

REPORT ON

DRAFT TOWN PLANNING SCHEME NO. 4

NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA (NAINA)



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

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

REPORT ON: NAINA TOWN PLANNING SCHEME NO. 4

1) Preamble

The Government of Maharashtra in exercise of powers conferred under clause (b) of Subsection (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 (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 270 villages (hereinafter referred to as “said notified area”) as Navi Mumbai Airport Influence Notified Area (NAINA) as specified therein.

In pursuance of the powers conferred by Sub Section (1) of the Section 23 of the said Act, the Corporation published notice declaring its intention to prepare Development Plan for the said notified area, and inviting suggestions or objections from the public within a period of not less than sixty days from the publication of this notice in the Maharashtra Government Gazette, Part-II, Thursday to Friday, dated 15-21 May, 2014.

Pending the preparation of draft Development plan for the notified area of NAINA, the Corporation after following due procedure stipulated in the said Act has prepared, published and submitted the Draft Interim Development Plan (IDP) for 23 villages to the Government for sanction on 22nd September 2015 under section 30 of the said Act and the Government has accorded its sanction to the Said Interim Development Plan on 27th April 2017;

The Government of Maharashtra vide notifications dated 22th September, 2015 and 18th March, 2016 had declared Maharashtra Industrial Development Corporation Limited, (MIDC) and Maharashtra State Road Development Corporation Limited, (MSRDC) respectively as SPA, resulting NAINA to 224 villages with total area of 474 sq.km. While sanctioning Development plan of DP of balance 201 villages on 16th Sept. 2019, considering the contiguity of NAINA project, the UDD in GoM has excluded 49 non-contiguous village pockets. Thus, now the notified area of NAINA is for 174 villages encompassing about 372 Sq. KM. area.

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 27th April 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 excluded part of IDP was sanctioned on 1st March 2019.

ii. VISION FOR 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 13/09/2017 has 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 11.08.2017 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

21st Sept. 2018 under section 68(2) of the Act with corresponding special DCRs.

Till date, NAINA's draft TPS-3 is sanctioned on 1st Nov. 2019. Subsequently CIDCO had declared 7 more schemes for the implementation of sanctioned IDP.

The preliminary TPS-1 drawn by Arbitrator is sanctioned by Govt. under section 86(2) of the Act on 03.09.2019 read with corrigendum dated 11.02.2020. Also, TPS-2 is sanctioned by Govt. under section 86(2) of the Act on 03.11.2021. Thus the concept and method adopted by CIDCO in preparation of TPS is accepted and vetted by the State Govt.

3) Purpose of Town Planning Scheme No-4:

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 TPS-04 for the purpose of implementing the proposals in the sanctioned IDP of NAINA.

The Board of CIDCO vide Resolution No 12189 dated 7th June 2019 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No-04 at part in Villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka - Panvel, District Raigad (admeasuring approximately 350 Ha).

The declaration of intention to make TPS-4 has been published in Government Gazette (extra- ordinary Part-II) on 21.06.2019 as per section 60(2) of the Act.

4) Concept of Layout Plan:

The Town Planning Scheme is implemented as per the provisions of the Acts and guidelines of the 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 neighborhood concept
- As far as possible existing structures are protected and final plot are 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.
- Land affected by gas pipe line, between river & blue line have been given unencumbered final plots to its nearby original location.
- Same owner with scattered land parcels have been given single plot considering his consent for amalgamated.
- 7/12 is considered as basis for finalizing entitlement.
- No one is dispossessed in the scheme.
- After giving access to all final plots, actual area under internal roads is arrived at. Thereafter plots for 10% open spaces and 5 % amenity spaces were reserved. Balance plot is kept for EWS/LIG, which in instant proposal works out to approximately 5% of scheme area.
- On the basis of suggestions received from owners during meet, necessary changes have been carried out in the tentative proposal.

As committed in NAINA scheme, the FSI of original plot is going to be load on the Final Plot (FP) area, which is 40% of Original Plot (OP), thus the permissible FSI on the Final Plot (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-4. Therefore, along with approval of Draft TPS-4 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 special DCR in TPS-1 and TPS-2 have been approved by Government while sanctioning preliminary scheme. The same are proposed to extend in all the TPS in NAINA for ensuing uniformity. The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of IDP in TPS-4 on 30.12.2019.

5) Compliance of the Act provisions in the Draft Town Planning Scheme no 4

I. IDENTIFICATION OF THE TPS BOUNDARY

The boundary for TPS-4 is identified in the proximity of already published boundary of Town Planning Scheme no.1 and 2, and is having access by Panvel-Matheran Road. The core gaothans, padas, already developed pockets at edge and hills slope area are excluded from the scheme area.

As per development control regulations and Govt directives dated 14.11.2017, hill Slope (area having slope more than 1:5) and 30 meter from hill is non-developable land. Major portion of land allotted by Govt. to MSRDC for construction material required for Mumbai Pune expressway is in hill slope and also major portion of City park reservation of sanctioned IDP is on hill slope. There is forest area adjoining to the hills. Therefore, the area under hills slope with 30 m buffer was excluded from TPS-4. The village Nevali is part of Phase 1 of DP of NAINA which is sanctioned by Government on 16.09.2019 and is included in TPS-4.

The salient features of TPS 4 are as under:

- i. The identified Town Planning Scheme No.4 boundary includes developable lands admeasuring about 350 Ha from part of villages Adai, Akurli, Nevali, Shilottar Raichur and Pali devad of Taluka - Panvel, District Raigad and is abutting on Panvel Matheran Road. The scheme is contiguous.
- ii. The Scheme is bounded by:
 - On North by boundary of villages Tembhode and Asudgaon of Navi Mumbai Project,
 - On East by hills of Adai and Akurli.
 - On South- East by Northern edge of Kalundre River and on South-West by already developed portion of Pali Devad village.
 - On West by New Panvel Node of Navi Mumbai.

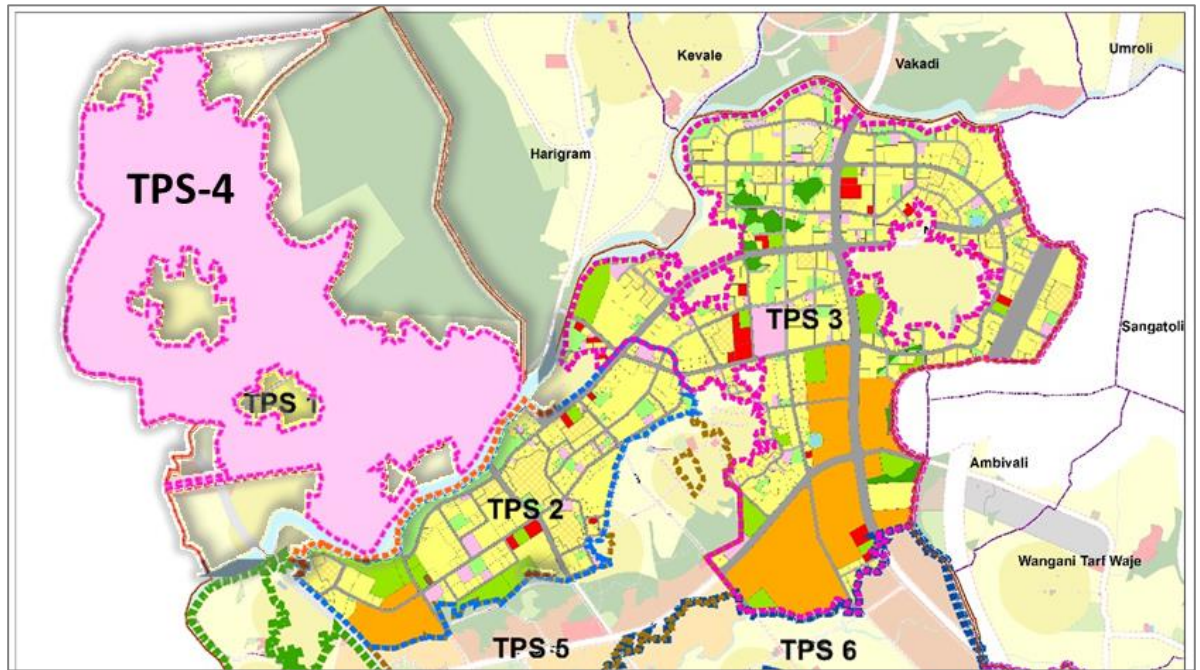


Figure 1: Location of TPS-4 in NAINA

- iii. The area under hill slope (though contain major part of reservation of city park) were excluded from the scheme.
- iv. Power Transmission lines of 220 KV and 110 KV are traversing throughout North- South of the scheme, for which buffer of 35 M and 22 M respectively is required to be kept as no-construction zone.
- v. The scheme comprises of approximately 24% IDP reservations. The proposed TPS-4 covers around 1.5 Km stretch of Panvel-Matheran Road (out of approx. 6.00 Km length passing through IDP), which shall be executed as 30 M and 45 M wide IDP road through this scheme. The rest of Panvel Matheran Road is covered through TPS 2 and TPS 3. Thus, by way of this scheme the entire stretch of Panvel Matheran shall be available for development after sanction of all the 3 draft schemes.
- vi. Apart from Panvel -Matheran Road, essential social facility IDP reservation like school, college, playgrounds, parks, crematorium, PHC, daily bazar, STP etc and also Growth Center all cumulative to the extent of 24% (approx. 82 Ha) are going to be materialized through TPS-4.
- vii. NAINA area will get connected with Navi Mumbai by means of proposed road linkages in the scheme. The physical infrastructure and road connectivity of Navi Mumbai can be extended as a comprehensive system.

- viii. Major part of identified pocket is virgin lands, hence less constrain for proper planning.

II. DECLARATION OF INTENTION TO PREPARE TPS - 4 U/S 60(1) OF THE ACT

The proposal for implementation of Town Planning Scheme is placed before CIDCO Board. The Board of CIDCO vide Resolution No 12189 dated 07.06.2019 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No.- 4.

III. PUBLISHING DECLARATION OF INTENTION U/S 60(2) OF MR&TP ACT, 1966

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 4 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 21.06.2019.
- Local News Paper: A public notice is also published in two widely circulated local News Papers, the daily newspapers “Vartahar” and “Asian Age” on 25.06.2019.
- 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-12 on 24.06.2019
- Information to Director of Town Planning, Maharashtra State. : A copy of gazette Notice together with a copy of the map showing the scheme area has been dispatched to the office of Director of Town Planning on 24.06.2019

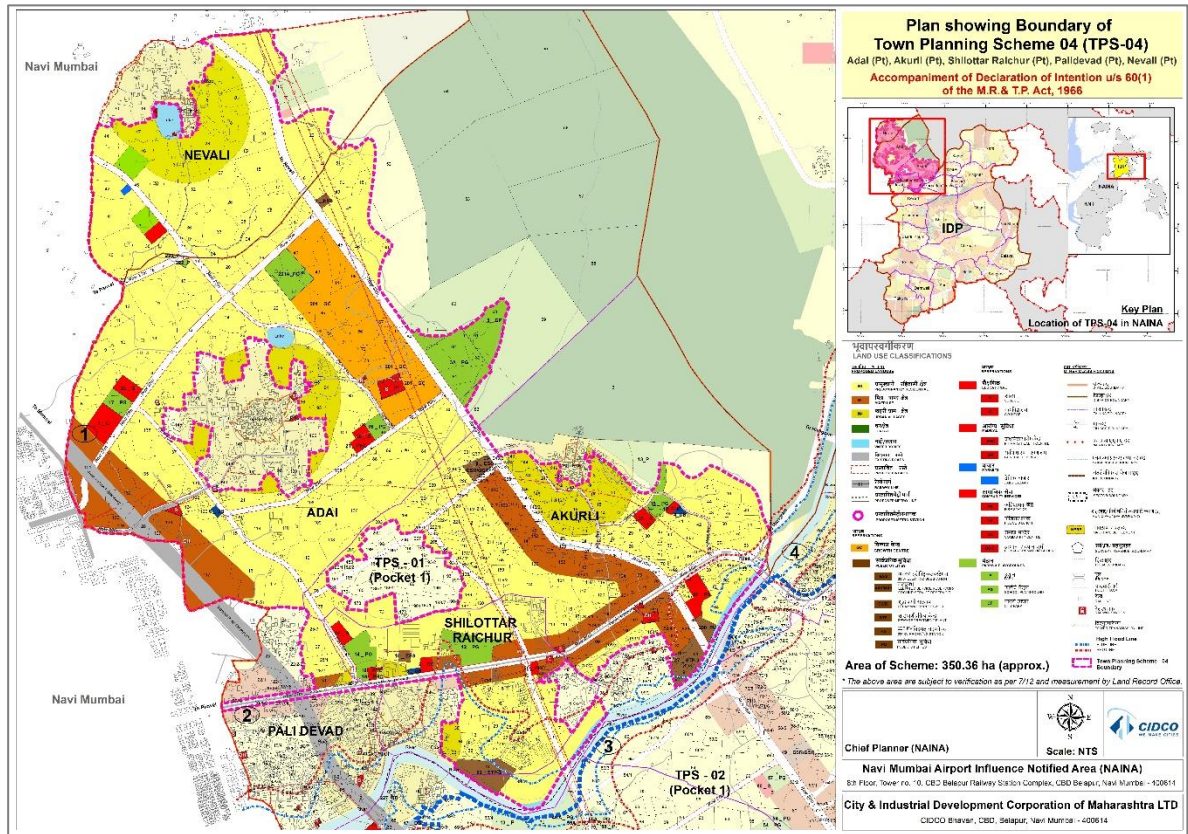


Figure 2: Declaration Plan Showing Boundary of TPS - 4

IV. DISPLAY FOR PUBLIC U/S 60(3) OF MR&TP ACT, 1966

- 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 - 4 is kept open for inspection of the public in the NAINA office during office hours on all working days.
- Display in Govt. Offices: The same is also made available in Tahsildar's office for inspection of the public.
- CIDCO's official website : The Public notice and the map is also uploaded in the CIDCO's official website www.cidcoindia.com

V. EXTENSION OF 3 MONTHS U/S 61(3) OF MR&TP ACT, 1966

- As per Section 61(1) of the Act, it is mandatory to publish the draft scheme within 9 months (i.e. 6th March, 2020) from date of declaration. Accordingly extension in time limit as per section 61(3) of the said Act, was sought by placing a proposal before the Board.

- CIDCO Board vide Resolution No 12275 dated 10th Jan, 2020 approved the proposal for seeking extension under section 61(3) of the said Act for publication of the draft scheme and authorized JMD-1 and Chief Planner (NAINA) for submitting request for extension to Government. The request letter was sent to the Government on 7th Feb, 2020.
- In response to proposal dated 7th Feb, 2020, Joint Director Town Planning Konkan division under power delegated under section 61(3) of MR&TP Act 1966, has granted extension upto three months (i.e. upto 19th June 2020 as per order) vide letter TPS No.4/ NAINA/ Sect 61 (3)/ Time-limit Extension/ JDTP-KDN/2058, Dt: 4th March 2020, under section 61(3) of MR&TP Act 1966.

6) Time line for the project:

Sr No	Section	Action	Act Provisions	completed
1.	60(1)	Declaration of Intention	Starting date	07.06.2019
2.	60(2)	Declaration in the Official Gazette, Two local news papers Display in the Office. Intimation to Urban Development Dept. Intimation to Director, Town Planning Dept	Within 30 days	21.06.2019
3.	61(1)	Preparation of conceptual layout plan	Within 6 months or time extended u/s 61(3) (sought 3 months' time extension)	19.03.2019 (in accordance with extension granted by Jt. DTP vide Order dtd 04.3.2020)
4.	Rule No. 4 of TPS Rules 1974	Owners Meet		27 th to 29 th Feb. 2020
5.	61(1)	Submission of Draft Scheme to Director, Town Planning for Consultation-I	Before 3 months of publication	19.03.2020
6.		National Lockdown applicable as per Maharashtra Ordinance XV of 2020 dated 31 st August 2020		
7.	61(1)	Receipt of Consultation-I Report		05.04.2021

Sr No	Section	Action	Act Provisions	completed
		from Director, Town Planning		
8.		Publication of Draft Scheme		25.04.2022

7) National Lockdown:

National lockdown due to Covid-19 Pandemic commenced from 22nd March 2020. In view of the ongoing Pandemic, Urban Development Department, GoM vide Maharashtra Ordinance XV of 2020 dated 31st August 2020 issued the Ordinance and its enactment dated 14th September 2020, the period of lockdown measures by the Government is excluded while calculating the timelines under section 148-A of the MR&TP Act. Therefore, the lockdown period will require to be excluded while computing the time limit for publication etc.

8) 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 draft scheme is called to explain the tentative proposal of the draft scheme for eliciting public opinion and suggestions. In the scheme about 717 final plot holders are participating. The notice in this regard is published in two local newspapers namely Krushival and Raigad Times and individual notice to such owners for public meeting is also issued. In the notice, the participant owners are asked to verify their name, area as per 7/12 extract and tenure of the land. They are also asked to submit the request for amalgamation for their entitlement. The list indicating the names, area and tenure of each plot is also uploaded in the CIDCO's official website and the same is made available in the respective Gram panchayat Offices and Tahsildar office. On receipt of the consent for amalgamation the entitlements are combined in the tentative scheme layout plan.

The public meeting was held on 27th to 29th February, 2020 at NAINA office, 7th floor, Tower no. 10, Belapur Railway Station Complex, CBD, Belapur.

A presentation for understanding of the draft scheme layout for TPS-4 is made by concerned officer for suggestion and objection. The tentative layout plan is displayed during the meeting indicating the Final Plot Numbers. Separate plans in A2 size is prepared for each Final plot with its original location for explaining to the concerned Lands owner; their original plot and the final plot. This is to explain the anchoring of the

final plot in respect to the original location and its positioning in the proposed layout plan.

COLLECTION OF TILR (MEASUREMENT PLAN) AND CERTIFIED 7/12 Extracts:

For furnishing measurement and certified 7/12 abstracts of all landholders in TPS-4, the office of Deputy TILR Panvel and Tahsil office, Panvel respectively were requested. On the basis of certified 7/12 received from Tahsil office, Panvel, the list of all landholders included in the scheme has been prepared. Subsequently, Deputy Taluka Inspector of Land Records, Panvel was requested for official stamped copy of the measurement plan of the TPS 4 area. Necessary fees towards measurement have also been paid by CIDCO. The measurement plan for TPS-4 is expected shortly. However, in absence of measurement plan, maximum possible details of sub-division of survey numbers have been collected and the scheme layout is prepared on the base data of Interim Development Plan (23 villages) and Development Plan (152 villages).

The area mentioned in the 7/12 extract is considered for preparation of the scheme layout. The irrevocable consents of land owners for aggregating land parcels is also accepted from the willing parties. Based on the physical survey map as provided by agency through the Engineering dept., the Base Map is prepared showing Original Plots (in Green color) on the Base Map. For the base map all available revenue records such as village maps, Gut Book, Tenure, Phalani map, 7/12 & 8A extracts, sanctioned layouts, measurement plan, government lands to the extent possible is compiled.

A. NATURAL AND EXISTING FEATURES:-

I. High Flood line/ Buffer line of Kalundri River:

Kalundre River is located on the South-East boundary of Town Planning Scheme-4. The stretch of river in the scheme area is about 1.8 km. The detail of blue line & red line furnished by E.E. Irrigation Dept, Kolad, Raigad letter dated 20.05.2019 superimposed on IDP. These superimposed maps are considered for preparation of layout plan for TPS-4. The existing permission granted by District Collector, Raigad have been honored, even though falling in blue line. Rest of the area within blue line is kept as open space.

II. Power transmission lines and Gas pipelines:

The alignment of the two Power transmission lines 220 KV and 110 KV each is

passing across the entire Scheme area from north to south. The length of this line is about 3.14 km. A buffer of 17.0 meter on each side from 220 KV line and 11.0 meter on each side from 110 KV line is to be maintained as no construction zone. Total area under power transmission line buffer is approx. 18.71 ha, which is mostly utilized towards layout open spaces and roads to some extent.

Reliance and HP gas pipelines are also passing through the scheme. Required buffer for HP gas line is 5.00 m on each side and for Reliance gas pipeline its 3.00 m on each side. The buffer around these pipelines is kept as open spaces.

In the scheme layout, the land parcels affected by buffer of power transmission corridors and Gas Pipe Lines are given the final plot outside of the buffer and the encumbered area is considered in the layout planning as open land for public use (without any construction) such as off street parking area, solar panel park, green corridor etc.

An existing cable trench of 4.5 m of Powergrid Corporation of India Limited is passing from west to east on southern side of Nevali village.

III. Forest Lands:

There are no forest lands in TPS-4.

IV. Mumbai Pune Expressway:

Mumbai Pune expressway passes through Adai village on southern side of TPS-4. As per 154 directives dated 05/08/2019 of Ribbon Development rule, for expressway the distance of building line and control line is 60.0 m from center of the road or 15.0 m from edge of the road, whichever is greater. Therefore no new plots are given within 15.0 m from edge of the expressway.

V. Existing structures and structures with valid Building Permission:

Within the scheme area, there are about 400 odd structures as per survey map and Google imagery. Out of this, 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/DP/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 works linear infrastructure. Unauthorized structures falling on Government land shall be compulsorily be demolished as these are encroachments on Govt. lands.

In case where Building Permission is issued by competent authority, the same is honored and final plot is carved out by maintaining the structure.

VI. Preservation of the old religious structure and ponds -

Within the scheme area, a very old Devi temple is existing in Akurli Village. Also, there are two existing ponds near Adai and Nevali Village. In the layout an open space is created around the ponds.

B. Engineering and Transportation aspects:

I. Engineering:

TPS-4 is located adjacent to New Panvel node of CIDCO and also sharing boundary of Navi Mumbai Project. The existing water supply network of Navi Mumbai will required to be extended to the scheme along with widening of Panvel - Matheran road.

There are two Sewerage Treatment Plant (STP) reserved in sanctioned IDP of NAINA across the Kalundri River at Akurli 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.

II. Transportation:

The road network in Draft TPS- 4 was prepared in consultation with CIDCO's Transport & Communication 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 proposed underpass and flyover to the expressway and also proposed connection to Kalamboli junction through flyover above Panvel-Diva railway line / DFCC is proposed in consultation with transportation department.

C. Reshaping and Realignment of the IDP reservations within the TPS u/s 59(2) of MR&TP Act, 1966:

Total scheme area is 350.41 Ha. Within the scheme about 6.5 Ha of lands are non-developable such as nala, forest, Expressway. The net developable land is 343.91 ha. The scheme contains 28% of the sanctioned IDP reservations. These reservations includes IDP roads, Schools, School Playgrounds, Parks, College, Primary health center, Community Center, Daily Bazars, Police Station, Sewage Treatment Plant, Electric Sub Station and Growth Centre. The total area under such reservations is 97.04 ha. Efforts have been made to maintained location of reservations, however as promised during various meeting with land owners, no land owner is proposed to be dispossessed. In consideration of buffer of power transmission lines, blue line of river etc, the size and shape and location of the reservation have been reconstituted. However the areas of IDP reservations are not reduced. The entry and exit of roads has been maintained for contiguity with adjoining area of the DP/IDP. Since TPS- 4 is part of sanction development plan, 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 detail 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	Area as per sanctioned plan (Sq.M.)	Area as per TPS 4 (Sq.M.)	Justification
Proposed Roads		356712	466042	The road area is changed due to increase in road width at some locations. The 27 M and 35 M wide IDP road is widened to 45 M, 20 m wide to 27 m wide and 15m wide to 20 m wide. The alignment of road is slightly modified from transportation point of view without changing entry and exit locations.
Growth Centre	201 _ GC	190000	190000	Major part of Growth Center was affected due to high tension line and its buffer. As growth center being the financial support for development of infrastructure in IDP, the Growth Center is divided in two parts along 45.00 m road, where major part is located at its original location only minor part is shifted just opposite to its original location across 45 M road. There was no objection raised during owners meet neither received in writing with regard to minor change in location of GC reservation.
School (S)	23 _ S	6400	6400	The reservation is rearranged adjacent to its location to efficiently accommodate reservations playground in buffer of expressway and gas pipeline to utilize this area.
	24 _ S	4000	4000	The reservation is rearranged within 125 meter distance of its original location to make it of proper shape without change in area.
	25 _ S	4000	4000	The reservation is rearranged at its location to make it of proper shape without change in area.

Reservation Type	Reservation No	Area as per sanctioned plan (Sq.M.)	Area as per TPS 4 (Sq.M.)	Justification
	26 _ S	4600	4634	The reservation is rearranged near its location to make it of proper shape with minor increase in area
	389_S	4000	4688	The reservation is rearranged at its location to make it of proper shape with minor increase in area
College (C)	1 _ C	12400	13966	The reservation is rearranged and reshaped at its location to make it of proper shape with increase in area and to efficiently accommodate reservations playground in buffer of expressway and gas pipeline to utilize this area
School Playground (PG)	12 _ PG	21400	23348	Major portion of village Shillotar Raichur falling in scheme is affected by blue line of river. To utilize this area for open activity, the reservation is shifted within 100 meter from its location with increase in area.
	14 _ PG	14700	14940	The reservation is rearranged at its location to make it of proper shape with increase in area
	15 _ PG	6400	6400	The reservation is rearranged at its location to make it of proper shape without change in area.
	16 _ PG	5600	8336	The reservation is rearranged near its location with increase in area
	17 _ PG	7000	10885	The reservation is rearranged at its location to make it of proper shape with increase in area to accommodate buffer of Expressway and Gas Pipeline.

Reservation Type	Reservati on No	Area as per sanctioned plan (Sq.M.)	Area as per TPS 4 (Sq.M.)	Justification
	201A_PG	20100	20100	The reservation is shifted within 300 meter from its location due to change in Growth Center location and for proper planning of the layout and serving population at large at neighborhood level. There is no change in area of the reservation.
	3A _ PG	38500	38520	No change in area and shape of reservation.
Parks & Playgrounds (DP Reservations)	387_PG	9700	9700	The reservation is rearranged at its location to make it of proper shape without change in area.
	390_SPG	6400	6400	The reservation is rearranged at its location to make it of proper shape without change in area.
City Park (CP) - Part	3 _ CP	30879	30879	No change
City Park (CP) - Part	13_P	3844	3844	No change
Park (P)	222_P	700	800	The reservation is rearranged at its location to make it of proper shape with increase in area
	223_P	272	450	The reservation is rearranged at its location to make it of proper shape with increase in area
Parks & Playgrounds (DP Reservations) - Part	386_P	538	538	No change
Sewage Treatment Plant (STP)	62 _ STP-2	19600	43037	As per requirements of engineering section of CIDCO, the area of reservation is increased to cater anticipated population of TPS4 as well as of part of surrounding TPS. The area of reservation is increased without change in location.

Reservation Type	Reservation No	Area as per sanctioned plan (Sq.M.)	Area as per TPS 4 (Sq.M.)	Justification
	27 _ STP-3	14200	14200	The reservation is rearranged at its location to make it of proper shape without change in area
33KV Electric Substation (ESS)	10 _ ESS	2100	2100	The reservation is rearranged at its location to make it of proper shape without change in area.
	8 _ ESS	3000	3000	The reservation is rearranged at its location to make it of proper shape without change in area.
	9 _ ESS	2000	2000	The reservation is rearranged at its location to make it of proper shape without change in area.
Community Centre (CC)	2 _ CC	2800	3078	The reservation is rearranged at its location to make it of proper shape with increase in area
Daily Bazaar	6 _ DB	1100	1100	The reservation is rearranged at its location to make it of proper shape without change in area.
	5 _ DB	1200	1200	The reservation is shifted within 250 meter distance after giving final plots to the land owner at its location. There is no change in the area of reservation.
	4_DB	1000	1000	The reservation is rearranged at its location to make it of proper shape without change in area.
	385_DB	1000	1000	The reservation is rearranged at its location to make it of proper shape without change in area.
Elevated Service Reservoir/Ground Service Reservoir (ESR/GSR)	7 _ ESR /GSR	3400	3400	The reservation is rearranged at its location to make it of proper shape without change in area.

Reservation Type	Reservation No	Area as per sanctioned plan (Sq.M.)	Area as per TPS 4 (Sq.M.)	Justification
Public Utility (PU)	200_PU	4200	4236	The reservation is rearranged at its location to make it of proper shape with minor increase in area
Police Station (PS)	22 _ PS	9900	10000	The reservation is rearranged at its location to make it of proper shape with increase in area.
Primary Health Centre (PHC)	19 _ PHC	1700	1700	Due to shifting of 24_S reservation the PHC reservation is shifted on 27 M wide road within 200 meter of its location. The modification is proposed without change in area.
	20 _ PHC	1600	1600	Reservation was affected due to buffer of transmission line, therefore it is shifted along same road within 240 meter without alteration in the area.
	21 _ PHC	1500	1500	The reservation is rearranged at its location to make it of proper shape without change in area.
	18_PHC	1600	1600	The reservation is rearranged at its location to make it of proper shape without change in area.

D. Special treatment for Lands falling within the Urban Village Zone:

As per sanctioned IDP the 200 mt around the gaathan area is considered as urban village with 1.0 FSI. The rest of the lands under predominantly residential zone and mix use zone is having the FSI as 0.50.

In the TPS-4, at three locations urban village zones are existing. It was the demand of the landowners that as they are having lands with more advantage in the present scenario the same should be protected in the TPS also. Therefore, original plot value of land parcels falling more than 50% in urban village zone has been increased in Form 1 redistribution and valuation statement, so that the net demand from such participating land owners become zero. The land to be returned in terms of FP kept intact i.e. 40% of OP.

9) Content of Draft Town Planning Scheme as per section 64 of the Act

The draft scheme shall contains 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 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>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. 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>The area under blue line/high flood line of Kalundri river is maintained as open spaces out of 10% common OS of layout and are protected in terms of section 22 (j) of the Act.</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>

Sr No	Section	Content/particulars	Compliance/provision
3	64(c)	The extent to which it is proposed to alter the boundaries of the original plots by reconstitution ;	The Final plots are proposed as far as possible at the location of their original land. The land under reservation has been allotted FP on land having ASR rate equal to or more than its OP value. The boundaries of OP has been altered to make the FP regular shape and developable.
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	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. The scheme contains approximately upto 10% OS and 5% amenities apart from IDP reservations. The amenities shall be assigned uses such as DB, Town hall, ESS, etc. as per requirements. Also, 7 schools and attached play grounds will be materialized from the layout OS and amenities. 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. Existing temples are protected and additional open space and amenity spaces are carved out around existing temples for its beautification and enhancement. As per sub-section (iii) the corresponding regulations of sanctioned DCPRs of IDP have been

Sr No	Section	Content/particulars	Compliance/provision
			suspended by Govt vide letter dated 30.12.2019 for implementation of Special DCR for TPS
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 major linkages such as 45 M roads and reserving spaces for social facilities, utilities, inclusive 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 per cent. of the total area covered under the scheme, for the purpose of providing housing accommodation to the members of economically weaker section and for lower income group and for persons dispossessed in the scheme ;</p> <p>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>(ii) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development</p>	<p>In the layout, 5 % 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 10% open space 5% 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 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</p>

Sr No	Section	Content/particulars	Compliance/provision
			infrastructure along with recovery of cost towards water source development, metro, etc. CIDCO is not reserving any land in layout for sale purpose in terms of section 64(g- 1)(ii)(D)
			be provided by land owners from their final plots). 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 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. 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. CIDCO is not reserving any land in layout for sale purpose in terms of section 64(g- 1)(ii)(D)
9	64(h)	Any other prescribed particulars.	The area within blue line of river and buffer of transmission and gas pipelines is kept as open space.

The total number of Final plots (to be returned to land owners) is 717. Out of this about 550 plots are anchored around their original location. The plots which could not anchored are mainly due to the IDP reservations, transmission line & its buffer, blue line, gas Pipe line, Expressway buffer etc. In case of plots affected by Growth center 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 such location where ASR value is more than the original plot value. About 80% plots are anchored (either fully, partly or touching) to its original locations.

a) Estimation of the total cost of the scheme - The scheme layout along with the

detail land use of amenities plots, playground and garden plots, public utilities plots and all category of roads are submitted to Engineering department of CIDCO for costing of the scheme. Based on the cost estimation given by Engineering Department, the scheme finance is worked out.

- b) The major land of the scheme area is under cultivation as per the 7/12 extracts. No land is marshy, low laying or unhealthy. The infrastructure within the scheme area will be developed as per the levels designed by Engineering Department.
- c) The proposed land use distribution of the scheme area is as mentioned in point no 11.

10) 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 27th, 28th & 29th February 2020 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. 4 were invited by:

1. Sending letters through Registered post or by hand delivery.
2. Notice in local newspapers (Vartahar and Asian Age)
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 in CIDCO's NAINA office.
5. Notice along with schedule of public meet was uploaded on CIDCO's official website.
6. The notice for time table of owners meet was published in two local newspapers namely Krushival and Raigad Times and also on CIDCO website.

The plans and details of Town Planning Scheme no.4 depicting benefits to the landowners, commitment to the landowners during earlier meetings and way forward were displayed in the entrance foyer of NAINA office.

There were overall 1608 land parcels (7/12), in the scheme. Before schedule of owners meet 42 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 687 numbers. The 687 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 land owners in efficient manner, the 687 FP owners were given time slot between 10.AM to 5:30 PM on 27th, 28th & 29th February 2020.

(27th, 28th & 29th February 2020)

On all the three days, land owners from village- Adai, Akurli, Nevali, Shilottar Raichur and Pali Devad of Taluka - Panvel have attended the owners meet individually or in groups.

On 27th February, 151 land owners have attended the meeting, on 28th February, 120 land owners have attended the meeting, and on 29th February, 41 land owners have attended the meeting. Another 24 landowners visited the office on second day of scheduled date. Thus, in all 336 owners out of 687 i.e. @ 50% owners have attended the meeting.

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



Figure 3: Conceptual View of TPS-4

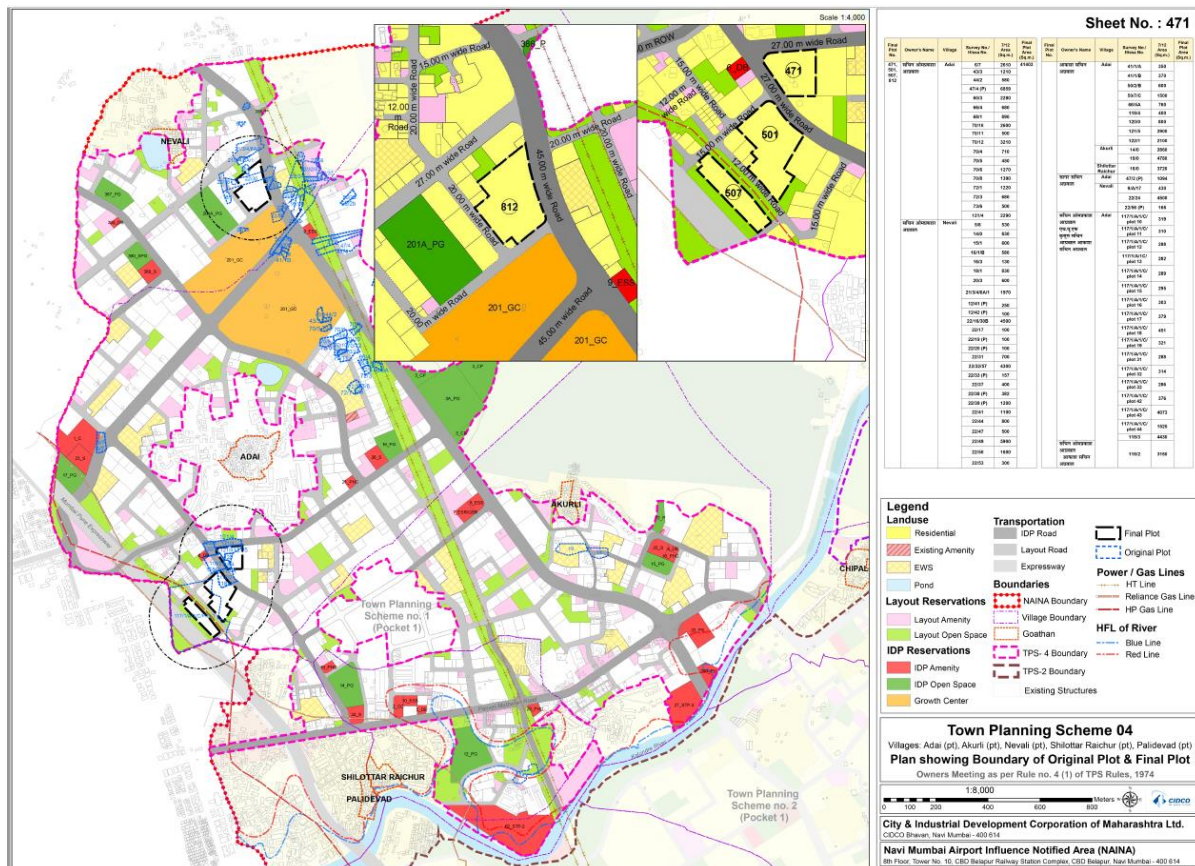


Figure 4: Plan Showing OP and FP in TPS layout

Some land owners brought to the notice that, there are existing structures, etc in their original land, and requested to shift the location of their final plot at such places. Some land owners to whom a single plot has been allotted have requested to give separate plot due to their internal sharing of land amongst family members' by mutual understanding or by sale of land. Some land owners requested to give better shape plot on larger road etc.

The owners were requested to submit their written suggestions/objections within 7 days so that the same can be considered by CIDCO before seeking consultation from Director of Town Planning.

The team of planners explained the landowners about steps, process & timelines of TPS, benefit of having single amalgamated plot, reason for giving back 40 % land, relaxations proposed in DCR, enhanced potential of land without losing FSI potential and overall proliferation of physical and socio economic base of the area due to schemes.

The villagers also raised following demands during owner meet:

1. They should be given one month's more time to discuss and submit their objection.
2. TPS shall not made binding on them.
3. The existing unauthorized structures (chawls) shall be protected.
4. No development charges and other charges shall be applicable.
5. The small land holders shall be permitted to sell their unutilized FSI of final plots
6. The land within 200 meter Gaothan shall be given additional FSI benefits.
7. The farmers shall be declared as project affected people and shall be given certificate to this effect.
8. Assured jobs and Certification of farmer shall be given

Other than above referred queries, some land owners/developers also requested final plot equal to 50% of their original land. These land owners were explained the land use composition of 60% to be utilized by planning authority.

Majority of land owners expressed their satisfaction during the meet and overall response to the scheme was positive.

The land owners were requested to submit their suggestions within 7 days from the date of owners meet. Therefore, the valid suggestions received till 06.03.2020 is considered for updating the scheme layout. Also the survey numbers inadvertently left out from the scheme, and which have been brought to the notice during owners meet are included and have been given 40% FP.

The summary of suggestions/ objections received till 06.03.2020, with respect to the tentative proposal shown during owners meet is as under:

Application Received till 06.03.2020 w.r.t. owners meet dtd 27-29 Feb		
	Application Received	Applications Considered
General Demand	67	0
Plan related	63	43
Record Updation	8	8
Objection to Scheme	31	0
Total Applications	169	51

11) Land use distribution in TPS- 4:

The land use distribution in TPS-4 is as under:

Sr. No.	Particulars	Area in Ha.	% on scheme layout area (excl. reservation land)	% on Gross scheme area
1	Area of the TPS-4 as per 7/12	328.15		
2	Area of the TPS-4 as per Drawing	350.36		
3	Area under non developable such as nala, forest, Expressway	6.10		
4	Area (Gross) for TPS-4	344.27		
5	Area under IDP Reservation	97.04		29.33%
	a. Area under IDP road	46.83		13.60%
	b. Area under other IDP reservations such as schools, hospitals, Police station etc.	13.49		3.92%
	c. Area under other IDP reservations such as park, playgrounds etc.	17.60		5.11%
	d. Area under Growth Center	19.12		6.70%
6	Area (NET) available for scheme preparation	247.23		
7	Area under internal roads (actuals)	36.49	14.76%	10.60 %
8	Area reserved for Recreational open spaces	27.13	10.97%	7.88 %
9	Area reserved towards amenities / social facilities	23.08	9.34%	6.70 %
10	Area available for inclusive housing	17.17	6.95%	5%
11	Area to be distributed in the form of final plots (generally 40% of 7/12 area)	143.36	57.99%	41.64 %
12	Total Numbers of original Plots	1608		
13	Total Numbers of final Plots (including Roads)	1130		
14	Total number of Final Plots against 7/12	717		

12) Development Control in the Scheme Area:

As committed by CIDCO in NAINA scheme and as per approved DCPRs of IDP, no landowner should lose potential of land. The full FSI of land area is permitted to be utilized on land retained by the owners in NAINA scheme. On the same lines it is proposed to permit FSI equal to original plot area on final plot area. Thus the effective FSI on final plot will be 2.5 (since the FP is 40% of OP).

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.

Since the powers of sanctioned of Draft Scheme u/s 68(2) of the Act are delegated to Managing Director, CIDCO vide Notification No TPS-1817/973/CR-103/17/UD-13 dated 13/09/2017, it is proposed to formulate Special Development Control Regulations for TPS-4 consistent with sanctioned DCPRs of IDP as per sub-section (2) of section 159 of the said Act.

Based on special DCRs of preliminary TPS-1 of NAINA approved by Government, the special DCRs of TPS-4 has been prepared. However, considering the requests and demands received from participating land owners and also considering the special DCRs of preliminary TPS-1 of PMRDA approved by Govt, following special DCRs of TPS - 4 is proposed with minor modification.

For the special regulations framed for TPS, the Govt vide letter No. टीपीएस - १२१९/२३८२/ प्र.क्र.१८६ / १९ / नवि-१२ दिनांक ३०/१२/२०१९ has granted suspension of corresponding regulations of sanctioned DCPRs of NAINA.

Special Development Control Regulations

In addition to the Development Control and Promotion Regulations, *which are made applicable to the 23 Revenue villages of NAINA vide directives given by Government vide no. TPS-1717/2750/C.R.91/19/UD-12, dated 6/1/2020* (hereinafter called as 'DCPR-2019') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No.-4. 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 upto the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.

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.
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.
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.

*Note: 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.*

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 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 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. Maximum permissible FSI of land owners shall be 4.0.

Max. Perm. FSI on Final Plots

= FSI (as per reg no. 11) + TDR or additional FSI 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.

14. If the FSI permissible in a final plot becomes remain unconsumed due to maintain prescribed marginal distances / height restriction / fire fighting 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 Plot situated in any Town Planning Schemes and phase-I area of NAINA Development Plan 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.
15. The permissible FSI in respect of Final Plots designated to Amenity Plots or to schools, Primary health center shall be 2.5. Further additional FSI as per Annexure 8 of sanctioned DCPR of NAINA shall be applicable.
16. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in the scheme shall be 1.00.
17. The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this scheme shall be 4.00.
18. 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 upto 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.

19. 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.

20. 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 3.00 M.				
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 upto 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 upto 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.

21. **“In final plots of TPS Mechanical/Hydraulic / Stack parking / multi-storeyed parking with or without car lift may be allowed to meet the requirement.**

22. In final plots of TPS 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 “

23. 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.

24. 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.

25. 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.
26. 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.
27. 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.

13) Finance of the Scheme

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 7th June 2019. It is observed that as transactions registered during the period of 2010 to 2019, market value (agreement value) of the land involve huge variation. 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 presumes 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 2019-20. The Final Plots were estimated in the draft scheme at the rate of four times of NA land rate of ASR 2019-20

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-4 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. It is to mention that, in earlier schemes, the receipts/earning from Growth center and cost of IDP reservations were not considered in redistribution and valuation statement with an assumption that Growth Centre will be take care in subsidizing cost of providing city scale infrastructure. However, the Director of Town Planning as well as appointed arbitrator in the first three schemes have opined that, since CIDCO is getting the IDP reservations as final plots though TPS, the valuation as well as cost of its development need to be considered in the valuation statement of the scheme.

Meanwhile, Sr. Economist (CIDCO) has provided scheme wise income and expenditure including interest for Town Planning Schemes as approved by Hon'ble VC&MD. Based on the infrastructure cost provided by the Sr. Economist the net cost of the Scheme is worked out.

Accordingly 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 2019-20 is considered.
2. If more than 50% of a particular survey number falls under no construction activity area due to restriction of buffer / HT line/ Gas pipe line etc, 50% of NA rate mentioned in ASR is considered.
3. For the already granted CC/permissions by competent Authority, OP value is considered equal to semifinal 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 200 mts of Gaothan or in urban village, original plot value is considered as 1.1 times ASR of Non-agriculture land of 2019-20, 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 2019-20 of OP is considered.
6. For original plot value of land parcels along Highway ASR of Highway land of 2019-20 is considered.
7. Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2019-20.
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, semifinal value is considered as ASR and equal to final plot value.
11. For survey numbers/ hissa numbers partly in scheme, area as per drawing is considered in scheme.
12. Compensation as mentioned in Column no. 11 considered zero since FSI in lieu of compensation is provided. (Modified as per consultation of Director Town Planning Pune)

14) Submission/Scheme Accompaniments

- a. Declaration of intention under Sub- Section (1) of Section 60 of the said Act by the Board of CIDCO - *Resolution No 12189 dated 07.06.2019*
- b. A notice as per provision in Section 60(2) of MR&TP Act, 1966 - published in

the extraordinary official Maharashtra Government Gazette (part-II) dated 21.06.2019.

- c. A notice as per provision in Section 60(2) of the Act in the daily newspapers *Vartahar* and *Asian Age* dated 25.06.2019. The notice was also displayed and affixed on Notice Board of NAINA office.
- d. Copy of Gazette Notice together with a copy of the plan showing the area to be included in the scheme is dispatched to the Urban development Department-12 and Director of Town Planning, Maharashtra State.as per provisions of Sub- Section (2) of Section 60 of the Act.

Accompaniments with draft scheme as per section 61(1) of the Act are as under:

- i. The plan no. 1 showing the location of the area under scheme.
- ii. The plan no. 2 showing the Original Plots included in the scheme.
- iii. The plan no. 3 showing the Original Plots and the Final Plots allotted in the scheme.
- iv. The plan no. 4 showing the Final Plots allotted in the scheme.
- v. The plan no. 5 showing details of roads & infrastructure to be carried out by the Authority.
- vi. The plan no. 6 showing uses/zones of final plots and sites reserved for public purposes by the Authority.
- vii. Report on the Scheme.
- viii. Redistribution and Valuation Statement in Form no. 1 and finance of TPS-04 in Form no 2

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