

**MINUTES OF THE 101st MEETING (ONLINE) OF THE HERITAGE
CONSERVATION COMMITTEE (HCC) HELD ON WEDNESDAY,
SEPTEMBER 8, 2021**

Item No.1: Retrofitting work in the Old Nursing Home for Ram Manohar Lohia Hospital at Baba Kharak Singh Marg.

1. The proposal was forwarded by the CPWD (online) for consideration by the Heritage Conservation Committee (HCC). The original construction of the Old Nursing Home dates back to 1932. Recently, the roof of room number-3 has collapsed. It is stated that *“the roofing of entire old block is unsafe therefore the work of reroofing of old nursing home building is necessitated.”*
2. The proposal received (online) was scrutinized and found acceptable, the following observations were made:
 - a) No changes/projections are permitted on the external side/facade, which should be retained as per the original design.
 - b) The structural safety of the buildings should be ensured. Heritage Character comprising of architectural elements such as arches, cornices, architraves, dome etc. should be retained in the modifications.

Item No.2: Plans in respect of C-33, Connaught Place.

1. The proposal was forwarded by the NDMC (online) for consideration by the HCC. Earlier, the proposal was considered by the HCC at its meeting held on 19.02.2018, 16.04.2018, 18.07.2018, and 08.10.2018 respectively, following observations were made:

Background:

- A.** *The Matter was considered by the HCC at its meeting held on February 19, 2018, and observations made are reproduced below for information:*

“1. The proposal was forwarded by the NDMC online with the following comments:

“An online application has been received from Smt. Geeta Grover, Rita Chandok, Pushpa Seth, Renu Sachdev, Rammi Seth, Owners of the C-33, Connaught Place through Project Architect for erection-re-erection or to make alteration in the above said building under repair and renovation of clause 2.0.1 (d) UBBL, 2016. It is also submitted that roof and front walls, columns of first floor and second floor of premises no. C-33 was collapsed on 02.02.2017. An investigation is also going on into the said matter separately.”

- 2. The proposal was taken up for consideration. So as to assess the ground situation, it was decided that a site visit of the premises will be made by the sub-committee comprising of the following:-*

- | | | |
|-------------------------------------|------------|------------------------|
| <i>1. Prof. Rommel Mehta</i> | <i>...</i> | <i>Member HCC</i> |
| <i>2. Ms. Vertika Sharma</i> | <i>...</i> | <i>Member HCC</i> |
| <i>3. Shri D.K. Garg, CDO, CPWD</i> | <i>...</i> | <i>Member HCC</i> |
| <i>4. Chief Architect, NDMC</i> | <i>...</i> | <i>Member HCC</i> |
| <i>5. Member Secretary, HCC</i> | <i>...</i> | <i>Member convener</i> |

- B.** *The Matter was considered by the HCC at its meeting held on April 16, 2018, and observations made are reproduced below for information:*

1. The proposal forwarded by the NDMC online with certain comments was considered by the HCC at its meeting held on February 19, 2018, and the following observations were made:

“.....So as to assess the ground situation, it was decided that a site visit of the premises will be made by the sub-committee comprising of the following:-

- | | | | |
|----|---------------------------|-----|------------------|
| 1. | Prof. Rommel Mehta | ... | Member HCC |
| 2. | Ms. Vertika Sharma | ... | Member HCC |
| 3. | Shri D.K. Garg, CDO, CPWD | ... | Member HCC |
| 4. | Chief Architect, NDMC | ... | Member HCC |
| 5. | Member Secretary, HCC | ... | Member convener” |

2. The Sub-Committee made a site visit on March 26, 2018 and the observation of the sub-committee are as given below:

“(i). It was informed by NDMC officers present that an investigation/inquiry has been conducted by the IIT Delhi into the said matter which has been concluded, and a detailed report has been submitted to NDMC, with its findings on the reasons for the fall of the structure, which is under consideration of NDMC.

The sub-committee decided to request NDMC to give its comments/recommendations in view of the report submitted by the IIT Delhi.

(i) For the safety and security of the people around, the sub-committee recommended for the immediate removal of the overhead water tanks from the site.

(ii) The sub-committee also observed that necessary arrangements be made by the proponent for the protection of the structure against water stagnation during rains etc.

(iii) The sub-committee recommended that the matter be referred back to NDMC for seeking necessary report in the matter. The proponent should comply with sub-committees recommendations at serial no. ii & iii in the meantime.”

3. The recommendations of the sub-committee were considered and accepted by the HCC. It was decided to ask for the comments/clarifications on the point raised by the Sub-Committee from NDMC.

C. The Matter was considered by the HCC at its meeting held on July 18, 2018, and observations made are reproduced below for information:

1. The proposal forwarded by the NDMC online was last scrutinised by the Heritage Conservation Committee at its meeting held on April 16, 2018, wherein the recommendations of the sub-committee at its meeting held on February 19, 2018, were accepted by the HCC. It was decided to ask for the comments/clarifications on the points raised by the Sub-Committee.

2. The NDMC had submitted a copy of the enquiry report (confidential) of the enquiry committee constituted by NDMC.

3. The HCC noted the contents of the report received and decided to request NDMC to make available the original drawings of the building/premises under consideration.

D. The Matter was considered by the HCC at its meeting held on October 8, 2018, and observations made are reproduced below for information:

The proposal was forwarded by the NDMC online for consideration of the HCC. The proposal was earlier considered by the Heritage Conservation Committee (HCC) at its meeting held on July 18, 2018, and the following observations were made:

“1. The proposal forwarded by the NDMC online was last scrutinized by the Heritage Conservation Committee at its meeting held on April 16, 2018 wherein the recommendations of the sub-committee at its meeting held on February 19, 2018 were accepted by the HCC. It was decided to ask for the comments/clarifications on the points raised by the Sub-Committee.

2. *The NDMC had submitted a copy of enquiry report (confidential) of the enquiry committee constituted by NDMC.*
 3. *The HCC noted the contents of the report received and decided to request NDMC to make available the original drawings of the building/premises under consideration.”*
2. *In response the NDMC vide letter no. CA/BP/A-7, S.F. and C-33, F.F. & S.F. CP/D-0952 dated September 12, 2018 made available the copies of the plans approved by the Competent Authority vide Orders dated November 15, 2006.*
 3. *The proposal was scrutinized and the HCC observed that considering the past history of the matter, the NDMC has not informed whether the Competent Authority has decided on the violations done by the applicant. If final decision has been taken a clear recommendation be made on processing of this application so that the proposal could be considered for sanction.*
3. *It was decided to return the proposal to NDMC with above observations.*

E. Enquiry Report submitted by the NDMC:

Consequent to collapse of a premises situated in Flat No.33 (First Floor and Mezzanine Floor), C-Block, Connaught Place, New Delhi in the intervening night of 01-02 February, 2017, a meeting was convened by the Chairperson, NDMC on 02.02.2017, and directions for the time bound conduct of an enquiry into the incident of collapse were issued vide the minutes of meeting dated 02.02.2017.

1. *CONSTITUTION OF AN INQUIRY COMMITTEE:*

As per the above mentioned minutes, a committee was constituted vide orders No.D-1712017/Secy. dtd. 07.02.2017 consisting of following members:

1. *Director (E-BR), NDMC*
2. *S.D.M., Chanakya Puri*
3. *Chief Engineer (Civil-II), NDMC*
4. *One representative from the CPWD of rank not below the Superintending Engineer*
5. *One structural engineer expert from IIT Delhi*
6. *Chief Architect, NDMCConvener*

The points of inquiry by the Enquiry Committee are as under:-

- i. *Find out the cause of such collapse of the said premises.*
 - ii. *Fix up the responsibility of officials, if any*
 - iii. *Give recommendation to avoid recurrence of such incidents in future.*
- *Conclusion of the Committee*
The final conclusion of the Committee indicates failure due to tampering in the common wall and disturbance/tampering of structural members between hall and verandah appear to be the main reason for the collapse of the structure.
 - *Fixing up the responsibility of officials, if any*
Due to lack of eye witness and material evidence responsibility of particular individual could not be fixed by the Committee. However, the Committee has recommended that the Vigilance Department may further look into the matter. Also, the matter of roof collapse is under investigation under Section-336 IPC dated February 2, 2017 registered at Police Station, Connaught Place, New Delhi.
 - *Recommendation to avoid recurrence of such incidents in future.*
The Committee has observed that most defects can, at their earlier stages, be discovered through visible means but if not rectified, these minor defects can develop into serious ones, causing failure of structure leading to sudden collapse. Moreover

unauthorised removal of wall without involving inspection of qualified structural engineer & without approval of NDMC can lead to collapse due to mis-management.

- *Need for Assessing Structural Safety and regular repair/ maintenance of the Premises.*
- *Steps to be taken to reduce that load on the roof/terraces*

In terms of MPD-2021 Connaught Place has been designated as the Metropolitan City Centre (MCC) which is highest category under five-tier system of commercial areas. The development of Connaught Place as the Metropolitan City (MCC) has to be harmony with the existing urban form of the Connaught Circus and multi-storied buildings in its extension, so as to bring in visual integration in the overall urban form. This exercise could be undertaken by NDMC in consultation with DDA & HCC.

Attempt has to be made for creation of complete dynamic data in the form of drawings and 3D models for effective monitoring and timely stoppage of further deterioration.

2. Also, while forwarding the proposal to HCC for its consideration, the concerned local body (NDMC) has indicated in Form-B that:

“.....it is to informed that matter is still under investigation...”

and that:

“.....in the HCC proforma filled by the project architect ground coverage and FAR mentioned as 100% and 230 respectively, which are incorrect as the area of the first floor and second floor in the available record of premises i.e. 5145 sq ft. and 2371.38 sq.ft. respectively for which party has submitted proposal to re-construct.... one of the co-owner has not signed....”

3. Considering the history of the proposal and in terms of the decision of the HCC taken at its meeting held October 08, 2018, that:

“.....the NDMC has not informed whether the Competent Authority has decided on the violations done by the applicant. If a final decision has been taken a clear recommendation be made on the processing of this application so that the proposal could be considered for sanction.....”

4. The proposal forwarded by the NDMC (online) was scrutinized and found not acceptable. The HCC reiterated its earlier decision taken in the meeting held on October 08, 2018, and directed NDMC to forward this proposal with its clear recommendations on the processing of this application.

Item No.3: Plans in respect of Repair and renovation works at Premises no. B-24, (Ground and Mezzanine floor), Inner Circle, Connaught Place.

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Plastering/cladding and patch repairs, Flooring and re-flooring, repairs of fallen bricks and stones, pillars, beams, whitewashing, painting including erection of false ceiling, erection of internal partitions, replacing of old sanitary fixtures in toilets, replacement of electrical wiring and fitting, replacement of old sanitary pipes, the opening of doors within owner's plot, execution of HVAC works.

2. The proposal received (online) was scrutinized and found not acceptable, following observations were made:
 - a) Discrepancies have been observed viz-a-viz work details submitted for approval, as per Para-1 above and the drawings/photographs provided. The proposal indicates work in terms of repairs including fallen bricks and stones, pillars, beams etc. which need to be substantiated with an appropriate number of existing site pictures to understand the existing site conditions (in correlation to the works indicated in para-1 above) with proper uncut views from all sides, including external façade. The proposal also includes works related to fallen bricks and stones, pillars, beams etc. The structural safety of the buildings should be ensured.
 - b) It was observed that in the proposal front facade has been altered. Front columns have been proposed with groves and beam shown at the mezzanine level. No changes/projections are permitted on the external side/facade, which should be retained as per the original design.
 - c) The HCC observed that most of the drawings submitted are of low resolution and blurred and not easy to comprehend. The same shall be resubmitted in a high-resolution format. The current submission lacks legibility & clarity.
 - d) The quality of 3D views should improve; the current 3D views do not explicate the design scheme adequately. The submitted 3-d views and site pictures are from a scanned copy and are not comprehensible. Thus, the submission needs to be revised and resubmitted.
 - e) Internal photographs of the existing toilet along with fittings and fixtures and 3D views of the proposal with fittings & fixtures shall also be submitted for consideration by the HCC.
 - f) It was suggested to use the energy-saving fittings and fixtures for all electrical appliances and sanitary fittings.
 - g) NDMC shall ensure that the placement, size, colour, text etc. of the Signages/signboards etc. be as per approved policy/guidelines prepared by NDMC for the Connaught place area.
3. Overall, HCC opines that the submission is incomplete, due to lack of clarity and inadequate drawings, it is not acceptable and returned to NDMC. NDMC shall also ensure that the proposal completed in all respect be forwarded for the consideration of HCC.

Item No.4: Repair/renovations/interiors works for M-38/1 and M38/2, Middle Circle, Connaught Place.

1. The proposal was forwarded by the NDMC (online) for consideration by the Heritage Conservation Committee (HCC). The HCC did not accept and approve the proposal at its meeting held on July 30, 2021, the following observations were made:

“1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Fire-fighting equipment removal of old and new installation, sanitary & plumbing removal of old and new installation, electrical and data networking

removal of old and new installation, air-conditioning and cooling system removal of old and new installation, false ceiling with POP, flooring, walls, painting of slab, false ceiling, repairing of footpath pavers, shutters, fire detection system, fire-fighting system, plumbing, air-conditioning system, electrical system, drainage system and repairing of the terrace.

2. *The proposal received (online) was scrutinized and found not acceptable, the following observations were made:*

a) *The HCC observed that the proposal is for extensive renovation work, including air-conditioning etc. in the existing building from the basement to the third floor.*

b) i. *The photographs of the existing façade show a lot of exposed air-conditioning outdoor units, dangling of exposed wires protruding out from the ground (surface) to the terrace spoiling the external façade and marring the visual and urban aesthetics of the heritage-listed property.*

ii. *Alternative options shall be explored to relocate all the air-conditioning units appropriately with screening mechanisms. Also, exposed wires etc. shall be concealed and should not be visible on the facade.*

c) *No changes/projections are permitted on the external side/facade, which should be retained as per the original design.*

d) *The structural safety of the buildings should be ensured. Heritage Character comprising of architectural elements etc. should be retained in the renovation/modifications.*

e) *It was suggested to use the 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 for the Connaught place area.”*

2. *The revised proposal received (online) was scrutinized and found not acceptable with the following observations.*

a) *The HCC observed that very specific observations were communicated to the architect/proponent vide HCC observation letter no: OL-0907216008-HCC dated August 24, 2021, inadequate compliances for this has been given.*

b) *It is again reiterated to submit alternative options/scheme to relocate all the air-conditioning units appropriately with screening mechanisms. Also, exposed wires etc. shall be concealed and should not be visible on the façade. The design scheme shall be substantiated with an appropriate number of annotated 3D views (with before and after images) to understand the scheme better.*

3. *NDMC shall also ensure that the proposal completed in all respect be forwarded for the consideration of HCC. Overall, it was suggested to comply with the above observations of the HCC and re-submit the revised proposal after incorporating the suggestions of the HCC.*

Item No.5: Building plans in respect of Super Speciality Block & Multi-Level Car Parking in Ram Manohar Lohia Hospital Complex at Baba Kharak Singh Marg.

1. The proposal was forwarded by the CPWD (online) for consideration by the Heritage Conservation Committee (HCC).
2. The proposal received (online) was scrutinized and found not acceptable, the following observations were made:

- a) The proposal is a Grade-III listed heritage property as per GNCTD gazette notification no: 4/2/2009/UD/I 6565 dated October 01, 2009. In terms of Clause 1.12 of Annexure-II Unified Building Bye-Laws 2016 for Delhi, the basic guidelines for development permission for the heritage-listed properties fall under grade-III are enumerated as under:

Grade-III

“.....Internal changes and adaptive re-use may, by and large, be allowed. Changes an include extensions and additional buildings in the same plot or compound. However, any changes should be such that they are in harmony with and should be such that they do not detract from the existing heritage building/precinct.....”

“....All development in areas surrounding Heritage Grade-III shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-III....”

- b) The HCC examined the proposal for the Super Speciality Block & Multi-Level Car Parking and observed that the proposed elevational facade does not have any architectural inspiration from the heritage buildings on the campus.
- c) Thus, it shall be ensured that the architectural elements/materials etc. are drawn from the existing buildings so as to maintain harmony. Also, as the proposed development is located along the main edges, it would impart a distinctive character and thus the built form and façade should be contextual to the existing buildings and complex to maintain harmony and unity.
- d) To assess the ground situation, it was decided to make a site visit comprising of the following members along with the architect/proponent of the proposal:

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|------|----------------------------|---------------------|
| i. | ADG (works), CPWD | ... Member HCC |
| ii. | Chief Engineer (CDO), CPWD | ... Member HCC |
| iii. | Dr Archna Verma | ... Member HCC |
| iv. | Member-Secretary | ... Member Convener |

3. Given the facts enumerated above, the proposal is not acceptable and returned to CPWD with the request to resubmit the revised proposal, complying with all the suggestions, for the consideration of the HCC.

Item No.6: Additions/alterations Modern School, Barakhamba Road – Letter received from NDMC.

1. The proposal was deferred.

Item no. 7: Building plans in respect of Plot no. 460 (Old) and 1414-1415 (New) Ward-V, Gali Kishan Dutt, Maliwara (Ballimaran). – Site visit Report

1. The proposal was deferred.

Additional Item.1: Proposals for Development/Redevelopment/Repair/Renovation received from NDMC areas-Related.

1. The Committee observed that NDMC has been forwarding proposals for permission related to the Development/Redevelopment/Repair/Renovation etc. for the grade-II heritage-listed properties falling in the Connaught place area under clause 2.0.1 (d) of Unified Building Bye-Laws 2016 (UBBL) for Delhi. The provisions stipulated under clause 2.0.1 (d) of UBBL 2016 for the building where a building permit is not required are enumerated as under:

“2.0.1 (d) Building permit not required: *No notice and building permit is required for addition/alterations which do not otherwise violate any provisions regarding building requirements, structural stability, fire safety requirements and involve no change to the cubic contents or to the built-up area of the building, as defined in bye-laws, for the following:*

- i. *Plastering/ cladding and patch repairs *.*
- ii. *Re-roofing or renewal of roof including the roof of the intermediate floor at the same height.*
- iii. *Flooring and re-flooring.*
- iv. *Opening and closing windows, ventilators and doors opening within the owner’s plot. No opening towards other’s property/ public property will be permitted.*
- v. *Rehabilitation/repair of fallen bricks, stones, pillars, beams etc.*
- vi. *Construction or reconstruction of sunshade not more than 75 cm in width within one’s own land and not overhanging over a public street;*
- vii. *Construction or reconstruction of the parapet and also construction or re-construction of boundary walls as permissible under these bye-laws;*
- viii. *Whitewashing, 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.*
- ix. *Reconstruction of portions of buildings damaged by storm, rains, fire, earthquake or any other natural calamity to the same extent as existed prior to the damage as per sanctioned plan, provided the use conforms to provisions of MPD.*
- x. *Erection or re-erection of internal partitions provided the same are within the preview of these bye-laws.*
- xi. *For erection of lifts in existing buildings in residential plotted development (low-rise). Change/installation/ rearranging/ relocating of fixture(s) or equipment/s or HVAC-MEP services, UGR, STP/ETP without hindering other’s property/public property shall be permitted.*
- xii. *Landscaping*
- xiii. *Public art*

- xiv. Bank ATM (up to a maximum area of 9.0 sqm only), Public washroom, security room /guard room are permitted in setback area, provided it does not obstruct fire vehicles movement, in plot more than 3000 sqm (other than residential plotted), as per Chapter 12.
- xv. Placing a portacabin upto 4.5 sqm within the plotline subject to free fire tender movement.

Note: The liability for any structural flaws or defects in the buildings arising out of such additions/ alterations shall rest with the owner/ architect/ engineer/ structural engineer.

* For Heritage Buildings, refer Annexure II”.

2. The Annexure-II of the Unified Building Bye-Laws 2016 (UBBL) for Delhi is specifically related to the Gazette notified heritage-listed buildings/properties. The Connaught place areas falls under Grade-II listed properties in the NDMC area vide gazette notification no: F.No.4/2/2009/UD/1 6565 dated October 01, 2009. Clause 1.3 of the annexure-II of the UBBL for Delhi is enumerated as under:

1.3 Restrictions on Development/Re-development/Repairs etc.

- (i) No development or redevelopment or engineering operation or additions/alterations, repairs, renovations including painting of the building, replacement of special of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed natural feature areas shall be allowed except with the prior permission of Commissioner, MCD, Vice Chairman DDA/Chairman NDMC. Before granting such permission, the agency concerned shall consult the Heritage Conservation Committee to be appointed by the Government and shall act in accordance with the advice of the Heritage Conservation Committee.
- (ii) Provided that, before granting any permission for demolition or major alterations/ additions to listed building (or buildings within listed streets or precincts, or construction at any listed natural features, or alteration of boundaries of any listed natural feature areas, objections and suggestions from the public shall be invited and shall be considered by the Heritage Conservation Committee.
- (iii) Provided that, only in exceptional cases, for reasons to be recorded in writing, the Commissioner, MCD, Vice Chairman DDA/Chairman NDMC may refer the matter back to the Heritage Conservation Committee for reconsideration.

3. The listed heritage buildings/listed heritage precincts are graded into three categories. The basic guidelines for development permissions for the grade-II listed heritage properties are enumerated as under:

Grade-II

Heritage Grade-II (A&B) comprises of buildings and precincts of regional or local importance possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale in Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or maybe models of proportion and ornamentation or designed to suit a particular climate.

Heritage Grade-II deserves intelligent conservation.

(Grade-II (A) Internal changes and adaptive re-use may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special

aspects for which it is included in Heritage Grade- II. Grade-II (B) In addition to the above, extension or additional building in the same plot or compound could in certain circumstances, be allowed provided that the extension/ additional building is in harmony with (and does not detract from) the existing heritage building(s) or precincts especially in terms of height and façade.

Development permission for the changes would be given on the advice of the Heritage Conservation Committee.

All development in areas surrounding Heritage Grade-II shall be regulated and controlled, ensuring l that it does not mar the grandeur of, or view from Heritage Grade-II

- 4.** From the facts enumerated above, the Committee opines that clause 2.0.1 (d) of the UBBL 2016 does not apply to grade-II heritage listed building proposals for Development/Redevelopment/Repair/Renovation permissions received from NDMC for the consideration by the HCC. The Gazette notified heritage-listed buildings/properties needs to be governed as per “Annexure-II of UBBL 2016” and not clause 2.0.1 (d). Clarification is required from the NDMC with the direction to henceforth forward all such proposals for Development/Redevelopment/Repair/Renovation as per “Annexure-II of UBBL 2016”.

Sd/-
(Kamran Rizvi)
Chairman, HCC
Additional Secretary (D&UT),
Ministry of Housing & Urban Affairs,
Government of India

sd/-
(Ruby Kaushal)
Member-Secretary
Heritage Conservation Committee