

**MINUTES OF THE 19<sup>th</sup> MEETING OF THE HERITAGE CONSERVATION  
COMMITTEE MEETING HELD ON 22<sup>ND</sup> APRIL, 2008.**

**PRESENT :**

- |    |                                                                 |                      |
|----|-----------------------------------------------------------------|----------------------|
| 1. | Shri S.M. Acharya<br>Special Secretary<br>M/o Urban Development | Chairman, HCC        |
| 2. | Shri T.K. Sinha                                                 | Member, HCC          |
| 3. | Shri V.K. Bugga                                                 | Member, HCC          |
| 4. | Shri D.S. Meshram                                               | Member, HCC          |
| 5. | Shri D.R. Gehlot<br>ADG ASI                                     | Member HCC           |
| 6. | Shri J.B. Kshirsagar<br>Chief Town Planner TCPO                 | Member               |
| 7. | Shri Sanjib Sengupta                                            | Member Secretary HCC |

**ALSO PRESENT :**

- |     |                                                   |  |
|-----|---------------------------------------------------|--|
| 8.  | Ms. Manisha Gupta<br>Architect (SZ), DDA          |  |
| 9.  | Dr. D.V. Sharma<br>SA, ASI                        |  |
| 10. | Shri Vasant Kumar Swankar<br>Dy. SA, ASI          |  |
| 11. | Shri Sabyasachi Das<br>Joint Director (Plng.) DDA |  |
| 12. | Shri Sudhir Kain<br>Addl. Director (Plng.) DDA    |  |
| 13. | Shri R. Srinivas<br>Associate Planner, TCPO       |  |

**Item No.1 : Confirmation of minutes of 18<sup>th</sup> meeting of the Heritage Conservation Committee held on October 16, 2007.**

Minutes of 18<sup>th</sup> meeting of HCC held on 16<sup>th</sup> October, 2007 have been confirmed.

**Item No. 2 : Revised layout and building plan for I.P. College for Women, Shamnath Marg.**

The proposal was discussed in detail. The Committee observed that the height of the proposed Multi-purpose Block building is much more than the height of existing old college building which is listed as heritage building. The Committee further observed that there is already one auditorium building, at the rear of the left side wing of the heritage building, whose height is also more than the height of the heritage building but lesser than the height of the proposed building. Therefore, the Committee after examining the drawings and model submitted by the proposer has taken the following decisions :-

“The proposal is approved subject to the condition that the proposed Multi-purpose Block building should be aligned with the rear wall of the existing gymnasium building. The total height of the proposed Multi-purpose Block building should not be more than the height of the auditorium building. The elevation of the proposed Multi-purpose building should be in harmony with the elevation of existing heritage building.”

**Item No. 3 : Old Heritage Sarai being conserved and used by the Sunrydge Qutub Haveli Sarai at 6-8 one style mile Mehrauli.**

The proposal was discussed in detail with reference to the brief note dated 24.10.07 of ASI to the Member Monitoring Committee (appointed by Hon’ble Supreme Court) and the application of M/s. Sunrydge India Heritage Pvt.Ltd. and M/s. Olive.

The representative of ASI explained that the property is located close to the Qutab Minar complex which is a protected and the area is listed as a heritage precinct. There are two parts of the property, one part is called Qutab Haveli Sarai at No. 6 and a second part is called Qutab Haveli Sarai at No. 8. The Qutab Haveli Sarai at 6 has been sealed by the Monitoring Committee appointed by the Supreme Court for unauthorized use. The

Qutab Haveli Sarai at 8 has been sealed partially. Time to time maintenance permission was given by the ASI as explained in the brief note of ASI dated 24.10.07 before the Monitoring Committee sealed portions of both the buildings.

It is evident that the premises was being used as a commercial venture long before the heritage related bye-laws came into force. The commercial success depended upon the heritage value of the property. Permission to take up restorative actions were being given in the past.

In this case, the party requested to give permission for repairing as follows through drawings submitted on 4.5.2007.

- a. Repair of cracks.
- b. Repair of Arches
- c. Water proofing of ground floor roof/first floor roof.
- d. Chajja on first floor plan.
- e. Plinth protection.

Now the party further requested HCC to give permission to use the property as a Restaurant.

It was brought to the notice of the Committee that the items of works mentioned above are covered under the provisions of 6.4.1 of the building bye-laws, in accordance to which no notice or building permit is required from local body. The building is listed as Grade II Building in Heritage list of MCD. In accordance to the provisions of Building bye-laws interventions in the form of repair and maintenance is by and large allowed in the interest of strengthening & prolonging the life of the building subject to strict scrutiny and ensuring that all special aspects for which it is included in heritage grade is conserved. Therefore, Committee may consider to give permission for above said repairs for the portions of both the buildings which are not sealed by the Monitoring Committee of Supreme Court.

In view of above the Committee decided as under :

“This is a heritage building and if it is deteriorating, such kind of repair/restoration work can be taken to improve its heritage quality and preserve the building for posterity. However, to preserve the building, whenever any addition/alteration repair/restoration is to take place, and for the permission to change the use of the building, it is the local body who is to be approached first for permission. The local body shall scrutinize/examine with reference to its Act, provisions of the building bye-laws or any other law or rule applicable and if required seek permissions from the various bodies who are concerned with the same.

In this case the local body shall examine whether the application for change of use is in accordance to the bye-law 23.9 and local bodies Act. HCC should not be drawn into according any permission/license or prescription for use of the premises, as that is the domain of the local body.

**Item No.4: Renovation of commercial heritage property for approval and recommendation to Heritage Conservation Committee – Letter received from M/s. Qila.**

The proposal is for repairs work in respect of a heritage property in the Qutab Minar area at 4-A, Kalka Dass Road, Mehrauli. No formal proposal has been forwarded by the MCD in this regard. The correspondence which is placed before the Committee is a letter from M/s. Qila mainly for the approval and recommendations of the HCC for undertakings the repairing works. The representative of ASI intimated that the property is located within the regulated zone of protected monument Qutab Minar therefore, before giving any permission, ASI observations are required. Under these circumstances, the HCC decided that the proposal should be first checked by the MCD in consultation with the ASI and thereafter the MCD should forward the proposal to HCC for further consideration.

**Item No. 5 : Request to preserve the Kashmere Gate Bengali Club – Heritage Building – Letter received from M/s. Bengali Club.**

The Committee observed that the proposal was referred to the Sr. Town Planner, MCD by the HCC in the month of November 2007 for comments of MCD which are still awaited. Committee cannot take any decision unless MCD comments are made available to the Committee, therefore, committee decided to refer back to the MCD for expediting their comments.

**Item No. 6 : Removal of bill board towards on the Metro station near NSD/Mandi House – Letter received.**

The committee observed that the matter to be taken up by the local body that has to take note that the frontage of building listed as heritage building which is being obstructed by the Bill Board installed by the DMRC. NDMC being the local body concerned will need to have DMRC remove the obstruction.

**Item No. 7 : Heritage building of Central Circular structure (Main Gole Market) – Representation received from Gole Market Merchants Association.**

The Committee observed that as far as the HCC is concerned, it has duly advised the owners to exercise due regard and give attention to the uses and subsequent maintenance after renovation of the Gole Market vide letter No. 6(4)/2006-HCC dated 14.11.2006, therefore, the Gole Market Merchant's Association may be informed accordingly.

**Item No. 8 : Allow heritage building to double up as hotels – Comments received from Prof. A.G.K. Menon, Convenor, Delhi Chapter, INTACH Chief Town Planner MCD, Chief Planner TCPO and Asstt. Director DDA on letter of M/s. Friends of Heritage Society.**

The matter was referred to all the Members of the Committee for comments Prof. A.G.K. Menon, Convener Delhi Chapter, Chief Planner TCPO, Chief Planner MCD and Asstt. Director (Plg.) DDA have sent their comments. The Committee observed that the Asstt. Director (Plg.) DDA in his letter dated 21.2.08 did not address the issue properly.

Following were brought to the notice of the Committee :-

1. No blanket permission should be given.
2. Local bodies shall clarify whether such change of use is permissible under their respective Act and the byelaws.
3. Following clarifications are required from DDA:
  - (a) Whether such changes, if permitted by local bodies in consultation with the HCC, shall be consistent to the provisions of MPD-2021 or not?
  - (b) Whether such changes, if permitted by local bodies in consultation with HCC, will allow the owner of the building in future to claim development control norms as permissible for hotel under the provision of MPD-2021 or not?
4. Subject to the aforesaid clarifications received, the permission should be on a case-to-case basis subject to the following:
  - (a) The case has to be referred by the local bodies along with prescribed supporting documents/materials and duly filled proforma.
  - (b) The local bodies shall certify that no litigation is pending at any court in respect of the concerned property(s).
  - (c) The local bodies shall examine in details the implications on the existing infrastructure facilities, like water supply, power, drainage, sewerage, parking, disposal of solid waste/garbage and width of approach road etc. If the existing facilities are not sufficient, then the local bodies shall also examine the augmentation proposal if any. Thereafter the local bodies shall duly certify that keeping in view the aforesaid implications and

augmentation proposals and compliance of building byelaws as well as MPD, they recommend the change of use of the heritage buildings into hotel.

5. Particulars regarding approval of other statutory bodies to be furnished by the local bodies.

The Committee noted the shortage of hotel accommodation in Delhi especially with the ensuing Common Wealth Games to be held at Delhi in 2010. Therefore, Committee is of the view that alternative uses and the commercial use of the premises is to be encouraged subject to the conditions that visual appearance of the heritage buildings/precincts/natural features is not altered and is conserved. Committee also observed that this is a matter of giving incentive use for heritage buildings which are already covered under the byelaws 23.9. Therefore, Committee is of the opinion that subject to the permissibility of the ASI Act and the change of landuse, if required by the concerned authority, the Committee may consider the matter case to case basis.

**Item No. 9 : Zonal Development Plan for NDMC Area – Letter received from Secretary NDMC dated 17.12.2007.**

The Committee observed that whole of LBZ area characterised by its existing tree studded character, unique road pattern/network etc. should be declared a heritage precinct. However, opinions of architects, conservationists, ASI etc. in this regard are required, therefore, NDMC may be requested to organize a workshop in this matter.

**Item No.10: Denotification of protected monuments – Letter received from Prof. A.G.K. Menon, Convener, Delhi Chapter, INTACH.**

The representative from ASI explained the background and the status of deprotection. It is reassuring to note that the ASI is not abdicating its responsibility for monuments. It was explained that the list of protected monuments stands reduced with the deprotection notifications of monuments listed at one time. The disappearance being caused by expansion of construction activities done over a period of time such as road

widening for infrastructure purposes and other such causes, resulting in obliterating this feature/item is an action that sets the record straight.

**Item No.11: Re-use of unprotected heritage prospects in Mehrauli area – Letter received from DDA.**

The matter was discussed in 18<sup>th</sup> meeting of the HCC held on 16.10.2007 when it was decided to obtain the views from the DDA. It was also decided that the DDA should make a proposal to the Govt. as to how the building is declared heritage edifice and how the things to be given certain sensitivity by way of privilege and who will be able to maintain the building administering the importance of the era and period of time. The minutes of the meeting was provided to the DDA and the DDA in response replied vide their letter dated 15<sup>th</sup> February, 2008 wherein they have only mentioned that MPD 2021 has already specified that conservation of built heritage under Clause 10 and enclosed the copy of the same. The Committee observed that the reply received from the DDA is evasive and is not acceptable by the HCC, therefore, it was decided that the matter will be taken up with the VC, DDA by the Member Secretary, HCC.

**Item No.12: Guidelines for submission of proposal to HCC.**

The format prepared by the Secretariat of HCC was circulated among the members well in advance. The representative of the DDA suggested some modifications in the format which have been taken note of. Shri D.S. Meshram, Member stated that he needs some time to give his observations, therefore, the Committee requested all the members to submit their observations/comments on the format within a fortnight.

**Item No.13: Progress of notifying list of heritage buildings by the local bodies.**

Member Secretary informed the Committee that DDA has not yet furnished any list to the Committee for advice, therefore, DDA has already been requested to submit such list. The Committee observed that thought it has already given the advice in respect of the finalization of the list to NDMC and MCD, none of these local bodies have yet sent



the final list to the Committee as well as not published for public awareness, therefore, it was decided that the Member Secretary will take up the matter with the Delhi Division of the Ministry of Urban Development.

**Addl. Item I : Demolition of Sarai Sohel, preservation of Sarai Gumbad (Tomb of Sohel) in IGI Airport in Palam.**

The Town Planner, MCD have forwarded an application/proposal of the Delhi International/GMR Private Ltd. with regard to the two heritage buildings for preservation of Sarai Gumbad and for demolition of Sarai Sohel. The proposal was considered by the HCC. The Committee decided that a team comprising of Members of the Committee shall visit the site on Friday (i.e. 25<sup>th</sup> April, 2008) and give a report covering the following points :-

- a) Location of the features with approximate length, breadth & height.
- b) The present condition of the feature.
- c) The purpose it is serving now.
- d) The restoration needed, if any.
- e) The accessibility for viewing by the public.
- f) The cost of letting it remains as is & where is.
- g) Ownerships of the feature.
- h) Local body in whose jurisdiction the feature lies.

**( Sanjib Sengupta )  
Member-Secretary**