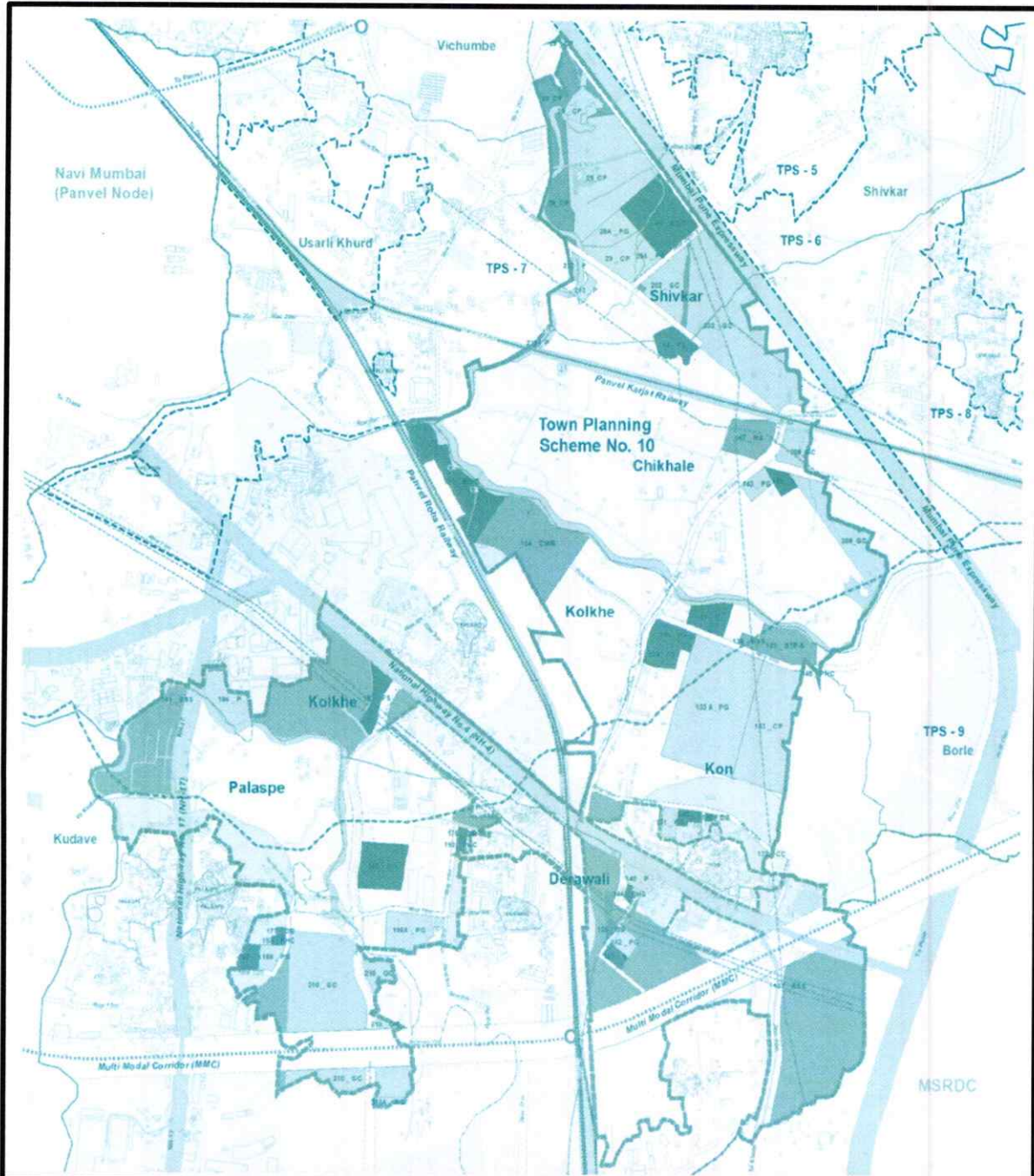


# REPORT ON TOWN PLANNING SCHEME NO. 10

Part villages of Shivkar, Chikhale, Kolkhe, Kolkhe Peth, Kon, Derawali & Palaspe

## NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA



Publication of Draft Scheme under section 61(1) of MR&TP act, 1966

**City and Industrial Development Corporation  
of Maharashtra Ltd. (CIDCO)**



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## **I. Role of CIDCO**

CIDCO as SPA is entrusted with the responsibility of preparation of development plan, corresponding development control regulations and mechanism for implementation of the plan. An innovative concept that promotes voluntary land assembly, contributes land for public purpose, finances infrastructure development, has been developed by CIDCO for NAINA. To realize this model and to assess the acceptability of the landowners it is decided to test the concept at a smaller scale. Based on the above consideration, CIDCO decided to prepare an Interim Development Plan (IDP) on priority for the area under pressure of development due to its proximity with the developed node of New Panvel. Accordingly, IDP was prepared for 23 villages. The Government of Maharashtra vide Notification No. TPS-1215 /245/ CR-332/ 2015/ SM/ UD-12, dated 27.04.2017 has sanctioned the Interim Development Plan (IDP) along with Development Control and Promotion Regulations for the 23 villages of NAINA under Section 31(1) of the said Act, wherein the voluntary participatory NAINA Scheme was approved. The Development Plan for remaining 152 villages was sanctioned by Govt on 16<sup>th</sup> Sep. 2019.

## **II. Vision of NAINA**

The development model for NAINA is pivoted on eliciting participation and contribution of the private land owners. CIDCO intends to play the role of facilitator encouraging land aggregation for self-sustaining and participatory model of development; without full-fledged land acquisition. The highlights of the sanctioned NAINA Scheme are as under:

- Minimum land area or land aggregation required for participation is 10 Ha.
- For financial sustainability of the NAINA Project, 40 % land shall be surrendered to Authority "free of cost" which shall be preferably include of IDP reservations.
- The FSI of original land is permitted to be utilized on land retained by the owner. Thus on 60% land, the maximum permissible FSI will be 1.7.
- Uses permissible on retained land are Residential, Comm., R+C, Hotels, Offices etc.
- Additional, 20% BUA over & above BUA generated on 60% land shall necessarily be constructed for EWS/LIG housing. The constructed tenements

of EWS/LIG will be handed over to CIDCO at pre-determined rates (as per MHADA formula).

- Flexibility to join non-contiguous land under reservations to make aggregation of 10 Ha.
- Reservations within NAINA Cluster shall be flexible (excluding roads) and will be allowed to be relocated in the cluster.

## **2. Initiative taken for implementation of IDP**

To make the NAINA scheme successful, CIDCO has also sought Relaxation in Stamp duty for execution of Co-operation agreement and Surrender Deed. However, after various discussions, the Govt. in its wisdom directed CIDCO that rather than waiting for relaxations and to avoid land aggregation to happen at sporadic locations, CIDCO should implement NAINA Scheme itself in the ambit of recently amended Town Planning Scheme (TPS) regulations.

The Government of Maharashtra in exercise of powers conferred by sub-section (1) of section 151 of the Said Act, vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13<sup>th</sup> Sep. 2017 had delegated the powers exercisable by it under section 68(2) of the said Act to Managing Director, CIDCO, for speedier implementation of the scheme.

Thereafter, Board of CIDCO approved the proposal to take forward Town Planning Scheme regulations by giving all the benefits, approved under NAINA Scheme.

Accordingly, a proposal of NAINA scheme received to CIDCO has been decided to be implemented through pilot TPS, and the Board of CIDCO vide Resolution No 11915 dated 11<sup>th</sup> Aug. 2017 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No 1 (TPS-1) at Village- Akurli, Belavali, and Chikhale (non-contiguous pocket) of Taluka – Panvel, District Raigad admeasuring about 19.12 Ha.

Thereafter, as per provisions of the Act and TPS Rules 1974, after conducting owners meet, inviting suggestions/objections and seeking consultation from the Director of Town Planning, GoM, the VC&MD, CIDCO, in accordance with the powers delegated to him by the State Government vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13.09.2017, had sanctioned the Town Planning Scheme No 1 (TPS-1) on 21<sup>st</sup>



Sep. 2018 under section 68(2) of the Act with corresponding special DCRs. The Final TPS-1 drawn by Arbitrator was sanctioned by Govt under section 86(1)(K) of the act on 30<sup>th</sup> Aug. 2022. Process of taking and handing over of possession of land was completed by Property cards were issued to all land owners.

Also, Preliminary TP Scheme no. 2 & 3 was sanctioned by Govt. under section 86(1) of the Act. Thus, the concept and method adopted by CIDCO in preparation of Scheme is accepted and vetted by the State Government. Draft Town Planning Scheme no. 4 to 7, are sanctioned by Govt.

So far CIDCO, has declared twelve Town Planning Schemes within IDP/DP area of NAINA and are at various stages.

### **3. Purpose of Town Planning Scheme No - 10**

Provision under section 59 of MR&TP Act, 1966, specifies the purpose of implementing the proposal in final development plan. Post approval of IDP, CIDCO was under pressure from public to provide infrastructural facilities at par with other developed nodes by CIDCO within Navi Mumbai jurisdiction.

With this background, CIDCO has declared intention to prepare scheme no. 10 for the purpose of implementing the proposals in the sanctioned IDP of NAINA.

The Board of CIDCO vide Resolution no. 12307, dated 3rd March 2020, had declared its intention under Section 60(1) of the MR&TP act, 1966, for making of TP Scheme no. 10 & 11. Accordingly, Scheme no. 10 of admeasuring 285 ha area was declared in official gazette on 18<sup>th</sup> March 2020 under section 60(2) of the act.

Subsequently, for development of Multi Modal Corridor (MMC) Government formed a High-Power Committee (HPC) and prioritized the land acquisition of MMC. Majority of MMC stretch is passing through NAINA area. CIDCO has proposed Town Planning Schemes for obtaining land under MMC (from village Morbe to Karanjade) traversing through NAINA project. However, while declaring TP scheme no. 8, 9 & 10, MMC area was considered as non-developable area and deducted from Scheme. Hence, it proposed to include some area in declared Scheme no. 8, 9 & 10 under the provision of section 62 of the act and for the balance stretch of MMC (from Morbe to Karanjade) it is proposed to take-up new schemes.

Accordingly, as per BR no. 12551 dated 2<sup>nd</sup> April 2022 and approval vide CIDCO/NAINA/2022/E-56225 dated 12<sup>th</sup> Aug 2022 the proposal for inclusion of additional area of around 120 ha under Section 62 of the Act, of part villages of Kolkhe, Kolkhe Peth, Derawali and Palaspe of Taluka Panvel, District Raigad in declared TP Scheme no. 10 was approved and at the same time CIDCO had declared intention for making of Town Planning Scheme under Section 60(1) of the act for additional area. The same was published in Govt. gazette under Section 60(2) dated 25-31<sup>st</sup> Aug. 2022. Though the substantial area added in scheme and intention to prepare scheme was declared recently, as per act the timeline to be followed for the scheme remains as per earlier declaration.

Town Planning Scheme is a time bound process as per MR&TP act, 1966. Hence, CIDCO has requested MSRDC to provide final alignment of MMC showing interchanges many times. However, final alignment not received from MSRDC. Further, it was observed that Public Works Department (PWD) has issued a notification on 12<sup>th</sup> Aug. 2022 for acquisition of land under MMC. Land falling in part of MMC included in TP Schemes 8 to 10 were also mentioned in this notification. This office was in receipt of Minutes of the Hon'ble Chief Minister's War room meeting held on 29<sup>th</sup> Aug. 2022. In the Minutes, at Sr. no.5: Construction of Multimodal Corridor from Navghar to Belavali, it is mentioned under decision taken column as "land acquisition from Morbe to Karnajade and Karanjade to Chirle to be started through cash compensation."

By taking cognizance of subsequent changes in the scheme from its first declaration, CIDCO board vide resolution no. 12629 acknowledged the insufficient time available to prepare Draft scheme and freshly declared intention to make Town Planning Scheme no. 10 under section 60(1) with provision of section 61(2) of the MR&TP act, by keeping the same scheme boundary. For this fresh declaration, fresh timeline shall be applicable to the scheme as per act. As per section 60(2) of MR&TP Act, the declaration of intention was published in gazette on 29<sup>th</sup> Dec. 2022.

#### **4. Concept of Layout Plan**

The Town Planning Scheme is implemented as per the provisions of the Acts and guidelines of the Maharashtra Town Planning Rules 1974. The draft layout in the



scheme is prepared on the following principles which are adhered in all the Town Planning Schemes by CIDCO for NAINA area which are published in the recent times.

- All contribute equal percentage of land for the project.
- Forest lands, water bodies, existing structure of valid permissions are kept intact.
- Land owners to get 40% of original land holding as net final plot.
- As far as possible final plots anchored to their original location.
- Approximate 10% open space and 5% amenity are provided commonly in scheme layout and distributed spatially on neighbourhood concept
- As far as possible existing structures are protected and final plot is given around existing structures.
- An attempt has been made to carve out final plots in such a way that they are of regular shape and are developable.
- As far as possible, land affected by gas pipe line, H. T. line are given unencumbered final plots to its nearby original location.
- Same owner with scattered land parcels is given single plot considering his consent for amalgamation.
- 7/12 is considered as basis for finalizing entitlement.
- On the basis of suggestions received from owners during meet, necessary changes are carried out in the tentative proposal.

As committed in NAINA scheme, the FSI of original plot is going to be loaded on the final plot (FP) area, which is 40% of Original Plot (OP), thus the permissible FSI on the FP will be 2.5. To enable the holder of FP to consume the permissible FSI, it is necessary to make Special Development Control Regulations for TPS-10. Therefore, along with approval of Draft TPS-10 under section 68(2) of the Act, requisite special DCR in accordance with sub-section (2) of section 159 of the said Act are proposed to be approved with Draft TPS.

The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of NAINA for all future Town Planning schemes vide letter TPS-1219/ 2382/ C. No. 186/ 19/ UD-12. Dtd 30.12.2019. Based on Special DCPR of Preliminary TPS-2 and Draft Scheme of TPS 4 to 7, provisions are proposed in Special DCPR of TP Scheme no. 10 for ensuing uniformity.

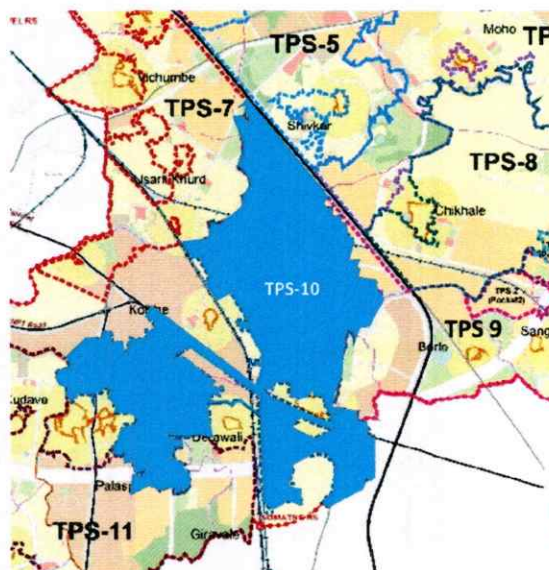
## 5. Compliance of the MR&TP Act, 1966 provisions in the Draft TP Scheme – 10

### I. Identification of the TPS boundary

The boundary for TP Scheme no. 10 is identified in the proximity of already published boundary of TP Scheme no. 07 and TP Scheme no. 09. The scheme located on right side of Mumbai Pune Expressway towards travelling to Pune. The core goathans and already developed pockets are excluded from the scheme area.

In continuity with Town Planning Scheme No - 7 and 9, the physical infrastructure of both the schemes are extended as a comprehensive system. The scheme is bounded by:

- On North by Mumbai Pune expressway, boundary of scheme no. 7 and Old Mumbai Pune highway NH-4.
- On South by boundary of village Kon and boundary of TP scheme no. 11.
- On East by boundary of TP scheme no. 9.
- On West by boundary of Panvel Roha Railway line and boundary of village Kudave.



The main features for identification of the boundary are-

- High Tension Lines of 220kv Kharghar, ONGC, Kagaon Direct Current (DC), 220kv Apta, Kalwa, Taloja Direct Current (DC), 110kv Taloja, Bhokarpada, Khopoli Direct Current (DC), Tata power lines of 110kv, 220kv and 110kv traverse through TPS 10. For all the above lines, buffer of 35M and 22M for 220kv and 100kv respectively are required to be kept as no-construction zone.
- Mumbai-Pune Petroleum pipe line pass along Mumbai Pune expressway.
- GAIL gas pipeline passes through the villages of Palaspe, Derawali, Kolkhe, Chikhale and Kon.



- Panvel Karjat railway line passes through scheme area & existing Chikhale station falls in this scheme. Also, MRVC acquisition of double line is proposed at the left side of existing railway corridor. Panvel Roha railway acquisition is along the boundary of scheme. Both of these are elevated railway lines.
- Stretch of 126M wide Multi Modal Corridor traverses through the villages of Kon and Palaspe and a part of Borle interchange falls in the scheme boundary.
- A tributary flowing from scheme no. 5 is traversing along the Northern boundary of scheme and Kolkhewadi river flowing from scheme no. 8 & 9 is traversing through the scheme.
- The scheme comprises of approx. 39% DP reservations, like Playground of about 11ha and part area of two central parks of about 10ha and 7ha. Also, another Major facility of clear water reservoir of about 7ha and Burial ground and crematorium of about 8ha is provided in the scheme.
- Major constrain for preparing layout to scheme no. 10 is buffers of high tension lines, GAIL pipe line, Petroleum pipe lines and railway lines.

## **II. Declaration of Intention to prepare scheme u/s 60(1) of Act**

The proposal for implementation of Town Planning Scheme is placed before CIDCO Board at first vide resolution no. 12307, dated 3<sup>rd</sup> March 2020 and declared its intention under Section 60(1) of the said Act, for making of Town Planning Scheme No.- 10 at part of Villages Shivkar, Chikhale, Kolkhe, Kon & Derawali of Taluka Panvel, District Raigad in one contiguous pocket. The scheme area is approximately 285Ha. Further, vide Board resolution no. 12551 dated 2<sup>nd</sup> April 2022 and approval vide CIDCO/NAINA/2022/E-56225 dated 12<sup>th</sup> Aug 2022 the additional area of around 120 ha under Section 62 of the Act, of part villages of Kolkhe, Kolkhe Peth, Derawali and Palaspe of Taluka Panvel, District Raigad is included in declared TP Scheme no. 10 and at the same time declared intention for making of Town Planning Scheme under Section 60(1) of the act for additional area. The total scheme area of TPS-10 is 406 ha.

Subsequently, board vide resolution no. 12629 dated 09<sup>th</sup> Dec. 2022 acknowledged the insufficient time available to prepare Draft scheme and freshly declared intention to make Town Planning Scheme no. 10 under section 60(1) with provision of section 61(2) of the MR&TP act, by keeping the same scheme boundary and area.

### III. Publishing Declaration of Intention u/s 60(2) of Act

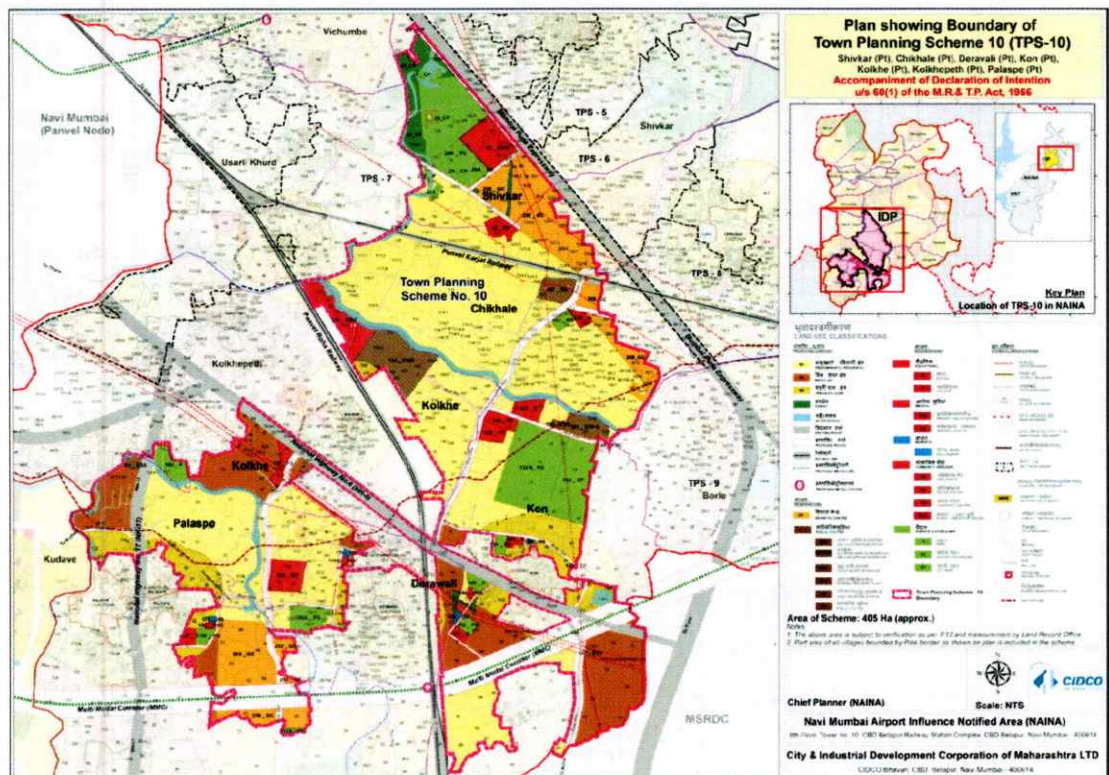
As compliance of the Acts within 30 days of such declaration of intention to make a scheme -

Gazette Notification: A notice about declaration of making Town Planning Scheme no. 10 as per provision in Section 60(2) of MR&TP Act, 1966 has been published in the extraordinary official Maharashtra Government Gazette (part-II) dated 29<sup>th</sup> Dec. 2022.

Local News Paper: A public notice is also published in two widely circulated local News Papers, the daily Marathi newspapers -Dainik Kille Raigad and Free Press Journal on 03<sup>rd</sup> January 2023.

Information to Govt.: As per provisions of Sub- Section (2) of Section 60 of the said Act, a copy of gazette notice together with a copy of the map showing the scheme area has been dispatched to the Urban Development Department (UDD)-12, Director of Town Planning office, Pune and Joint Director of Town Planning, Konkan Division on 30<sup>th</sup> Dec. 2022.

Information to Gram Pachayat: A copy of gazette notice along with a copy of the map showing the scheme area has been delivered to the all Gram panchayat offices on 30<sup>th</sup> Dec. 2022.





#### IV. Display for public u/s 60(3) of Act

Display in the NAINA Office: In accordance with the provisions of Section 60(3) of the Maharashtra Regional and Town Planning Act, 1966 a copy of the declaration along with the map showing the area to be included in the Town Planning Scheme- 10 is kept open for inspection of public in the NAINA office during office hours on all working days.

CIDCO's official website: The Public notice and the map is also uploaded in the CIDCO's official website <https://cidco.maharashtra.gov.in/naina>

#### 6. Time line for the project

Sr. No.	Section	Action	Act Provisions	Timeline
1	60(1)	Declaration of Intention	Starting date	09.12.2022
2	60(2)	Declaration in the Official Gazette (Notice published in two local newspapers, Display in the office Intimation to Urban Development Dept., Director, Town Planning Dept., Joint Director office & Gram panchayat offices)	Within 30 days	29.12.2022/ 30.12.2022
3	61(1)	Conducting owners Meet		1 <sup>st</sup> & 2 <sup>nd</sup> Feb. 2023
		Modifications in the layout as per suggestions received		--
		Submission of Draft Scheme to Director, Town Planning for first Consultation	Before 3 months of publication	19.05.2023
		Receipt of first Consultation from Director, Town Planning		22.08.2023
		Publication of Draft Scheme	Within 9 months from declaration	05.09.2023

## **7. Methodology for preparation of Draft Town Planning Scheme**

As specified in Rule number 4(1) of Maharashtra Town Planning Schemes Rules, 1974, public meetings of the land owners included in scheme boundary is called to explain them tentative proposal of the draft scheme for eliciting public opinion and suggestions.

In the scheme, 1215 land parcels and about 625 Final Plot holders are participating. The notice in this regard is published in two local newspapers Dainik Kille Raigad & The Free Press Journal. Individual notice to all the owners for public meeting is also issued by register post. The said notice along with the declaration plan is also made available in the Gram Panchayat offices.

### **I. Collection of TILR (measurement plan) and certified 7/12 extracts**

For furnishing measurement and certified 7/12 abstracts of all landholders participating in scheme no. 10, the office of Deputy TILR Panvel and Tahsil office, Panvel respectively were requested. Necessary fees towards measurement of 285 ha area of scheme have also been paid by CIDCO. Land Dept. of NAINA has requested to TILR office for measurement of area for which fees has been paid and for the remaining balance area (120 ha). However, land measurement plan is yet to receive.

Based on certified 7/12 procured, the list of all landholders included in the scheme has been prepared and entitlement is derived.

In the meantime, physical survey of the area included in scheme is received from Engg. Dept. showing all existing features.

In absence of measurement plan, maximum possible details of sub-division of survey numbers have been collected and incorporated in scheme. Sanctioned Development Plan, Physical survey provided by the appointed agency and details of revenue records such as village maps, Gut Book, Tenure, Phalani map, 7/12 & 8A extracts of sanctioned layouts, measurement plan, and details of government lands are incorporated in scheme. On the basis of all the above information the Base Map is prepared showing Original Plots (in Green color).



The area mentioned in the 7/12 extract is considered for entitlement calculation. The irrevocable consents of land owners for aggregating land parcels is also accepted from the willing parties.

## **II. Existing features within Scheme area**

### **a) Mumbai Pune Petroleum pipeline:**

Reliance pipeline is traversing from North to South in the scheme area. The length of Reliance pipeline passing through scheme area is approximately 0.22 Km. At the time of detailing of TPS-2, after communicating with the office of Reliance Gas pipeline at Sheva, it is gathered that the land under right of use of Reliance pipeline is having total 6 mtr wide corridor. Hence land under this pipeline will be required to keep for non- buildable use.

Existence of these pipeline will constrain planning authority to utilize the land. Since the land under pipeline is acquired under Right of Use condition, the land holders having land under this corridor are considered for scheme entitlement as per the total area mentioned in 7/12 extract. The area under pipeline buffer is mostly kept as open spaces, and at few locations the final plot of Gurcharan is allotted along buffer, considering that Gurcharan shall be used as open space for grazing cattle.

### **b) Extra High Voltage Tower Line:**

MSEB's extra high voltage tower line of 110 KV Taloja-Bhokarpada-Khopoli DC line (0.68km), 220 KV Kharghar-ONCG-Keagaon (0.96km) and 220 KV Apta-Kalwa-Taloja DC line (3.04km) traverses through village Shivkar, Chikhale and Kon of TP Scheme no. 10.

As regard to acquisition and compensation for land under Tower line, the correspondence made at the time of TPS-2. Executive Engineer EHV(O&M) division, vide letter no. EE/EHV(O&M) / Dn/PNL/ T-66/ 0742 dtd 19/04/2018 informed that MSETCL has not acquired any land for erection of EHV lines and compensation was given only for removal of trees and crops as per Indian Telegraphic Act, 1885. Also, for 220 KV lines corridor of 35m and for 110 KV corridor of 22m as ROW will be kept as buffer along lines.

The land holders having land below this corridor are considered for entitlement as per the total area mentioned in 7/12 extract. Existence of this HT line will constraint to the use the land under corridor, however lands under these corridors have to be put to an effective use without compromising safety requirements. As no construction is allowed under the high tension buffer, at few locations the final plot of Gurcharan is allotted along buffer, considering that Gurcharan shall be used as open space for grazing cattle.

Tata Power Line: Three high voltage TATA power lines (two 220KV and one 110KV) passes through the villages of Kon, Deravali and Palaspe and thus a buffer of approximately 54m is kept as open space under these lines.

### **C) River & Tributary:**

Kirki river is passing through the villages of Kolkhe and Chikhale in the scheme. Tributary of Kalundre river passes through the scheme. A tributary of Kolkhewadi river passes through the villages of Deravali and Palaspe.

The existing undulating course of tributary is constraint for preparing layout. Hence for training of this existing undulating tributary a correspondence has been made with Engg. Dept. and accordingly to allow smooth flow of water, channel is proposed as shown in scheme layout.

Along the existing path of Kirki river, 50 m wide channel is proposed and along the tributary of Kolkhewadi river, 35 m wide channel is proposed in the scheme. The meandering alignment of the tributary is realigned in a regular shape in order to get clear land area for accommodating final plots.

### **d) Forest land:**

The Scheme comprises of around 14.0 ha of total forest land as per 7/12 extract. The shape of Forest land parcels is irregular. At many locations some area as open space is added to make these Forest land parcels of regular shape and layout is prepared along these land parcels.

While preparing layout and making provision of layout roads, roads passing through forest lands are avoided so that forest land parcels are kept intact. At one location, sanctioned DP roads passing through forest is realigned.



#### **e) Existing structures and structures with valid Building Permission:**

The existing structures within scheme boundary are marked as per as per Physical survey received from agency. Majority of structures are sheds/ temporary construction for the purpose of farming. As far as possible care is taken to provide the final plots around the structure to retain it. The unauthorized structures falling under IDP/TPS reservations shall be demolished before giving possession of final plots to the land owners. The land owners shall hand over unencumbered land in lieu of unencumbered developed Final Plot. The unauthorized structures falling in alignment of roads shall be demolished while executing infrastructure work on site. Unauthorized structures falling on Government land shall be compulsorily demolished as these are encroachments on Government lands.

In case, where Building Permission is issued by the competent authority, the same is honoured and final plot is carved out by maintaining sufficient margins from the CC granted structure.

### **III. Engineering and Transportation aspects**

#### **Engineering Aspects:**

TP Scheme no. 10 is located adjacent to Mumbai Pune Expressway and in continuation with TPS-7 and TPS-9. The proposed water supply network needs to be extended till boundary of scheme. There is a Sewage Treatment Plant (STP) reserved in sanctioned IDP of NAINA along Kirki river at Kon village. Till the STPs earmarked in the IDP gets developed, it will require to develop package treatment plants within the scheme area. Provision for underground sewage connection to every plot shall be made, which will finally get connected to STP once it gets operational. Existing tributary and Kirki river are channelized to carry the storm water and run offs coming from the scheme area.

Planning NAINA forwarded the layout indicating proposed roads and amenities in TP Scheme no. 10 to Economics Dept. & Engineering Department to provide cost of providing Engineering Infrastructure in the scheme.

#### Transportation:

The road network in Draft TPS- 10 was prepared in consultation with CIDCO's T&C Dept. Necessary modifications at major road junctions and other geometrics of the roads are planned after due suggestions from T&C Dept. The proposed road sections have provisions for future service lines such as Cooking gas lines, fiber optics, electric cables. The footpath will have tree guards. The main roads will have bus bays and bus shelter.

The Virar-Alibaug Multi Modal corridor, to be developed by MSRDC passes through the scheme. The latest alignment received from MSRDC vide letter no. MSRDC/ 02/ Land Surveyor/ 2023/ 119 dtd 22/02/2023 and soft copy of alignment received via mail is incorporated in the layout. Joint measurement of MMC is yet to receive from MSRDC, hence as per alignment received, necessary deduction has been made in the entitlement.

Panvel Karjat railway line is passes through the scheme. Details of acquisition for double line along Panvel Karjat line has been received from Dy. Collector Panvel vide letter dtd 14/07/2020 and alignment received from MRVC. Entitlement is derived from the latest 7/12 extract and incorporating the alignment layout is prepared.

Existing Chikhale station is falls under DP reservation. As per widening alignment shared by MRVC, the new location shown for Chikhale station, which also falls in TP Scheme no. 10. However, this location is shifted in TP Scheme no. 08 vide letter no. MRVC/W-1/108/PNVL-KJT/Shift of Chikhale Stn. dtd 13/05/2022. The land marked for Chikhale station in TP Scheme no. 10 is adjusted in adjacent reservation of scheme.

Panvel Roha railway line passes along the boundary of the scheme at village Kolkhe and Derawali. The details of Panvel Roha railway line received via letter No. BB/ W/ 6001/ LM/ LB/ 17/ DB dtd 30/08/2021 is referred while preparing layout.

#### **IV. Details of sanctioned IDP within scheme area**

Total scheme area is 406.05 Ha. Within the scheme about 76.14 Ha of lands is non-developable such as rivers, railways, existing highway, forests and area under MMC. The developable land is 330.11 Ha. The scheme contains around 35% of the sanctioned IDP reservations. These reservations include IDP roads, Schools, School Playgrounds, Parks, General Hospital, Primary health center, Community Center, Daily



Bazars, Police Station, fire Station, Sewage Treatment Plan, Electric Sub Station, and Growth Centre. The total area under such reservations is around 102 Ha as per sanctioned IDP.

The detail of sanctioned IDP reservation in the scheme and its area after draft layout prepared is mentioned in the Table placed below –

<b>Reservation type</b>	<b>Reservation No.</b>	<b>Within scheme as per IDP report (Sq.M.)</b>	<b>As per layout (Sq.M.)</b>
<b>Burial Ground/ Crematorium</b>	46_BG/C	40100	40100
	130_BG/C	38100	38109
<b>Clear water Reservoir</b>	134_CWR	68900	68900
<b>College</b>	131_C	13200	13255
<b>Daily Bazar</b>	135_DB	1100	1100
	136_DB	1800	1800
	176_DB	1200	1425
	177_DB	1000	1630
<b>Electric Sub Station</b>	137_ESS	2000	2698
	138_ESS	2600	2600
	181_ESS	2100	2384
<b>Fire Station</b>	139_FS(P)	10200	5294
	182_FS	10600	10850
<b>General Hospital</b>	183_GH	26800	26805
<b>Police Station</b>	42_PS	12400	17880

Reservation type	Reservation No.	Within scheme as per IDP report (Sq.M.)	As per layout (Sq.M.)
	146_PS	10600	10604
Primary Health Centre	144_PHC	1600	2137
	192_PHC	1500	1544
	193_PHC	1500	1500
Community Centre	132_CC	--	1689
Receiving station	147_RS	19100	19110
School	149_S	5600	5600
	148_S	4000	4140
	150_S	4300	4308
	197_S	5300	5304
Sewerage Treatment Plant	151_STP-5	21100	21108
School Playground	141_PG	5700	5700
	142_PG	5900	5915
	143_PG	6800	6800
	188_PG	6300	6300
Playground	29A_PG	37600	37607
	133A_PG	109900	114676
	186A_PG(P)	23700	24401



Reservation type	Reservation No.	Within scheme as per IDP report (Sq.M.)	As per layout (Sq.M.)
	210A_PG(P)	2523	2523
<b>Park</b>	140_P	5800	7276
	184_P	19300	20624
	212_P	1400	1400
	213_P	3300	4858
<b>City Park</b>	29_CP (P)	54400	63942
	29_CP (P) Forest	48291	47539
	133_CP (P)	68300	59150
<b>Growth Centre</b>	202_GC (P)	149300	149304
	208_GC (P)	52900	55680
	210_GC (P)	112400	116116

#### **V. Reshaping and Realignment of the IDP reservations within the TPS u/s 59(2) of Act, 1966**

While preparing scheme layout, for betterment of the scheme, reshaping or realignment of sanctioned reservations are carried out by maintaining the area of reservation and maintaining the entry and exit of roads with adjoining area. A separate proposal requesting Director, Town Planning, Govt. of Maharashtra has been submitted for approval as per provision of section 59(2) of MR&TP Act, 1966.

The details of sanctioned IDP reservation in the scheme and its area after draft layout prepared and justification for modification in reservation is mentioned in the Table placed below.

Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
<b>Burial Ground/ Crematorium</b>	46_BG/C	40100	40100	Due to realignment of adjoining DP road as electric tower falling within DP road, the reservation is rearranged at its location to make it of proper shape without change in area.
	130_BG/C	38100	38109	Minor modification due to realignment of adjoining water channel, without change in area.
<b>Clear water Reservoir</b>	134_CWR	68900	68900	Minor modification due to realignment of adjoining water channel, without change in area.
<b>College</b>	131_C	13200	13255	The reservation is rearranged at its location to make it of proper shape with marginal increase in area.
<b>Daily Bazar</b>	135_DB	1100	1100	The reservation is shifted on other side of 9m road and provided regular shape plot.
	136_DB	1800	1800	In IDP, this reservation is located on Forest land, Hence relocated in nearby location.
	176_DB	1200	1425	Due to existing nearby structures reservation relocated near to original location and land so release is proposed for layout amenity.
	177_DB	1000	1630	The reservation is rearranged to make it of proper shape with increase in area. The land so release, FP is anchored at the OP.
<b>Electric Sub Station</b>	137_ESS	2000	2698	Originally reservation was shown on forest land hence, this reservation shifted from original location along the same 45 m wide road.



Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
	138_ESS	2600	2600	Minor modification due to shift of adjoining 20m wide road. The reservation is rearranged at its location to make it of proper shape without change in area.
	181_ESS	2100	2384	Originally reservation was shown on access of NA layout, hence this reservation is relocated at a distance of 400m from the original location due to non-availability of vacant land.
<b>Fire Station</b>	139_FS	10200	5294	Reservation is relocated from the original location of the same 20m wide road partly in TPS-10 (5294 sqm) and remaining area provided in TPS-9. So as to get the benefit of this reservation to both the scheme. Land so released is proposed for Growth Centre.
	182_FS	10600	10850	The reservation is rearranged at its location to make it of proper shape with increase in area.
<b>General Hospital</b>	183_GH	26800	26805	The reservation is rearranged at its location with minor shift to make it of proper shape with marginal increase in area.
<b>Police Station</b>	42_PS	12400	17880	The reservation is rearranged at its location with minor shift to make it of proper shape with increase in area.
	146_PS	10600	10604	The reservation is sifted from its original location to make it of proper shape on the same 20m wide road, close to other DP reservations. Part of this reservation is in TPS-9.



Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
<b>Primary Health Centre</b>	144_PHC	1600	2137	In IDP, this reservation is located on Forest land at 12m DP road, Hence relocated in nearby original location, and provided at 15m wide DP road.
	192_PHC	1500	1544	The reservation is rearranged at its location to make it of proper shape with marginal increase in area.
	193_PHC	1500	1500	The reservation is rearranged at its location to make it of proper shape without change in area.
<b>Community Centre</b>	132_CC	--	1689	The reservation falls in TPS-9. For better utilisation of area the area included in this reservation, which is located adjacent to the boundary.
<b>Receiving station</b>	147_RS	19100	19110	The reservation is rearranged at its location to make it of proper shape without change in area.
<b>School</b>	149_S	5600	5600	The reservation is rearranged at its location to make it of proper shape without change in area on same 27m wide road.
	148_S	4000	4140	The reservation is rearranged at its location to make it of proper shape with marginal increase in area.
	150_S	4300	4308	In IDP, this reservation is located majorly on Forest land on 12m DP road, Hence relocated in nearby from original location and provided at 15m wide DP road.
	197_S	5300	5305	The reservation is rearranged at its location to make it of proper shape with marginal increase in area.

Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
<b>Sewerage Treatment Plant</b>	151_STP-5	21100	21108	Due to realignment of adjoining DP road as electric tower falling within DP road, the reservation is rearranged at its location to make it of proper shape without change in area.
<b>School Playground</b>	141_PG	5700	5700	The reservation is rearranged at its location to make it of proper shape without change in area.
	142_PG	5900	5915	In IDP, this reservation is located majorly on Forest land on 12m DP road, Hence relocated in nearby block at a distance of 150m from original location with marginal increase in area, and provided at 15m wide DP road.
	143_PG	6800	6800	The reservation is rearranged at its location to make it of proper shape without change in area.
	188_PG	6300	6300	The reservation is rearranged at its location to make it of proper shape without change in area.
<b>Playground</b>	29A_PG	37600	37607	The reservation is shifted on other side of 20m road and provided regular shape corner plot. The land so release, is provided as adjoining 202_GC.
	133A_PG	109900	114676	In DP, 4505 sqm was shown as Playground, which was later identified as forest as per 7/12 extract. Hence, the reservation area provided in two parts and total area increased. Also, forest area kept as Forest.



Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
	186A_PG(P)	23700	24401	As per DP, total area under this reservation is 3.68 Ha. Area provided in TPS-10 is 2.44 sqm remaining area is provided in adjoining TPS-11.
	210A_PG(P)	2523	2523	As per DP, total area under this reservation is 2.49 Ha. The same area provided in TPS 10 & remaining area will be provided in adjoining TPS-11.
<b>Park</b>	140_P	5800	7276	In IDP, this reservation is located on Forest land. Hence relocated and the area increased.
	184_P	19300	20624	Due to realignment of adjoining water channel there is minor modification in shape of reservation. Area marginally increased.
	212_P	1400	1400	In IDP, this reservation is located on Forest land. Hence relocated in nearby block keeping the area same.
	213_P	3300	4858	The reservation is shifted due to road alignment. The land so release, FP is anchored at the OP.
<b>City Park</b>	29_CP (P)	54400	63942	<p>1. Total Report Area = 18.65Ha.</p> <p>2. Part area of 29CP, 5.44 Ha in TPS-7.</p> <p>3. As per sanctioned EP 18, 29A PG of 3.76 Ha &amp; 46_BG/C of 4.01 Ha as per report provided within 29_CP area.</p> <p>4. Hence remaining area <math>(18.65 - 5.44 - 3.76 - 4.01 = 5.44 \text{ Ha})</math> to be provided in this scheme.</p>

Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
<b>Forest (under JFM)</b>				5. As per sanctioned IDP, Water tributary passing from forest and private land till village Chikhale. This tributary is not seen on village plan. The tributary is proposed to be channelized in continuation with channel coming from TPS-5. Area of this water channel till Village Chikhale is included in 29CP. To accommodate this channel area of reservation increased marginally.
	29_CP (P) Forest	48292	47539	Forest land partly in scheme & under 29_CP as Joint forest management. Original area is reduced due to 12 m layout road.
	133_CP (P)	68300	59150	Total Report Area = 10.46Ha Part area of 4.71 Ha is provided in TPS-9. Hence more than remaining area is provided in this scheme in two parts.
<b>City Park</b>				
<b>Growth Centre</b>	202_GC (P)	149300	149304	Total Report Area =55 Ha Part area of 37.22 Ha provided in TPS-7 & part area of 2.85 Ha provided in TPS-9. Hence remaining area (55-37.22-2.85=14.93 Ha) provided in this scheme.
	208_GC (P)	52900	55680	Total Report Area =14.3 Ha. As per AutoCAD 5.29 ha falls in TPS-10 & 9.01 Ha falls in TPS-9. In TPS-9, 8.82 Ha is provided, hence remaining area of 5.48 ha needs to be provided in TPS - 10. Area provided in three parts



Reservation type	Reservation No.	Within scheme as per IDP report (Sqm)	As per TPS-10 layout (Sqm)	Justification
				due to MMC interchange at Chikhale village.
	210_GC (P)	112400	116117	Total Report Area =46.5 Ha Part area of 11.24 Ha falls in TPS-10. Marginally increased area provided in TPS-10, remaining area will be provided in TPS-11.
<b>Multi Modal Corridor (MMC)</b>	126 m wide proposed road & Part of Borle Interchange	168400	221400	In DP area under MMC was 16.84 Ha. Further, MSRDC provided ROW of MMC including interchanges vide letter and email dated 23.02.2023 is considered while preparing the scheme. As per this, admeasures 22.14 Ha area falls in TPS-10.

## 8. Content of Draft Town Planning Scheme as per sec. 64 of the Act

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

Sr. No	Section	Content/particulars	Compliance/provision
1	64(a)	The ownership, area and tenure of each original plot	The 7/12 extracts are considered as ownership document for the purpose of finalizing entitlements. Tenure as mentioned on 7/12 such as class-I, class-II etc. are incorporated in the form -1
2	64(b)	Reservation, acquisition or allotment of land required under sub-clause (i) of clause (b) of section 59 with a general indication	Section 59(1)(b)(i) of the Act deals with any of the matters specified in section 22.  The IDP of NAINA has been sanctioned on 27.04.2017 and DP is sanctioned on 16.09.2019

Sr. No	Section	Content/particulars	Compliance/provision
		of the uses to which such land is to be put and the terms and conditions subject to which, such land is to be put to such uses	<p>Area of land reserved for public purposes in IDP, such as schools, colleges, PHC, DB, open spaces, playgrounds, roads, public utilities, amenities etc. are kept intact with minor modification / re-alignment of roads for proper planning and carrying out of layout. The areas of IDP reservations remained unchanged.</p> <p>The Growth center reservation of an extensive scale is also kept intact in terms of section 22 (g).</p> <p>There is no low lying area or, swampy or unhealthy areas in the scheme. The leveling up of land is included in costing of scheme by engineering section of CIDCO.</p> <p>As per clause (m), special DCR are proposed for effective controlling and regulating the use and development of final plot.</p>
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by reconstitution;	<p>The Final plots are proposed as far as possible at the location of their original land. As far as possible, the FP against land under reservation has been allotted within same village or within nearby village.</p> <p>The boundaries of OP has been altered to make the FP regular shape and developable.</p>
4	64(d)	An estimate of the total cost of the scheme and the net cost to be borne by the Planning Authority	Estimate of total cost is given in Form 1 and Form 2 of the Scheme.
5	64(e)	A full description of all the details of the scheme with respect to such matters referred to in clause (b) of section 59 as may be applicable	<p>As per Section 59(1)(b), new roads have been laid out to give access to each final plot. Also, minor diversion, extension, alteration of IDP roads are made to have better connectivity. Existing structures falling under IDP roads, growth centers are proposed to be demolished.</p> <p>The scheme contains approximate 5% OS and 2% amenities apart from IDP</p>



Sr. No	Section	Content/particulars	Compliance/provision
			<p>reservations. The amenities shall be assigned uses such as DB, Town hall, ESS, etc. as per requirements. Also, 1 school, attached to IDP playground will be materialized from the layout amenities.</p> <p>All infrastructure and engineering utilities such as drainage, inclusive of sewerage, surface or sub-soil drainage and sewage disposal; lighting; water supply; shall be done in consultation with Engineering Department of CIDCO.</p> <p>As per sub-section (iii) the corresponding regulations of sanctioned DCPRs of IDP have been suspended by Govt. vide letter dated 30.12.2019 for implementation of Special DCR for TPS.</p>
6	64(f)	The laying out or re-laying out of land either vacant or already built upon including areas of comprehensive development	The layout has been prepared on vacant land (excluding land under reservations), taking into consideration comprehensive development of regional linkages such as 45m wide roads, MMC , National Highways and reserving spaces for social facilities, utilities, EWS housing etc.
7	64(g)	The filling up or reclamation of low lying swamp or unhealthy areas or leveling up of land	There is no low lying swamp or unhealthy areas. The cost towards leveling up of land is considered in engineering infrastructure estimates.
8	64(g-1)	<p>The allotment of land from the total area covered under the scheme, to the extent of,—</p> <p>(i) the reservation of land to the extent of ten percent of the total area covered under the scheme, for the purpose of providing housing accommodation to</p>	<p>In the layout, 2% land of the scheme area is reserved for providing housing accommodation to the members of economically weaker section and for lower income group.</p> <p>CIDCO is proposing 5% open space, 2% amenity and EWS in the layout as common space, and it is proposed that the land owners need not to provide these spaces again on final plots. Therefore, the land pooled from all land owners for common open spaces, amenity and EWS shall be considered to be carved out from final plots (which is otherwise</p>

Sr. No	Section	Content/particulars	Compliance/provision
		<p>the members of economically weaker section and for lower income group and for persons dispossessed in the scheme;</p> <p>(ii) The allotment of land to the extent of forty per cent. of the total area covered under the scheme, in the aggregate, for any or all of the following purposes, namely:</p> <p>(A) for roads;</p> <p>(B) for parks, playgrounds, garden and open spaces;</p> <p>(C) social infrastructure such as schools, dispensary, fire brigade and public utility place;</p> <p>(D) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development</p>	<p>is going to be provided by land owners from their final plots).</p> <p>Also, there is no loss of land potential as FSI equal to original land holding area is proposed to be given to the owner on final buildable plots, thus on the final plot, FSI works out to 2.5</p> <p>The extent of 40% mentioned in 64(g-1)(ii) is for purposes of roads, parks, playgrounds, garden and open spaces, social infrastructure such as schools, dispensary, fire brigade and public utility place and sale by Planning Authority.</p> <p>It is to submit that, the Growth centers earmarked in IDP are of extensive scale reservations (in terms of section 22-g of the Act) and are meant to recover the cost of these infrastructure along with recovery of cost towards water source development, metro, etc.</p> <p>CIDCO is reserving 5.5 ha of land in layout for sale purpose in terms of section 64(g-1)(ii)(D)</p>
9	64(h)	Any other prescribed particulars.	<p>A buffer along transmission line, Reliance/HPPL/GAIL pipe line and Mumbai Pune Expressway is mostly kept as open space. At few location part of Guruchran plot falls in buffer, considering that Gurcharan shall be used as open space for grazing cattle.</p>



The total number of Final plots (to be returned to land owners) is 625. Out of this about 359 plots are anchored around their original location. The plots which could not anchored are mainly due to the IDP reservations, buffer of Reliance Pipe line, HT line, railway buffers and channelization of tributary. In case of plots affected by Growth center or any other IDP reservation, care is taken that as far as possible the shift shall be within the same village boundary. If the same is not possible then the plot shall be shifted to the nearby village.

**Detail of anchoring of plots are as below-**

<b>Details of anchoring of Final Plots of Town Planning Scheme-10</b>		
1	Total original plots (7/12 extracts)	1215
2	Total final plots	937
3	Total no. of residential Final plot	625
	Total Anchored Plots	359 (57%)
	Total Relocated Plots	266 (43%)

## **9. Meetings with land holders and framing of the tentative proposals:**

As per Rule No. 4(1) of Town Planning Scheme Rules 1974, owners meet was organized on 1<sup>st</sup> and 2<sup>nd</sup> March 2023 at NAINA office, Tower No. 10, Floor No. 8, CBD Belapur Railway Station, Complex, CBD Belapur, Navi Mumbai 400614.

All the landowners in Town Planning Scheme no. 10 were invited by:

1. Sending letters through Registered post or by hand delivery.
2. The notice regarding owner's meet was published in two local newspapers namely Danik Raigad Nagari and The Free Press Journal dated 21.01.2023.
3. Notice along with schedule of public meet was displayed in respective Gram Panchayat offices.
4. Notice along with schedule of public meet was displayed at CIDCO's NAINA office.
5. Notice along with schedule of public meet was uploaded on CIDCO's official website.

6. For the available contact numbers, details of meeting informed via bulk messages.

The plans and details of Town Planning Scheme no.10 depicting benefits to the land owners, commitment to the landowners during earlier meetings and way forward were displayed at the entrance of NAINA office.

There were overall 1215 land parcels (7/12), in the scheme. Before schedule of owners meet 22 land owners have submitted their consent to give them one single plot for the land parcels owned by them jointly or severally within the scheme. Lands in same ownership (though located at different locations) were proposed to be given a single final plot, considering consent of such land owners for giving single plot. After voluntary and deemed consent the numbers of final plots in the scheme were 625 numbers. The 625 land owners of final plot were invited by sending individual letters for eliciting public opinion and suggestions thereon.

For the sake of convenience and handling the all the land owners in efficient manner, the land owners from village Shivkar, Chikhale, Kolkhe & Kolkhe Peth were invited on 1<sup>st</sup> Feb. and land owners from village Kon, Derawali & Palaspe were invited on 2<sup>nd</sup> Feb. between 10 am to 5 pm.

On both the days, land owners from village- Shivkar, Chikhale, Kolkhe, Kolkhe Peth, Kon, Derawali & Palaspe of Taluka Panvel have attended the owners meet individually or in groups.

On 1<sup>st</sup> Feb., 137 land owners have attended the meeting and on 2<sup>nd</sup> Feb., 147 land owners have attended the meeting. Another 12 landowners visited the office during subsequent week. Thus, in all 296 owners out of 625 i.e., @ 47 % owners have attended the meeting.

All the owners participated in public meet were shown location of their final plot and their original land with the help of flex sheets displayed in meeting room. The team of planners explained the landowners about Town Planning scheme in general and about scheme no. 10 in particular.

Majority of land owners expressed their satisfaction during the meet and overall response to the scheme was positive. The owners were requested to submit their written suggestions/objections within 7 days i.e. till 10<sup>th</sup> February 2023, so that the



same can be considered by CIDCO before seeking consultation from Director of Town Planning.

However, many applications/ suggestions received after given time of 7 days. Hence, applications received till the discussion with management are considered at this stage.

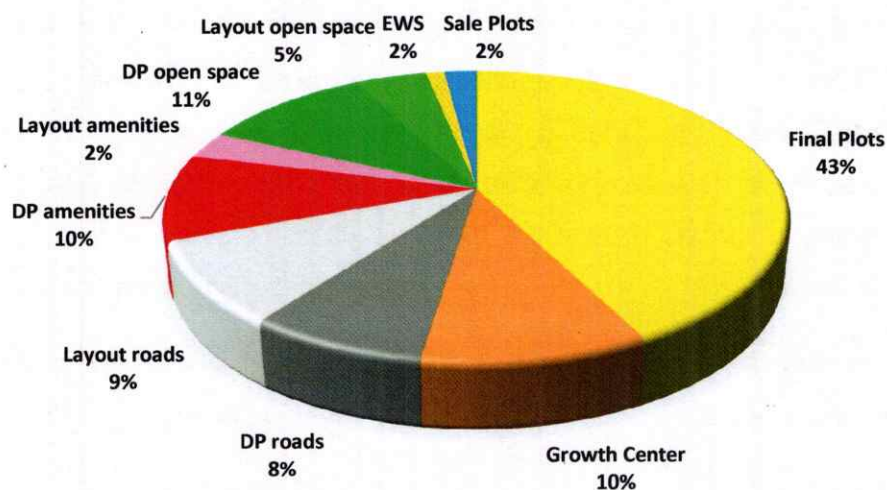


**TPS-10 Owners meet photographs**

## 10. Land use distribution in TPS- 10

The land use distribution in TPS-10 is as under:

Land use	Area (in Ha)	% on net scheme area	Total percentage
Final Plots	140.73	43%	
Growth Center	32.12	10%	
DP roads	25.97	8%	17%
Layout roads	29.95	9%	
DP amenities	31.77	10%	12%
Layout amenities	7.17	2%	
DP open space	36.12	11%	16%
Layout open space	15.76	5%	
EWS	4.99	2%	
Sale Plots	5.53	2%	
<b>Total net scheme area</b>	<b>330.11</b>	<b>100%</b>	
MMC	22.14		
Forest	14.1		
Water body	15.46		
Railway	7.26		
Existing roads (NH-04, NH-66)	17.18		
<b>Gross Scheme area</b>	<b>406.25</b>		



**Pie chart showing percentage land use**



## **11. Development Control in the Scheme Area**

As per the provisions of sub-section (2) of section 159 of the said Act, the State Government may, by notification in the Official Gazette, make Special Development Control Regulations consistent with this Act and the rules made thereunder, for the purpose of implementing any scheme, project, programme or policy, of the Central or the State Government, in the whole or a part of the State.

To enable the land owner to consume the assigned FSI, it is necessary to give certain relaxations in the sanctioned DCPR of IDP to ensure consumption of FSI. This concern has been raised by Architects and land owners at various forums including land owners meet. Such relaxation would probably make the land owners to accept the schemes.

In line of Sanctioned Special DCRs of Preliminary TP Scheme no. 2 and subsequently Sanctioned Special DCPR of TP Scheme no. 4 to 7 of NAINA, the Special DCRs of TP Scheme no. 10 has been prepared.

For these Special regulations formed for TPS, suspension of corresponding regulations of Sanctioned DCPRS of NAINA has been sought for all upcoming Town Planning Schemes of NAINA from Govt. vide letter No. TPS-1219/ 2382/ C. No. 186/ 19/ UD-12 dated 30/12/2019. Also, for suspension of some corresponding regulations, Govt. has requested vide letter CIDCO/ NAINA/ TPS/ 2021/ 483 dtd 30/06/2021.

### **Special Development Control Regulations for Draft TPS-10**

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 06/01/2020 (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.10. 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 and Sale

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 of adjacent schemes 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 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:

$$\text{FSI of Final Plot} = (\text{Area of Original Plot} / \text{Area of Respective Final Plot})$$

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.

The land parcel eligible of 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.

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 or 1.25, as the case may be as given in Regulation no. 11 above.
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 restrictions /fire-fighting 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



- 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 situated in the adjoining sanctioned preliminary scheme may be permitted once only and only with prior approval of the Managing Director of the CIDCO and upon his satisfaction that the concerned owner is unable to transfer his development right within the scheme where the TDR has generated.
  - iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00
  - iv. The owner transferring the FSI as TDR shall not develop his Final Plot at any time to consume FSI more than that already consumed at the time of issuing the DRC.
  - 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, Burial ground & Crematorium 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, Green Belts 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 floor or ground plus one upper floor. Such structure shall be at one corner of respective final plot and shall be used for any use complementary to the designated use of such Final Plot.

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 M2 to less than 150 M2 *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 3.00M.				
150 M2 to less than 450 M2	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 M2 to the less than 1000 M2	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 M2 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).				



- a) 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.
- b) The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable
- c) 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 up to 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, National highways and Multi Modal Corridor (MMC) 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 all the above 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.
27. For any other earlier approved proposal like ITP, Rental Scheme etc. the regulations applicable under that scheme shall be applicable to such plots.

## **12. Finance of the Scheme**

### **I. Redistribution and Valuation Statement**

Sections 97 to 107 of the Maharashtra Regional and Town planning Act, 1966 deal with finance of the scheme. The compensation to be paid to the owners for their lands acquired for public sites, widening of existing roads and for new roads



proposed in the Town Planning Scheme is based on NA land rate mentioned in ASR of corresponding year prevailing to the date of declaration of intention of making of this scheme and this date is 29.12.2022. Therefore, for uniformity NA land rate of the village is considered as base for determining Original Plot value in the scheme. This estimation was used to decide the values of the Original Plots.

For the purpose of Semi-Final value of plot, considering regular shape of the plot and proposed access, it is presume that the value of the land will rise at least two times original value. Therefore, Semi-Final value of the plot is considered as one and half times of NA land rate of ASR 2022-2023. The Final Plots were estimated in the draft scheme at the rate of four times of NA land rate of ASR 2022-2023.

The re-distribution and valuation statement of original plots as well as of final plots are worked out in form no.1. The same is enclosed herewith for reference.

Finance of the TPS-10 as required under Rules 6 (vii) and 21 (2) of the Maharashtra Town Planning Schemes Rules, 1974 has been prepared under Form No. 2 and is enclosed wherewith for reference.

As per Act provision and formats of TPS rules, the Redistribution and Valuation Statement in the format of Form 1 and Form 2 need to be prepared and constitutes part of draft scheme. Based on the assumptions made in earlier approved draft scheme following assumptions made in this scheme and Form I is prepared.

The assumptions in preparation of the finance of scheme are as under:

- 1) For original plot value of land parcels, ASR of Non-agriculture land of 2022-2023 is considered.
- 2) If more than 50% of a particular survey number falls under no construction activity area due to restriction of buffer due to HT line/ pipe line etc., 50% of NA rate mentioned in ASR is considered for original plot value.
- 3) For the already granted CC/permissions by competent Authority, OP value is considered equal to semi-final value, considering that there will be enhancement only in terms of provision of infrastructure by CIDCO.
- 4) For the land parcels falling 50% or more in 200mts of gaathan or in urban village, original plot value is considered as 1.1 times ASR of Non-agriculture land of 2022-2023, so that the net demand becomes zero for such plots.
- 5) For the purpose of semi-final value of plot, 1.5 times ASR of Non-agriculture land of 2022-2023 of OP is considered.

- 6) For original plot value of land parcels along Highway ASR of Highway land of 2022-2023 is considered.
- 7) Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2022-2023. For rental permission final value is considered as 2 times ASR value.
- 8) No contribution is levied on plot reserved for public purpose which will be solely for the benefit of the owners/residents within scheme area or purposes of Planning Authority. Plots of as small amenities which are solely for the benefit of residents within scheme area don't attract contribution. The Growth Centre is reserved for purpose of Planning Authority. The economic or commercial activity envisaged through GC shall mainly serve to the benefit of entire IDP. Hence it is assumed that GC shall be beneficial to the general public. Plots carved out for EWS/LIG in the scheme are requirement of scheme as per Act Provision and shall mainly serve to the benefit of entire IDP, hence shall be beneficial to the general public.
- 9) Plot numbers are given to roads only as per the request of Dy. SLR for preparing property cards. No compensation/ contribution is work out on such final plots.
- 10) Plots reserved for Planning Authority such as park, open space, gardens, common play grounds which are non-saleable plots. Hence, semi-final value is considered as ASR and equal to final plot value.
- 11) For survey numbers/ hissa numbers partly in scheme, area as per drawing (Auto CAD) is considered in scheme.
- 12) Compensation as mentioned in Column no. 11 considered zero since FSI in lieu of compensation is provided.
- 13) Survey numbers affected by Multi Modal Corridor are mentioned in the form, however final plots are not given for the affected area.

## **II. Cost of the scheme**

In Town Planning schemes all infrastructure facilities including last mile connectivity shall be developed by CIDCO. The expenditure required for development of infrastructure in sanctioned IDP of NAINA project i.e. for Town Planning Schemes 1 to 12 is worked out by Economist Dept., CIDCO which includes onsite and offsite costs/ City level costs. On site project cost provided by Engg. Dept and offsite costs/ City level costs such as Metro, Sub Urban Railway, BRTS, Multimodal Corridor



(MMC), PSID & Street lighting, Construction and maintenance of Fire station and water source development (off site infrastructure cost) provided by Transportation, Water supply, Electrical and Fire Dept.

This cost has been apportioned for individual 1 to 12 Town Planning scheme on the basis of its developable area. The Cumulative scheme wise infrastructure costs work out considering few assumptions like project duration for 20 years, Miscellaneous charges are considered 1.5% and Contingency and Overhead are considered as 5%, CIDCO margin is considered as 10% over total cumulative cost including year on year escalations, misc. charges, contingency and overhead. Also, interest during construction (IDC) is considered as 8% on average cost.

As per above assumptions, the infrastructural cost of TPS-10 for scheme total area of 406 ha is worked out as Rs. 3627.89 Cr. The same is considered while preparing Finance of the scheme i.e. Form-II.

### **III. Sources of revenue**

The exercise undertaken by the Economics Department to establish financial viability for Interim Development Plan (IDP) of NAINA is ongoing. The following sources of revenue are expected to be generated from the all-Town Planning schemes for the recovery of onsite and offsite charges incurred in the development of these Town Planning Schemes.

1. Development Charges (DC)
2. Disposition of Plots
3. Contribution/ Betterment Charges
4. Infrastructure Contribution Charges (ICC)

#### **1. Development Charges**

Development Charges are statutory charges that are to be levied on the owners of both, saleable (the social facility plots, growth center) plots and final (40% residential) plots within the Town Planning Schemes. DC applicable for land per sq m is 0.5% of the Annual Statement Rate (ASR) or Rs. 100, whichever is higher and DC applicable for built up area per sq m is 2% of the Annual Statement Rate (ASR) or Rs. 400, whichever is higher.

## **2. Disposition of Plots**

The total component of salable land available for disposition within the 12 Town Planning schemes is 543 Ha. This includes land for disposition under Growth Centre and Sale plots with an FSI of 4.

## **3. Contribution/ Betterment Charges**

As per provision of act, contribution (betterment charges) is proposed to be levied and to be recovered from land owners in annual installments as per Form-I of TP Scheme no.10.

However, there is continuous opposition for these charges from the land owners. About these charges, in the assembly session of Feb-March 2022 of Vidhan Parishad, State Govt. has announced stay on levying of betterment charges on land owners and these charges will be recovered from the last beneficiary by alternative mechanism. CIDCO is in process of deriving mechanism for collecting these charges and will be made applicable after approval from Government.

## **4. Infrastructure Contribution Charges**

Apart from the development of TPS level infrastructure facilities, CIDCO to develop basic Development plan level infrastructure and water sources development which will requires huge funds.

A study is conducted by the appointed consultant for financial feasibility of Town Planning Schemes. The study inferred that the expected revenue from land disposition cannot support the estimated infrastructure investment. As per the suggestion of the consultant to match the expenditure the Infrastructure Contribution Charges to be made applicable in NAINA jurisdiction area. A proposal in this regard is submitted to Govt. for approval.

The financial part of scheme i.e. Final Scheme shall be decisively completed by Arbitrator. Therefore, all the matters related to financial part of the scheme can be addressed at the time of finalizing final scheme.

## **13. Publication of Scheme u/s 61(1)**

After conducting Owners meet, tentative proposal of draft Town Planning scheme has submitted to Director Town Planning office for first consultation. The Director Town



Planning vide जा. क्र. नैना/ नरयो क्र.10/ कलम 61(1)/ टीपीव्ही-3/ 4171 dated 22.08.2023 had offered consultation on TPS-10. Necessary changes suggested by Director Town Planning in the consultation have been incorporated in the draft scheme.

Further, in accordance with the provision of section 61(1) of the MR&TP act, Draft scheme no. 10 was published in the Gazette on 05<sup>th</sup> September 2023.

## 14. Legal Formalities of Scheme

Sr. No	Legal Stage	Section/ Rule of the Act	Reference	Date
1	Declaration of Intention	60 (1)	Resolution No. 12629, Board Meeting No. 638	09.12.2022
2	Gazette Publication of notice	60 (2)	Maharashtra Government Gazette, Extraordinary Part II	29.12.2022
3	Newspaper Publication of notice	60 (2) Rule 3(2)	Dainik Kille Raigad (Marathi) & The Free Press Journal (English)	03.01.2023
4	Copies of Intention and Plan to Govt. and DTP	60 (2)	Letter No. CIDCO/ NAINA/ CP / TPS-10/ 2022/ 2063	30.12.2022
5	Publication of Plan and Gazette notice in SPA's office	60 (3) Rule. 3(1)	-----	30.12.2022
6	Newspaper publication for owners meet	Rule 4(1)	Dainik Raigad Nagari & The Free Press Journal.	21.01.2023
7	Meeting with Owners	Rule 4(1)	----	01.02.2023 – 02.02.2023
8	Consultation with DTP	61(1) Rule 4(2)	CIDCO/NAINA/TPS-10/ Consultation/61(1)/2023/ 125	19.05.2023
9	DTP's Remarks on draft scheme	61(1) Rule 4(2)	जा.क्र.वि.यो.नैना/नरयो क्र.१०/कलम ६१(१)/ टीपी.व्ही.-३/ ४१७१	22.08.2023
10	Gazette publication of notice	61(1) Rule 5(1)	Maharashtra Government Gazette, Extraordinary Part II	05.09.2023



Chief Planner (NAINA)