

**MINUTES OF THE 115th MEETING OF THE HERITAGE CONSERVATION
COMMITTEE (HCC) HELD ON FRIDAY, SEPTEMBER 23, 2022.**

A. Proposal:

Item no. 1: Building plans in respect of Addition/alteration in plot no. 367-368 (Old) 590 (New) ward no. VIII, Gali Bal Mukand, Kucha Pati Ram, Bazar Sita Ram.

1. The Heritage Conservation Committee (HCC) did not approve the building plan proposal for addition/alteration works forwarded by the MCD (online) at its meeting held on June 17, 2022, specific observations were given.

A. Background:

1. *The proposal was forwarded by the MCD (online) for consideration of the Heritage Conservation Committee (HCC). It was observed that proposal is in Grade-III of gazette notified heritage-listed sites.*
2. *The Heritage Conservation Committee (HCC) did not approve the proposal for repair/renovations/interior works forwarded by the North DMC (online) at its meeting held on March 6, 2018, the following specific observations were made:*
 - “1. *The proposal forwarded by the North DMC online was scrutinised. The proposal is in Grade-III of heritage list of MCD area. The proposal was in respect of demolition of part building and reconstruction.*
 2. *Since, the North DMC had not given its comments from the point of existing and proposed building and regulatory provisions point of view, it was decided to return the proposal to North DMC for resubmission after compliance with the aforementioned observations.”*
3. *The Committee took note that the construction had already been done at the site without prior approval of the concerned local body i.e., MCD and expressed its displeasure. In terms of the provisions, as stipulated under provisions of Unified Building Bye-Laws for Delhi 2016 (UBBL), any intervention in the gazette notified heritage-listed property in the MCD jurisdiction, shall be done with the prior permission of the MCD. Before granting such permission, MCD shall consult the HCC.*
4. *The Committee scrutinised the proposal (including drawings, existing site photographs, a letter from the concerned local body etc.) related to the heritage property, and taking into consideration all the facts stated above, the proposal was found to be not acceptable and returned to the North DMC, the following observation was made:*
 - a. *The HCC observed that it has not been provided with substantial documentation i.e., all floor plans, all elevations, sufficient number of photographs of the original heritage building (interior as well as external façade) of the heritage-listed property by the MCD for its consideration. In absence of substantial original data, it is not possible to examine the proposal viz-a-viz original construction judiciously and provide its comments and feedback.*

B. Provisions of Clause 1.2 and 1.4 of Annexure-II of UBBL 2016 for Delhi:

1.2 Responsibility of the Owners of Heritage Buildings: *It shall be the duty of the owners of heritage buildings and buildings in heritage precincts or in heritage streets to carry out regular repairs and maintenance of the buildings. The Government, the Municipal Corporation of Delhi or the Local Bodies and Authorities concerned shall not be responsible for such repair and maintenance*

except for the buildings owned by the Government, the Municipal Corporation of Delhi or the other local bodies.

1.4 Penalties: Violation of the regulations shall be punishable under the provisions regarding unauthorized development. In case of proved deliberate neglect of and/ or damage to Heritage Buildings and Heritage precincts, or if the building is allowed to be damaged or destroyed due to neglect or any other reason, in addition to penal action provided under the concerned Act, no permission to construct any new building shall be granted on the site if a Heritage Building or Building in a Heritage Precinct is damaged or pulled down without appropriate permission from Commissioner, MCD/Vice Chairman DDA/Chairman NDMC.

It shall be open to the Heritage Conservation Committee to consider a request for rebuilding/reconstruction of a Heritage Building that was unauthorized demolished or damaged, provided that the total built-up area in all floors put together in such new construction is not in excess of the total built up area in all floors put together in the original Heritage Building in the same form and style in addition to other controls that may be specified.

2. The proposal for additions/alterations received (online) from North DMC was scrutinised along with the letter no: EE(B)-II/CSPZ/2019/D-309 dated 06.03.2019 from Ex. Engineer (B)-II, City-S.P. Zone, North DMC, provisions as stipulated under clauses 1.2 and 1.4 respectively of the annexure-II of UBBL 2016 for Delhi, and other relevant documents & drawings submitted by the architect/proponent, the following observations are to be complied with:

a) The Committee observed that the proposal was last considered by the HCC at its meeting held on 17.06.2022, and the following decision was made:

“.....The HCC observed that it has not been provided with substantial documentation i.e., all floor plans, all elevations, sufficient number of photographs of the original heritage building (interior as well as external façade) of the heritage-listed property by the MCD for its consideration. In absence of substantial original data, it is not possible to examine the proposal viz-a-viz original construction judiciously and provide its comments and feedback....”

b) The Committee has also taken note that the construction (comprising of ground, first, second and third floor) had already been completed at the site after demolishing the heritage structure without obtaining prior approval of the concerned local body i.e., North DMC and again expressed its strong displeasure. Moreover, North DMC vide their letter dated 06.03.2019 has referred to clause 2.27 (related to Regularisation) of the UBBL 2016 for Delhi in the current context.

c) The Committee observed that the property under consideration is a grade-III gazette notified heritage listed property and the provisions, as stipulated under various sections of Annexure-II of UBBL 2016 for Delhi, apply to heritage-listed properties only.

d) The Committee also expressed its strong displeasure on the absence of an updated status report from MCD and comments as per Annexure II applicable to Heritage buildings as well as its member representing North DMC and requested their presence in all future meetings.

e) In view of the above, it is again reiterated that substantial documentation related to the original heritage listed property including all floor plans, all elevations, a sufficient number of photographs (interior as well as external

façade) be submitted to HCC for its consideration accompanied by the detailed comments/observations by the MCD.

- f) The HCC decided that in absence of substantial original data and updated comments provided by MCD it is not possible to examine the proposal viz-a-viz original construction judiciously, the proposal was found to be **not acceptable** and returned to the concerned local body i.e., North DMC.

Item no. 2: Repair/Renovation in respect of Plot no. 134, flat no. 3, 2nd and 3rd and terrace floor in Atma Ram Mansion (earlier known as Scindia House), Janpath Road, Connaught Place.

1. The proposal forwarded by the NDMC electronically was scrutinized. It included the *work in terms of plastering and cladding/wall panelling and patch repairs, reroofing of renewal of roof including roof of intermediate floor at the same height, flooring and re-flooring, opening and closing windows, ventilators and doors opening within the owners plot, white washing, painting etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be put to use as a loft/mezzanine etc, erection or re-erection of internal partitions/ wall panels provided the same areas within the preview of the bye-laws, change/installation/re-arranging/replacing of fixtures or equipment for lift, we undertake that the Heritage character comprising of architectural elements such as cornices, quoins, gables, architraves, Palladian-style windows etc. if any will be retained in the modifications, we undertake that the details in respect of placement, size, colour text etc. of the signages/sign boards etc, if any will be done as per approved policy/guidelines prepared by the NDMC for Connaught Place area, repairing and plastering of chajja.*
2. The proposal was scrutinized along with the comments given by the concerned local body i.e., NDMC. The Committee observed that the NDMC has forwarded the proposal for repair/renovation under clause 2.0.1(d) of the UBBL 2016 whereas a decision was taken in a meeting held between the Chief Architect, NDMC and the Member-Secretary under the Chairmanship of Chairman HCC on March 16, 2022, that:

“.....provisions, as stipulated under clause 7.26 & Annexure-II of UBBL, are applicable to the heritage areas/properties.....”
3. Taking into consideration the decision as indicated above, and in the interest of work, the Committee decided to consider the proposal under clause 7.26 & Annexure-II of UBBL and found it **not acceptable**, the following observations are to be complied with:
 - a) From the list of works for repair & renovation submitted by the architect/proponent, it was observed that extensive work of repair and renovation is likely to be undertaken at the site including reroofing of renewal of roof including roof of intermediate floor at the same height. The Committee opines that the proposed works shall be substantiated with an appropriate number of existing site pictures (*in correlation to the list of works*) to understand the existing site conditions better.

- b) Also, before and after images viz-a-viz repairs works to be undertaken, and the proposed design scheme with 3D views shall be submitted to understand the proposed renovation design scheme clearly.
 - c) The structural safety of the heritage building should be ensured. Heritage Character comprising architectural elements etc. should be retained in the renovation/modifications.
 - d) No changes/projections are permitted on the external side/facade, which should be retained as per the original design.
 - e) It was suggested to use energy-saving fittings and fixtures for all electrical appliances and sanitary fittings.
 - f) NDMC shall ensure that the placement, size, colour, text etc. of the signages/signboards etc. be as per approved policy/guidelines prepared by NDMC.
4. Overall, HCC opines that the submission is not comprehensive and self-explanatory, due to lack of clarity and sufficient information provided, it is **not acceptable** and returned to NDMC. The architect was advised to comply with the above observations and re-submit the revised proposal after incorporating all the suggestions.

Item no. 3: Repair/Renovation/reconstruction of the damaged portion of Chajjas projection at 10-B, Ground floor, Scindia House, Connaught Place.

1. The proposal was deferred.

B. Additional item:

Addl. Item No. 1: Replacement of existing doors and windows of front façade of main Building, Patiala House Court.

1. The Heritage Conservation Committee (HCC) did not approve the proposal for the replacement of existing doors and windows of front façade works forwarded by the CPWD (online) at its meeting held on August 31, 2022, specific observations were given.
2. The proposal for the Replacement of existing doors and windows of the front façade of the Main Building, Patiala House Court received (online) from CPWD was scrutinized along with the replies submitted by the architect in response to the observations of the HCC communicated vide HCC letter no: OL-2907221505-HCC dated 07.09.2022, and a discussion was held with the architect who provided clarifications to the queries of the HCC. Based on the replies submitted, a discussion held, and the submission made, the proposal was found to be **acceptable**, the following observations are to be complied with:

- a) The Red Sandstone colour paint on the borders around the windows/door frames appears to be too bright, the same shall be subdued to the extent that it matches with the Red Sandstone colour.
- b) No changes/projections are permitted on the external side/facade, which should be retained as per the original design. The original colour scheme of the outer façade must be maintained.
- c) The structural safety of the building should be ensured.

(Kamran Rizvi)
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Additional Secretary (D&UT),
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(Ruby Kaushal)
Member-Secretary
Heritage Conservation Committee