

Circular**Policy for provision of Trunk infrastructures to the Integrated Township Projects (ITPs) in NAINA jurisdiction****1.0 Background:**

CIDCO was appointed as a Special Planning Authority for development of Navi Mumbai Airport Influenced Notified Area (NAINA) on 10th January, 2013. CIDCO has prepared the Development Plan of NAINA Project which consists of mainly Development zones (residential and mixed use), Low development zone, Recreation zone and Industrial & warehousing zones. The Development Plan of the NAINA project is sanctioned on 16/09/2019.

The Govt. is approving the Integrated Township Project in NAINA Project area in all zones. As per the notification dtd. 08.03.2019, of the Integrated Township Projects (ITP), the responsibility of providing trunk infrastructures is with the land owners / project proponent. However, the Govt. vide letter dt 19.08.2019 and 19.10.2020, it has been directed to CIDCO to provide trunk infrastructure immediately to the ITP.

The Development of ITP require minimum 18 mtr road and the project proponent has to acquire and develop the infrastructure including the road. It has been observed that in Township projects, the Project proponent is unable to provide required access in full / part and is insisting for acquisition of access road to the Planning authority.

Considering the Government directives, in low priority development areas, it is necessary for the Special Planning Authority to intervene in such matter and land acquisition for access where affordable housing through private initiative are developed without any cost to the Special Planning Authority / Govt.

2.0 Acquisition Models:

In this regard, for acquisition it is decided that CIDCO should act as the facilitator for providing the infrastructure including DP and ITP roads.



The acquisition of land is possible through the various modes of existing policies such as.

Special Planning Authority has the powers to acquire land required for public purpose under Section 126 of the under MR&TP act, 1966. Land acquisition by

1. By Transferrable Development Rights .
2. By consent award (22.5% scheme)
3. **Monetary Compensation by direct purchase by private negotiation.**
4. Monetary compensation as per Land acquisition, rehabilitation & resettlement Act, 2013.

3.0 Pre-conditions for acquisition and development

- 3.1 The Project proponent shall apply to CIDCO for acquisition of the infrastructure.
- 3.2 An agreement shall be executed, binding the Project Proponent (PP).
- 3.3 CIDCO will act as the facilitator on the agency basis. The agency charge will be 14% of the actual expenditure of acquisition and construction to be levied by CIDCO on project proponent in all methods of land acquisition and Construction. As per board resolution no 11264 dtd 18/12/2014 for construction projects.

4.0 CIDCO to initiate the land acquisition proposal under Section 126 of the MR&TP Act.

4.1 Acquisition by Transferrable Development Right (TDR)

- 4.1.1 CIDCO will offer the Transferrable Development Right to the land owners affected by infrastructure facilities including Right of way of the Road Full/ part.

4.1.2 TDR for surrender of land will be available as per Clause 43.4.1 - Transferable Development Rights (TDR) against surrender of land.

4.1.3 The utilization of TDR shall be as per approved DCRs.

4.2 **Acquisition by Consent award**

If land is not available through TDR, the acquisition can be done through the consent award. The available model is allotment of 22.5% land in lieu of land acquisition cost which is approved by Government for NAINA project vide Govt. Resolution no. CID-3317/1295/case no. 184 /UD-10 on 28 February 2018.

4.2.1 If 22.5% land is to be allotted for land acquisition, then project proponent / owner shall provide lands for allotment under 22.5% scheme.

4.2.2 Acceptability of the location of 22.5% scheme allotment to land affected owners is the responsibility of the Project Proponent.

4.2.3 The feasibility of development will be ascertained by the Engineering department of CIDCO.

4.2.4 All the cost is to be borne by the Project proponent.

4.2.5 All consents to be obtained by Project Proponent.

4.2.6 The project proponent shall provide all the necessary help for all the necessary steps to be initiated by CIDCO for land acquisition i.e. coordination with the Revenue department, TILR, Land owners and concerned authorities.

4.2.7 All the cost for establishment department, revenue department & other costs are to be borne by the project proponent.



- 4.2.8 Also the Project Proponent shall develop the 22.5% layout as per the specifications of the Engineering Department with all the infrastructure and amenities under supervision of Engineering Department and 14% supervision charges shall be levied by CIDCO on the Project Proponent.
- 4.2.9 After completion of the land acquisition, the project proponent shall execute the access road and infrastructure as per the specifications decided by CIDCO under supervision of Engineering Department CIDCO and the 14% supervision charges shall be levied by CIDCO on the Project Proponent.
- 4.2.10 If CIDCO to execute the road, then the Project Proponent shall deposit cost as worked out by CIDCO, and the same shall be paid in advance before at the time of issuing the tender and any enhancement /reduction due to final tender value shall be on actual basis.

4.3 Monetary Compensation by direct purchase by private negotiation.

As per land acquisition, rehabilitation and resettlement Act 2013, for acquiring land various procedures are to be followed (Social impact Assessment Section 4 LAR. Preliminary notification Section 11, Publication of declaration of area to be acquired Section-19.

Determination of Compensation Section 26 to 30 LAR) Which takes longer period to complete the procedure hence for acquiring land immediately direct purchase by private negotiation is fast way of acquiring land.

For finalizing compensation by negotiations committee under chairmanship of Collector is formed. Procedures for finalizing compensation by direct purchase, procedures as laid down in Government Resolution dtd. 12.05.15, 30.09.15 and 25.01.17 will be followed.

The Project Proponent shall bear entire cost of land acquisition, above this CIDCO will charge, establishment charges and charges levied by Collector for acquisition of land and measurement charges.

All the cost for establishment department, revenue department & other costs are to be borne by the project proponent.

4.4 Monetary compensation as per Land acquisition, rehabilitation & resettlement Act, 2013.

If the land is not available with option 1 and 2 then the land is to be acquired by Monetary compensation as per Land acquisition, rehabilitation & resettlement Act, 2013.

In such cases the proposal can be considered on following conditions.

4.4.1 The project proponent shall bear the cost of the land acquisition The acquisition cost involved the following components –

4.4.2 The land acquisition cost to be paid to the land owner including Well, nalla, constructed houses, Solacium, interest & other components as per the act.

4.4.3 Establishment cost of the Revenue Department, measurement fees and other fees paid.

4.4.4 The Project proponent shall deposit the land acquisition cost in advance within 30 days from the date of issue demand letter to the Project proponent and if not paid, delayed payment charges shall be recovered with interest @12 %.

4.4.5 The Project proponent shall have to pay the additional enhancement in compensation in future, if any, including establishment cost and the same shall be deposited by the Project proponent within 30 days from the date of issue of such demand and if not paid, delayed payment charges shall be recovered with interest @12 %.

4.5 The acquisition can be done by one of the above method or combination of all the methods.



5.0 **Development of Infrastructures:**

- 5.1 All the lands will vest with CIDCO after acquisition.
- 5.2 After completion of the land acquisition, the project proponent shall execute the access road as per the specifications decided by CIDCO under supervision of Engineering Department CIDCO and the 14% supervision charges shall be levied by CIDCO on the Project Proponent.
- 5.3 If CIDCO to execute the road, then the Project Proponent shall deposit cost as worked out by CIDCO, and the same shall be paid in advance before at the time of issuing the tender and any enhancement /reduction due to final tender value shall be on actual basis. 14% supervision charges shall be levied by CIDCO on the Project Proponent.
- 5.4 The project proponent shall maintain the road up to 10years or till the taking over by the local authority.

6.0 **Other Conditions:**

- 6.1 The Development permission will be granted to the project proponent after the payment Land acquisition cost and cost required for development of road.
- 6.2 If any extra expenditure is required by CIDCO at a later date, the Project Proponent shall be liable for such payment. Occupancy Certificate will be granted only after receipt of such amounts at any stage of development. Failure of any payment shall be liable for legal action.

Trunk infrastructure facilities for Integrated Township Projects can be facilitated in NAINA by the above procedure.


10/5/21
VC&MD
CIDCO