



महाराष्ट्र शासन राजपत्र

असाधारण भाग दोन

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असाधारण क्रमांक १३९

प्राधिकृत प्रकाशन

शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित

अधिसूचना

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

नगररचना परियोजना क्रमांक - ५

क्र. सिडको / नैना / न.र.यो. ५/प्रा. यो./२०२२/ ५६४, दिनांक २१ ऑक्टोबर २०२२

ज्याअर्थी, महाराष्ट्र प्रादेशिक नियोजन आणि नगररचना अधिनियम, १९६६ (महा.अधिनियम XXXVII, १९६६) (येथून पुढे उक्त अधिनियम असे निर्देशित करण्यात येईल), च्या कलम ४० च्या उप कलम (१) मधील खंड (ब) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासनाच्या नगरविकास विभाग (नविवि) ने अधिसूचना क्रमांक टीपीएस-१७१२/४७५/ प्र.क्र.-१८/१२/नवि-१२, दिनांक १० जानेवारी, २०१३ व वेळोवेळी झालेल्या सुधारणा अन्वये त्यात नमूद केल्याप्रमाणे, नवी मुंबई विमानतळ प्रभावित अधिसूचित क्षेत्र (नैना), (येथून पुढे उक्त क्षेत्र असे निर्देशित करण्यात येईल) साठी शहर आणि औद्योगिक विकास महामंडळ महाराष्ट्र मर्यादित (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) म्हणजे सिडकोची विशेष नियोजन प्राधिकरण (येथून पुढे वि.नि.प्रा.असे निर्देशित करण्यात येईल) म्हणून नेमणूक केली आहे ;

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

आणि ज्याअर्थी, महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस -१७१७/ एमआयएस २७५०/सीआर -९१ / २०१९/ यूडी -१२, दिनांक १६ सप्टेंबर, २०१९ नुसार नैनातील १५२ गावांसाठी विकास आराखडा अधिनियमाच्या कलम ३१ च्या उप कलम (१) नुसार मंजूर केला आहे ;

आणि ज्याअर्थी, अधिनियमातील कलम ६० च्या उप कलम (१) नुसार सिडकोच्या संचालक मंडळाने दिनांक ७ जून, २०१९ रोजीच्या ठराव क्र. १२१८९ अन्वये पनवेल तालुक्यातील रायगड जिल्ह्यातील बोनशेत, मोहो, भोकरपाडा(चिपळे), देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात नगररचना परियोजना क्रमांक ५ (टीपीएस - ५) करण्याचा उद्देश घोषित केला आहे ;

आणि ज्याअर्थी , उक्त अधिनियमाच्या कलम ६० च्या उप कलम (२) मध्ये नमूद तरतुदीनुसार टीपीएस - ५ करण्याच्या उद्देशाची घोषणा दिनांक २६ जून २०१९ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि दिनांक १ जुलै २०१९ रोजीच्या स्थानिक वृत्तपत्रात "रायगड नगरी" व १० जुलै २०१९ रोजीच्या "न्यूजबॅण्ड (Newsband)" वृत्तपत्रात प्रकाशित करण्यात आली आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (१) नुसार, नियोजन प्राधिकरणाने संचालक, नगररचना, यांच्याशी सल्लामसलत करून, ज्या योजनेसाठी घोषणा करण्यात आली त्या क्षेत्रासाठी प्रारूप योजना तयार करून घोषणेच्या तारखेपासून नऊ महिन्यांच्या आत किंवा वाढीव कालावधीत अधिकृत महाराष्ट्र शासकीय राजपत्रात नोटीस प्रकाशित करावयाची आहे ;

आणि ज्याअर्थी, सह संचालक, नगररचना, कोकण विभाग यांनी आदेश क्रमांक प्रा.न.र.यो.क्र ५ / नैना / कलम ६१(३) / मुदतवाढ / सहसंकोवि / २०५९, दिनांक ४ मार्च, २०२० अन्वये प्रारूप योजना बनवून प्रकाशित करण्यासाठी तीन महिन्यांचा म्हणजेच दि. २४ जून, २०२० पर्यंतचा वाढीव कालावधी दिलेला आहे ;

आणि ज्याअर्थी, टीपीएस नियम १९७४ च्या नियम क्रमांक ४(१) नुसार दिनांक ५ आणि ६ मार्च, २०२० रोजी संबंधित जमीन मालकांची सभा आयोजित करून आणि जमीन मालकांकडून मिळालेल्या सूचनांचा समावेश केल्यानंतर दिनांक २० मार्च, २०२० रोजी च्या प्रस्तावान्वये टीपीएस-५ चा मसुदा उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (१) नुसार आणि टीपीएस नियम १९७४ या नियम क्रमांक ४(२) नुसार संचालक, नगररचना, महाराष्ट्र राज्य यांच्याकडे सल्लामसलातीसाठी पाठविण्यात आला ;

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 योजनांसाठी कालावधी विचारात घेतांना, देशामध्ये किंवा राज्यामध्ये उद्भवणाऱ्या कोणत्याही महामारीच्या किंवा साथीच्या रोजच्या फैलावास किंवा आपत्तीजन्य परिस्थितीस प्रतिबंध करण्याकरिता, भारत सरकारने किंवा, यथास्थिती, राज्य शासनाने केलेल्या कोणत्याही मार्गदर्शक तत्वांच्या किंवा टाळेबंदी उपाययोजनांच्या अंमलबजावणीमुळे, उक्त प्रकरणानुसारची कोणतीही कार्यवाही पूर्ण होऊ शकली नसेल तर, असा कालावधी वगळणे आवश्यक आहे ;

आणि ज्याअर्थी, उक्त प्रारूप नगररचना परियोजना क्र. ५ मंजुरीचा विहित कालावधी, महाराष्ट्र राज्यात दिनांक २३ मार्च २०२० पासून कोविड-१९ विषाणूच्या प्रादुर्भावामुळे जाहीर केलेला ताळेबंदीचा कालावधी वगळता अजून अस्तित्वात आहे ;

आणि ज्याअर्थी, संचालक, नगररचना, महाराष्ट्र राज्य यांनी दिनांक ५ मार्च २०२१ रोजीच्या पत्र क्र. जा. क्र. नैना/नरयो क्र. ५/ प्र. क्र. ७२ / २० / टीपीव्ही-३ / १३५२ अन्वये टीपीएस -५ बाबत सल्लामसलत दिली आहे तसेच टीपीएस -५ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (२) अन्वये मंजुरी दिलेली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना यांनी सल्लामसलतीत सुचविल्याप्रमाणे आवश्यक ते बदल टीपीएस- ५ मध्ये करण्यात आलेले आहेत आणि सल्लामसलतीनुसार आवश्यक ते बदल करून उक्त अधिनियमाच्या कलम ६१ च्या उप कलम (१) अन्वये प्रारूप टीपीएस-५ तयार करण्यासंबंधीची नोटीस दिनांक २४ एप्रिल २०२२ रोजीच्या असाधारण अधिकृत महाराष्ट्र शासकीय राजपत्रात (भाग -२) आणि स्थानिक वृत्तपत्रे यात उक्त अधिनियमाच्या कलम ६७ च्या तरतुदीनुसार नोटीसच्या एक महिन्याच्या आत सूचना / आक्षेप मागविण्यासाठी प्रकाशित करण्यात आली आहे ;

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

आणि ज्याअर्थी, प्राप्त झालेल्या सूचनांप्रमाणे आवश्यक बदल समाविष्ट केल्यानंतर, प्रारूप योजना उपाध्यक्ष व व्यवस्थापकीय संचालक यांना उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (१) नुसार दिनांक २२ जुलै २०२२ रोजी मंजुरीसाठी सादर करण्यात आली ;

आणि ज्याअर्थी, परियोजनेच्या प्रभावी अंमलबजावणीसाठी उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (१)(ख)(iii) अन्वये महाराष्ट्र शासनाने अधिसूचना क्र. टीपीएस - १२१९ / २३८२ / प्र.क्र.१८६ / १९ / नवि-१२, दिनांक ३० डिसेंबर २०१९ अन्वये मंजूर अंतरिम विकास योजनेच्या विकास नियंत्रण व प्रोत्साहन नियमावलीच्या काही तरतुदींच्या तहकुबीला मंजुरी दिलेली आहे ;

आणि ज्याअर्थी, उपाध्यक्ष व व्यवस्थापकीय संचालक यांनी दिनांक ८ ऑगस्ट २०२२ रोजी उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (२) नुसार, प्रारूप योजना मंजूर करण्यापूर्वी संचालक, नगररचना महाराष्ट्र राज्य यांची सल्लामसलत मागितली आहे ;

आणि ज्याअर्थी, संचालक, नगररचना महाराष्ट्र राज्य यांनी दिनांक १७ ऑक्टोबर २०२२ रोजीचे पत्र. जा. क्र.प्रा.न.र.यो./नरयो क्र. ५/ नैना / कलम ६८(१)/४६५ अन्वये प्रारूप योजनेच्या मंजुरीसाठी सल्लामसलत दिली आहे. तसेच प्रारूप टीपीएस -५ बनवताना मंजूर विकास योजनेच्या प्रस्तावांमध्ये झालेल्या बदलांना उक्त अधिनियमाच्या कलम ५९ च्या उप कलम (२) अन्वये मंजुरी दिलेली आहे.

म्हणून, आता या अधिसूचनेद्वारे, दिनांक १३ सप्टेंबर २०१७ च्या अधिसूचनेअन्वये राज्य सरकारद्वारे मला प्रदान केलेल्या अधिकारांचा वापर करून पनवेल तालुक्यातील रायगड जिल्ह्यातील मौजे बोनशेत, मोहो, भोकरपाडा(चिपळे), देवद, शिवकर, विचुंबे आणि विहिघर यांच्या काही भागात एकसंलग्न अशा प्रारूप नगररचना परियोजना क्रमांक ५ (टीपीएस -५) त्यासोबतच्या विशेष विकास नियंत्रण नियमावलीसह उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (२) अन्वये मंजूर करण्यात येत आहे.

उक्त अधिनियमाच्या कलम ६८ च्या उप कलम (३) नुसार मंजूर प्रारूप टीपीएस-५ योजनेची प्रत संबंधित विशेष नियंत्रण नियमावलीसह नैना कार्यालय, ८ वा मजला, टॉवर नं. १०, बेलापूर रेल्वे स्टेशन संकुल, सीबीडी बेलापूर, नवी मुंबई ४००६१४ येथे कार्यालयीन कामकाजाच्या सर्व दिवशी नागरीकांच्या अवलोकनार्थ खुली ठेवण्यात आली आहे. तसेच प्रारूप टीपीएस-५ सिडकोचे संकेतस्थळ <https://cidco.maharashtra.gov.in//naina> येथेसुद्धा अपलोड केली गेली आहे आणि विहित शुल्क भरल्यानंतर देखील मिळू शकते.

नवी मुंबई,
दिनांक : २१ ऑक्टोबर २०२२.

डॉ. संजय मुखर्जी,
उपाध्यक्ष व व्यवस्थापकीय संचालक,
सिडको.

नोंदणीकृत कार्यालय : निर्मल, २ रा मजला, नरीमन पॉइंट, मुंबई ४०० ०२१.

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

UNDER SECTION 68(2) OF THE MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966

TOWN PLANNING SCHEME NO. 5

No. CIDCO/ NAINA/ TPS-5/ Draft Scheme/ 2022/ 564

Dated 21st October 2022

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

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

And whereas, the Government of Maharashtra *vide* Notification No. TPS-1717/ MIS-2750/ C.R.91/ 2019/ UD-12, dated 16th September, 2019 has Sanctioned the Development Plan (DP) for 152 villages of NAINA as per Sub section (1) of Section 31 of the said Act;

And whereas, as per Sub section (1) of Section 60 of the said Act, CIDCO's Board *vide* Resolution No. 12189, dated 7th June, 2019, had declared its intention for making of Town Planning Scheme No. 5 (TPS- 5) at part of Villages Bonshet, Moho, Bhokarpada(Chipale), Devad, Shivkar, Vichumbe and Vihighar of Taluka Panvel, District Raigad;

And whereas, a notice about declaration intention of making TPS-5 as per provision under Sub section (2) of in Section 60 of the Act, has been published in the Extraordinary official *Maharashtra Government Gazette* (part-II) dated 26th June, 2019 as well as in the daily newspapers "Dainik Raigad Nagari" (Marathi) dated 1st July 2019 and "Newsband" (English) dated 10th July 2019;

And whereas, as per Sub section (1) of Section 61 of the said Act, the Planning Authority shall, in consultation with the Director of Town Planning, make a draft scheme for the area in respect of which the declaration was made, and publish a notice in the *Official Gazette* within nine months or within the extended period from the date of the declaration;

And whereas, the Joint Director of Town Planning, Konkan division *vide* Order No TPS No. 5/NAINA/Section 61(3)/Time Limit Extension/JDTP-KDN/2059, dated 4th March, 2020 has granted extension of three months' time *i.e.* up to 24th June 2020 for making and publication of the said draft scheme;

And whereas, after conducting owners meet on 5th and 6th March 2020, as per rule No. 4(1) of TPS Rules 1974 by calling all the land owners for discussion and after incorporating suggestions received from the owners, consultation was sought *vide* submission dated 20th March, 2020 from the Director of Town Planning, GoM, as per section 61 (1) of the said Act and as per rule No. 4 (2) of TPS Rules 1974;

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 of State shall be excluded;

And whereas, such prescribed time limit is still in existing 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, the Director of Town Planning *vide* letter जा. क्र. नैना नरयो क्र. ५/ प्र. क्र. ७२/ २०/ टीपीव्ही-३ /१३५२, dated ५ मार्च २०२१ had offered consultation on TPS-5 and also accorded approval for suitable amendment in the sanctioned IDP reservation while making provisions in a draft TPS-5 as per provisions of Sub-section (2) of Section 59 of the said Act;

And whereas, necessary changes suggested by Director of Town Planning in the consultation have been incorporated in the draft TPS-5;

And whereas, in accordance with provisions of Sub-section (1) of Section 61 of the said Act, a Notice of making draft TPS-5 had been published in extraordinary official *Maharashtra Government Gazette* (part-II) dated 25th April 2022 and in local newspapers for inviting suggestions/objections within one month of notice in accordance with the provisions of Section 67 of the said Act;

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

And whereas, after incorporating necessary changes as per suggestions received, the draft scheme has been submitted to VC&MD for sanction in accordance with section 68(1) of the Said Act on 22nd July 2022;

And whereas, the Government of Maharashtra *vide* Notification No. टिपीएस - १२१९ / २३८२ / प्र. क्र. १८६ / १९ / नवि-१२, दिनांक ३० डिसेंबर २०१९ has sanctioned the suspension of certain regulations of Development Control and Promotion Regulations of Interim Development Plan of NAINA corresponding to proposed special DCR of TPS-5 in accordance with section 59(1)(b)(iii) of the Act for the proper carrying out of the scheme;

And whereas, in accordance with sub-section (2) of section 68 of the Said Act, VC&MD had sought consultation of Director of Town Planning, Maharashtra State on 8th August 2022 prior to sanction of Draft Scheme;

And whereas, the Director of Town Planning *vide* letter No. जा. क्र. प्रा. न. र. यो. / नरयो क्र. ५/ नैना / कलम ६८(१)/४६५, दिनांक १७ ऑक्टोबर २०२२ had given consultation for sanction of Draft TPS-5 also accorded approval for suitable amendment in sanctioned IDP reservation in Draft TPS-5 as per provisions of Sub-section (2) of Section 59 of the said Act.

Therefore, now in accordance with the powers delegated to me by the State Government *vide* Notification dated 13th September 2017, the **Draft Town Planning Scheme No. 5 (TPS-5)** at part of Villages Bonshet, Moho, Bhokarpada (Chipale), Devad, Shivkar, Vichumbe and Vihighar in one contiguous pocket of Taluka Panvel, District Raigad is hereby sanctioned under Sub-section (2) of Section 68 of the said Act along with corresponding Special Development Control Regulations.

Copy of sanctioned draft TPS-5 along with corresponding Special DCRs are made available for inspection by the public during office hours on all working days in the office NAINA, 8th floor, Tower No. 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400614 in accordance with sub-section (3) of section 68 of the Said Act. The same is also uploaded on website of CIDCO i.e. <https://cidco.maharashtra.gov.in//naina> and further can be obtained after payment of prescribed fees.

Navi Mumbai,
Dated : 21st October 2022.

DR. SANJAY MUKHERJEE,
Vice Chairman
& Managing Director, CIDCO.

Regd. Office : Nirmal, 2nd floor, Nariman point, Mumbai 400 021.

Special Development Control Regulations for Draft TPS-5

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 6th January 2020 (hereinafter called as 'sanctioned DCPRs of NAINA') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.-5. Rest of the provisions of prevailing sanctioned DCPRs of NAINA as amended from time to time shall be applicable.

In case of any conflict between the regulations in sanctioned NAINA DCPRs and these special regulations prescribed below arises, then these special regulations shall prevail.

1. The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Predominantly Residential zone of the sanctioned Interim Development Plan and shall be eligible for development for uses prescribed in Regulation No. 31 of the sanctioned DCPRs of NAINA :

Provided that the final plots fronting on roads having width of 12.0m. or more shall be permissible for development either under regulation of predominantly residential zone or under Mixed use zone of sanctioned DCPR irrespective of the actual zonal boundaries of the IDP.

2. Boundaries of the Final Plots shall not be changed, modified or altered during development.
3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit for development.
4. Temporary/short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form a Final Plots not allotted to the holders / owners of such original plots.
5. Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable installments within a period up to the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under Chapter VI-A of the Maharashtra Regional and Town Planning Act, 1966.
6. 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 provisions of sanctioned DCPRs of NAINA.
7. The 10% Recreational Open Space prescribed under regulation No. 20.3.1 of the sanctioned DCPRs of NAINA shall not be enforced in developing Final Plot admeasuring 0.40 ha or more considering that such open spaces are provided in the form of playground and open spaces in the scheme in addition to those reserved in the Development Plan for which owners of the original plots have shared their lands.

The above regulation shall be applicable subject to suspension of regulation no. 20.3 of sanctioned DCPR of NAINA by Govt. of Maharashtra.

8. The 5% Amenity Space prescribed under regulation No. 20.3.11 of the sanctioned DCPRs of NAINA shall not be enforced in developing Final Plot admeasuring 2.00 ha or more considering that such Amenity spaces are provided separately in the scheme in addition to those reserved in the Development Plan for which owners of the original plots have shared their lands.

The above regulation shall be applicable subject to suspension of regulation no. 20.3 of sanctioned DCPR of NAINA by Govt. of Maharashtra.

9. The provision of 20% plots/tenements for EWS / LIG as inclusive housing prescribed under Regulation No. 20.6 of the DCPRs of NAINA read with Annexure- 4 shall not be made applicable for a sub-division or layout of a Final Plot as the Scheme provides dedicated plots for EWS/ LIG housing for which the owners of final plots have shared the lands from their original plot.

Notes :—

- i. The regulations at serial number 7, 8 and 9 above shall not be applicable for Final Plots having area more than 50% of the original plots. For such plots the provisions of sanctioned DCPRs of NAINA in force shall be applicable.
 - ii. In cases wherein CC is already granted (before declaration of TPS), if the final plot is given by reducing land area under Recreational Open Space (RG), Amenity & layout road, then while processing Amended CC or OC of such final plots, land area as per CC for such Open Space, Amenity may not be insisted. However, location & land area of remaining Open Space & Amenity inside the final plot shall be maintained as per CC.
10. The owners of Final Plots are entitled for monetary compensation as recorded in form No. 1 of the Final Scheme as per Rule 6(v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.
11. The Base FSI applicable to the lands included 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:

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

Provided that such FSI computed as above shall be permissible to those who have opted to avail the compensation in terms of FSI instead of monetary compensation worked out in Form No. 1 of the Final Scheme.

Provided further that, the lands eligible of 1.00 FSI as per 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 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 standalone plot or amalgamated with other land parcels.

12. The permissible FSI in respect of Final Plots, whose owners have been awarded monetary compensation as per Form No. 1 of the Final Scheme prescribed under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 shall be 1.00.
13. 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 restriction/firefighting requirements or any such statutory restrictions, 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
 - i. The provision of Regulations no. 43 of the sanctioned DCPR of NAINA shall be applicable.
 - ii. Such transfer of development right from a final plot to another Final Plot shall be permitted once only.
 - iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00.
 - iv. The owner transferring the FSI shall not develop his Final Plot at any time to consume FSI more than 1.00.
 - v. The Final Plot after such transfer shall not be eligible for any additional FSI/TDR in future.
 - 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.
14. The permissible FSI in respect of Final Plots designated to Amenity Plots or to schools, Primary health center shall be 2.5.
15. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in the scheme shall be 1.00.
16. 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 4.0.
17. The permissible FSI in respect of Final plots designated to Growth center in this scheme shall be 2.5 :

Provided that the aforesaid FSI may be increases maximum up to 4.0 on payment of FSI linked premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPR of NAINA for every increase of FSI of 0.30.
18. The Final Plots designated for 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 up to 10% of the respective final plot and structures shall be only of ground or ground plus one floor. Such structure shall be at one corner of respective final plot and shall be used for any use complementary to the designated use.

Provided that area of such plots shall not be less than 1000 sq.m.

19. Side and Rear Marginal Spaces

Area of plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
40 M ² to less than 150 M ² *Pls refer Special Note	Row houses type	Upto 15 M	0.0	1.5
	Semi-detached type	Upto 15 M	1.5	1.5
*Special Note: Irrespective of the road width on which these plots abuts, the maximum front margin shall be 3.00 M.				
150 M ² to less than 450 M ²	Semi-detached type	Upto 15 M	1.5	2.25
	Detached type	Upto 15 M	2.25	2.25
		Above 15 M upto 24.0 M	H/5	H/5
450 M ² to the less than 1000 M ²	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00
1000 M ² and above	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	H/5 or 9.00m whichever is less	H/5 or 9.00m whichever is less
		Above 60.00 M	12.00	12.00

(Where H = Height of the building above ground level).

- Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40-meter length shall not be applicable.
- The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable
- For special building use No projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.

- d) Provided that projections required for firefighting and chajja or weather shed up to 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided.
- e) Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m up to 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m.
- f) The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.

- 20. Mechanical/Hydraulic / Stack parking / multistoried parking with or without car lift may be allowed to meet the requirement.
- 21. If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 1.5 m. from the plot boundary and beyond the building lines at ground level subject to a clear minimum front margin of 4.5 m and further subject to non-habitable uses and provision for mechanical ventilation and all safety provisions and drainage. However, it is essential that the basement top slab below the external circulation at ground level should be designed for firefighting vehicular loads as per NBC 2016 :
 Provided that the above provision shall be permissible after the clearance from the Chief Fire Officer, CIDCO.
- 22. Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications, modern methods of disposals, shall be permitted at the discretion of the Authority.
- 23. The service road of the State highways and national highways shall be considered for the access to the plot.
 Further the plots along the other categorized roads such as Major District roads/ Village roads shall be directly accessible from these roads.
 In both the cases for final plots in Town Planning scheme Ribbon development rules shall not be applicable.
- 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 12.0m as maximum.
- 25. Construction within River and blue line: Construction within River and Blue line may be permitted at a height of 0.60 m. above red flood line level. Provided that necessary mitigation measures are followed along with clearance from Irrigation department.
- 26. Grant of Development Permission does not constitute acceptance of correctness, confirmation, approval or endorsement of and shall not bind or render the competent authority liable in any way in regard to;
 - a. Title Ownership & easement right of the plot on which building is proposed.
 - b. Workmanship, soundness of material & structure safety of building.

- c. Variation in area from recorded areas of building unit.
- d. Location & boundary of building unit.
- e. Safety of the user of the building.
- f. NOC from appropriate authority.
- g. Structural reports and Structural drawing.

VC&MD, CIDCO.