

MINUTES OF THE 137th MEETING OF THE HERITAGE CONSERVATION COMMITTEE (HCC)
HELD ON 3.00 P.M. ON WEDNESDAY, FEBRUARY 21, 2024.

Sl. No	PROPOSAL	OBSERVATIONS /RECOMMENDATIONS	DECISION
1.	Building plan proposal in respect of building at 4744-51, situated 23 no. Ansari Road, Daryaganj.	<p>1) The MCD forwarded the proposal (Online) for consideration by the HCC. The proposal is in the gazette notified heritage list of the MCD area Grade-III listed at serial no. 36 vide gazette notification <i>dated February 25, 2010</i>, issued by the Govt. of NCT of Delhi.</p> <p>2) The proposal regarding the heritage listed property (originally as a residence) received (online) at the formal stage was scrutinized along with the detailed comments received from MCD vide their letter nos. TP/G/MCD/2023/2556 dated 05.12.2023, and TP/G/MCD/2023/2983 dated 13.02.2024 respectively, the following observations are to be complied with:</p> <p>a) The Committee observed that the proposal encompasses the complete demolition and subsequent reconstruction of the heritage-listed property. While the original listed use of the heritage property is 'Residence,' the Architect's report suggests its original use as 'Residence cum Commercial' and proposes a transition to commercial use for the building.</p> <p>b) The Senior Town Planner-III, MCD, Town Planning department vide their letter no: TP/G/MCD/2023/2983 dated 13.02.2024 has indicated the following:</p> <p style="padding-left: 40px;"><i>“.....After a comprehensive review of the applicant’s presentation, including photographs of the current building and the report furnished by the building department concerning its condition, it emerges that the structure poses inherent safety hazards to its occupants and poses a risk to pedestrians passing by. In the event of an unfortunate occurrence, the extent of potential damage remains uncertain.....”</i></p>	Not accepted, observations given.

		<p>A disparity has been noted in the submission. While the Town Planning Department, MCD has cited <i>"inherent safety hazards to its occupants"</i> regarding the structure, the Zonal Office, MCD, in the proforma submitted to the Chief Town Planner, MCD, has stated the present use as <i>"vacant due to the uninhabitable condition of the existing building."</i> Moreover, the Architect in its proforma submitted to MCD has also indicated that <i>"vacant due to the uninhabitable condition of the existing building"</i>. As the proposal is currently formal, consistency in statements and the overall submission is imperative.</p> <p>c) Further, the attention of the MCD and the proponent was drawn to the provisions as stipulated under clause 1.4 of annexure-II of the UBBL for Delhi 2016:</p> <p><i>"...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.</i></p> <p><i>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..."</i></p>	
--	--	---	--

	<p>d) Also, the photographs of the existing heritage building submitted by the Architect appear to be not harmonious with the observation made by the MCD via their letter no: TP/G/MCD/2023/2983 dated 13.02.2024.</p> <p>e) Additionally, the Committee opines that any proposal for adaptive reuse must be based on a comprehensive restoration conservation-based assessment of the heritage structure, and the demolition shall not be permitted.</p> <p>3) After a comprehensive review, the Committee noted that the proposal is not in harmony with the provisions outlined in clause 1.4 of annexure-II of the Unified Building Bye-Laws (UBBL). Due to discrepancies, and inadequate information, the proposal is being returned to the concerned local body, i.e., MCD, with the request to examine, authenticate, and verify the submitted heritage proposal in terms of the provisions outlined in clause 1.4 of annexure-II of the Unified Building Bye-Laws (UBBL).</p>	
--	--	--

sd/-

(SurendraKumarBagde)
Chairman, HCC
Additional Secretary (D),
Ministry of Housing & Urban Affairs,
Government of India.

sd/-

(Ruby Kaushal)
Member-Secretary, HCC