3

- Area : 434 ha
- Declaration of Intention: 8th May 2018
- No. of beneficiaries : 400+
- Owners meet : 4th, 5th & 6th Sept 2018
- first consultation recd : 08/05/09
- Published in Gazette u/s 61(1) on 09/05/2019
- Last date of approval of draft scheme: 08/11/2019



New schemes declared



TPS 4:
Area: 349 ha
Declaration published on 21.06.2019

TPS 5:
Area: 251 ha
Declaration published on 28.06.2019

Total schemes in public domain is 1250 ha i.e 50% of developable area
43% of development plan reservations getting realized through 5 TP schemes

42. How many Town Planning schemes CIDCO is going to take up in the project area?

As the mandate of CIDCO is to provide physical and social infrastructure within the sanctioned development plan of 23 villages, the entire area shall be covered through 10-12 schemes excluding the densely developed areas around gaothans.

43. What are the outcomes of the first three schemes?

Outcome of 3 TOWN PLANNING SCHEMES

- 650 ha of planned layout
- 830 final plots, 251.52 ha land opened up for development
- 17 school plots (7 DP+ 10 Layout)
- 40 ha open space DP + 37.8 Ha through TPS layout
- 30 km DP roads + 22 km layout roads
- 10.28 ha DP amenity + 16.49 ha layout amenity
- 26nos, 34 ha EWS plots
- Plot for sports complex, Fire Brigade
- 6 no 19.23 ha of developed land to Gram Panchayat

44. When will land owners get final plot in their possession?

On submission of preliminary scheme by the arbitrator, the state Government has a time line of two months for sanctioning of the same. On sanction of the preliminary schemes, all lands required by planning authority shall vests with the planning authority. All remaining reconstituted plots shall vest with the landowners participating in the scheme.

45. What is the role of Growth Centres?

The lands reserved for Growth Centres in IDP are 15% of the developable area. The Growth Centres have been earmarked along major IDP roads with the premise that their development by the Authority will trigger development in the lands in their vicinity. The revenue generated from the sale of Growth Centre lands shall be the mainstay of financing the city & peripheral level infrastructure of the project.

The estimated infrastructure cost for IDP is approx. 7400 crores. Since CIDCO is committed to invest upfront the above cost towards city & peripheral level infrastructure development, the success of the project is wholly dependent on the revenue from the development and sale of growth centre lands by CIDCO. The sale of growth centre lands shall be the source of revenue for developing the infrastructure.

46. What are the permissible Landuse on the Final Plot in scheme?

The uses permissible in predominantly residential or mix use zone of sanctioned IDP will be permissible on the final plots in the scheme.

47. What if the landowner has undivided share as per 7/12 extract? Will the landowner get separate Final plots?

Final plot is calculated on the basis of total area in 7/12 and not on the basis of divided on undivided share of individual co-owners in 7/12. The owner has to have separate 7/12 for getting separate final plot.

48. Can Building Permission be granted after declaration of Town Planning Scheme?

Requests for Building Permission cannot be processed after declaration of Town Planning Scheme as the preparation of scheme involves formation of final plot by reconstitution of an original plot by alteration of the boundaries of the original plots.

49. When can the Landowner apply for Building permission?

After sanction of draft scheme, land owners whose final plot is substantially located at the original location, can seek development permission on the land parcel common land parcel. The development permission can be processed with consent of the appointed arbitrator.

Note: the above FAQs prepared are with an intention to make land owners within the project area aware of the broad provisions of the land pooling scheme. This is an informative document and not to be considered as sanctioned regulations. The provisions of the MR & TP Act and the sanctioned provisions of the scheme by the State government are final and binding on all.



PRINTED & PUBLISHED BY:

—
SR. PUBLIC RELATIONS OFFICER, CIDCO LTD., 6TH FLOOR, CIDCO BHAVAN, CBD BELAPUR, NAVI MUMBAI- 400 614.
WWW.CIDCO.MAHARASHTRA.GOV.IN

CIN- U99999 MH1970 SGC- 014574