

REPORT ON

TOWN PLANNING SCHEME NO. 09

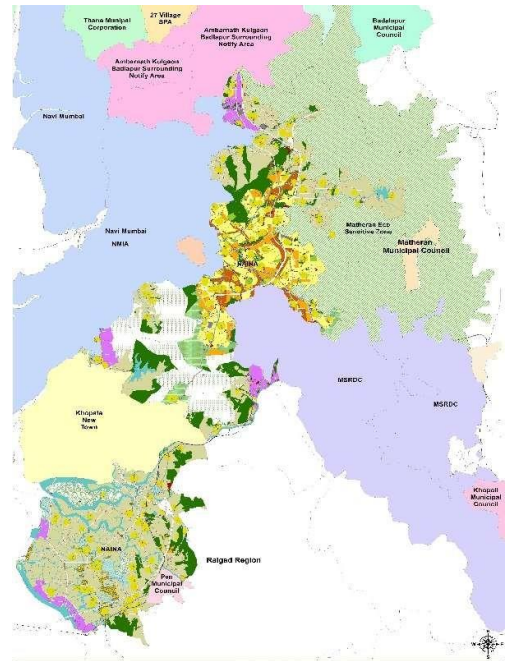
NAVI MUMBAI AIRPORT INFLUENCE NOTIFIED AREA



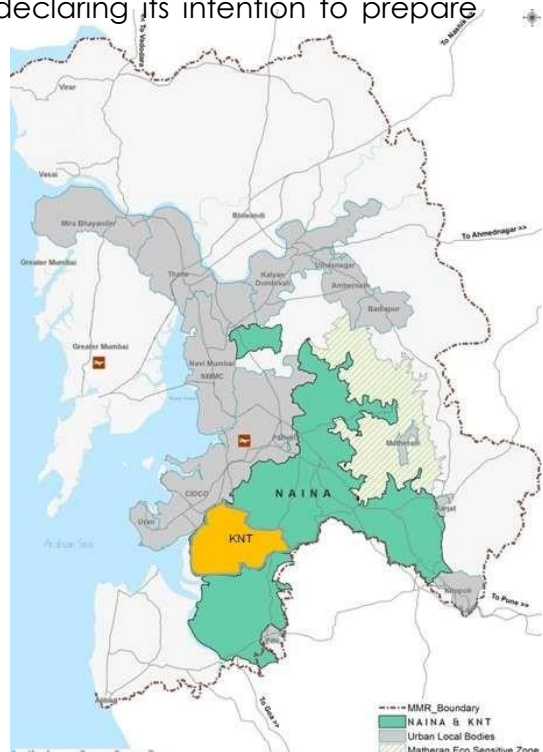
DRAFT SCHEME PUBLISHED UNDER SECTION 61(1) OF MR&TP ACT 1966

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.



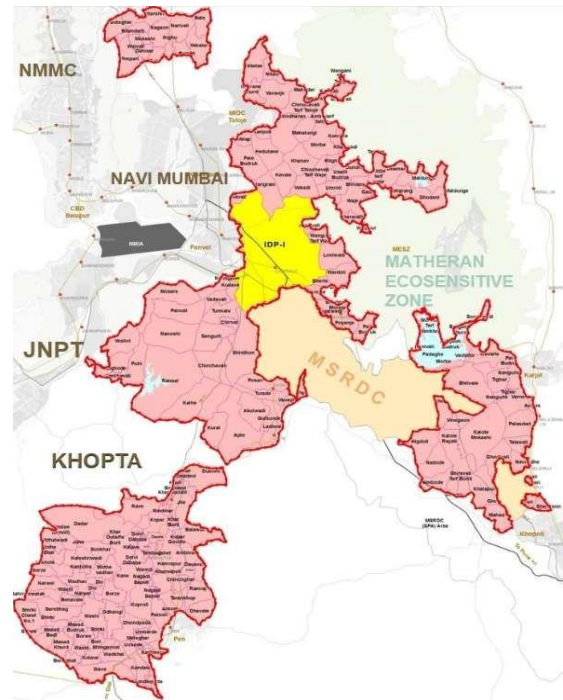
In pursuance of the powers conferred by Sub Section (1) of the Section 23 of the said Act, the Corporation published notice declaring its intention to prepare Development Plan for the said notified area, and inviting suggestions or objections from the public within a period of not less than sixty days 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 the remaining 152 villages have been sanctioned by Govt on 16.09.2019.



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 on 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 to 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 1st March 2019.

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 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 an 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.

CIDCO-NAINA, is now implementing Sanctioned Development Plan by means of Town Planning Schemes mechanism. Till date twelve Town Planning Schemes, admeasuring about 4187 ha area are declared by CIDCO. All these schemes are at various stages of approval.

Final TP Scheme no. 1 is sanctioned by the Government, all infrastructure related works are completed by Engg. Dept. and Property Cards are also uploaded by Land Record office. Preliminary TP Scheme no. 2 was sanctioned by Govt. and final scheme is submitted by Arbitrator to Government for sanction. Arbitrator has also submitted the Preliminary TP Scheme no. 3 to Govt. for sanction. Recently, Draft Scheme no. 4 to 7, are sanctioned by Govt. on 21.10.2022.

As regards to TP Scheme no. 8 to 10, intentions to prepare schemes were declared during Jan-March 2020. Further, on account of the land requirement of Multi Modal Corridor (MMC), some areas were added in these declared schemes under the provision of section 62 of MR&TP Act, 1966 and intentions to prepare TP scheme of this additional area were published in gazette.

CIDCO has also published intentions to prepare TP schemes no. 11 and 12 recently on 14.10.2022 and work of these schemes is in progress.

3) Town Planning Scheme No-09:

1. Background:

1. **BR no. 12287 for TPS -9 (285 ha):** Vide Board Resolution no.12287, dated 16th January 2020, CIDCO declared the intention for preparing Town Planning Scheme no. 9 under section 60(1) of the MR&TP Act, 1966. Accordingly, Town Planning Scheme no.9, admeasuring an area of 285 ha was declared in Maharashtra State official gazette on 6th February 2020 under section 60(2) of the said Act.

2. **Revenue Details:** After declaration, 7/12 extract, gut books and Physical survey of entire scheme area is provided by consultant appointed by Engg. Dept. For land measurement plan letter is forwarded to Dy. SLR office and payment for total scheme area is also made by Engg. Dept. However the same is awaited.

3. **Lockdown Period:** Further, nationwide lockdown was imposed by Government from 23.03.2020. In accordance with the amended provisions of section 148(A) of the MR&TP Act, vide MR & TP (Amendment) Act 2020 (Mah. Act No. XIX of 2020), due to enforcement of any Guidelines or lockdown measures by the Government, such time shall be excluded from the timeline stipulated under Act for processing TP Scheme. The total lockdown period & pandemic restrictions period was from 23.03.2020 to 31.03.2022 which is about 2 years 9 days.

2. Multi Modal Corridor (MMC):

i) The area under Multi Modal Corridor (MMC) was considered non-developable while declaration of the scheme. The alignment and design details of MMC along with its interchange at Borle-Sangade (approx. 65 ha) as shared by consultant of MSRDC to this office vide e-mail dated 27th June 2022 and 21st Nov. 2022 is at draft stage.

ii) Later, it was directed to include MMC as part of TPS for acquisition of land under MMC through TPS. In continuation with the discussion held during High Power Committee meetings and considering the importance and urgency of MMC project, a proposal was initiated for board approval for obtaining land under MMC (Morbe to Karanjade) traversing through NAINA project by means of Town Planning scheme. The same is approved by CIDCO board vide Resolution no.12551 dated 2nd April 2022:

“RESOLVED THAT, the Board do hereby approves making available the land under

Multi Modal Corridor MMC (Morbe to Karanjade) traversing through NAINA project by means of Town Planning Schemes."

iii) BR no. 12551 for obtaining land under MMC: Approval was sought for inclusion of additional area in declared scheme no. 8, 9 & 10 under the provision of section 62 of MR&TP Act 1966 and for taking up new scheme no. 11 and 12 for covering balance part of MMC (Morbe to Karanjade).

Thereafter, an additional area of 232 ha from part of villages Bhingar, Bherle, Loniwali and Wardoli was included in TPS-9 with the approval of Hon.VC&MD vide CIDCO/DP(NAINA)/TPS-9/2022/E-140917 dated 12.08.2022. It admeasured 518 ha, including approx. 77.58 Ha area and 6.4 km length of MMC passing through villages Kon, Borle, Sangade and Belavali. Intention for TPS-9 was declared by CIDCO in Government Gazette dated 25th to 31st August 2022 as per section 60(2) read with section 62 of MR&TP Act.

3. TPS-9 Timeline as per MR&TP Act 1966:

As per the provision of Section 62 in MR&TP Act 1966, before preparation and submission of draft scheme for additional area included in scheme, timelines of original declaration i.e 6th February 2020 of the scheme shall apply.

Board of CIDCO acknowledged the insufficient time left to prepare Draft scheme and accorded approval for fresh declaration of Town Planning Scheme No. 09 with same scheme boundary under Sub-section (2) of with Section 61 of the MR&TP Act,1966 vide Resolution No. 12632, dated 09.12.2022, and at the same time declared its intention for making Town Planning Scheme No. 9 at part area of all villages bounded by PINK border as shown on declaration plan, namely; Belavali, Bherle, Bhingar, Borle, Chikhale, Kon, Loniwali, Sangade and Wardoli of Taluka Panvel, District Raigad under Sub-section (1) of Section 60 of the said Act.

Accordingly, notice for fresh declaration of intention of making Town Planning Scheme no.9 (TPS-9) as per section 60(1) of MR & TP Act, 1966 is published in the official Maharashtra Government Gazette Extra-ordinary (Part-II) dated 22.12.2022.

4. Purpose of TPS-9

TPS-1 to TPS-7 covers the North of DP area in continuity. TPS-9 is in continuation with TPS 1 to 8 in location as shown in overall development plan. For maintaining the

continuity of infrastructure development, it is necessary to take up the scheme covering Total area of 412 Ha from part of Villages Chikhale, Kon, Borle, Sangade, Belawali, Bherle, Wardoli, Bhingar and Loniwadi of Taluka – Panvel, District Raigad.

- Authority will get Growth Centre land admeasuring 38 ha along the Existing Mumbai Pune Expressway and MMC corridor at vantage location.
- Multi Modal Corridor's interchange link will be gateway for entire DP area which will open up the TP schemes as well.
- Essential social facility DP reservations like school, Playground, Parks, Community Centre, PHC, Daily Bazar, Police Station and also Growth center all cumulative to the extent of 34% (approx.109.65 ha) of developable area of 322.62 ha shall be materialized through TPS-9.

Hence, this scheme is necessary for implementation of sanctioned development plan reservations.

4) Concept of Layout Plan:

The Town Planning Scheme is implemented as per the provisions of the Act 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-9 is a scheme unlike other greenfield schemes declared till now due to presence of proposed Multi-Modal Corridor and its interchange covering a substantial portion of the scheme area. Measures 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 valid N.A. 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 amalgamation.
- 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 which works out to approximately 2% of scheme area in instant proposal 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 loaded on the final plot (FP) area, which is 40% of the 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-09. Therefore, along with approval of Draft TPS-09 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-2 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 and mentioned that the same suspension of regulations will be applicable to any further Town Planning Schemes declared within NAINA area.

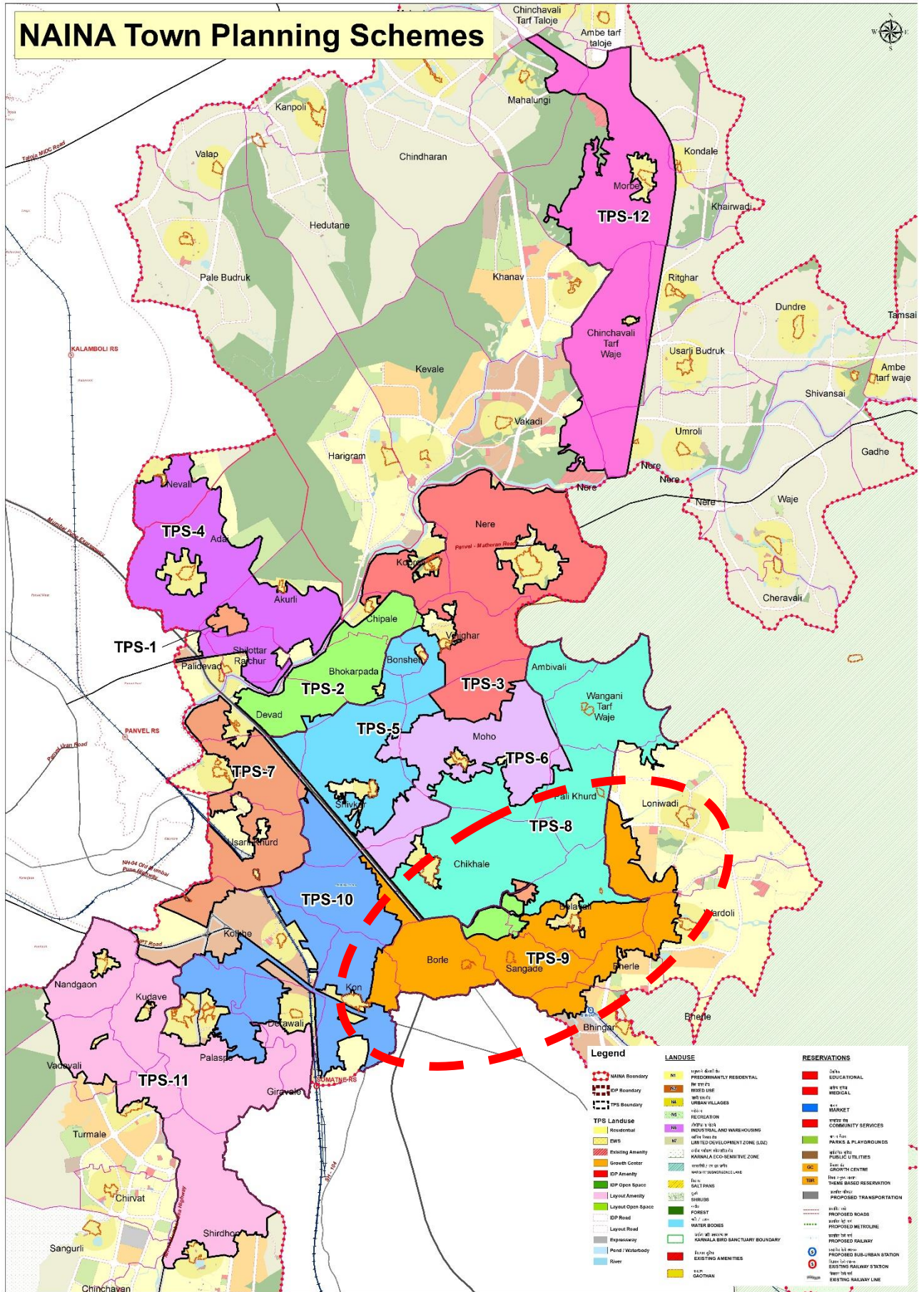
5) Compliance of the Act provisions in the Draft Town Planning Scheme no. 09:

I. Identification of the TPS boundary

The boundary for TPS-09 is identified in the proximity of already published boundary of TPS-02 and TPS-08. The scheme is majorly located on east side of Mumbai Pune Expressway towards travelling to Pune. The core Gaothans, padas and already developed pockets are considered as non-developable area in the scheme. Such area is kept intact while preparing layout. Alignment of Multi-modal corridor and its interchange is considered as available from MSRDC consultant vide email dated 21st Nov 2022 and notification for land acquisition published on 12.08.2022 by PWD.

The main features for identification of the boundary are-

NAINA Town Planning Schemes



- Continuity with Town Planning Scheme No- 02 and 08, the physical infrastructure of both the schemes can be extended as a comprehensive system.
- The additional area included in the scheme vide declaration dated 25-31 August 2022 for making the area under MMC and its interchange available is kept intact while freshly declaring the boundary on 22.12.2022.

The identified Town Planning Scheme No.9 boundary includes total area admeasuring about 412 Ha from part of Villages Chikhale, Kon, Borle, Sangade, Belawali, Bherle, Wardoli, Bhingar and Loniwadi of Taluka – Panvel, District Raigad. The TPS 9 is contiguous scheme and located on the both sides of Mumbai Pune expressway.

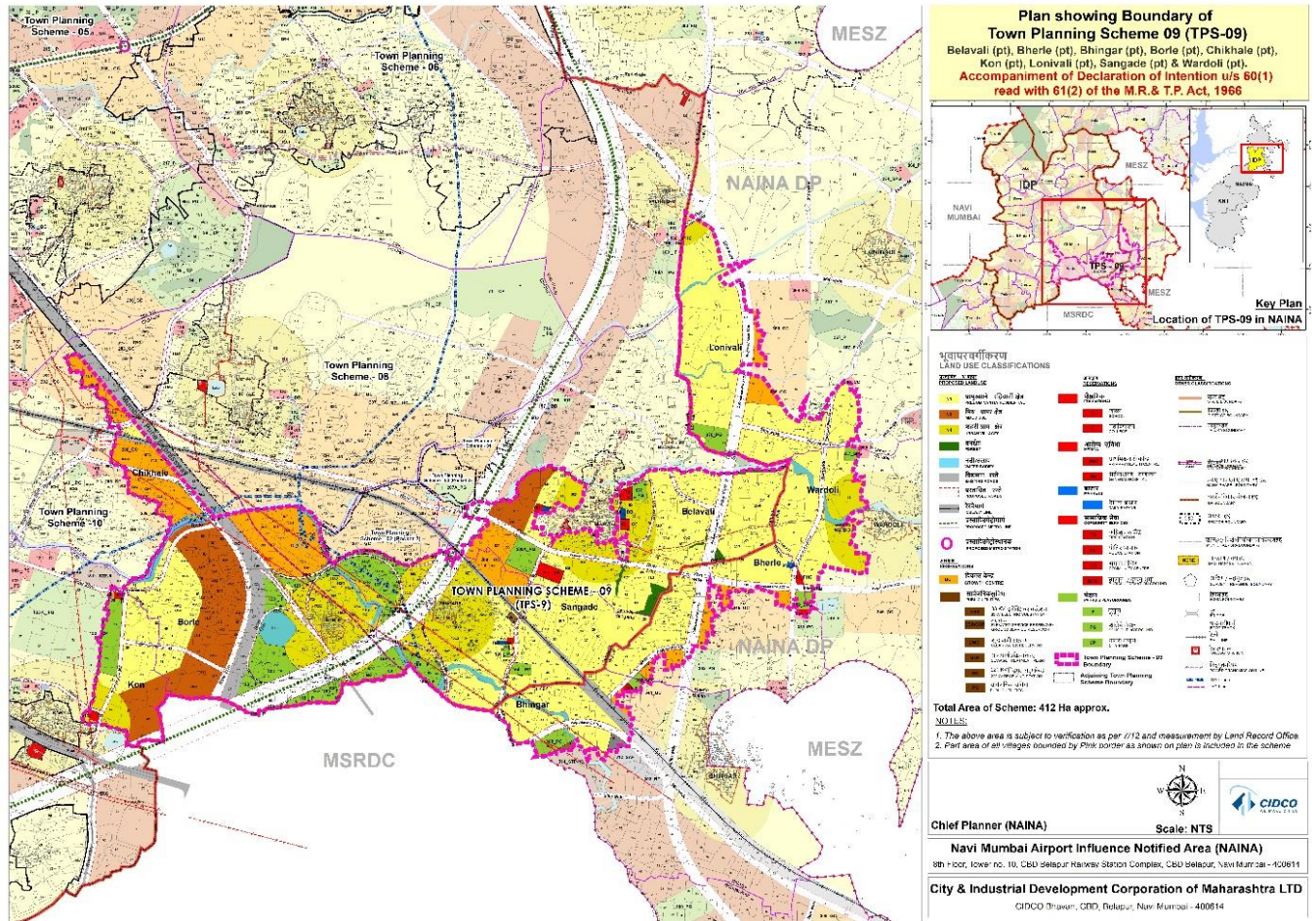
The Scheme is bounded by:

- Boundary of village Chikhale & Belawali on **North**.
- Boundary of village Sangade, Borle and Bhingar on **South**.
- Boundary of village Kon on **West**.
- Boundary of village Wardoli on **East**.

i) Existing features of the scheme:

- Part of Existing Mumbai Pune expressway
- Part of Panvel-Karjat Railway line
- Kirki river is passing through the scheme
- Reliance Gas Pipe line and GAIL pipe line are passing through scheme
- Two High Tension Power lines of 220 KV and 100 KV pass through the scheme
- Almost 42 ha of land falls in Existing Expressway, Railway line, Forest, River & its tributaries and as per DP 34 ha of land falls in Proposed Multi Modal Corridor (MMC) and 45.31 ha falls in its proposed interchange of MMC with Mumbai Pune Expressway.

Plan indicating the boundary of Town Planning Scheme-9 is



II. Declaration of intention to prepare TPS – 09 U/S 60(1) of the act

Board of CIDCO acknowledged the insufficient time left to prepare Draft scheme and accorded approval for fresh declaration of Town Planning Scheme No. 09 with same scheme boundary under Sub-section (2) of with Section 61 of the MR&TP Act, 1966 vide Resolution No. 12632, dated 09.12.2022, and at the same time declared its intention for making Town Planning Scheme No. 9 at part area of all villages bounded by PINK border as shown on declaration plan, namely; Belavali, Bherle, Bhingar, Borle, Chikhale, Kon, Loniwali, Sangade and Wardoli of Taluka Panvel, District Raigad under Sub-section (1) of Section 60 of the said Act.

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 -09 as per provision in Section 60(2) of MR&TP Act, 1966 for fresh declaration of intention of making Town Planning Scheme no.9 (TPS-9) as per section 60(1) of MR & TP Act,

1966 is published in the official Maharashtra Government Gazette Extra-ordinary (Part-II) dated 22.12.2022.

Local News Paper:

A public notice is also published in two widely circulated local News Papers, namely "Ram Prahar" and "The Free Press Journal" on 27.12.2022.

➤ **Information to Government:**

As per provisions of Sub- Section (2) of Section 60 of the said Act, a copy of the gazette Notice together with a copy of the map showing the scheme area has been dispatched to the Urban Development Department(UDD)-12 on 26.12.2022.

➤ **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 26.12.2022.

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- - 09 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 Grampanchayat offices and 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 <https://cidco.maharashtra.gov.in>

6) Time line for the project:

Sr. no.	Section of MR&TP Act, 1966	Action	Act provisions	Dates
1.	60(1)	Declaration of Intention (CIDCO Board approval)	Starting Date	09.12.2022
2.	60(2)	Declaration in the Official Gazette Intimation to Urban Development Dept. and Director, Town Planning	Within 30 days	22.12.2022
3.	Rule No. 4 of TPS Rules 1974	Owners Meet conducted		07.02.2023 to 08.02.2023
4.		Submission of Draft Scheme to Director, Town Planning for Consultation	Within 6 months from Declaration of intention	19.05.2023
5.		Receipt of consultation from Director, Town Planning		28.08.2023
6.	61(1)	Publication of Draft Scheme in official Gazette vide notice	9 months Without seeking Extension of 3 months under section 61 (3)	05.09.2023
7.	68(1)	Submission to State Govt. for sanction of Draft Scheme	3 months from date of publication	04.12.2023
8.	68(2)	Sanction of Draft Scheme	3 months from date of submission	03.03.2024

7) Methodology for preparation of Draft Town Planning Scheme

As specified in Rule number 4(1) of Maharashtra Town Planning Schemes Rules, 1974, public meetings of the land owners included in draft scheme is called to explain the tentative proposal of the draft scheme In the scheme, there are 1232 land parcels and about 729 final plot holders are participating. On receipt of the consent for amalgamation the entitlements are combined in the tentative scheme layout plan. While entitlements of original plots with same names on 7/12 extract are amalgamated suo -moto to form single final plot.

i. Revenue Details:

In absence of Certified measurement plan of TPS from Dy. SLR, the layout is prepared on the basis of sanctioned IDP base map and physical survey as provided by agency through the Engg. Dept.

There may be variation in the entitlement of the survey numbers which are situated at the boundary of TPS. On receipt of certified measurement plan from Dy. SLR./agency, necessary changes will be made in the scheme for entitlement, contribution etc.

ii. Forest lands:

The scheme has Forest land as per 7/12 extracts. For executing the roads passing through Forest land clearance will be required from Forest Department. A proposal file is already put up separately for all such forest lands in TPS.

However, other than the same, some land parcels are under Forest zone as per sanctioned Development Plan of NAINA. Since, there is no mention of Forest related remarks in 7/12 extract and ownership is not seen as Forest, 40% final plots will be given for such lands.

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.

iii. TPS-9 with adjoining TPS and NAINA area:

Town Planning Scheme-09 is abutting boundary of TPS-2, 8 and TPS-10. Preliminary scheme layout of TPS-2 is sanctioned.

Multi modal corridor and its interchange with Mumbai -Pune Expressway fall in the scheme. The interchange at Borle and Sangade village will become the gateway to NAINA from MMC and Mumbai -Pune Expressway.

TPS-9 being adjacent to MSRDC area towards south and proposed integrated Township towards east is important for connecting these areas to rest of NAINA and other TP schemes.

iv. Existing features within Scheme area:

a) Multi-Modal Corridor(MMC):

- i. Finalised MMC alignment and interchange design details at Morbe, Borle and Karanjade are received from MSRDC vide MSRDC/02/Land Surveyor/2023/1191 dated 22.02.2023.
- ii. Revised Joint measurement work by TILR for MMC acquisition is in process as informed by MSRDC. Joint measurement(JM) survey drawing of MMC showing acquisition area from each hissa is awaited from MSRDC. JM sheets will be shared by MSRDC after the same is done. Entitlements are likely to change after receipt of same.
- iii. Layout is prepared by considering the finalized alignment with interchanges of MMC as shared by MSRDC.
- iv. MMC entitlements are kept separately in the layout without merging with landowners final plots thereby minimizing the changes in entire scheme. The individual entitlements shall be finalized after the details of Joint Measurement are shared by MSRDC.

b) High Tension & Tata hydro Power Transmission Tower Lines:

220KV Topworth Kharghar ONGC Kegaon DC line and 110KV Taloja, Bhokarpada, Khopoli DC line is passing through the scheme. As required, a buffer of 35M and 22 M respectively is maintained as no-construction zone along the line.

c) Gas Pipeline and GAIL receiving station-

GAIL India gas pipeline passes through village Chikhale, Borle and Sangade. Existing Gail receiving station is in village Borle.

d) River tributaries:

Kirki / Kalundri river and a tributary from east side are flowing within the scheme area. Natural tributary passing through village Borle, Sangade and Bhingar towards the southern part of the scheme. Another natural stream passes through village Loniwali towards the northern part of the scheme.

e) Existing Railway lines:

Panvel- Karjat railway line is passing through the scheme and is of about 9.15 ha area is proposed within the scheme which will cater to the scheme.

f) Existing structures and structures with valid Building Permission:

- Authorized development of structures on N.A. layouts with District Collector's permission before declaration of scheme are honoured.
- In case where Building Permission is issued by NAINA office or competent authority, the same is honored and final plot is carved out by maintaining the structure. The net area of on-going building permission is maintained and adjusted if affected by revised MMC interchange design.

I. Engineering and Transportation aspects:

a) Engineering Aspects:

TPS-9 is located adjacent to TPS-02 and TPS-8. The infrastructure will be extended to the scheme from the same as per overall infrastructure master plan of NAINA.

There is a Sewerage Treatment Plant (STP) reserved in sanctioned IDP of NAINA at village Bhingar towards the southern boundary of scheme. The STP is majorly falling in DP area while minor portion falls in scheme. Till the STPs earmarked in the IDP get developed, it will be required 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.

Engineering department vide note dated 21.03.2023 has conveyed cost of onsite development of infrastructure (inclusive of GST 18%) which is Rs.785.55 Cr.

Sr. Economist by note CIDCO/ECO/2023/E-175316 dated 09.08.2023 has forwarded TPS wise tentative expenditure details for TPS-1 to TPS-12. The cost includes on-site and off-site cost of engineering, transport, electrical infrastructure, fire station and water source development for each town planning scheme. The cost estimate for TPS-9 is Rs. 3481.61 cr. For developable area of 331.44 ha.

b) Transportation:

The road network in Draft TPS- 9 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 interchange at Borle village between Mumbai Pune Expressway and MMC is as per design and alignment shared by MSRDC. Bridges and Underpass at Railway lines and Expressway / MMC are proposed in consultation with transportation department.

II. Details of sanctioned IDP within scheme area:

Total scheme area is 412 Ha. Within the scheme about 89.62 Ha of lands are non-developable such as existing road, railway, forest, water bodies and MMC etc. The net developable land is 322.62 Ha. The scheme contains 33.98% of the sanctioned IDP reservations. These reservations include Roads, Schools, School Playgrounds, Parks & City park, Station Facility Area Primary health center, Community Center, Daily Bazars, Police Station, Sewage Treatment Plan, Electric Sub Station and Growth Centre. The total area under such reservations is 109.65Ha

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

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)
Schools (S)	173_S	4039.73	4133.44
	354_S(P)	1728.57	1728.57
	355_S(P)	46.51	46.51
	356_S(P)	1771.86	1771.86
Daily Bazar (DB)	153_DB	1387.26	1400.28
	154_DB	1796.54	2490.50
	156_DB	1009.32	1397.21
	343_DB	1039.00	1154.73
Public Health Centre (PHC)	167_PHC	1599.26	1831.88
	169_PHC	1152.95	1282.41
	145_PHC	1618.81	1806.59
	353_PHC	2006.00	2147.41
Community Center (CC)	152_CC	2595.03	3704.47
	132_CC (P)	2504.36	Total Area-

			4585.28 Partly in TPS -10
	360_CC(P)	57.37 (Total area-2100)	57.37
Police Station (PS)	171_PS	9283.50	11208.68
	146_PS	760.54	760.54 (Partly in TPS -10)
Fire Station (FS)	139_FS(P)	10200	4869.04
Electric Sub Station (ESS)	158_ESS	1899.20	2012.52
Sewerage Treatment Plant (STP)	151_STP-5 (P)	173.43	0.00
	314_STP-10(P)	2937.32	2189.08
Station Area Facility (SAF)	312_SAF(P)	5024.32 (Total area-19153)	6834.82
Play Ground (PG)	163_PG	6686.63	6700.78
	209A_PG	21444.71	21450.22
	164_PG	6447.00	8018.09
	166_PG	2046.21	2567.04
	308_PG	16007.00	17411.33
	370_PG	19430.00	19432.29
	351_PG(P)	232.71 (Total area-15369)	232.71
Park (P)	159_P	65879.88	67367
	161_P	158.72	160.35
	123_P	119377.27	119506
	225_P	3082.00	3084.09
	224_P	251.13	251.48
	349_P (P)	2332.23 (Total area-27061)	2328.81
City Park (CP)	133_CP(P)	36350.23 (Total area-104600)	47116.35
School Play Ground (SPG)	357_SPG(P)	5135.94 (Total area-6214)	5247.27
	358_SPG (P)	4901.16 (Total area-6086)	4901.16
	359_SPG	5420.00	5021.55
Growth Center (GC)	207_GC(P)	115580 (Total area-797303)	156344.08
	209_GC(P)	73177.83 (Total area-74666)	58803.88
	208_GC(P)	90050.89 (Total area-141133)	64907.22

	202_GC(P)	28504.45 (Total area-548642)	28695.03
	344_GC(P)	17842.27 (Total area-79018)	15773.29
	345_GC(P)	26923.51 (Total area-144545)	26923.52
	366_GC(P)	28030.74 (Total area-173544)	27451.21
Road		354100	334845.43

III. 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 the 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-9 will was forwarded to Director of Town Planning with justification of modifications. Director of Town Planning has accorded

Amendments made in sanctioned IDP/DP reservations while making provision of draft TPS-9

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)	Justification
Schools (S)	173_S	4039.73	4133.44	The location remains same as per sanctioned IDP with increase in area & minor change in shape.
	354_S(P)	1728.57 (Total area-4000)	1728.57	DP reservation - No change.
	355_S(P)	46.51 (Total area-4174)	46.51	No change.
	356_S(P)	1771.86 (Total area-3771)	1771.86	DP reservation - No change.
Daily Bazar (DB)	153_DB	1387.26	1400.28	Minor change in IDP reservation location with increase in area.
	154_DB	1796.54	2490.50	Minor shift in IDP reservation location with increase in area.
	156_DB	1009.32	1397.21	The location remains same as per sanctioned IDP with increase in area & change in shape.
	343_DB	1039.00	1154.73	Minor shift in DP reservation location with increase in area.
Primary Health Centre (PHC)	167_PHC	1599.26	1831.88	Minor change in IDP reservation location with increase in area.
	169_PHC	1152.95	1282.41	The location remains

Amendments made in sanctioned IDP/DP reservations while making provision of draft TPS-9

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)	Justification
				same as per sanctioned IDP with increase in area & change in shape.
	145_PHC	1618.81	1806.59	Minor shift in IDP reservation location with increase in area.
	353_PHC	2006.00	2147.41	The location remains same as per sanctioned DP with increase in area.
Community Center (CC)	152_CC	2595.03	3704.47	Minor shift in IDP reservation location with increase in area.
	132_CC	2504.36	4585.28 (Total Area - .Partly in TPS -10)	The location remains same as per sanctioned IDP with increase in area and shape.
	360_CC(P)	57.37 (Total area-2100)	57.37	Minor part of DP reservation falls in scheme. No change.
Police Station (PS)	146_PS	760.54 (Total At	760.54 Total Area - .Partly in TPS -10)	Partly falls in TPS-9 and TPS-10. Minor change in location as shown in sanctioned IDP with
	171_PS	9283.50	11208.68	Minor changed in location as shown in sanctioned DP with increase in area and shape.
Fire Station (FS)	139_FS(P)	10200	4869.04	139_FS IDP reservation falls under TPS 10 which is adjoining scheme. For achieving the sanctioned area and to make better layout, the reservation is carved out adjoining in both schemes. Part area of reservation (139_FS) 5331 sqmt is given in TPS 10 and part area 4869 sqmt is given TPS 9. Overall reservation is contiguous.
Electric Sub Station (ESS)	158_ESS	1899.20	2012.53	Minor change in location as shown in sanctioned IDP with increase in area and shape.
Sewerage Treatment Plant (STP)	151_STP-5 (P)	173.43 (Total area-21091)	0.00	151_STP-5 IDP reservation majorly falls under TPS 10 which is an adjoining scheme. The total

Amendments made in sanctioned IDP/DP reservations while making provision of draft TPS-9

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)	Justification
				sanctioned area is given in TPS 10. i.e. 173.43sqmt area is compensated in TPS-10.
	314_STP-10(P)	2937.32 (Total area-32128)	2189.08	The location remains same as per sanctioned DP . Minor part of reservation falls in scheme & majorly it is in DP area.
Station Area Facility (SAF)	312_SAF(P)	5024.32 (Total area-19153)	6834.82	DP reservation – Minor increase in area within scheme.
Play Ground (PG)	163_PG	6686.63	6700.78	The location remains same as per sanctioned IDP with increase in area & change in shape.
	209A_PG	21444.71	21450.22	IDP reservation - Major scheme area is under the encumbrances. For giving the unencumbered final plot to land owner this huge area of play ground is shifted on GAIL, HTL corridors at Sangde village.
	164_PG	6447.00	8018.09	The IDP reservation is rearranged at its location with increase in area.
	166_PG	2046.21	2567.04	The IDP reservation is rearranged at its location with increase in area.
	308_PG	16007.00	17411.33	DP reservation - No change.
	370_PG	19430.00	19432.29	The DP reservation is rearranged at its location with increase in area.
	351_PG(P)	232.71 (Total area-15369)	232.71	DP reservation No change.
Park (P)	159_P	65879.88	67367	Park IDP reservation falls between proposed MMC and MSRDC, for the betterment of public the park reservation is shifted at various locations with increased area.
	161_P	158.72	160.35	IDP reservation - Due to proposed MMC interchange, Minor shift in location with increase in

Amendments made in sanctioned IDP/DP reservations while making provision of draft TPS-9

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)	Justification
				area.
	123_P	119377.27	119506	Due to proposed MMC interchange, the park IDP reservation is shifted to encumbered increase areas.
	225_P	3082.00	3084.09	IDP reservation No change.
	224_P	251.13	251.48	IDP reservation No change.
	349_P (P)	2332.23 (Total area-27061)	2328.81	DP reservation- No change.
City Park (CP)	133_CP(P)	36350.23 (Total area-104600)	47116.35	The location remains same as per sanctioned IDP with minor increase in area & shape.
School Play Ground (SPG)	357_SPG(P)	5135.94 (Total area-6214)	5247.27	The location remains same as per sanctioned DP with minor increase in area.
	358_SPG (P)	4901.16 (Total area-6086)	4901.16	DP reservation. No change.
	359_SPG	5420.00	5021.55	The location remains same as per sanctioned DP with minor area variation.
Growth Center (GC)	207_GC(P)	115580 (Total area-797303)	156344.08	The sanctioned IDP reservation (207_GC) is affected by MMC Toll Plaza, Channelization of Tributary and Gail distribution Centre, hence the GC allotted at various location with regular shape & increase in area.
	209_GC(P)	73177.83 (Total area-74666)	58803.88	The location remains same as per sanctioned IDP with minor increase in area.
	208_GC(P)	90050.89 (Total area-141133)	64907.22	The Growth Centre IDP reservation (208_GC) partly falls in TPS-9 & 10. In TPS-10 6.145Ha provided & rest area allotted in TPS-9 to compensate the sanctioned area.
	202_GC(P)	28504.45 (Total area-	28695.03	The location remains same as per sanctioned

Amendments made in sanctioned IDP/DP reservations while making provision of draft TPS-9

IDP/DP Reservations Type	IDP/DP Reservations No.	Area as per Sanctioned Report (in sqmt)	As per TPS layout (in sqmt)	Justification
		548642)		IDP with minor increase in area & shape.
	344_GC(P)	17842.27 (Total area-79018)	15773.29	The location remains same as per sanctioned DP with minor area variation due to arrangement of layout.
	345_GC(P)	26923.51 (Total area-144545)	26923.52	DP reservation - No change.
	366_GC(P)	28030.74 (Total area-173544)	27451.21	The location remains same as per sanctioned DP with minor area variation due to arrangement of layout.
Roads		354100	334845.43	

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

As per sanctioned IDP the 200 mt around the goathan 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-09, 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.

8) 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;	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.
4	64(d)	An estimate of the total cost of the scheme and the net cost to be borne by the Planning Authority	Estimate of total cost is given in Form 1 and Form 2 of the Scheme.
5	64(e)	A full description of all the details of the scheme with respect to such matters referred to in clause (b) of section 59 as may be applicable	<p>As per Section 59(1)(b), new roads have been laid out to give access to each final plot. Also, minor diversion, extension, alteration of IDP roads are made to have better connectivity. Existing structures falling under IDP roads, growth centers are proposed to be demolished.</p> <p>The scheme contains approximate 14% OS and 7% 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 done in consultation with engineering department of CIDCO.</p> <p>Existing crematoriums are protected.</p> <p>As per sub-section (iii) the corresponding regulations of sanctioned DCPRs of IDP have been suspended by Govt vide letter dated 30.12.2019 for implementation of Special DCR for TPS-7 and made applicable to all subsequent TP</p>

			schemes declared in NAINA.
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 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	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>In the layout, 2.0% land of the scheme area is reserved for providing inclusive housing accommodation to the members of economically weaker section and for lower income group.</p> <p>CIDCO is proposing 14% open space 7% amenity and 2% EWS in the layout as common space, and it is proposed that the landowners need not to provide these spaces again on final plots. Therefore, the land pooled from all landowners 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,</p>

		(C) social infrastructure such as schools, dispensary, fire brigade and public utility place; (ii) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development	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 this infrastructure along with recovery of cost towards water source development, metro, etc. CIDCO has carved out 8.4 ha land in layout for sale purpose in terms of section 64(g-1)(ii)(D)
9	64(h)	Any other prescribed particulars.	A buffer along transmission line, GAIL gas pipeline and waterbodies including river tributaries mostly kept as open space.

The total number of Final plots (to be returned to landowners) is 729. Out of this about 535 plots (73 % 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) Detail of anchoring of plots are as below-

Details of anchoring of Final Plots of Town Planning Scheme-09		
1	Total original plots (7/12 extracts)	1304
2	Total final plots	997
3	Total No. of residential Final plot (Excluding masanvata)	729
	Total Anchored Plots	535
	Total Relocated Plots	195
4	Relocation in Different villages	
	I. Chikhale to Borle	2
	II. Chikhale to Kon	10
	III. Chikhale to Lonivali	2
	IV. Belavali to Sangade	3
	V. Belavali to Borle	1
	VI. Belavali to Bherle	7
	VII. Belavali to Bhingar	4
	VIII. Sangade to Belavali	24
	IX. Sangade to Borle	1
	X. Sangade to Kon	3
	XI. Sangade to Bhingar	4
	XII. Borle to Belavali	6
	XIII. Borle to Sangade	1
	XIV. Borle to Kon	8
	XV. Borle to Bherle	1
	XVI. Borle to Bhingar	1
	XVII. Borle to Loniwali	2
	XVIII. Kon to Borle	2
	XIX. Bherle to Belavali	4
	XX. Bherle to Sangade	1
	XXI. Bhingar to Sangade	4
	XXII. Bhingar to Bherle	1
	XXIII. Loniwali to Sangade	2

	XXIV. Loniwali to Wardoli	1
	XXV. Wardoli to Loniwali	2
6	Relocation in same Villages	98

b) Estimation of the total cost of the scheme

Sr. Economist by note CIDCO/ECO/2023/E-215746 dated 15.06.2023 has forwarded tentative infrastructure cost for TPS-1 to TPS-12. The cost includes on-site and off-site cost of engineering infrastructure for each town planning scheme. **The cost estimate for TPS-9 is Rs. 3481.61 cr.** Accordingly based on the above costing, Form 2 - Finance of Town Planning Scheme No. 9 is modified.

The major land of the scheme area is under cultivation as per the 7/12 extracts. The infrastructure within the scheme area will be developed as per the levels designed by Engineering Department.

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

As per Rule No. 4(1) of TPS Rules 1974, in to person owners meet was conducted on 7th and 8th of February 2023.

Owners meet:

The owners meet was organized on 7th and 8th of February 2023 at NAINA office, 8th Floor, Tower No. 10, CBD Belapur Railway Station Complex, CBD Belapur, Navi Mumbai 400614.

The notice for time table of landowners meet was published in two local newspapers namely "Raigad Nagri" and "Newsband" on 24.01.2023. Individual notices to land owners were sent through speed to post. Notice and the timetable were also intimated to the respective Grampanchayat offices with a copy of TPS - 9 boundary plan for display at their respective villages.

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.

The plans of Town Planning Scheme no.09 was displayed outside and inside the Conference hall of NAINA office during the owners' meet for villagers to inspect.

For the sake of convenience and handling the landowners in efficient manner, the 729 FP owners were given time slot between 10AM to 5PM on 7th and 8th

February 2023.

The landowners who attended the meet were given required information about the scheme, final plot location and its area. Further they were also informed about the further 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. Landowners were explained the anchoring of the final plot in respect to the original location and its positioning in the proposed layout plan by display of plan showing survey numbers included in scheme vis to à to vis Development Plan reservations.

The landowners were requested to submit their suggestions till 15th February 2023.

The total number of final plots (of land owners) in the scheme are 729. Out of 729 Final plot holders, 117 plot owners have attended the owners meet.

In to person Owners meet concluded:



Suggestion/ Objections summary:

The suggestions / objections received from landowners via above mentioned email is considered official and valid till 15.02.2023. Total Suggestion/Objection received from owners meet till 15.02.2023 are 168.

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 7 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
3. No development charges and other charges shall be applicable.
4. The small land holders should be given compensation for their unconsumed FSI.
5. Compensation to be given for structures falling on reservation land.
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 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 7 days from the date of owners meet. Therefore, the valid suggestions received till 15.02.2023 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 15.02.2023, with respect to the tentative proposal shown during owner's meet is as under:

Sr. no.	Category	No. of applications	Suggestion accepted
1	Plan	20	11
2	Record update	6	3
3	Court Case	2	0
4	General	140	0
	Total	168	14

Land use distribution in TPS-09:

The land use distribution in TPS- 09 is as under:

Sr. No.	Particular	Area in Ha.	% on overall scheme area
	Area of the TPS - 09 as per 7/12	412	
	Area under non-developable use	89.62	22%
	a. MMC/Interchange	62.36	
	b. Forest	5.06	
	c. Water Body	10.81	
	d. Railway line	9.38	
	Area under IDP Reservation	109.65	100%
	a. Area under IDP road	33.48	
	b. IDP reservations such as Schools, Hospitals etc.	5.74	
	c. IDP reservations such as Park, Playgrounds etc.	32.60	
	d. Area under Growth Centre	37.82	
	Area (Gross) for TPS - 09	412	100%
	Area (Net) available for scheme	322.62	100%
			Percentage on Net scheme area
	Area to be distributed in the form of final plots (40% of 7/12 area)	132.93	41%
	Area reserved towards Amenities / Social Facilities	22.28	7%
	Layout Amenity	16.23	5%
	IDP/DP Amenity	5.74	2%

	Area reserved for Recreational open spaces	45.79	14%
	Layout Open Space	13.19	
	IDP/DP Open Space	32.60	
	Area under Roads	69.41	22%
	IDP/DP Road	33.48	10%
	Layout Road	35.93	11%
	Growth Centre	37.82	12%
	Area available for EWS Housing	6.28	2%
	Sale Plot	8.41	3%
	Net scheme Area	322.33	100%
	Total Numbers of original Plots	1304	
	Total number of Final Plots to landowners	729	

11) Development Control in the Scheme Area:

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

In line of Sanctioned Special DCRs of Preliminary TP Scheme no. 2 and subsequently Sanctioned Special DCPR of TP Scheme no. 4 to 7 of NAINA, the Special DCRs of TP Scheme no. 09 has been prepared.

For these special regulations framed for TPS, the Govt. vide letter No. टिपीएस-१२११/२३८२/ प्र.क्र. १८६/१९/नवि to १२ दि. ३०.१२.२०१९ has granted suspension of corresponding regulations of sanctioned DCPRs of NAINA. Also, for suspension of some corresponding regulations, request is forwarded to Government vide letter CIDCO/ NAINA/ TPS/ 2021/ 483 dated 30/06/2021.

SPECIAL DEVELOPMENT CONTROL REGULATIONS FOR DRAFT TPS-09

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 to 12, dated 6/1/2020 (hereinafter called as 'sanctioned DCPRs of NAINA') under section 37(1AA) read with section 154 of the Maharashtra Regional and Town Planning Act, 1966, the following special Regulations shall be applicable to the development of any sort to be carried out in the final plots of the Town Planning Scheme, NAINA No. 9. Rest of the provisions of prevailing sanctioned DCPRs of NAINA as amended from time to time shall be applicable.

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

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

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

2. Boundaries of the Final Plots shall not be changed, modified or altered during development.
3. Amalgamation of two or more Final plots shall not be permitted to form a new Final Plot. However, integrated development in two or more adjoining Final Plots of adjacent schemes shall be permitted considering sum of their areas as one unit for development.
4. Temporary / short term development proposals on any ground shall not be permitted within the portions of original plots which are merged during the reconstitution to form a Final Plot 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 to 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.

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

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

Notes:

- i. The regulations at serial number 7, 8 and 9 above shall not be applicable for Final Plots having area more than 50% of the original plots. For such plots the

provisions of sanctioned DCPRs of NAINA in force shall be applicable.

- ii. In cases wherein CC is already granted (before declaration of TPS), if the final plot is given by reducing land area under Recreational Open Space (RG), Amenity & layout road, then while processing Amended CC or OC of such final plots, land area as per CC for such Open Space, Amenity may not be insisted. However, location & land area of remaining Open Space & Amenity inside the final plot shall be maintained as per CC.

10. The owners of Final Plots are entitled for monetary compensation as recorded in Form No. 1 of the Final Scheme as per Rule 6(v) of the Maharashtra Town Planning Schemes Rules, 1974. However, the owners may opt for FSI or TDR in lieu monetary compensation as provided under section 100 of the Maharashtra Regional and Town Planning Act, 1966. Such Compensation partially in terms of FSI / TDR and partially in amount shall not be permissible.

11. The Base FSI applicable to the lands included under the Town Planning Scheme shall be 1.00. However, if the owners of Final plots opt compensation in the form of FSI as provided under section 100 of the Act, then the FSI permissible in a final plot shall be computed as below:

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

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

Provided further that, the lands eligible of 1.00 FSI as per sanctioned DCPRs of NAINA (i.e within 200 m of 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. If the FSI mentioned in the Special regulation no. 11 above permissible in a Final Plot becomes unable to be consumed for maintaining prescribed marginal distances/ height restrictions /fire-fighting requirements or any such statutory restriction, in such cases, the balance FSI over and above FSI consumed may be permitted to be transferred as TDR to any Final Plot situated in this scheme subject to

- i. The provision of Regulations no. 43 of the sanctioned DCPR of NAINA shall be applicable.
- ii. Such transfer of development right from a Final Plot to another Final Plot situated in the adjoining sanctioned preliminary scheme may be permitted once only and only with prior approval of the Managing Director of the CIDCO and upon his satisfaction that the concerned owner is unable to transfer his development right within the scheme where the TDR has generated.
- iii. The aggregate FSI in a receiving Final Plot shall not exceed 4.00
- iv. The owner transferring the FSI as TDR shall not develop his Final Plot at any time to consume FSI more than that already consumed at the time of issuing the DRC.
- v. The Final Plot, after such transfer, shall not be eligible for any additional FSI/TDR in future.
- vi. The owner of such Final Plot shall not ask for monetary compensation for balance FSI if any after partially transferring the FSI received in lieu of monetary compensation as TDR.

14. The permissible FSI in respect of Final Plots designated to Amenity Plots or to schools, Primary health center shall be 2.5

15. The permissible FSI in respect of Final Plots designated to Electric Sub-Station, Daily Bazaar, ESR/GSR in the scheme shall be 1.00

16. The permissible FSI in respect of Final Plots designated to EWS/LIG Housing or Housing of the dispossessed persons or Final Plots reserved as sale plots in this

scheme shall be 4.0

17. The permissible FSI in respect of Final plots designated to Growth center in this scheme shall be 2.5.

Provided that the aforesaid FSI may be increased maximum up to 4.0 on payment of FSI linked premium (FLP) for over and above 2.5 FSI as prescribed in the sanctioned DCPR of NAINA for every increase of FSI of 0.3

18. The Final Plots designated for Open Spaces, Parks or Play-Grounds are permissible to built-up area equal to 15% of the respective final plot area subject to ground coverage up to 10% of the respective final plot and structures shall be only of ground or ground plus one floor. Such structure shall be at one corner of respective final plot and shall be used for any use complementary to the designated use of such Final Plot.

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

19. Side and Rear Marginal Spaces

The set-backs from the roads and the side/ rear marginal distances from the boundary of the plot in respect of all structures shall be as follows:

Area of plot	Category of building	Maximum permissible height of the building	Min Marginal Open Spaces (in M.)	
			Side	rear
40 M2 to less than 150 M2 *Pls refer Special Note	Row houses type	Upto 15 M	0.0	1.5
	Semi-detached type	Upto 15 M	1.5	1.5
*Special Note: Irrespective of the road width on which these plots abuts, the maximum front margin shall be 3.00M.				
150 M2 to less than 450 M2	Semi-detached type	Upto 15 M	1.5	2.25
	Detached type	Upto 15 M	2.25	2.25
		Above 15 M upto 24.0 M	H/5	H/5
450 M2 to the less than 1000 M2	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00

1000 M2 and above	Detached type	Upto 15 M	3.00	3.00
		Above 15 M upto 24.0 M	H/5	H/5
		Above 24.0M upto 37.5 M	6.00	6.00
		Above 37.5 M upto 60.0 M	H/5 or 9.00m whichever is less	H/5 or 9.00m whichever is less
		Above 60.00 M	12.00	12.00

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

- a) Irrespective of height and length of the buildings, the marginal open spaces more than 12.0 M shall not be insisted upon. Long length factor for buildings above 40-meter length shall not be applicable.
- b) The provision of dead wall mentioned in sanctioned DCPRs of NAINA shall be applicable
- c) For special building use, no projections of any sort shall be permissible in the side and rear marginal open spaces mentioned above.
- d) Provided that projections required for firefighting and chajja or weather shed up to 0.75 m over openings shall be permitted after clearance from CFO, CIDCO along with the minimum height at which it is to be provided.
- e) Provision of front open spaces shall be in accordance with sanctioned DCPRs of NAINA. However, Front open space for residential use and predominantly residential use (in case of mixed use) buildings of height more than 15m up to 24 m shall be 4.5m and for above 24 m building height front open space shall be 6.0 m.
- f) The building height for the purposes of light and ventilation regulation and for calculating the marginal distances shall be exclusive of height of parking floors. In case of part parking floor such provision shall be applicable only to the part where parking is provided.

20. Mechanical/Hydraulic / Stack parking / multistoried parking with or without car lift may be allowed to meet the requirement.

21. If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins up to 1.5 m. from the plot boundary and beyond the building lines at ground level subject to a clear minimum front margin of 4.5 m and further subject to non-habitable uses and provision for mechanical ventilation and all safety provisions and drainage. However, it is essential that the basement top slab below the external circulation at ground level should be designed for firefighting vehicular loads as per NBC 2016.

Provided that the above provision shall be permissible after the clearance from the Chief Fire Officer, CIDCO

22. Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications, modern methods of disposals, shall be permitted at the discretion of the Authority.
23. The service road of the State highways, National highways and Multi Modal Corridor (MMC) shall be considered for the access to the plot.

Further the plots along the other categorized roads such as Major District roads/ Village roads shall be directly accessible from these roads.

In all the above cases for final plots in Town Planning scheme Ribbon development rules shall not be applicable.

24. The distance between two main buildings in a final plot shall be that required to be provided for a taller building amongst them subject to 12.0m as maximum.
25. Construction within River and blue line: Construction within River and Blue line may be permitted at a height of 0.60 m. above red flood line level. Provided that necessary mitigation measures are followed along with clearance from Irrigation department.
26. Grant of Development Permission does not constitute acceptance of correctness, confirmation, approval or endorsement of and shall not bind or render the competent authority liable in any way in regard to;
- a. Title Ownership & easement right of the plot on which building is proposed.
 - b. Workmanship, soundness of material & structure safety of building.
 - c. Variation in area from recorded areas of building unit.
 - d. Location & boundary of building unit.
 - e. Safety of the user of the building.
 - f. NOC from appropriate authority.
 - g. Structural reports and Structural drawing.

27. For any other earlier approved proposal like ITP, Rental Scheme etc. the regulations applicable under that scheme shall be applicable to such plots.

12) Finance of the Scheme

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 9th December 2022. 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 2022-23. Since many plots are relocated from their original location, uniform land value i.e. four times of highest NA land rate in the village as per ASR 2022-23 is considered for the village in which the final plots are falling.

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-09 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.

Subsequent to the first three schemes, CIDCO has received many objections from participating land owners regarding levy of contribution charges even though they are contributing 60% and to the project. Management took cognizance of the requests received and formulated a committee to re-assess the cost-expenditure analysis of all 11 TPS to be declared by CIDCO in IDP. The

decision in the same is expected shortly. However, 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.

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

- For original plot value of land parcels, ASR of Non-agriculture land of 2012-23 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 2022-23, so that the net demand becomes zero for such plots.
- For the land parcels affected by HT line and their buffer, original plot value is considered 50% of ASR.
- For the purpose of semi-final value of plot, 1.5 times ASR of Non- agriculture land of 2022-23 of OP is considered.
- For original plot value of land parcels along Highway ASR of Highway land of 2022-23 is considered
- Final value of plot is calculated considering 4 times ASR of Non- agriculture land of 2022-23.

- 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 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 scheme. Hence, it is assumed that major share of GC shall be beneficial to the scheme and small part of it will be 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.
- The area of final plot less than 40sqmt is considered as disposed and it is expected that such land owners will merge their entitlements with other final plots by consent.

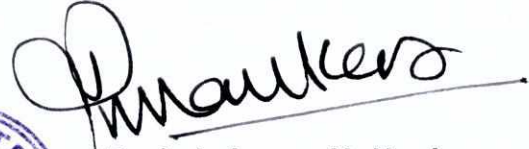
13) Scheme Accompaniments

1. Declaration of intention under Sub-Section (1) of Section 60 of the said Act by the Board of CIDCO to Resolution No. 12632 dated 9th December 2022.
2. A notice as per provision in Section 60(2) of MR&TP Act, 1966 to published in the extraordinary official Maharashtra Government Gazette (part - II) dated 22nd December 2022.
3. A notice as per provision in Section 60(2) of the Act in the daily newspapers Ramprahar and Free Press Journal dated 27.12.2022. The notice was also displayed and affixed on Notice Board of CIDCO Bhavan and NAINA office.
4. 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.
5. Copy of Gazette Notice published in official Maharashtra Government Gazette – Extraordinary Part –II dated 5th September 2023 as per provision under section 61(1) that the draft Town Planning Scheme No.9 has been made.

Accompaniments with draft scheme being published 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 - 09 in Form no. 2




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