

NAGPUR IMPROVEMENT TRUST

CONSULTATION PAPER FOR IMPLEMENTATION OF TOWN PLANNING SCHEMES UNDER THE NAGPUR IMPROVEMENT TRUST ACT 1936 AND PROPOSAL OF DEVELOPMENT OF NAGPUR METRO POLITAN AREA ON PUBLIC PARTICIPATION METHOD

The Nagpur Improvement Trust Act, 1936 came in to force on 1st January 1937, with preamble to provide and expansion of town of Nagpur. **As per Section 1(2)** of the Nagpur Improvement Trust Act, the jurisdiction of the Nagpur Improvement Trust can extents to the area comprised within the limits of the City and such other area outside those limits as the State Government may, time to time by notification, declare.

.By Notification dated 23rd July 1999 The Government of Maharashtra has declared The Nagpur Metropolitan Area. **(Annexure-1)**

The Government of Maharashtra by notification dated 24.12.2002 has extended the jurisdiction of Nagpur Improvement Trust to the Nagpur Metropolitan Area. (area mentioned in Notification dated 23rd July 1999) (Annexure-II).

The Nagpur Metro Politan Area includes 9 Tahsils i.e. Nagpur (Rural), Hingna, Parshioni, Mauda, Kamptee (Entire Talukas) with Saoner, Kalmeshwar, Umred, Kuhi (Part Talukas) and about 732 villages **(Annexure-III)** of these Tahsils and total area of Metro Region is 3597.12 Kms. The map of Metropolitan area is enclosed as **Annexure-IV**. The boundaries of Nagpur Metropolitan area as below:

West – Southern boundary of mouza Ashta in Nagpur Rural Tahsil to Northern boundary of Gaothangaon to Northan boundary of Mouza Digdoh in

Tahsil Hingna to Eastern boundary of mouza Bandhara to Northan boundary of mouza Vyahad in Nagpur Rural to Northern boundary of Mouza Borgaon (Khurd) in Kalmeshwar Tahsil to Northan boundary of Mouza Dohanghat in Tahsil Saoner to North-West of Parsheoni Tahsil

North – North – West boundary of Parsheoni Tahsil to East bounday of Mouza Nimkheda to East boundary of mouza Khaparkheda in Tahsil Mouda.

East – Northern boundary of mouza Khaparkheda to Southern boundary of Mouza Kotgaon in Mouda Tahsil.

South – Suthern bounday of Mouza Kotgaon to Western bounday of Mouza Meharkhedi in Tahsil Mouda to Southern bounday of Shivni in Tahsil Kamptee to Southern bounday of Mouza Mohali in Kuhi Tahsil to Southern bounday of Mouza Matkazari in Umred Tahsil to Southern bounday of Mouza Ashta in Nagpur Rurala

It is proposed that one of the ways of developing the metropolitan area should be by executing the Town Planning Schemes on Public Participation Method. The following procedure is proposed to be adopted for implementation of Public Participation Method in Nagpur Metro Region for Town Planning Schemes.

PROCEDURE TO BE FOLLOWED FOR DEVELOPEMENT OF NAGPUR METRO POLITAN AREA ON PUBLIC PARTICIPATION METHOD

1. The list of Tahsils and villages included in Metropolitan area will be published in the local newspapers and applications will be invited from the land owners along with their ownership documents who wish to develop their land / plots through Public Participation Method.

Or / and

The Nagpur Improvement Trust will select an area for Town Planning Schemes and the boundary of the same is demarcated on the plan and the scheme will be declared by NIT and land owners of that particular scheme area will be asked to approach NIT alongwith their ownership documents. The scheme may be declared showing proposed network and reservations or without road

work and reservations.

2. The ownership documents i.e. 7/12 revenue record, sale deeds etc. submitted by land owners will be scrutinized and their ownership will be verified.
3. The continuity of the lands will be verified and it will be seen that the lands proposed for development through Public Participation shall be adjacent to each other so that continuity of land will be maintained for planning purpose.
4. The draft base village map showing khasara numbers and owners and villages adjacent to each other for an area of about 100 Ha and above will be prepared along with list of owners of the land who agreed for the development of lands by this Method. The draft plan will be prepared after undertaking, detailed and accurate “total Station” survey to mark the land boundary, existing physical features of the site including topography slope, plot boundaries, existing structures etc. and the proposal of Regional Plan / Master Plan will be incorporated in the draft village plans and a map showing original plots is then prepared.
5. The draft base village map showing original plots along with list of owners will be kept before Board and preliminary approval of Nagpur Improvement Trust board will be taken.
6. After approval from the Nagpur Improvement Trust Board, the master plan of Town Planning Scheme will be prepared, keeping in view the overall D.P Road network of the scheme. In the layout plan proportion of land likely to be deducted from each original plot for the provision of roads, public space, social infrastructure is worked out and remaining area is reconstituted giving proper shape of 50% land share of land owner will be defined and owner will be given regular shaped / continuous land / final plots as close as possible to the original site. The final plots though

reduced in size better in shape buildability and accessibility and good potential for development. It's value gets enhanced. The micro level TPS will indicate the, neighborhood level, road network, land reconstitution, land for public purpose, local level infrastructure and development control of local level. The 50% / 50% break up of the land use structure of the scheme will be as below :-

Sr. No.	Item	Percentage of land	
	Land owner's share		
1	Reconstituted plots for original owner including internal roads and other amenities, as required.	50%	
	N.I.T.'S Share		
2	Roads (Major and D.P. Roads)	18% ^\	
3	Water bodies / sewage disposal areas	2%	
4	Institutional area	5%	
5	Parks / Gardens / Playgrounds and open spaces	10%	>50%
6	Housing for Weaker Section	4%	
7	Residential land bank for NIT	7%	
8	Commercial land bank for NIT	4%	
Total		100%	

Once the Town Planning Scheme is ready, it will be notified for the information of public at large in daily local news papers and all the land owners will be called for a meeting by the Nagpur Improvement Trust. The scheme is explained to the owners and taking into consideration the views of the owners if needed the scheme will be marginally modified and will be published and notified under Section 39 of the Nagpur Improvement Trust Act 1936. and also notices will be issued to the property owners under Section 41 of the Nagpur Improvement Trust Act 1936, within 30 days from the date of first notification

under section 39 of the NIT Act 1936.(for acquisition of land by agreement).

7. The FSI of the allotted final plot will be given one.(1.00). which means land owner will get 50% FSI of total land (including FSI of internal roads and other amenities, as required) i.e. 100% of final plot area allotted to land owner.
- 8 .Looking in to the existing infrastructure and developments, the standard of proposed development works i.e. roads, water pipe line, sewer line, storm drains, development of gardens, open spaces, electricity will be decided.
9. Requirement of water will be calculated and source of water will be identified and water will be provided through existing irrigation projects of the area or new water bodies will be created in consultation with Irrigation Department. The area for disposal of sewerage and sanitation will be identified looking into the topography of the area and area will be marked for the disposal of sewerage and decentralized Sewage Treatment plants (STP) will be constructed on BOT or otherwise.
- 10.The development cost of all infrastructure i.e. roads, sewer lines, water pipe line, storm drains, culverts, nallah bridges, gardens, parks etc. will be calculated.
- 11.The cost of commercial and residential retainable land with Nagpur Improvement Trust as per ready reckonner will be deducted from the total cost of development works.
- 12.The per square feet cost of development works will be calculated after deducting cost of commercial and residential land banks of Nagpur Improvement Trust as per ready reckonner value and development cost along with development charges as per section 124 A ,124 B and Second schedule of MRTTP Act 1966, will be recovered from the original land owners on the basis of net land area remained with them (Final plot area).

13. MOU will be signed with the land owners regarding the following :-

- a) That the total 100% land will be theoretically vest with NIT.
- b) 50% of the total land holding will be retained by the owner.
- c) 50% of the total land holding shall vest in NIT free from all encumbrances for public purpose as mentioned in Point No. 6 (NIT share)
- d) Development cost per square foot of retained land shall be payable by landowner to NIT as mentioned in point No. 12.
- e) Once NIT decides the development cost (along with interest), the cost of development shall not be changed.
- f) NIT shall be responsible for the development works as mentioned from Para 8 to 10.

14. After following the above procedure the proposal of TPS Scheme along with MOU of land owner will be kept before the Nagpur Improvement Trust

Board and after board approval the T.P. scheme will be sent to Govt. for approval under section 43 of the NIT Act 1936, along with proposal of modification in Regional Plan under Section 20 of M.R.T.P. Act 1966 and Govt. will also be requested to transfer Govt. lands in the TPS area free of cost to Nagpur Improvement Trust.

15. After approval of TPS scheme from the Govt. under section 45 read with section 44, the final agreement towards development of scheme by public participation will be done with the land owners as per section 58 of NIT Act which empowers the Trust to enter into an agreement.

16. In the meantime the estimates of development works i.e. roads, sewer line, storm drains, development of parks and Gardens etc. will be prepared.

17. The tenders will be floated for development works and development works will

be started in the TPS area on the lands handed over by land owners for construction of roads, sewer line and development of parks / gardens and opens spaces etc.

18. In case open land is not available and there are existing structures it will not possible to take 50% land as proposed above , the land owners has to pay complete infrastructural development cost along with compounding charges for regularizing existing construction, The land owners will have to hand over open spaces and public utility spaces of the lay out to the NIT.

In case of road widening in the existing layouts, land / plot owners has to surrender the required land for road widening without any demur.

ADVANTAGES OF PUBLIC PARTICIPATION METHOD

1. As per conventional method of acquisition land owner will get :-
 - a. Compensation only on compulsory acquisition of their land as per section 59 of NIT Act, 1936.

OR One developed plot of 4000 Sft. per acre of land acquired by NIT as compensation as per Govt. decision vide letter Dated 17.1.1992.
 - b. As per U.D.P.F.I. (Urban Development Non Formulation and Implementation) guidelines, proposed land use structure of Urban Center in plain areas for development of metro cities. The residential land use allowable is 35-40 % of total land.

As per above proposed Public Participation Method land owner will get 50% of total land area which has enormous land value and better in shape buildability and accessibility.

- 2 The above proposed method is rational, equitable and democratic. By implementing T.P. scheme the buildability of reconstituted plot increases with regular shape, improvement accessibility, increase potential of development, availability of social and physical infrastructure, better linkage with other parts of the city and improvement in living environment.

- 3 Land is rightly used as a resource with the increased build ability, market value of land goes up. This results in accruing increment in land value to the owner. The owners of net gainers from the Town Planning Scheme as such they can contribute towards the cost of the development in proportion to their benefits.
- 4 Under T.P. Scheme area for roads and public purposes is taken without dispossessing the owners totally. Such area for public purposes is almost equitably shared by all the land owners of the scheme in proportion to the area of their land and no person whose land falls under reservation is victim of his private rights being subordinated to public interest. Everybody is getting 50% of his total land share.
- 5 Peoples participation is ensured under the provision of this method as such local authorities give due consideration to the land owners in preparation and implementation of the scheme.
- 6 Planning efforts can keep pace with the growth and rapid urbanization thereby reducing scope for haphazard urban sprawl. T.P. scheme facilitates decentralization of plan development activities in core as well as outlying area of the city.
- 7 T.P. scheme encourages optimum use of scarce developed urban land through efficient layouts and using of urban land as a resource to check land speculation.
- 8 Effective people participation in the planning process ensures timely consent of land owner which reduces the scope of future litigation and conflicts during implementation of the scheme.
- 9 The method involves assembling small landholdings into a large land parcel, providing it with infrastructure in a planned manner, and returning the reconstituted land to the owners with additional benefits like roads, parks and access to other public utility services. The infrastructure expense is recovered by the sale of some of the serviced land and development charges.

Public Participation Method can be the first choice for implementation of NIT Schemes. NIT, can implement the scheme by resorting to Section 26 of

Nagpur Improvement Trust Act 1936, read with Section 58 of NIT Act.

Section 26 empowers the NIT to acquire the land by purchase, exchange or otherwise which mean that the NIT can acquire the land and implement the scheme by public participation also. Under section 58 of the NIT Act, the NIT can inter into an agreement with any person for acquisition by purchase, lease or exchange within the area comprise in sanctioned scheme. This mode by implementation of scheme by public participation is more effective. In case if it is not feasible to implement the scheme by public participation in that case, NIT will have no other option but resort to section 59 of NIT Act for compulsory acquisition under the Land Acquisition Act 1894 as per the scheme plan proposed by NIT.

Public is hereby informed to give their opinion, views and suggestions in writing to the Superintending Engineer, Nagpur Improvement Trust, Station Road, Sadar, Nagpur-440 001 or mail their views , opinion and suggestions at **nagpurnit@hotmail.com**.

Annexure-I

अधिसूचना

नगर विकास विभाग
मंत्रालय, मुंबई ४०० ०३२.

दिनांक : २३ जुलै, १९९९

भारताचे
संविधान

क्रमांक : टीपीएस-१८९९/११९९/प्र.क्र.८०/९९/नवि-१२. भारताच्या संविधानाच्या अनुच्छेद २४३ त मधील खंड (ग) आणि महाराष्ट्र महानगर नियोजन समिती (रचना व कामे) अध्यादेश, १९९९ (१९९९ चा अध्यादेश क्र.१२) अन्वये प्रदान करण्यांत आलेल्या शक्तींचा वापर करून महाराष्ट्र शासन याद्वारे अनुच्छेद २४३ त मधील खंड (ग) मध्ये नमूद केलेल्या अटीची पूर्तता करित असलेल्या क्षेत्रास, जे खालील अनुसूचिमध्ये सविस्तरपणे नमूद करण्यात आले आहे, संविधानाच्या भाग-९-अ मध्ये नमूद प्रयोजनासाठी महानगर क्षेत्र म्हणून घोषित करित आहे.

अनुसूचि

अनु महानगर महानगर क्षेत्रात समाविष्ट करावयाऱ्या क्षेत्राचे वर्णन
क्र. क्षेत्राचे नांव

१. २. ३

१. मुंबई महानगर क्षेत्र
मुंबई महानगर क्षेत्र हे पुढील सीमांमध्ये असलेल्या संपूर्ण मुंबई शहर जिल्हा, मुंबई उपनगर जिल्हा आणि ठाणे व रायगड जिल्हांच्या काही भाग मिळून होईल.
पश्चिम -- अरबी समुद्र
उत्तर -- वैतरणा खाडी/नदी व तानसा नदी.
पूर्व -- उल्हास नदीलगतच्या भिवंडी, कल्दाग, उल्हासनगर तालुक्याची पूर्व हद्द व तदनंतरची गावे शेलु ते कळंबोलीतर्फे वरेडी आणि ताकव, भालीवडी, सावेळे, हेदवली, मांडवणे, भिवपुरी

काव, हुमगांव, साईडी, महाले, साल्पे, खरवंडी,
कोडाणे, चोची आणि खोपोली नगरपरिषदेची पूर्व
हद्द.

दक्षिण -- पाताळगंगा नदी लगतच्या खोपोली नगरपरिषदेची
दक्षिण हद्द व तदनंतरची गावे दापीवली, वायेघर
मुळसुडे, लाडीवली, पंजवेल तहसिल मधील आपटा
त्यानंतर पेण तालुक्यातील खालील गावांची पूर्व
हद्द- दुशामी, कोवली, सीमादेवी, भिजे, बालावली,
आंबीवली, धावससर, समराज, धावटे, पेण
नगरपरिषदेची हद्द, पेण ग्रामीण, मालेघर, खंडाळे
तदनंतर पेण तालुक्यातील खालील गावांची दक्षिण
हद्द- धावे (नवेगाव), बनेघाट, त्यापुढे अलिबाग
तालुक्यातील खालील गावांची दक्षिण हद्द :-
साहाबाज, धुवडखार, देवनकोणी, भाकरवड, गोंडविरा,
आंबेपूर, पेझेर, आंबेघर, सागरगड, गाणतर्फे
शिरगांव, गाणतर्फे परूर, तलवडे, तलायलीतर्फे
खंडाळे, पेशवी, चेंदरे आणि अलिबाग.

२. पुणे महानगर
क्षेत्र.

पुणे महानगर क्षेत्र हे पुढील सीमांमध्ये असलेल्या पुणे
जिल्ह्यातील मावळ व पुणे शहर तालुक्याचे पूर्ण क्षेत्र
तसेच हवेली, भोर, शिरूर, मुळशी आणि खेड
तालुक्यातील काही भाग मिळून होईल.

पश्चिम- मुळशी तालुक्याची घुंके गांव ते देवघर गावा-
पर्यंतची पश्चिम हद्द व मावळ तालुक्याच्या
पश्चिम हद्दीपर्यंत.

उत्तर:- मावळ तालुक्यातील भाळेगांव बुद्रुक गावांची उत्तर
हद्द ते खेड तालुक्यातील सावरदी गावाची पश्चिम
व उत्तर हद्द ते महाळंग गावांची उत्तर हद्द ते
आंबेठाण गावाची पश्चिम हद्द ते उत्तरेकडे भीमा
नदी ते कडाची वाडी, तसे गावांची पूर्व हद्द ते
केळगाव दावडी, चंभली खुर्द, धानोरे सोळ व
मरकळ गावांची उत्तर हद्द ते शिरूर तालुक्यातील
आपटी गावाची उत्तर हद्द ते वाजेवाडी गावाची

पश्चिम व उत्तर हद्द ते पिंपळे जगताप गावाची उत्तर हद्द ते जातेगांव खुर्द गावाची पश्चिम व उत्तर हद्द ते भीमा नदी ते राऊतवाडी, बुरुंजवाडी गणेगांव खालसा गावांच्या पश्चिम व उत्तर हद्दीपर्यन्त.

पूर्व :- शिरूर तालुक्यातील गणेगांव, खालसा, कोंढापूरी, कासारी, लळेगांव ढमढेरे, विडलवाडी गावांची पूर्व हद्द ते भीमा नदी ते हवेली तालुक्यातील सागवी, साडस, शिंदेवाडी, हिंणगाव गावांची पूर्व हद्द ते मुळा मुळ नदी ते दोंड तालुक्याची नांदूर, बोराटेवाडी, सहजपूरवाडी गावांची पूर्व हद्द ते बोरीऐंदी गावाची दक्षिण हद्द ते बोरीभरक गावाच्या दक्षिण हद्दीपर्यन्त.

दक्षिण :- हवेली तालुक्याची शिंदवणा गावापासून ते भिलारवाडी गावापर्यन्त दक्षिण हद्द ते गोगलवाडी गावाची पूर्व हद्द ते भोर तालुक्याची वेळू गावापासून पांडे गावापर्यन्त पूर्व हद्द ते नीरा नदी ते गुंजवणी नदी ते खडकी गावाची पश्चिम हद्द ते माळेगाव गावाची दक्षिण, पश्चिम व उत्तर हद्द ते शिवगंगा नदी ते संजें गावांची दक्षिण पश्चिम हद्द ते हवेली तालुक्यातील कोंढणपूर गावाची दक्षिण हद्द ते हवेल तालुक्याची घेर सिंहगड गावाची दक्षिण हद्द ते मालखेड, मांडवी बु, मांडवी खु, कुडजे व आगळांबे, अहिरे व कोढवे धावडे या गावांची पश्चिम हद्द ते मुळशी तालुक्यातील भुकुम गावाची पश्चिम हद्द ते पिरगूट गावाची दक्षिण हद्द ते उरवडे गावाची पूर्व, दक्षिण व पश्चिम हद्द ते आंबडवेट गावाची दक्षिण व पश्चिम हद्द ते घोटवडे गावाची पश्चिम व उत्तर हद्द ते चांदे माण गावाची पश्चिम हद्द ते मावळ तालुक्याची कुसगांव पी.एम ते आजिवली गावांची दक्षिण हद्द ते मुळशी तालुक्यातील चांदीवली गावाची दक्षिण हद्द ते टाटा तलाव (मुळशी तलाव) ते घुटके गावाच्या पूर्व हद्दीपर्यन्त.

३. नागपूर महानगर क्षेत्र

नागपूर महानगर क्षेत्र हे पुढील सिमांमध्ये असलेल्या नागपूर जिल्ह्यातील नागपूर शहर, नागपूर ग्रामिण, हिंणगा, प्रारशिवनी, मोदा व कामठी तालुक्यांचे पूर्ण क्षेत्र

तसेच सावनेर, कळमेश्वर, उमरेड व कुही तालुक्यातील काही भाग मिळून होईल.

पश्चिम :- नागपूर ग्रामीण तालुक्यातील मौजा आष्टाची दक्षिण हद्द ते हिंगणा तालुक्यातील मौजा गोठणगावाची उत्तर हद्द ते डिगडोह गावाची उत्तर हद्द ते नागपूर ग्रामीण तालुक्यातील मौजा बंधाराची पूर्व हद्द ते मौजा व्याहाडची उत्तर हद्द ते कळमेश्वर तालुक्यातील मौजा बोरगांव (खुर्द) ची उत्तर हद्द ते सावनेर तालुक्यातील मौजा डोहणघाट ची उत्तर हद्द ते पारशिवनी तालुक्यातील उत्तर-पश्चिम हद्दीपर्यन्त.

उत्तर :- पारशिवनी तालुक्याच्या उत्तर-पश्चिम हद्दीपासून ते मौजा निमखेडा ची पूर्व हद्द ते मौदा तालुक्यातील मौजा खापटखेडाच्या पूर्व हद्दीपर्यन्त.

पूर्व :- मौदा तालुक्यातील मौजा खापटखेडा ची उत्तर हद्द ते मौजा कोटगांवच्या दक्षिण हद्दीपर्यन्त.

दक्षिण :- मौदा तालुक्यातील मौजा कोटगांवची दक्षिण हद्द ते मौजा मोहरखेडीची पश्चिम हद्द ते कामठी तालुक्यातील मौजा शिवनीची दक्षिण हद्द ते कुही तालुक्यातील मौजा मोहलिची दक्षिण हद्द ते उमरेड तालुक्यातील गटकाझरीची दक्षिण हद्द ते नागपूर ग्रामीण तालुक्यातील मौजा आष्टाच्या दक्षिण हद्दीपर्यन्त.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(५१५११)

[डॉ. सुरेश जोशी]

महाराष्ट्र शासनाचे प्रधान सचिव,

Annexure-II

NOTIFICATION

Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated the 24th December 2002.


Nagpur Improvement
Trust Act, 1936.

No. : NIT 2202/4025/CR-493/2002/UD-26.- Whereas under sub-section (2) of section 1 of the Nagpur Improvement Trust Act, 1936 (C.P. and Berar XXXVI of 1936) (hereinafter referred to as the "said Act"), the area within the limits of the city of Nagpur has been declared to be the area to which the said Act shall extend;

And Whereas Government considers it expedient to declare that the said Act shall also extend to certain other areas outside those limits, being the areas within the limits of the Nagpur Metropolitan Area declared as such under Government Notification, Urban Development Department No. TPS 1899/1196/CR80/99/UD-13 dated the 23rd July 1999 (hereinafter referred to as the "said notification"), issued under clause (c) of article 243P of the Constitution of India read with clause (c) of section 2 of the Maharashtra Metropolitan Region Planning Committees (Constitution and Functions) Act, 2000 (Mah. V of 2000);

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 1 of the said Act, the Government of Maharashtra hereby declares that the said Act shall extend to the Nagpur Metropolitan Area declared as such under the said notification.

By order and in the name of the
Governor of Maharashtra,


(Subhash Lalla)
Secretary to Government.