

**REPORT ON:**

# **DRAFT TOWN PLANNING SCHEME NO. 7**

**Part of Villages: DEVAD, VICHUMBE, USARLI KHURD, KHOLKHE AND SHIVKAR  
NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA (NAINA)**



**REPORT ON**  
**TOWN PLANNING SCHEME NO. 07**

**NAINA- PART A**

**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.

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.

Further, considering contiguity of the project, State Government while sanctioning the Development plan of NAINA, have deleted 35 villages from Khalapur and Karjat Tahsils and 14 Villages from Thane Tahsils, thereby the jurisdiction of NAINA remained with 175 villages of Raigad district encompassing 372 Sq.km area.

Interim Development Plan (IDP) for 23 villages was sanctioned by Govt on 27.04.2017 and Excluded parts of IDP were sanctioned on 01.03.2019. The development plan for remaining 151 villages have been sanctioned by Govt on 16.09.2019.

## **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 excluded part of IDP was sanctioned on 1<sup>st</sup> March 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 13/09/2017 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 11.08.2017 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)** 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 21/09/2018 under section 68(2) of the Act with corresponding special DCRs.

Subsequently CIDCO had declared 10 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. 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-07:**

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-07 for the purpose of implementing the proposals in the sanctioned IDP of NAINA.

The Board of CIDCO vide Resolution No 12255 dated 13.09.2019 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No.-07 at part of Villages Devad, Vichumbe, Usarli khurd, Kolkhe & Shivkar in one contiguous pocket of Taluka – Panvel, District Raigad. (Admeasuring approximately 215 Ha). Copy of the Board note is annexed herewith for reference.

The declaration of intention to make TPS-07 has been published in Government Gazette (extra-ordinary Part-II) on 18.09.2019 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. However, TPS-7 is a brownfield scheme unlike other greenfield schemes declared till now. Majors are taken to abide to the principles to the maximum possible way throughout the scheme.

- All contribute equal percentage of land for the project.
- Water bodies, railway and highway lands, 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.
- As far as possible layout open space and 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 High Tension line, between river & blue line have been given unencumbered final plots to its nearby original location. However few permissions and existing structures are retained and given Final plot.
- Same owner with scattered land parcels has been given single plot considering his consent for amalgamated.
- 7/12 is considered as basis for finalizing entitlement.
- After giving access to all final plots, actual area under internal roads is arrived at. Thereafter plots for open spaces and amenity spaces were reserved. Balance plot is kept for EWS/LIG, which in instant proposal works out to approximately 2 % of scheme area.
- Based on 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 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-07. Therefore, along with approval of Draft TPS-07 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 have been approved by Government while sanctioning preliminary scheme. The same are proposed to extend in all TPS in NAINA for ensuing uniformity. The Government has approved suspension of corresponding provisions of the sanctioned DCPRs of IDP in TPS-07 on 30.12.2019.

## **5) COMPLIANCE OF THE ACT PROVISIONS IN THE DRAFT TOWN PLANNING SCHEME NO. 07:**

### **I. IDENTIFICATION OF THE TPS BOUNDARY**

The boundary for TPS-07 is identified in the proximity of already published boundary of TPS-02 and TPS-05. The scheme located on West side of Mumbai Pune Expressway towards travelling to Pune. The core Gaothans, padas and already developed pockets are excluded from the scheme area.

- Continuity with Town Planning Scheme No- 02 and 05, the physical infrastructure of both the schemes can be extended as a comprehensive system.
- Half of the Clover leaf at Vichumbe village along Mumbai Pune expressway and junction of proposed 45m wide road provides better connectivity to the adjoining area.
- The scheme is bounded by:
  - On North by Palidevad village & across Gadhi River
  - On South by IDP NAINA (Kolkhe village)
  - On East by Mumbai Pune Expressway & TPS 05
  - On West by Navi Mumbai (New Panvel)
- A water passage collecting storm water from Moho village is traversing through TPS area towards Gadhi River at Navi Mumbai.
- Power Transmission lines of 220 KV from the middle of the scheme and 110 KV are traversing throughout North of the scheme, for which buffer of 35 M and 22 M respectively is required to be kept as no-construction zone.
- The scheme comprises of approximately 39% IDP reservations like school, college, playgrounds, parks, crematorium, PHC, daily bazar, Police Station, Centre park, STP etc. and Growth center.
- Major part of the scheme is developed. Land belongs to this scheme is not virgin. Many authorized & unauthorized structures are identified in scheme. hence many constrain occurred while making planning. The identified scheme is brown field scheme.

### **5.1 DECLARATION OF INTENTION TO PREPARE TPS – 07 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. 12255 dated 13.09.2019 had declared its intention under Sub- Section (1) of Section 60 of the said Act, for making of Town Planning Scheme No. -07 at part of Villages – Devad, Vichumbe, Usarli Khurd, Kolkhe & Shivkar of Taluka– Panvel, District Raigad in one contiguous pocket. The scheme area is approximately 215 Ha.

### **5.2 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 -07 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 18.09.2019.

➤ **Local News Paper:**

A public notice is also published in two widely circulated local News Papers, the daily newspapers “Ram Prahar and Krushival” on 20.09.2019.

➤ **Information to Government:**

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 on 01.10.2019.

➤ **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 01.10.2019.

### **5.3 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- -07 is kept open for inspection of the public in the NAINA office during office hours on all working days.

➤ **Display in Government Offices:**

The same is also made available in Collector's office, 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](http://www.cidcoindia.com).

#### 5.4 TIME LINE FOR THE PROJECT:

Sr No	Section	Action	Act Provisions	Date
1.	60(1)	Declaration of Intention (CIDCO Board approval)	Starting date	16.09.2019
2.	60(2)	Declaration in the Official Gazette Intimation to Urban Development Dept. and Director, Town Planning	Within 30 days	18.09.2019
3.	61(1)	Preparation of tentative scheme layout, conducting the owners meet, modification in the layout as per suggestions received, submission of draft scheme to Director, Town Planning for consultation	Within 6 months or time extended u/s 61(3) (sought 3 months' time extension)	16.09.2020
4.	148-A	Extension of due to Election Code of Conduct	42 days	18.09.2020
5.	Rule No. 4 of TPS Rules 1974	Owners Meet conducted digitally	--	10.06.2020 to 20.06.2020
6.	--	Submission of Draft Scheme to Director, Town Planning for Consultation-I	--	11.08.2020
7.	61(1)	Publication of Draft Scheme	12 months	16.09.2020 (in accordance with extension granted by Jt.DTP vide Order dtd 04.3.2020)
8.	68(2)	Sanction of Draft Scheme		17.12.2020

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## **6 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, 690 and parcels and about 432 final plot holders are participating. The notice in this regard is published in two local newspapers "निर्भीड लेख" and "दैनिक किल्ले रायगड". 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.

### **I. COLLECTION OF TILR (MEASUREMENT PLAN) AND CERTIFIED 7/12 EXTRACTS:**

For furnishing measurement and certified 7/12 abstracts of all landholders in TPS-07, the office of Deputy TILR Panvel and Tahsil office, Panvel respectively were requested. Necessary fees towards measurement have also been paid by CIDCO. Based on certified 7/12 received from Tahsil office, Panvel, the list of all landholders included in the scheme has been prepared. The soft copy of AutoCAD drawing of survey furnished by agency M/S Shidhore & Associates (who has been appointed by Engineering Department for coordinating with TILR and Tahsil Office) has been referred for preparation of layout in the scheme. Subsequently, Deputy Taluka Inspector of Land Records, Panvel was requested for official stamped copy of the measurement plan of the TPS-07 area. The measurement plan for TPS-07 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.

The area mentioned in the 7/12 extract is considered for preparation of the scheme layout. The irrevocable consents of landowners for aggregating land parcels is also accepted from the willing parties. Based on the TILR map 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.

## **II. TPS-7 WITH ADJOINING TPS AND NAINA AREA:**

Town Planning Scheme-07 is abutting boundary of TPS-2,5 and TPS-10. TPS-2 is Preliminary sanctioned.

Navi Mumbai, New Panvel is adjacent the scheme, Devad bridge is proposed to connect Navi Mumbai and NAINA area through this scheme. Further the road gets connected to the underpass of Mumbai -Pune Expressway.

A 45mts wide proposed road is passing through this scheme which is a major connectivity from passing from TPS-3, TPS-2 and TPS-7 connecting to Navi Mumbai. Part of a cloverleaf is proposed to connect Mumbai-Pune Expressway through this scheme.

TPS-7 being adjacent to Navi Mumbai is important for Connecting to rest of NAINA and TPS schemes.

## **III. EXISTING FEATURES WITHIN SCHEME AREA:**

### **a) High Flood Line:**

The scheme has part of Gadhi River at village Devad along the scheme boundary. The High flood line of the river is in the Scheme area in terms of Blue and red Lines. As per DCPR's provision, the land from river to Blue line is non developable approximately 13.70 Ha. In addition to this there is a small tributary Kirki River in the scheme at Usarli Khurd village. This River does not have High Flood lines. However, as per DCPR's a buffer will have to be kept while preparing layout. Hence in total there is large amount of loss in developable land within the scheme. To cater to loss of land, after getting the survey done, leveling of land especially at Village Devad at Gadhi River can be proposed with necessary permissions.

In this scheme, along the Gadhi river in village Devad, big size plots of government land are allocated and after that the 20m wide road is proposed. Beyond this proposed road, the private landowners' plots are given.

For the flood control measures, if the land requires, then these government land can be utilized as Open Spaces or Holding pond area.

### **b) HIGH TENSION & TATA HYDRO POWER TRANSMISSION TOWER LINES:**

MSEB's extra high voltage tower line of 220 KV having corridor of 35 M traversing

through village Vichumbe & Usarli Khurd and 110 KV having corridor of 22 M is passing through the village- Kolkhe of TPS-07. The length of HT line passing through village Vichumbe & Usarli Khurd is approx 1.4 Km, and in Kolkhe around 0.2 Km. In this scheme, in village- Vichumbe & Usarli khurd, below this power corridor, already some authorized as well as unauthorized structures are existing. Hence, for authorized structures, plots need to be given on its original land. Regarding acquisition and compensation for land under Tower line, the correspondence made at the time of TPS.

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.

**c) RIVER:**

Kirki river is passing through the scheme along the West and North side of village Kolkhe & south side of village Usarli Khurd. The length of the Kirki river around 2.2 Km. The course of the tributary is very undulating with average width of 15M. Area under this river falling in said scheme is 1.04 Ha as per ELU plan (autocad).

**d) EXISTING RAILWAY LINES:**

Panvel- Karjat & Panvel- Goa (Konkan) Railway line is passing through scheme. In addition to the existing railway line there is future expansion proposed on both the lines which will have to be left non developable while carving out final plots.

**e) EXISTING STRUCTURES AND STRUCTURES WITH VALID BUILDING PERMISSION:**

- The location of the scheme is at vicinity to Navi Mumbai – New Panvel due to which it is vulnerable to haphazard development. There are approximately 7/12 numbers of existing structures in the scheme very few of which are authorizes structures. The development is in sporadic manner. At many locations with regards to honoring the existing structures wherever possible, Landowners will have to give more than 40% final plot.
- Within the scheme area, there are about 712 nos. 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/TPS reservations shall be demolished before giving possession of final plots to the landowners. The landowners 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.

#### **IV. Engineering and Transportation aspects:**

##### **a) Engineering Aspects:**

TPS-7 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 require to be extended to the scheme.

There is a Sewerage Treatment Plant (STP) reserved in sanctioned IDP of NAINA across the Kirki River at Usarli Khurd 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.

##### **b) Transportation:**

The road network in Draft TPS- 7 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 proposed cloverleaf at Mumbai Pune Expressway, Devad Bridge on Gadhi River, bridge at Kirki River, Underpass at Railway lines are proposed

in consultation with transportation department.

**V. RESHAPING AND REALIGNMENT OF THE IDP RESERVATIONS WITHIN THE TPS U/S 59(2) OF MR&TP ACT, 1966:**

As per section 59(2) of the Act, in making provisions in a draft town planning scheme, it shall be lawful for a Planning Authority with the approval of the Director of Town Planning to provide for suitable amendment of the Development plan.

While preparing the scheme layout, wherever necessity is felt for reshaping or realignment of the sanctioned IDP reservations, the same is carried out for betterment of the scheme.

A separate request for approval of suitable amendments to IDP, as per provision of section 59 (2) of the MR&TP Act, 1966, while making provision of draft TPS-7 will be forwarded to Director of Town Planning with justification of modifications.

<b>Reservations type</b>	<b>Reservation s no.</b>	<b>Area as per sanctioned plan (in sqmt)</b>	<b>Area as per TPS 7 sqmt)</b>	<b>Justification</b>
School	43_S	4800	4865	In sanctioned IDP, the location of 43_S was in the middle of GC reservation along road. Hence for efficient layout, the location the School & Playground are shifted at corner of road location.
	44_S	4300	4336	In sanctioned IDP, the shape of school was irregular. For better layout, the shape is made regular with minor change in location.
	45 _ S	5200	5307	The location of school remains unchanged; however, shape is made regular for better layout.
Playground	185 _ PG	33300	33372	In sanctioned IDP, the shape of Playground was irregular. For better layout, the Playground is made regular shape.
	36 _ PG(School)	6400	5686	In sanctioned IDP, the shape of Playground was irregular. In layout, the Playground is made regular shape with minor change in location. The area of Playground in

				Sanctioned IDP is 2479sqmt (IDP report was not updated as mentioned as 6400 sqmts), now in layout the area is increased from 2479 sqmt. to 5680sqmt.
	37 _ PG(School)	6300	6655	The location is unchanged as shown in sanctioned IDP with increase in area.
	38 _ PG(School)	6500	6502	In sanctioned IDP, the location of 43_S was in between Growth Center reservation. For better layout planning, location of School & Playground is shifted towards residential side at junction of road.
Park	35 _ P	37000	37009	No change.
	218 _ P	3200	4477	The location is unchanged as shown in sanctioned IDP with increase in area.
	230_P	1400	2145	For preparation of efficient layout, the location is modified for better layout planning with increase in area.
	229_P	3300	4095	In sanctioned IDP, the shape of park was irregular. For better layout planning, the Park is proposed regular shape at two location with increase in area.
	221_P	1713	1826	The location is unchanged as per sanctioned IDP with minor modification in shape.
	220_P	2719	2860	In sanctioned IDP, the shape of park was irregular. For better layout planning, the Park is proposed regular shape with location unchanged.
	219_P	1000	2415	Minor change in location with increase in area.
	187A_P	6900	8232	The location is unchanged as shown in sanctioned IDP. Area is increased.
	187B_P	5500	5501	For better layout, minor change in location. Park given in two parts

				due to non-availability in of area in scheme.
	214 _ P	1490	1548	In sanctioned IDP location of park has existing structures Hence location is shifted with increase in area.
	228_GB	2500	2534	For better layout planning, location of reservation shifted along Gadhi river.
Central Park	29 _ CP (pt)	53658.69 (as per dwg)	54442	The location is unchanged with increase in area.
Health Centre	39 _ PHC	2600	2740	The location is unchanged with increase in area.
	40 _ PHC	1500	1505	Minor shift in location.
	41 _ PHC	1600	1668	Due to change in alignment of IDP road for better layout planning, minor shift in location of the reservation.
Daily bazar	31 _ DB	900	1093	For better layout planning location and shape is changed with two side roads.
	32_DB	900	994	Minor shift in location.
	30_DB	1600	2041	In sanctioned IDP location of this reservation was shown on developed land (society). Hence, the location is modified in layout.
Police station	194 _ PS	10600	11446	Minor shift in location.
STP	199 _ STP-1	19200	24092	The location is unchanged as shown in sanctioned IDP with modification in shape & increase in area.
ESS	180 _ ESS	2100	2250	Minor shift in location
	34 _ ESS	2000	2193	In sanctioned IDP plan, location of ESS is affected by Power transmission corridor. In scheme layout, the location is shifted along 20m wide road.



ESR/GSR	33 _ ESR/GSR	2500	2564	Minor shift in location.
Growth Centre	202_GC	371000	384395	Due change in alignment of IDP 20m wide road for better layout planning, the shape of GC has minor modification.
Community Centre	28 _ CC	2200	2547	Minor change in shape.
Proposed IDP Roads		182399	192818	Due to change in alignment and width, area of road is increased.

#### **VI. 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-07, at four 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 landowners become zero. The land to be returned in terms of FP kept intact i.e. 40% of OP.

## 7 CONTENT OF DRAFT TOWN PLANNING SCHEME AS PER SECTION 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 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.</p> <p>The IDP of NAINA has been sanctioned on 27.04.2017 and DP is sanctioned on 16.09.2019</p> <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>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. 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 have 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	<p>Estimate of total cost is given in Form 1 and Form 2 of the Scheme.</p>
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 2% OS and 2% amenities apart from IDP reservations. The amenities shall be assigned uses such as DB, Town hall, ESS, etc. as per requirements.</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</p>

			done in consultation with engineering department of CIDCO. Existing crematoriums are protected. 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.
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 road 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)	The allotment of land from the total area covered under the scheme, to the extent of, — (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; The allotment of land to	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. 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>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>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 not reserving any 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 and waterbody mostly kept as open space. At few location part of Guruchan 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 landowners) is 432. Out of this about 343 plots (79 % of total plots) are anchored around their original location. The plots which could not anchored are mainly due to the IDP reservations, buffer of waterbody and HT power line. 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 such location where ASR value is more than the original plot value.

A detailed report of compliances of points raised in First Consultation of Director, Town Planning is enclosed at C/ .

- 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 and further vetted by the Economics section, the scheme finance is worked out. Sr. Economist by note dated 13th Sept. 2021 has forwarded details of infrastructure cost approved by VC&MD for NAINA IDP. The cost includes infrastructure cost for development of Town Planning schemes no. 1 to 11 along with cost of other City level infrastructure like Metro Rail, Sub Urban Railway, BRTS, Multi Modal Corridor, Power supply Infrastructure Development and Street lighting, Water source Development by water department etc. which was communicated to Arbitrator vide letter dated 04.10.2021. The cost of other city level infrastructure is loaded proportionately on all declared TPS 1 to 11. The approved cost of estimates for TPS-7 is Rs. 3233.47 cr. Accordingly based on the above costing, the Form 2 - Finance of Town Planning Scheme No. 6 is modified. The same is mentioned in Form-1 and Form-2.
- b) The same is mentioned in Form-1 and Form-2.
- c) The major land of the scheme area is under cultivation as per the 7/12 extracts. No land is marshy, low lying or unhealthy. The infrastructure within the scheme area will be developed as per the levels designed by Engineering Department.
- d) The proposed land use distribution of the scheme area is as mentioned in point no 9.

## **8. MEETINGS WITH LAND HOLDERS AND FRAMING OF THE TENTATIVE PROPOSALS:**

### **DECLARATION OF DIGITAL AND MANUAL OWNERS MEET IN COVID -19 PANDAMIC:**

In the unprecedented scenario of nationwide lockdown and social distancing in order to prevent the spread of COVID-19 virus, it was necessary to find out ways to reach out the land owners to explain the draft layout of the said TPS-7 scheme to comply with the time bound procedures laid down in the said Act and rules. In TPS 6, many stakeholders have questioned the legitimacy of conducting owners' meet digitally during the lock down period. the State Government has issued fresh directives on 31st may 2020 for phase wise opening of the lockdown, it was proposed to carry out owners' meet for TPS 7 both digitally as well as manually ensuring all norms of social distancing making available all necessary information on CIDCO's website and providing channel for submission of suggestions and objections online

As per Rule No. 4(1) of TPS Rules 1974, manual owners meet was conducted on 10th to 13th June 2020 and digital owners meet was conducted on CIDCO website from 10th to 20th June.

### **MANUAL OWNERS MEET:**

The Manual owners meet was organized on 10<sup>th</sup> June to 13<sup>th</sup> June 2020 at CIDCO Tara Centre, Tower No. 05, Floor No. 1, CBD Belapur Railway Station, Complex, CBD Belapur, Navi Mumbai 400614.

The notice for time table of landowners meet was published in two local e-newspapers namely 'Krushival' and 'Ramprahar' due to lockdown. During enquiry with the Postal authorities, it was learnt that the postal authorities are not in a position to take individual notices for delivery. Therefore, the public notice had to be construed as individual notice. Notice and the timetable were also emailed to the respective Grampanchayat offices. Bulk SMS to landowners were done ten days before the owners meet and a reminder was send a day before the owners meet to insure landowners participation.

In the notice, the participant owners were asked to verify their name, area as per 7/12 extract and tenure of the land. They were also asked to submit the request for amalgamation for their entitlement.

Since we also published the tentative proposals on CIDCO web site, it was expected that most of the stake holders shall view the tentative proposals online and submit

their suggestions / objections online. The notices that shall be published shall also highlight this aspect requesting the landowners to use the digital mode in a large way so that the risk of exposure can be minimized.

The plans of Town Planning Scheme no.07 was displayed in the entrance foyer of CIDCO Tara Centre. Due care was taken to follow Governments directives of distancing and sanitizing the area. 5 Planners were attending the landowners. There were 5 Security persons who were also deputed for maintaining the guidelines.

For the sake of convenience & according to Covid -19 guidelines and handling the landowners in efficient manner, the 420 FP owners were given time slot between 10AM to 5PM on 10th June to 13th June 2020.

The landowners who attended the meet were given required information about the scheme, final plot location and its area. Further there were also informed about the procedure of the scheme.

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 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 was to explain the anchoring of the final plot in respect to the original location and its positioning in the proposed layout plan

The landowners were requested to submit their suggestions till 20th June 2020.

On all the four days, land owners from village- Devad, Vichumbe, Usarli Khurd, Shivkar & Kolkhe of Taluka – Panvel have attended the owners meet individually.

On 10th July, 5 landowners, on 11th July, 48 landowners, 12th July, 3 landowners and on 13th July, 9 land owners were attended the meeting. Total Manual landowners' attendance is 65 nos.



Sheet No. : 15

**Legend**

**Landuse**

- Residential
- EDM
- Existing Amenity
- Forest
- Water Body
- Amenity
- Open Space

**Layout Reservations**

- Amenity
- Open Space

**IDP Reservations**

- Amenity
- Parke & PG
- Growth Center

**Transportation**

- Mumbai Pune Expressway
- IDP Road
- Layout Road
- Existing Railway line
- Water Body
- MAHA Boundary
- IDP Boundary
- Village Boundary
- Goathan
- TPS-7 Boundary
- Adjoining TPS Boundaries

**Boundaries**

- Existing Structures
- Original Plot
- Final Plot
- Gas Line & Power Transmission Line
- Mumbai-Pune HP Pipeline
- Power Transmission Line
- High Flood Line
- Blue line
- Red line

**Town Planning Scheme 07**

Villages: Derved (pt), Vichumbre (pt), Uswari Khurd (pt), Kolke (pt), Shikhar (pt)

**Plan showing Boundary of Original Plot & Final Plot**

Owners Meeting as per Rule no. 4 (1) of TPS Rules, 1974

1:500

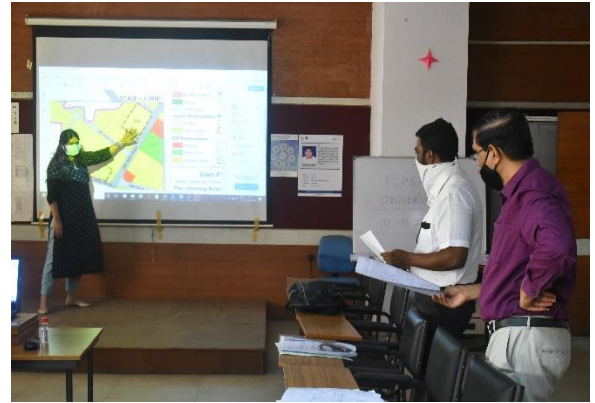
City & Industrial Development Corporation of Maharashtra Ltd.

Office: Shivajinagar, Mumbai - 400 014

Nav Mumbai Airport Influence Notified Area (NAINA)

Office: Shivajinagar, Mumbai - 400 014





### **DIGITAL OWNERS MEET:**

As per Rule No. 4(1) of TPS Rules 1974, manual owners meet was conducted from 10th to 20th June 2020.

the Draft Layout and detailed plan of their original and final plots was uploaded on CIDCO's website <https://cidco.maharashtra.gov.in/naina> on 10th June 2020. The land owners were able to view and download overall layout of TPS7 on TPS7 owners meet main page. After filling details of landowners, final plot was visible with the 7/12 area details and final plot area details and location of the final plot in the overall layout. The landowner was asked to submit suggestion objection in a format attached on the main page of the TPS7 owners meet which was directly linked to [tps7@cidcoindia.com](mailto:tps7@cidcoindia.com). All the landowners suggestion were received on the email as



final outcome of the owners meet. There was a mobile keep for personal assistance. Also a user manual was uploaded for landowners ease of understanding the process of viewing the layout and final plot. Apart from this a link of Frequently Asked Questions (FAQ) uploaded on CIDCO website was also circulated for better understanding of the scheme.

### **DIGITAL WEB PORTAL:**

### **MAIN PAGE OF DIGITAL OWNERS MEETS:**

TPS-7 LAYOUT PLAN

LIST OF OP & FP

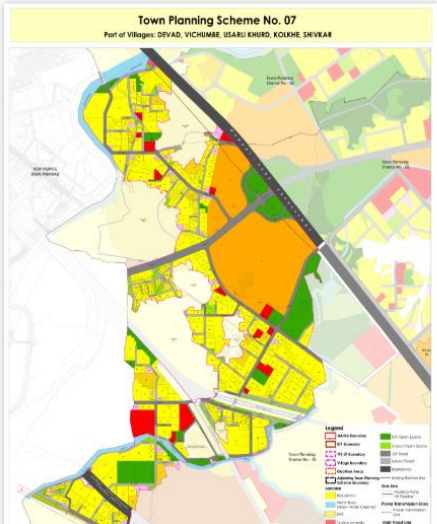
SUGGESTION / OBJECTION

CONTACT US

TOWN PLANNING SCHEME NO.7 - DIGITAL OWNERS MEET

Town Planning Scheme No. 07

Part of Villages: DEVAD, VICHUMBE, USARU KHURD, KOLKHE, SHIVKAR



Please Enter Details To View Final Plot

First Name \*

Last Name \*

Select Village

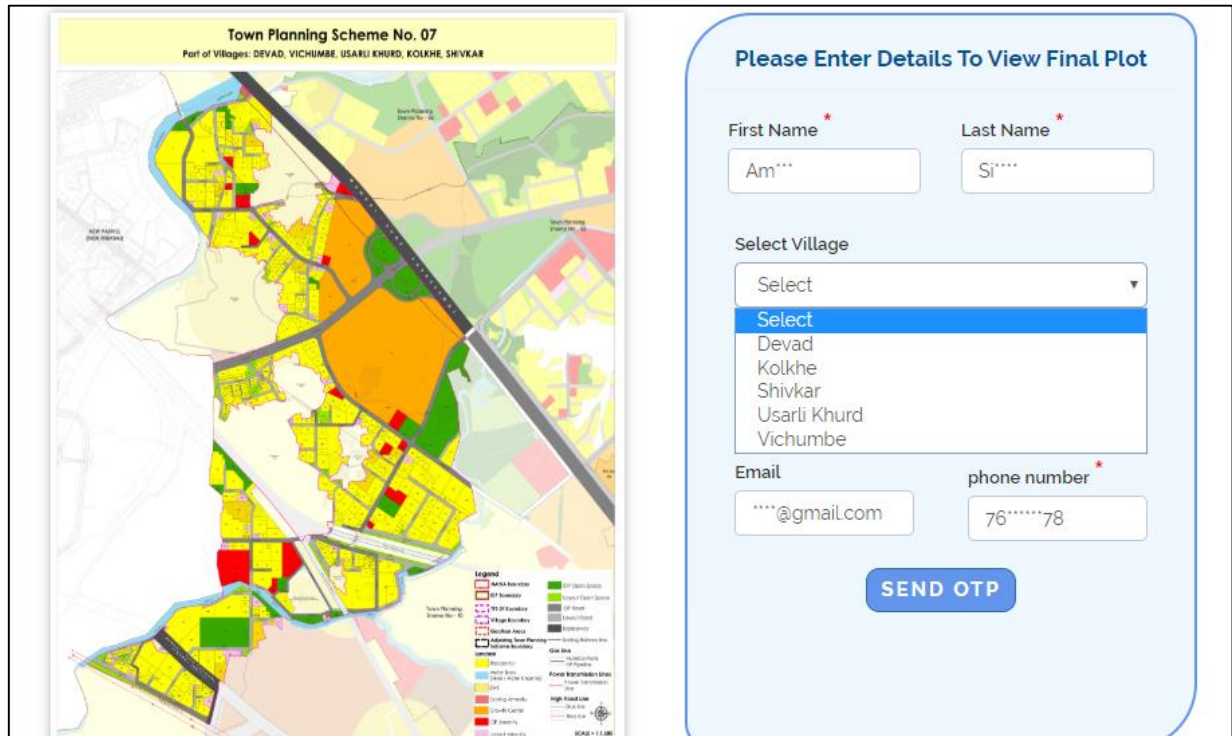
Select Survey No.

Email

phone number \*

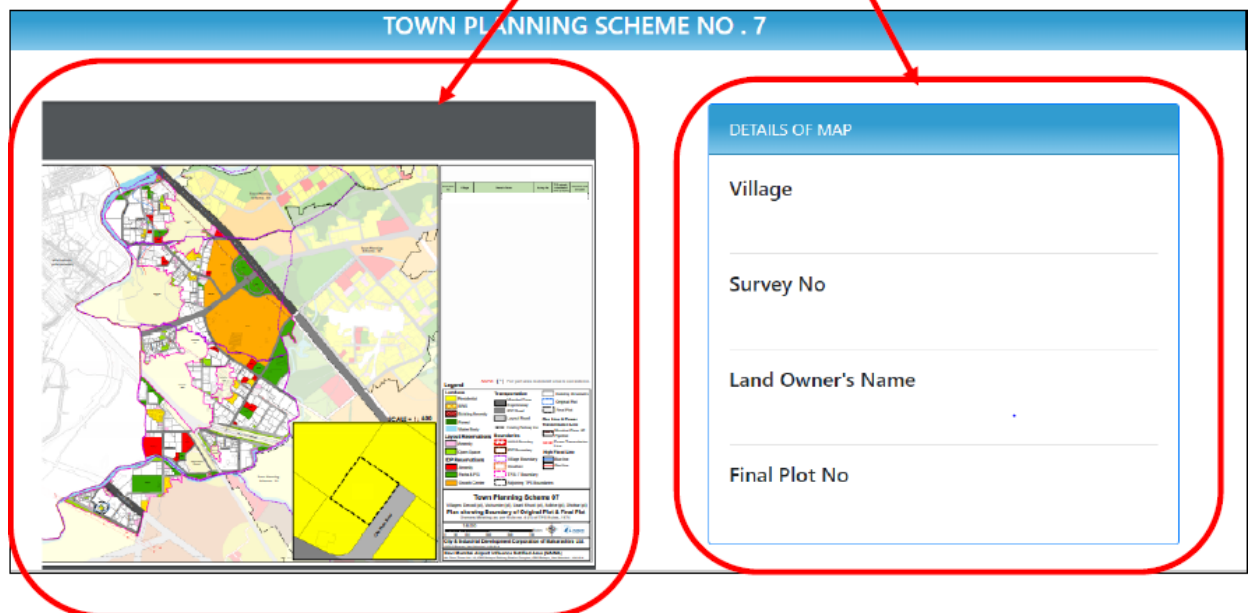
SEND OTP

**DATA REQUIRED TO SEE THE FP BY LANDOWNER:**



**DETAILED SHEET OF FINAL PLOT:**

final plots as allocated & details of original plot.



## **SUGGESTION/ OBJECTION FILLABLE FORM AND LINKED TO TPS 7'S OFFICIAL EMAIL:**

The screenshot shows the CIDCO website header with the logo and navigation menu. The main content area is titled "SUGGESTION/OBJECTION" and includes a sidebar with links to "TPS-7 LAYOUT PLAN", "LIST OF OP & FP", "SUGGESTION / OBJECTION" (highlighted), and "CONTACT US". The form is for "TOWN PLANNING SCHEME NO. 7 - LAND OWNERS MEET" and is titled "Form For Suggestion And Objection". It includes a "To," field with the address: "The Chief Planner, CIDCO NAINA, 8th Floor, Tower 10, Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400614".

The screenshot shows the "SUGGESTION/OBJECTION" form with the following fields and options:

- Survey No. / Hissa No. :** [Text input field]
- Final Plot No. :** [Text input field]
- Detail Description of Suggestion/ Objection :** [Text area]
- 7/12 Extract. :** [Choose File] No file chosen
- Gut Book Map. :** [Choose File] No file chosen
- Permission documents if any :** [Choose File] No file chosen
- Others :** [Choose File] No file chosen
- Date :** [Text input field] 2020-06-08
- Place :** [Text input field]
- Applicants Signature :** [Choose File] No file chosen

A blue **SUBMIT** button is located at the bottom center, and a circular arrow icon is at the bottom right.

## **SUGGESTION/ OBJECTIONS SUMMARY:**

The suggestions / objections received from landowners via above mentioned email is considered official and valid till 20.06.2020. Total Suggestion/Objection received from Manual and digital owners meet till 20th June 2020 are 183.

Some landowners 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 landowners 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 landowners requested to give better shape plot on larger road etc.

The owners were requested to submit their written suggestions/objections within 10 days so that the same can be considered by CIDCO before seeking consultation from Director of Town Planning.

The villagers also raised following demands during owner meet

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

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

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

The landowners were requested to submit their suggestions within 10 days from the date of owners meet. Therefore, the valid suggestions received till 20.06.2020 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 20.06.2020, with respect to the tentative proposal shown during owners meet is as under:

Application Received till 20.06.2020 w.r.t. owners meet dtd 10 <sup>th</sup> -20 <sup>th</sup> June		
	Application Received	Applications Considered
Digital Owners meet:		
General Demand	43	0
Objection to Scheme	18	0
Court cases	14	0
Plan related	90	45
Record Updation	14	4
Total Applications	179	49
Manually Owners meet:		
Total Applications	4	0

## 9. LAND USE DISTRIBUTION IN TPS- -07:

The land use distribution in TPS-07 is as under:

Sr. No.	Particular	Area in Ha.	% on overall scheme area
1	Area of the TPS-07 as per 7/12	225.25	
2	Area under non developable such as Nala, Forest, River, already developed area	14.70	
3	Area (Gross) for TPS-07	215.21	100%
4	Area under IDP Reservation	82.79	41.0%
	a. Area under IDP road	19.43	9.69%
	b. IDP reservations such as Schools, Hospitals etc.	6.97	3.48%
	c. IDP reservations such as Park, Playgrounds etc.	17.95	8.95%
	d. Area under Growth Centre	38.44	19.17%
5	Area (Net) available for scheme	200.52	
6	Area under internal Roads (actuals)	15.31	7.64%
7	Area reserved for Recreational open spaces	4.36	2.17%
8	Area reserved towards Amenities / Social Facilities	4.47	2.23%
9	Area available for EWS	3.90	1.95%
10	Area to be distributed in the form of final plots (40% of 7/12 area)	89.68	44.72%
11	Total Numbers of original Plots	690	
12	Total number of Final Plots to landowners	432	

Since it is a brownfield scheme, as far as possible the principals of providing Layout amenities, Open space and EWS is done. However, all the IDP reservations falling within the scheme are retained with increase in areas wherever possible.



## **10. SPECIAL DEVELOPMENT CONTROL FOR TPS-7:**

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.-7. Rest of the provisions of prevailing sanctioned DCPRs of NAINA as amended from time to time shall be applicable. In case of any conflict between the regulations in sanctioned NAINA DCPRs and these special regulations prescribed below arises, then these special regulations shall prevail.

1. The Final Plots allotted to the owners in lieu of their Original Plots shall be considered as included in the Predominantly Residential zone of the sanctioned Interim Development Plan and shall be eligible for development for uses prescribed in Regulation No. 31 of the sanctioned DCPRs of NAINA. Provided that the final plots fronting on roads having width of 12.0m or more shall be permissible for development either under regulation of predominantly residential zone or under Mixed use zone of sanctioned DCPR irrespective of the actual zonal boundaries of the IDP.
2. Boundaries of the Final Plots shall not be changed, modified or altered during development.
3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots shall be permitted considering sum of their areas as one unit for development.
4. Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form a Final Plots not allotted to the holders / owners of such original plots.

5. Development Permission in a Final Plot shall be granted only after ascertaining that the amount mentioned in column 15 of Form No. 1 of the Final Scheme under Rule No. 6(v) of the Maharashtra Town Planning Schemes Rules, 1974 is fully recovered. However, the Special Planning Authority, NAINA (CIDCO) may allow such amount to be recovered in suitable installments within a period up to the issuance of Occupancy Certificate. This amount is in addition to the Development Charges prescribed under chapter VI-A of the Maharashtra Regional and Town planning Act, 1966.
6. Internal Sub-division / partition of a Final Plot shall be permissible subject to strictly adhering to the boundaries of respective Final Plot and subject to provisions of sanctioned DCPRs of NAINA.
7. The 10 % Recreational Open Space prescribed under regulation No. 20.3.1 of the sanctioned DCPRs of NAINA shall not be enforced in developing Final Plot admeasuring 0.40 ha or more considering that such open spaces are provided in the form of playground and open spaces in the scheme in addition to those reserved in the Development Plan for which owners of the original plots have shared their lands.
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.
- Maximum Permissible FSI on Final Plots

= FSI (as per regulation 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/firefighting requirements or any such statutory restrictions, in such cases the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any 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	Row houses type	<b>Upto 15 M</b>	0.0	1.5
*Pls refer Special Note	Semi-detached type	<b>Upto 15 M</b>	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	<b>Upto 15 M</b>	1.5	2.25
		<b>Upto 15 M</b>	2.25	2.25

	Detached type	Above 15 M upto 24.0 M	<b>H/5</b>	<b>H/5</b>
450 M2 to the less than 1000 M2	Detached type	<b>Upto 15 M</b>	3.00	3.00
		Above 15 M upto <b>24.0 M</b>	<b>H/5</b>	<b>H/5</b>
		<b>Above 24.0M</b> upto 37.5 M	6.00	6.00
1000 M2 and above	Detached type	<b>Upto 15 M</b>	3.00	3.00
		Above 15 M upto <b>24.0 M</b>	<b>H/5</b>	<b>H/5</b>
		<b>Above 24.0M</b> upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	<b>H/5 or 9.00m whichever is less</b>	<b>H/5 or 9.00m whichever is less</b>
		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 40meter 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.

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.

- d) 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.
- e) 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.

## **12. 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 08.08.2019. 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 presumed 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-7 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 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.

Accordingly, the assumptions in preparation of the same are as under:

- For original plot value of land parcels, ASR of Non-agriculture land of 2019-20 is considered. However, if more than 50% of a particular survey number falls under no construction activity area due to restriction of buffer etc, 50% of NA rate mentioned in ASR is considered. 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.

- For the land parcels falling 50% or more in 200mts 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.
- For the purpose of semi-final value of plot, 1.5 times ASR of Non-agriculture land of 2019-20 of OP is considered.
- Final value of plot is calculated considering 4 times ASR of Non-agriculture land of 2019-20.
- 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 Roads, layout open spaces, small amenities which are solely for the benefit of residents within scheme area don't attract contribution. The Growth Centre (GC) is reserved for purpose of Planning Authority. The economic or commercial activity envisaged through GC shall mainly serve to the benefit of residents of the entire IDP area. Hence it is assumed that GC shall be entirely beneficial to general public. Plots carved out for EWS/LIG in the scheme are requirement of scheme as per Act Provision, hence shall be solely beneficial to the scheme.
- For S. Nos partly in scheme, area as per drawing is considered in scheme.

### **13. 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. 12255 dated 13<sup>th</sup> September 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 18<sup>th</sup> September 2019.
- c) A notice as per provision in Section 60(2) of the Act in the daily newspapers Krushiwal on Ramprahar daily newspaper dated 21.09.2019. The notice was also displayed and affixed on Notice Board of CIDCO Bhavan and 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 being sent for consultation 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. Special Development Control and Promotion Regulation for the scheme.
- ix. Redistribution and Valuation Statement in Form no. 1 and finance of TPS- 07 in Form no 2
- x. Extension granted by the Joint Director of Town Planning, Konkan Division vide Order No TPS No.-07/NAINA/Section 61(3)/Time-Limit Extension/JDTP- KDN/2059, dated 04.03.2020.

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**Chief Planner, NAINA**