

## नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक ३ नोव्हेंबर २०२१

### अधिसूचना

#### महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टिपीएस-१२२१/५४/प्र.क्र.१०/२१/नवि-१२.— ज्याअर्थी, प्रारूप नगर रचना परियोजना नैना क्र. २ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) (यापुढे ज्याचा उल्लेख “उक्त प्रारूप परियोजना” असा करण्यात आला आहे), उपाध्यक्ष व व्यवस्थापकीय संचालक, सिडको यांना शासनाने महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आला आहे) चे कलम १५१ (१) मधील तरतुदीनुसार प्रदान केलेल्या अधिकारात उक्त अधिनियमाच्या कलम ६८ उप कलम (२) मधील तरतुदीनुसार अधिसूचना क्र.सिडको/नैना/टिपीएस-२/२०१९/९२, दिनांक २६ एप्रिल २०१९ अन्वये मंजूर केली आहे ;

आणि ज्याअर्थी, शासन, नगरविकास विभागाने अधिसूचना क्र.टिपीएस-१२१९/१२९३/प्र.क्र.५१/१९/नवि-१२, दिनांक २४ मे २०१९ अन्वये श्री. सु. व. सुर्वे, निवृत्त उप संचालक, नगर रचना यांची उक्त अधिनियमाच्या कलम ७२ चे उप कलम (१) मधील तरतुदीनुसार लवाद म्हणून नेमणूक केली आहे (यापुढे ज्याचा उल्लेख “उक्त लवाद” असा करण्यात आला आहे) ;

आणि ज्याअर्थी, उक्त लवाद यांनी उक्त परियोजनेसंदर्भात आवश्यक ती वैधानिक कार्यवाही पूर्ण करून आणि उक्त परियोजना अंतिम करून, प्राथमिक नगर रचना परियोजना नैना क्र. २ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) उक्त अधिनियमाच्या कलम ७२ चे उप कलम (५) मधील तरतुदीनुसार दिनांक २५ जून २०२० च्या पत्रान्वये शासनास मंजुरीकरिता सादर केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन रचना (सुधारणा) अधिनियम २०२० (सन २०२० चा महाराष्ट्र अधिनियम क्र. १९) द्वारे, उक्त अधिनियमाच्या कलम १४८(अ) मधील सुधारित तरतुदीनुसार, अधिनियमातील प्रकरणे दोन, तीन, चार व पाच मधील तरतुदीप्रमाणे, कोणत्याही विकास योजना, प्रादेशिक योजना किंवा योजनांसाठीचा कालावधी विचारात घेताना, देशामध्ये किंवा राज्यामध्ये उद्भवणाऱ्या कोणत्याही महामारीच्या किंवा साथीच्या रोगाच्या फैलावास किंवा आपत्तीजन्य परिस्थितीस प्रतिबंध करण्याकरिता, भारत सरकारने किंवा, यथास्थिती, राज्य शासनाने केलेल्या कोणत्याही मार्गदर्शक तत्वांच्या किंवा टाळेबंदी उपाययोजनांच्या अंमलबजावणीमुळे, उक्त प्रकरणांनुसारची कोणतीही कार्यवाही पूर्ण होऊ शकली नसेल तर, असा कालावधी वगळणे आवश्यक आहे ;

आणि ज्याअर्थी, उक्त प्रारूप नगर रचना परियोजना नैना क्र. २ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) मंजुरीचा विहित कालावधी, महाराष्ट्र राज्यात शासनाने दिनांक २३ मार्च २०२० पासून कोविड-१९ विषाणूच्या प्रादुर्भावामुळे जाहीर केलेला टाळेबंदीचा कालावधी वगळता अजून अस्तित्वात आहे ;

आणि ज्याअर्थी, आवश्यक ती चौकशी केल्यानंतर व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांचा सल्ला घेतल्यानंतर प्राथमिक नगर रचना परियोजना नैना क्र.२ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) काही बदलांसह मंजूर करणे आवश्यक आहे, असे शासनाने मत झाले आहे.

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ८६ चे उप कलम (१) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन, प्राथमिक नगर रचना परियोजना नैना क्र.२ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) यासोबत जोडलेल्या परिशिष्ट-१,२ (अंतिम भूखंडांबाबत) व परिशिष्ट- ३ (नगर रचना योजना नैना क्र.२ च्या विशेष विकास नियंत्रण व प्रोत्साहन नियमावलीबाबत) मध्ये नमुद केल्यानुसार काही बदलांसह मंजूर करीत आहे ;

२. उक्त मंजूर करण्यात आलेली प्राथमिक नगर रचना परियोजना नैना क्र. २ (मौजे-चिपळे, विहिघर, देवद, भोकरपाडा (चिपळे), बेलवली व सांगडे) ही उक्त अधिनियमाच्या कलम ८६(२)(ख) नुसार, मंजुरीच्या तारखेनंतर किमान १ महिन्यापेक्षा जास्त म्हणजेच दिनांक ३१ डिसेंबर २०२१ पासून अंमलात येण्याची तारीख असे निश्चित करणेत येत आहे.

३. मंजूर प्राथमिक नगर रचना परियोजना नैना क्र. २ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) मंजुरीची अधिसूचना खालील कार्यालयामध्ये कामकाजाच्या दिवशी कार्यालयातील वेळेत एक महिन्याच्या कालावधीकरिता आम जनतेच्या अवलोकनार्थ उपलब्ध राहिल.

(१) मुख्य नियोजक, नैना, सिडको भवन, सी. बी. डी., बेलापूर, नवी मुंबई

१० महाराष्ट्र शासन राजपत्र भाग एक—कोकण विभागीय पुरवणी, गुरुवार ते बुधवार, नोव्हेंबर १८-२४, २०२१/कार्तिक २७-अग्र. ३, शके १९४३

(२) लवाद, नगर रचना परियोजना नैना क्र.२ (मौजे चिपळे, विहिघर, देवद, भोकरपाडा, बेलवली व सांगडे) यांचे कार्यालय, सीबीडी, बेलापूर, नवी मुंबई.

(३) सहसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई.

(४) सहायक संचालक, नगर रचना, रायगड-अलिबाग शाखा, रायगड.

४. सदरची अधिसूचना ही महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे/नियम) या वेबसाईटवर उपलब्ध आहे.

परिशिष्ट-१  
प्राथमिक नगर रचना परियोजना-नैना क्र.२  
अधिसूचना क्र.टिपीएस-१२२१/५४/प्र.क्र.१०/२१/नवि-१२, दिनांक ३/११/२०२१ सोबतचे सहपत्र

Sr. No.	Nature of Decision	Serial numbers included in Decisions as per Table A	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
1	Modifications due to amalgamations of Final Plots	7, 8, 12, 29, 32, 34, 37, 38, 45, 46, 54, 55, 57, 67, 71, 77, 80, 81, 92, 96, 108, 116, 117, 124, 125, 134, 135, 147, 171, 181, 191, 213, 215, 220, 237, 239, 254, 258, 282, 283, 323, 324, 325, 326, 327, 338, 340, 356, 357, 358, 393, 464, 467, 471	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
2	Decrease in area due to sub-division of Final Plots	76, 79, 82, 140, 151, 179, 185, 355	Draft Scheme proposal is proposed to be modified as mentioned in table A The Final Plot as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
3	Change in shape without change in area of Final Plot	178, 182, 368, 369, 407, 426, 458, 460, 461	Draft Scheme proposal is proposed to be modified as mentioned in table A. The draft scheme Final Plot is revised as per his request to as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
4	Increase in Final Plot area due to reasons other than amalgamation	378, 379	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is revised as shown on Plan no.4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
5	Modification in final plot due to existing structures on site.	227, 228, 285, 339, 342, 352, 354, 380, 381, 466	Draft Scheme proposal Scheme proposal is proposed to be modified as mentioned in table A. The revised Final Plot as shown on Plan no.4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme

Sr. No.	Nature of Decision	Serial numbers included in Decisions as per Table A	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
6	Area outside of scheme	463	As the land is outside the TP scheme, allotting any Final Plot in the scheme does not arise.	NAINA No. 2. Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
7	Modification to maintain 40 % entitlement of final plot	472	Draft Scheme proposal is proposed to be modified as mentioned in table A. The revised Final Plot as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
8	Modifications due to road	14, 18, 86, 87, 88, 93, 94, 95, 111, 112, 113, 114, 286, 287, 288, 289, 367, 383, 384	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is slightly revised due to the revision in the alignment of road as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Note - For Serial number / Final Plot number which are not appeared above, sanctioned draft scheme proposal are confirmed as proposed by Arbitrator.

परिशिष्ट-२  
प्राथमिक नगर रचना परियोजना-नैना क्र.२  
अधिसूचना क्र.टिपीएस-१२२१/५४/प्र.क्र.१०/२१/नवि-१२, दिनांक ३/११/२०२१ सोबतचे सहपत्र

Sr. No.	Amenity Plot	Final Plot No as per Table - B	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
1	Growth Centre	20	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
2	Park / Green Belt	29	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
3	Play Ground	30	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
4	Amenity plot	33	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
5	Electric Sub-Station	35	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
6	Garden	36	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
7	EWS / LIG Housing	308 A + 308 B	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
8	EWS / LIG Housing	310 A	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Note - For Serial number / Final Plot number which are not appeared above, sanctioned draft scheme proposal are confirmed as proposed by Arbitrator.

**परिशिष्ट-३**  
**प्राथमिक नगर रचना परियोजना-नैना क्र.२**  
**अधिसूचना क्र.टिपीएस-१२२१/५४/प्र.क्र.१०/२१/नवि-१२, दिनांक ३/११/२०२१ सोबतचे सहपत्र**

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
1	<p style="text-align: center;">2</p> <p>In addition to the Development Control and Promotion Regulations in the Force in the area included in the Interim Development Plan of 23 villages from Panvel Tehsil of Raigad District which have been sanctioned vide urban development department notification no. TPS-1215/245/CR-332/2015/SM/UD-12 dated 27<sup>th</sup> April 2017 (hereinafter called as 'DCPR-2017'), the following special sanctioned as proposed. Regulations shall apply to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.-2. In case of any conflict between the regulations in DCPR-2017 and these special regulations prescribed below arises, then these special regulations shall prevail.</p>	<p style="text-align: center;">3</p> <p>In addition to the Development Control and Promotion Regulations , which are made applicable to the 23 Revenue villages of NAINA vide directives given by Government vide no. TPS-1717/2750/ C.R.91/19/UD-12, dated 6/1/2020 (hereinafter called as 'DCPR-2019') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations are sanctioned as proposed. Regulations shall apply to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.- 2. In case of any conflict between the regulations in DCPR-2019 and these special regulations prescribed below arises, then these special regulations shall prevail.</p>
1	<p>The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Residential Zone of the sanctioned Interim Development Plan and shall be eligible for development for users prescribed in Regulation No. 31 of the DCPR-2017.</p> <p>Provided that, the final plots fronting on roads having width of 20 m or more and admeasuring at least 0.20 ha in area shall be permissible for development either under regulations of Residential Zone or under Mixed Land Use Zone of the DCPR-2017 irrespective of the actual zonal boundaries of the IDP.</p>	<p>Sanctioned as Proposed.</p>
2	<p>Boundaries of the Final Plots shall not be hereinafter changed, modified or altered during any development.</p>	<p>Sanctioned as Proposed.</p>
3	<p>Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit of development.</p>	<p>Sanctioned as Proposed.</p>

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act, 1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
4	Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form Final Plots not allotted to the holders / owners of such original plots	Sanctioned as Proposed.
5	Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable installments within a period upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.	Sanctioned as Proposed.
6	Internal sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to DCPR-2017.	Sanctioned as Proposed.
7	The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the DCPR-2017 shall not be enforced in developing Final Plots admeasuring 0.40 ha or more considering that such Open Spaces are provided in the form of play-grounds and open spaces in the scheme in addition to those reserved in the Interim Development Plan for which owners of the original plots have shared their lands.	The Government had suspension the Regulation No. 20.3 of the IDP NAINA as per the provision of section 59(1) (b) (iii) of Maharashtra Regional & Town Planning Act, 1966 as per letter dated 24/05/2019. Hence Sanctioned as Proposed.
8	The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the DCPR-2017 shall not be enforced in developing Final Plots admeasuring 2.00 ha or more considering that such Amenity Spaces are provided separately in the scheme in addition to those reserved in the Interim Development Plan for which owners of the original plots have shared their lands.	The Government had suspension the Regulation No. 20.3 of the IDP NAINA as per the provision of section 59(1) (b) (iii) of Maharashtra Regional & Town Planning Act, 1966 as per letter dated 24/05/2019. Hence Sanctioned as Proposed.
9	The provision of 20 % plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPR-2017 read with Annexure- 4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides EWS / LIG housing in Final Plots no. 2, 113, 189 & 281 for which the owners of final	The Government had suspension the Regulation No. 20.3 of the IDP NAINA as per the provision of section 59(1) (b) (iii) of Maharashtra Regional & Town Planning Act, 1966 as per letter dated 24/05/2019. Hence Sanctioned as Proposed.

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
10	plots have shared the lands from their original plots. The owners of Final Plots are entitled to monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu of monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.	Sanctioned as Proposed.
11	The base FSI applicable to the Final Plots allotted under the Town Planning Scheme shall be 1.00. However, if the owners of Final Plots opt compensation in the form of FSI as provided under section 100 of the Act, then the FSI permissible in a Final Plot shall be computed as below.  FSI of Final Plot = _____ Area of Original Plot  Area of respective Final Plot	Sanctioned as Proposed.
12	Provided that such FSI computed as above shall be permissible to only those who have opted to avail the compensation in terms of FSI instead of monetary compensation worked out in Form No. 1 of the Final Scheme.	Sanctioned as Proposed.
13	The permissible FSI in respect of Final Plot, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00. Additional FSI, Premium FSI or FSI in the form of TDR generated outside this Town Planning Scheme shall not be permissible to be loaded for consumption in any final plot included in this scheme.	Sanctioned as Proposed.
14	If the FSI mentioned in the Special regulation No. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances / height restrictions / firefighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI of 1.00 may be permitted to be transferred as TDR to any Final Plot situated in this scheme	Sanctioned with some changes as follows:- If the FSI mentioned in the Special regulation No. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances / height restrictions / firefighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI consumed may be permitted



Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
	<p>subject to</p> <ul style="list-style-type: none"> <li>i) The provisions of Regulation No. 43 of the DCPR - 2017 shall be applicable</li> <li>ii) Such transfer of development right from a Final Plot to another Final Plot shall be permitted once only.</li> <li>iii) The aggregate FSI in a receiving Final Plot shall not exceed 4.00</li> <li>iv) The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00.</li> <li>v) The Final Plot, after such transfer, shall not be eligible for any additional FSI / TDR in future.</li> <li>vi) The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.</li> </ul>	<p>to be transferred as TDR to any Final Plot situated in this scheme subject to</p> <ul style="list-style-type: none"> <li>i) The provisions of Regulation No. 43 of the DCPR - 2017 shall be applicable.</li> <li>ii) Such transfer of development right from a Final Plot to another Final Plot shall be permitted once only.</li> <li>iii) The aggregate FSI in a receiving Final Plot shall not exceed 4.00</li> <li>iv) The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00.</li> <li>v) The Final Plot, after such transfer, shall not be eligible for any additional FSI / TDR in future.</li> <li>vi) The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.</li> </ul>
15	The permissible FSI in respect of Final Plots designated to Amenity Plots or to Schools, Primary Health Centre shall be 2.5.	Sanctioned as Proposed.
16	The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in this scheme shall be 1.00.	Sanctioned as Proposed.
17	The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this scheme shall be 4.00.	Sanctioned with some changes as follows:- The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this scheme shall be 2.5.
18	The permissible FSI in respect of Final Plots designated to Growth Centers in this scheme shall be 2.5.	Sanctioned with some changes as follows:- The permissible FSI in respect of Final Plots designated to Growth Centers in this scheme shall be 2.5. Provided that the aforesaid FSI may be increased maximum up to 4.0 on payment of FSI Linked Premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPRs of NAINA for every increase of FSI of 0.30.

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act, 1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
19	The permissible FSI in respect of Final Plots no. 16, 38 and 70 allotted in this scheme to State Government shall be 2.5.	Sanctioned as Proposed.
20	Any further development of Cremation Ground in Final Plot no. 352 shall not be permitted as it is subjected to acquisition for MMC by the MMRDA. In case, if the MMC project has been dropped in future, the SPA, NAINA shall shift this Cremation Ground at suitable location to the satisfaction of the villagers of Sangade and merged this final plot no. 352 into the final plot no. 360 provided for growth centre.	Sanctioned as Proposed.
21	Development of Final Plots allotted to the Special Planning Authority, NAINA (CIDCO) and designated to various public purposes in the Scheme shall be irrespective of any restriction on width of the roads they are fronting.	Refused to accord sanction.
22	The Final Plots designated as Open Spaces, Parks or Play-Grounds are permissible to built-up area equal to 15 % of the respective final plot area subject to ground coverage upto 10 % of the respective plot and structures shall be only of ground floor or ground plus one upper floor. Such structures shall be at one corner of respective plot and shall be used for any use complementary to the designated use of such final plot.	Sanctioned as Proposed.
23	The Set-backs from the roads and the side/rear marginal distances are prescribed as below.	Sanctioned with some changes as follows:- The Set-backs from the roads and the side/rear marginal distances as per the provisions of Rule No. 7 of Special Development Control Regulations for Draft TPS-2 as follows:-

**Front, Side and Rear Marginal Distances**

Area of Plot	Category of Building	Maximum permissible height of the building	Min. Marginal Open Spaces (in m)			Set-back from the road (in m)
			Side (4)	Rear (5)	Front (6)	
(1) less than 150 sq. m	(2) Row House Type	(3) 15 m	0.0	1.5	3.00	
	Semi-detached type	15 m	1.5	1.5	3.00	

**Front, Side and Rear Marginal Distances**

Area of Plot	Category of Building	Maximum permissible height of the building	Min. Marginal Open Spaces (in m)		
			Side (4)	Rear (5)	Front (6)
(1) 40 sq.m to less than 150 sq. m *	(2) Row House Type	(3) 15 m	0.0	1.5	1.5
	Semi-detached	15 m	1.5	1.5	1.5

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction and 82 (2) of the M.R.&T.P. Act, 1966					Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966				
	150 sq. m to less than 450 sq. m	15 m	1.5	2.25	3.00	Please refer special note	type	15 m	1.5	2.25
	150 sq. m to less than 450 sq. m	15 m	1.5	2.25	3.00	*Special Note – Irrespective of the road width on which these plots about the maximum front margin shall be 3.0 m.	Semi Detached type	15 m	1.5	2.25
								Above 15 m upto 24 m	2.25	3.00
	450 sq. m to less than 1000 sq. m	15 m	3.00	6.00	As per road width	As per road width	Detached type	Above 15 m upto 37.5 m	6.00	As per road width
								15 m	3.00	As per road width
	1000 and above	Above 15 m upto 37.5 m	6.00	6.00	As per road width	As per road width	Detached type	Above 15 m upto 37.5 m	6.00	As per road width
								Above 37.5 m upto 60.0 m	9.00	As per road width
		Above 60.00 m	12.00	12.00	As per road width		Detached type	Above 60.00 m	12.00	As per road width
	<p>Provided that</p> <ol style="list-style-type: none"> <li>i) the front, side and rear marginal distances shall be limited to 12 m irrespective of height of the building above 60 m;</li> <li>ii) additional marginal distances as per Regulation No. 22.3.5 of the DCPR-2017 shall not be insisted for length of building beyond 40 m;</li> <li>iii) regulation in respect of dead walls prescribed under DCPR-2017 shall remain in operation wherever necessary;</li> <li>iv) projections of any sort shall not be permissible in</li> </ol>									
	<p>Irrespective of height &amp; 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 m. length shall not be applicable. The provision of dead wall mentioned in sanctioned DCPRs IDP shall be applicable.</p>									
	<p>No projections of any sort shall be permissible in the side &amp; rear marginal open spaces mentioned above.</p>									

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act, 1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
	<p>these marginal distances;</p> <p>v) set-backs from any road shall satisfy the relevant regulation of the DCPR-2017.</p>	<p>Provision of front open spaces shall be in accordance with sanctioned DCPRs of IDP.</p>
24	<p>The distance between two main buildings in a final plot shall be that required to be provided for a taller building amongst them subject to 12 m as maximum.</p>	<p>Sanctioned as Proposed</p>
25	<p>-----</p>	<p>New provision is added as below:-                      “The land parcels eligible for 1.00 FSI as per provisions of sanctioned DCPRs of NAINA (i.e. within 200 M of Gaothan), if included in TPS shall be permitted 25% additional incentive FSI in lieu of their 60% land contribution to the project. The FSI of the final plot (whether anchored at its original location or otherwise) against such land parcels shall be increased in proportion to its area, irrespective of whether the final plot is a stand-alone plot or amalgamated with other land parcels”</p>

पु. म. शिंदे,  
कार्यासन अधिकारी.

## URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 3rd November 2021

### NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS-1221/54/CR-10/21/UD-12.— Whereas, the Draft Town Planning Scheme NAINA No.2 (Villages – Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) (hereinafter referred to as “the said Draft Scheme”) has been sanctioned by the Vice Chairman and Managing Director, CIDCO as per the powers delegated under Section 151(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) under sub-section (2) of the Section 68 of the said acts *vide* Notification No. CIDCO/NAINA/TPS-2/2019/92, dated the 26th April 2019 ;

And whereas, the Government in Urban Development Department has appointed Shri S. V. Surve, Retired Deputy Director of Town Planning as the Arbitrator (hereinafter Referred to as ‘the said Arbitrator’) for the said sanctioned Draft Scheme *vide* Notification No.TPS-1219/12934/CR-51/19/UD-12, dated 24th May 2019 under sub-section (1) of Section 72 of the said Act ;

And Whereas, the said Arbitrator after following the prescribed legal procedure and finalising the said Draft Scheme, has submitted preliminary Town Planning Scheme NAINA No.2 (Villages–Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) to the Government for sanction under sub-section (5) of section 72 of the said Act, *vide* letter dated 25th June 2020;

And whereas, in accordance with the amended provisions of section 148(A) of the said Act, *vide* the Maharashtra Regional and Town Planning (Amendment) Act. 2020 (Maharashtra Act No. XIX of 2020), in computing the period, in relation to any Development Plan, Regional Plan or Scheme under the provisions of Chapter II, III, IV and V of the said Act, the period of periods during which any action could not be completed under the said chapters, due to enforcement of any Guidelines or lockdown measures by the Government of India or the State Government, as the case may be, to prevent the spread of any pandemic or epidemic or disaster situation arising in the Country or State shall be excluded;

And whereas, such prescribed time limit is still in existence on excluding the period of lockdown declared due to spread of Covid-19 virus in the State of Maharashtra, by the Government from 23rd March 2020;

And whereas, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune, the State Government is of the opinion that it is necessary to sanction the Preliminary Town Planning Scheme NAINA No. 2 (Villages–Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) with some changes;

Now therefore, in exercise of the powers conferred under sub-section (1) of section 86 of the said Act, the State Government hereby sanctions the Preliminary Town Planning Scheme NAINA No. 2 (Villages – Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) with some changes as described in the schedule-I, II (regarding Final Plots) and schedule-III (regarding Special Development Control and Promotion Regulations of the Town Planning Scheme NAINA No.2) appended hereto;

2. The said sanctioned Preliminary Town Planning Scheme NAINA No. 2 (Villages – Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) shall come into force from the date 31st December 2021 which shall be more than one month from the date of publication of the notification as per section 86(2)(b) of the said Act.

3. This Notification of sanctioning the Preliminary Town Planning Scheme NAINA No. 2 (Villages – Chipale, Vihigar, Devad, Bhokarpada, Belavali and Sangade) shall be available for inspection of General public during working hours on all working days for the period of one month in the following Offices-

(1) Chief Planner, (NAINA), 8th Floor, Tower-10, Belapur Railway Station Complex, Belapur, Navi Mumbai.

(2) Office of Arbitrator, Town Planning Scheme NAINA No. 2 (Villages – Chipale, Vihighar, Devad, Bhokarpada, Belavali and Sangade) 8th Floor, Tower-10, Belapur Railway Station Complex, Belapur, Navi Mumbai.

(3) Joint Director of Town Planning, Konkan Division, Konkan Bhavan, CBD Belapur, Navi Mumbai.

(4) Assistant Director of Town Planning, Raigad- Alibaug Branch, Raigad.

4. This Notification is made available on the Government Website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (Acts/Rules)

Schedule - I

Preliminary Town Planning Scheme NAINA No. -2

Accompaniment to the Notification No. TPS-1221/54/CR-10/21/UD-12, Dated 03/11/2021

Sr. No.	Nature of Decision	Serial numbers included in Decisions as per Table A	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
1	Modifications due to amalgamations of Final Plots	7, 8, 12, 29, 32, 34, 37, 38, 45, 46, 54, 55, 57, 67, 71, 77, 80, 81, 92, 96, 108, 116, 117, 124, 125, 134, 135, 147, 171, 181, 191, 213, 215, 220, 237, 239, 254, 258, 282, 283, 323, 324, 325, 326, 327, 338, 340, 356, 357, 358, 393, 464, 467, 471	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
2	Decrease in area due to sub-division of Final Plots	76, 79, 82, 140, 151, 179, 185, 355	Draft Scheme proposal is proposed to be modified as mentioned in table A The Final Plot as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
3	Change in shape without change in area of Final Plot	178, 182, 368, 369, 407, 426, 458, 460, 461	Draft Scheme proposal is proposed to be modified as mentioned in table A. The draft scheme Final Plot is revised as per his request to as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Str. No.	Nature of Decision	Serial numbers included in Decisions as per Table A	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
4	Increase in Final Plot area due to reasons other than amalgamation	378, 379	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is revised as shown on Plan no.4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
5	Modification in final plot due to existing structures on site.	227, 228, 285, 339, 342, 352, 354, 380, 381, 466	Draft Scheme proposal Scheme proposal is proposed to be modified as mentioned in table A. The revised Final Plot as shown on Plan no.4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
6	Area outside of scheme	463	As the land is outside the TP scheme, allotting any Final Plot in the scheme does not arise.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.
7	Modification to maintain 40 % entitlement of final plot	472	Draft Scheme proposal is proposed to be modified as mentioned in table A. The revised Final Plot as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.



Sr. No.	Nature of Decision	Serial numbers included in Decisions as per Table A	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
8	Modifications due to road	14, 18, 86, 87, 88, 93, 94, 95, 111, 112, 113, 114, 286, 287, 288, 289, 367, 383, 384	Draft Scheme proposal is proposed to be modified as mentioned in table A. The Final Plot is slightly revised due to the revision in the alignment of road as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - A & Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Note – For Serial number / Final Plot number which are not appeared above, sanctioned draft scheme proposal are confirmed as proposed by Arbitrator.

**Schedule - II**  
Preliminary Town Planning Scheme NAINA No. -2  
Accompaniment to the Notification No. TPS-1221/54/CR-10/21/UD-12, Dated 03/11/2021

<b>Sr. No.</b>	<b>Amenity Plot</b>	<b>Final Plot No as per Table - B</b>	<b>Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&amp;T.P. Act, 1966 to the Government for sanction</b>	<b>Modification Sanctioned by the Government under section 86 (2) of the M.R.&amp;T.P. Act, 1966</b>
1	2	3	4	5
1	Growth Centre	20	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
2	Park / Green Belt	29	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
3	Play Ground	30	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
4	Amenity plot	33	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
5	Electric Sub-Station	35	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
6	Garden	36	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.
7	EWS / LIG	308 A + 308 B	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Sr. No.	Amenity Plot	Final Plot No as per Table - B	Proposal submitted by the Arbitrator under section 72 (5) of the M.R.&T.P. Act, 1966 to the Government for sanction	Modification Sanctioned by the Government under section 86 (2) of the M.R.&T.P. Act, 1966
1	2	3	4	5
	Housing		Plot is revised as shown on Plan no. 4.	Planning Scheme NAINA No. 2.
8	EWS / LIG Housing	310 A	Draft Scheme proposal is proposed to be modified as mentioned in table B. The Final Plot is revised as shown on Plan no. 4.	Sanctioned as proposed as shown on Plan No.3 & 4 and as described in Table - B of Preliminary Town Planning Scheme NAINA No. 2.

Note – For Serial number / Final Plot number which are not appeared above, sanctioned draft scheme proposal are confirmed as proposed by Arbitrator.

**Schedule-III**

**Preliminary Town Planning Scheme NAINA No. -2**

Accompaniment to the Notification No. TPS-1221/54/CR-10/21/UD-12, Dated 03/11/2021.

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
1	2	3
1	<p>In addition to the Development Control and Promotion Regulations in the Force in the area included in the Interim Development Plan of 23 villages from Panvel Tehsil of Raigad District which have been sanctioned vide urban development department notification no. TPS-1215/245/CR-332/2015/SM/UD-12 dated 27<sup>th</sup> April 2017 (hereinafter called as 'DCPR-2017'), the following special sanctioned as proposed. Regulations shall apply to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.-2. In case of any conflict between the regulations in DCPR-2017 and these special regulations prescribed below arises, then these special regulations shall prevail.</p>	<p>In addition to the Development Control and Promotion Regulations, which are made applicable to the 23 Revenue villages of NAINA vide directives given by Government vide no. TPS-1717/2750/ C.R.91/19/UD-12, dated 6/1/2020 (hereinafter called as 'DCPR-2019') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations are sanctioned as proposed. Regulations shall apply to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.- 2. In case of any conflict between the regulations in DCPR-2019 and these special regulations prescribed below arises, then these special regulations shall prevail.</p>
1	<p>The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Residential Zone of the sanctioned Interim Development Plan and shall be eligible for development for users prescribed in Regulation No. 31 of the DCPR-2017.</p> <p>Provided that, the final plots fronting on roads having width of 20 m or more and admeasuring at least 0.20 ha in area shall be permissible for development either under regulations of Residential Zone or</p>	<p>Sanctioned as Proposed.</p>

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
	under Mixed Land Use Zone of the DCPR-2017 irrespective of the actual zonal boundaries of the IDP.	
2	Boundaries of the Final Plots shall not be hereinafter changed, modified or altered during any development.	Sanctioned as Proposed.
3	Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit of development.	Sanctioned as Proposed.
4	Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form Final Plots not allotted to the holders / owners of such original plots	Sanctioned as Proposed.
5	Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable installments within a period upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.	Sanctioned as Proposed.
6	Internal sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to DCPR-2017.	Sanctioned as Proposed.
7	The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the DCPR-2017 shall not be enforced in developing Final Plots admeasuring 0.40 ha or more considering that such Open	The Government had suspension the Regulation No. 20.3 of the IDP NAINA as per the provision of section 59(I) (b) (iii)

Sr. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
8	<p>Spaces are provided in the form of play-grounds and open spaces in the scheme in addition to those reserved in the Interim Development Plan for which owners of the original plots have shared their lands.</p> <p>The 5 % Amenity Space prescribed under regulation No. 20.3.11 of the DCPR-2017 shall not be enforced in developing Final Plots admeasuring 2.00 ha or more considering that such Amenity Spaces are provided separately in the scheme in addition to those reserved in the Interim Development Plan for which owners of the original plots have shared their lands.</p>	<p>of Maharashtra Regional &amp; Town Planning Act, 1966 as per letter dated 24/05/2019. Hence Sanctioned as Proposed.</p>
9	<p>The provision of 20 % plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPR-2017 read with Annexure- 4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides EWS / LIG housing in Final Plots no. 2, 113, 189 &amp; 281 for which the owners of final plots have shared the lands from their original plots.</p>	<p>The Government had suspension the Regulation No. 20.3 of the IDP NAINA as per the provision of section 59(I) (b) (iii) of Maharashtra Regional &amp; Town Planning Act, 1966 as per letter dated 24/05/2019. Hence Sanctioned as Proposed.</p>
10	<p>The owners of Final Plots are entitled to monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6 (v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu of monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.</p>	<p>Sanctioned as Proposed.</p>
11	<p>The base FSI applicable to the Final Plots allotted under the Town Planning Scheme shall be 1.00. However, if the owners of Final Plots opt compensation in the form of FSI as provided under section 100 of the Act, then the FSI permissible in a Final Plot shall be computed as below.</p>	<p>Sanctioned as Proposed.</p>

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	<p style="text-align: center;">Area of Original Plot</p> <p>FSI of Final Plot = _____</p> <p style="text-align: center;">Area of respective Final Plot</p> <p>Provided that such FSI computed as above shall be permissible to only those who have opted to avail the compensation in terms of FSI instead of monetary compensation worked out in Form No. 1 of the Final Scheme.</p>	
12	<p>The permissible FSI in respect of Final Plot, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00.</p>	Sanctioned as Proposed.
13	<p>Additional FSI, Premium FSI or FSI in the form of TDR generated outside this Town Planning Scheme shall not be permissible to be loaded for consumption in any final plot included in this scheme.</p>	Sanctioned as Proposed.
14	<p>If the FSI mentioned in the Special regulation No. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances / height restrictions / firefighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI of 1.00 may be permitted to be transferred as TDR to any Final Plot situated in this scheme subject to</p> <p>i) The provisions of Regulation No. 43 of the DCPR - 2017 shall be applicable</p> <p>ii) Such transfer of development right from a Final Plot to another Final Plot shall be permitted once only.</p>	<p>Sanctioned with some changes as follows:-</p> <p>If the FSI mentioned in the Special regulation No. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances / height restrictions / firefighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any Final Plot situated in this scheme subject to</p> <p>i) The provisions of Regulation No. 43 of the DCPR - 2017 shall be applicable.</p> <p>ii) Such transfer of development right from a Final Plot to another Final Plot shall be permitted once only.</p>

St. No.	Proposal submitted by the Arbitrator to the Government for Sanction regarding the Development Control Regulations under Section 72 (5) and 82 (2) of the M.R.&T.P. Act,1966	Modification sanctioned by the Government under Section 86 (2) of the M.R. & T.P. Act, 1966
	<p>iii) The aggregate FSI in a receiving Final Plot shall not exceed 4.00</p> <p>iv) The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00.</p> <p>v) The Final Plot, after such transfer, shall not be eligible for any additional FSI/TDR in future.</p> <p>vi) The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.</p>	<p>iii) The aggregate FSI in a receiving Final Plot shall not exceed 4.00</p> <p>iv) The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00.</p> <p>v) The Final Plot, after such transfer, shall not be eligible for any additional FSI/TDR in future.</p> <p>vi) The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.</p>
15	The permissible FSI in respect of Final Plots designated to Amenity Plots or to Schools, Primary Health Centre shall be 2.5.	Sanctioned as Proposed.
16	The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in this scheme shall be 1.00.	Sanctioned as Proposed.
17	The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the disposed persons or Final Plots reserved as sale plots in this scheme shall be 4.00.	<p>Sanctioned with some changes as follows:-</p> <p>The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the disposed persons or Final Plots reserved as sale plots in this scheme shall be 2.5.</p>
18	The permissible FSI in respect of Final Plots designated to Growth Centers in this scheme shall be 2.5.	<p>Sanctioned with some changes as follows:-</p> <p>The permissible FSI in respect of Final Plots designated to Growth Centers in this scheme shall be 2.5.</p> <p>Provided that the aforesaid FSI may be increased maximum up to 4.0 on payment of FSI Linked Premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPRs of NAINA for every increase of FSI of 0.30.</p>



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19	The permissible FSI in respect of Final Plots no. 16, 38 and 70 allotted in this scheme to State Government shall be 2.5.	Sanctioned as Proposed.
20	Any further development of Cremation Ground in Final Plot no. 352 shall not be permitted as it is subjected to acquisition for MMC by the MMRDA. In case, if the MMC project has been dropped in future, the SPA, NAINA shall shift this Cremation Ground at suitable location to the satisfaction of the villagers of Sangade and merged this final plot no. 352 into the final plot no. 360 provided for growth centre.	Sanctioned as Proposed.
21	Development of Final Plots allotted to the Special Planning Authority, NAINA (CIDCO) and designated to various public purposes in the Scheme shall be irrespective of any restriction on width of the roads they are fronting.	Refused to accord sanction.
22	The Final Plots designated as Open Spaces, Parks or Play-Grounds are permissible to built-up area equal to 15 % of the respective final plot area subject to ground coverage upto 10 % of the respective plot and structures shall be only of ground floor or ground plus one upper floor. Such structures shall be at one corner of respective plot and shall be used for any use complementary to the designated use of such final plot.	Sanctioned as Proposed.
23	The Set-backs from the roads and the side/rear marginal distances are prescribed as below.	Sanctioned with some changes as follows:- The Set-backs from the roads and the side/rear marginal distances as per the provisions of Rule No. 7 of Special Development Control Regulations for Draft TPS-2 as follows:-

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24	The distance between two main buildings in a final plot shall be that required to be provided for a taller building amongst them subject to 12 m as maximum.											
25	-----	<p data-bbox="1273 491 1305 911">New provision is added as below:-</p> <p data-bbox="1312 163 1468 911">“The land parcels eligible for 1.00 FSI as per provisions of sanctioned DCPRs of NAINA (i.e. within 200 M of Gaathan), if included in TPS shall be permitted 25% additional incentive FSI in lieu of their 60% land</p>										

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		contribution to the project. The FSI of the final plot (whether anchored at its original location or otherwise) against such land parcels shall be increased in proportion to its area, irrespective of whether the final plot is a stand-alone plot or amalgamated with other land parcels”

P. M. SHINDE,  
Section Officer.