

**MINUTES OF THE 107<sup>th</sup> MEETING OF THE HERITAGE CONSERVATION  
COMMITTEE (HCC) HELD ON WEDNESDAY, APRIL 6, 2022.**

**A. Proposal:**

**Item no. 1: Building plans in respect of Residential Group Housing at Plot no. 7, Court Road, Civil Lines.**

1. The proposal was forwarded by the North DMC (online) for consideration by the HCC. The proposal is in Grade III of the heritage notified list of the MCD area.
2. The proposal (*Residential Group Housing*) under consideration is a plot having an area of 1.29 hect. comprising of a heritage-listed Grade-III property of size 75'-0" X 71'-0" appears in the gazette notified heritage list at serial no. 8 titled (Residence) vide gazette notification no: F. 7(367)/227/2002/UD/841 dated 25th February 2010 issued by the Department of Urban Development, Govt. of NCT of Delhi.

**A. Background:**

3. *The Asstt. Town Planner-I, North DMC vide their letter dated 16.03.2020 informed that:*

*"..... the owner of the above property has proposed a scheme of Group Housing in the said plot including in an area which had a heritage structure but has since collapsed....."*

*The matter was considered by the HCC at its meeting held on June 23, 2020, while expressing its concern about the demolition of the heritage property that appeared in the list of heritage buildings under Grade III, decided to form a sub-committee under the Chairmanship of Sh. Anant Kumar, ADG (Works), CPWD comprising of the following who will look into every aspect of the demolition of the heritage property including site visit and submit its report: -*

- |       |                              |     |  |
|-------|------------------------------|-----|--|
| i.    | Sh. Anant Kumar              | ... | ADG (Works), CPWD, Member HCC              |
| ii.   | Sh. Arunava Dasgupta         | ... | Member HCC                                 |
| iii.  | Ms Archana Verma             | ... | Member HCC                                 |
| iv.   | Ms T. Lakshmipriya           | ... | Member HCC                                 |
| v.    | Sh. Rajeev Sood              | ... | Chief Architect, NDMC, Member HCC          |
| vi.   | Commissioner (Planning), DDA | ... | Member HCC                                 |
| vii.  | Shri P. Dinesh               | ... | Senior Town Planner, North DMC, Member HCC |
| viii. | Member Secretary, HCC        | ... | Member-Convener                            |

4. *Accordingly, the first meeting of the Sub-Committee was held on July 22, 2020, and the site visit was made on August 5, 2020. After the site visit, the second meeting of the Sub-Committee was held on September 9, 2020, the same is reproduced below:*

*"..... After carefully examining the condition of the heritage property, which appears to have been in a completely broken-down stage, and the provisions as stipulated under UBBL for Delhi 2016, following observations were given:*

- a. *The sub-committee observed that the heritage property of size 75'-0" X 71'-0", is situated in a large plot of an area of 1.29 hect. It was also observed that the heritage property was built in the year 1880 and was used for residential purposes. It has been informed by the MCD that a large group housing project is likely to come up on this plot in the near future.*
- b. *Taking into consideration, the above aspect, the Sub-committee strongly suggests to reconstruct the heritage structure in the site as was existing earlier following the design principles, architectural form and style as well as façade details revealed through the photographs and listed documentation of the erstwhile structure. The same will have to be achieved by retaining the existing footprint of the heritage building, built up area and using similar design elements, materials, art and architecture as of the heritage block, in the entire design scheme as per clause/s quoted above. Materials and building components of the original heritage structure that is available at site shall be carefully salvaged and re-used for the reconstruction to the maximum extent possible. The heritage block can be put into any compatible reuse including for residential purposes as well. No part of this block will be visually obstructed from the main road in front as was existing earlier. A proportionate amount of green space shall be maintained all around this structure from each face of the heritage block on all sides to maintain continuity with the 'bungalow type' that this heritage block in Civil Lines area belonged to. This would impart a heritage character to the property and also enable preserving the inherent attributes of the original property....."*

**5.** *The provisions as stipulated under UBBL for Delhi 2016 for grade-III heritage buildings are as under:*

*".....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.*

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

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

**6.** *The proposal in respect of Residential Group Housing received (online) at the formal stage was scrutinised along with the detailed report of the sub-committee, the following observations are to be complied with:*

- a. *The HCC intended to examine the proposed design scheme envisaged for the heritage property to be recreated on the recommendations of the sub-committee. The HCC observed that an insufficient number of 3D views have been submitted. A sufficient number of Self-explanatory, annotated 3D views (including birds' eye views) at various angles, clearly showing the proposed design scheme with proper annotations and corresponding to proposal drawings be submitted for a better understanding of the scale, proportion, materials etc.*

- b. The two-building block 'TA' and 'TB' are creating visual obstruction of the heritage property from the main road, need reconsideration and it shall be in compliance with the recommendations of the sub-committee.
  - c. The proposed layout, plans and elevations do not reflect the architectural elements shown in the 3d views. The layout, plans and elevations need to be revised where all the elements shall be marked to co-relate with the proposed 3d views.
  - d. Provision of proposed parking not clearly understood. Parking (*including fragmented triple-stack parking*) is placed haphazardly, on the surface, all over the site apparently without sufficient thoughtfulness, the same is missing in the 3D views submitted for the consideration of the HCC.
  - e. The architect should submit detailed drawings of sections (*longitudinal and cross-section across the site as well*). Also, the skin sections (*in detail*) shall be submitted to understand the elevation of the façade with materials. An appropriate number of sections from end to end of the proposed scheme be submitted for a better understanding of the overall scheme clearly showing the architectural elements, sun shading mechanisms etc.
  - f. The provision of air-conditioning units on the façade is not given in the proposal (*drawings/3d views*). The air-conditioners could be an eye-sore to the building façade. To avoid the same, provisions should be made in the design to accommodate and screen the outdoor units appropriately, so as not to mar the aesthetics. The same shall be reflected in appropriate layouts and 3d views. The materials/finishes used for screening should be similar to the materials used in the elevation.
- 7.** The HCC observed that it has not been provided with substantial documentation i.e., all floor plans, four side elevations, sufficient number of photographs of the original heritage building (interior as well as external façade) of the heritage-listed property by the local body. In absence of substantial original data, it is not possible to examine the proposal viz-a-viz original construction and provide its comments feedback.
- 8.** Overall, the design scheme submitted by the architect is not comprehensible i.e., they are not self-explanatory. In absence of sufficient information provided by the architect, the proposal could not be examined appropriately by the HCC, and 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 Premises no. A-1, Ground, Mezzanine & First floor, Hamilton House, Inner Circle, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Plastering, POP, Furniture & Fixtures, Flooring/Re-flooring, Temporary Internal Partitions (Gypsum/Glass/Wooden), Patchwork, Painting/whitewashing, False Ceiling, Changing of Sanitary Fittings, Repairing of Stair's Steps, Replacement of Glass Glazing/Doors, Replacement of Rolling Shutter etc.
2. The proposal was scrutinized and found not acceptable, the following observations were made:
  - a. The submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.
  - b. The property is facing the inner circle of the main Connaught place area, and a large scale of renovation work is to be undertaken with lighting arrangements etc. The Committee opines that the air-conditioners and exposed electrical conduits/wires etc. could be an eye-sore to the Connaught place area and the building façades. To avoid the same, the provisions shall be made in the design to suitably accommodate and screen the outdoor air-conditioning units, wires etc. at this stage, so as not to mar the visual and aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.
  - 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 should be retained in the 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.
3. The architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.

**Item no. 3: Repair/renovation in respect of B-3, Bank of Baroda, Ground Floor, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Re-plastering of walls & ceiling, Toilet renovation, Replacement of soil, waste & vent pipes in toilet, Replacement of electrical wires, distribution board & electrical panel, Fixing of light & fans, False Ceiling, Remove old flooring and proposed New flooring, Replacement of doors, windows & Chowkhats, Air conditioning works, White wash & internal/external painting of the building, Internal wall cladding and furniture work, Waterproofing in toilet, pantry and terrace floor, Fixing of new wall graphics as per NDMC policy, Installation of signage and façade as per NDMC policy Remove fiber sheet roofing in open area.
2. The proposal 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, quoins, gables, architraves, Palladian-style windows etc., should be retained in the modifications.
  - c. It was suggested to use the energy-saving fittings and fixtures for all electrical appliances and sanitary fittings.
  - d. 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.

**Item no. 4: Completion plans in respect of Delhi Police HQ at Jai Singh Road.**

1. The proposal forwarded by the NDMC (online) was scrutinized.
2. The HCC approved the building plans proposal at its meeting held on May 1, 2015.
3. The Completion plans proposal received (online) was scrutinised and found acceptable.

**Item no. 5: Repair/renovation in respect of G-12, Ground and Mezzanine floor, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of plastering, patch repair, POP punning, painting/whitewashing, flooring/re-flooring, false ceiling, electrical wiring, sanitary fitting & fixture, rehabilitation/repair of fallen bricks, beams,

erection/re-erection of internal partitions, replacing front shutter with new shutter.

2. The proposal was scrutinized and found not acceptable, the following observations were made:
  - a. The submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.
  - b. A large scale of renovation work is to be undertaken with lighting arrangements etc. The Committee opines that the air-conditioners and exposed electrical conduits/wires etc. could be an eye-sore to the Connaught place area and the building façades. To avoid the same, the provisions shall be made in the design to suitably accommodate and screen the outdoor air-conditioning units, wires etc. at this stage, so as not to mar the visual and aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.
  - 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 should be retained in the 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.
3. The architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.

**Item no. 6: Repair/renovation in r/o Premises no. 5/6, Ground Floor & Mezzanine, Scindia House, Connaught Circus.**

1. The HCC did not approve the proposal for repair/renovation at its meeting held on January 28, 2022 specific observations were given.

**A. Background:**

1. *The proposal was scrutinised and found not acceptable, following observations are to be complied with:*

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- a. *The submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.*
  - b. *The property is facing the outer circle of the main Connaught place area, the photographs of the existing façade show a lot of exposed air-conditioning outdoor units, spoiling the external façade and marring the visual and urban aesthetics of the area. But no design scheme to locate and screen all the air-conditioning units have been submitted. The Committee opines that the air-conditioners could be an eye-sore to the building façade. To avoid the same, the provision shall be made in the design to accommodate the outdoor units, at this stage, so as not to mar the aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.*
  - 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 should be retained in the 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 architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.*
- 2.** The proposal forwarded by the NDMC (online) was scrutinized along with the previous observation of the HCC communicated vide HCC letter no: OL-1612216017 dated 03.02.2022 and observed that insufficient compliances for this has been given.
- 3.** The repair/renovation work includes Plastering, POP, Furniture & Fixtures, Flooring/Re-flooring, Temporary Internal Partitions (Gypsum/Glass), Patch Work, Painting/ Whitewashing, False Ceiling, Changing of Sanitary Fittings, Repairing of Stair's Steps etc. Based on the revised submission made, the proposal is found to be not acceptable, the following observations were made:
- a. The Committee again reiterated that the quality of the submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.
  - b. A large scale of renovation work is to be undertaken with lighting arrangements etc. The Committee opines that the air-conditioners and exposed electrical conduits/wires etc. could be an eye-sore to the Connaught place area and the building façades. To avoid the same, the

provisions shall be made in the design to suitably accommodate and screen the outdoor air-conditioning units, wires etc. at this stage, so as not to mar the visual and aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.

- 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 should be retained in the 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.
4. The architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.

**Item no. 7: Repair/renovation in r/o B-45-47, First Floor, Radial Road, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Plastering, POP, Furniture & Fixtures, Flooring/Re-flooring, Temporary Internal Partitions(Gypsum/Glass/Wooden), Patch Work, Painting/Whitewashing, False Ceiling, Changing of Sanitary Fittings, Repairing of Stairs Steps, Replacement of Glass Glazing/Doors, Dismantling/Removal of existing temporary raised floor.
2. The proposal was scrutinized and found not acceptable, the following observations were made:
  - a) The submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.
  - b) A large scale of renovation work is to be undertaken with lighting arrangements etc. The Committee opines that the air-conditioners and exposed electrical conduits/wires etc. could be an eye-sore to the Connaught place area and the building façades. To avoid the same, the provisions shall be made in the design to suitably accommodate and screen the outdoor air-conditioning units, wires etc. at this stage, so as not to mar the visual and aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.



- 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 should be retained in the 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.

3. The architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.

**Item no. 8: Repair/renovation in respect of Premises no. 6, Block-A, 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 roof at the SA, Painting/white washing, flooring/reflooring, False ceiling, POP punning, Wall panelling, Electrical works, water proofing, Plumbing works, Internal Wooden partitions, all other works mentioned under the ambit of Clause 2.0.1 (d) of Unified Building Bye Laws-2016.

2. The proposal was scrutinized and found not acceptable, the following observations were made:

- a) The Committee observed that while submitting the list of the works for repair/renovations to be undertaken, the architect has given the following comments in the drawings & letter :

*“.....and all other works mentioned under the ambit of clause 2.0.1(d) of unified building bye-laws 2016.....”*

The Committee opines that the premise is in the grade II of the heritage list and is situated in the Connaught Place area. The provisions as stipulated under clause no: 2.0.1(d) of the Unified Building Bye-Laws 2016 (UBBL) do not apply to the listed heritage properties. The architect should clearly indicate the list of repair/renovation works to be undertaken.

3. In view of the above, the proposal was found to be unacceptable and returned. NDMC was requested to verify that all proposals of repair/renovation related to the heritage building be forwarded to HCC under relevant provisions of UBBL for its consideration.

**Item no. 9: Repair/renovation in respect of Premises no. C-1, Ground and Mezzanine floor, Block-C, Radial Road, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Plastering/cladding and patch repairs, White washing, painting etc. including erection of false ceiling in any floor, Repair glazing, door/window, Rolling shutter and staircase, Electrical work and furniture work, Fixing of new wall graphics as per NDMC policy, Flooring and re-flooring, Installation of signage and façade as per NDMC policy.
2. The proposal 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, quoins, gables, architraves, Palladian-style windows etc., should be retained in the modifications.
  - c) It was suggested to use the energy-saving fittings and fixtures for all electrical appliances and sanitary fittings.
  - d) 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.

**Item no. 10: Repair/renovation in respect of Shop no.3, Ground and Mezzanine floor, Scindia House, Janpath, Connaught Place.**

1. The proposal forwarded by the NDMC (online) was scrutinized. It included the work in terms of Plastering, POP Punning, Painting/ Whitewashing, Flooring/Re-flooring, False Ceiling, Internal Wooden Partitions, Wooden Wall Panels, Electrical Works, Waterproofing, Plumbing Works, Furniture & Fixtures, Repair of front door and window.
2. The proposal was scrutinized and found not acceptable, the following observations were made:
  - a) The submitted 3D views are improper. They shall be revised and submitted with clarity, enhanced visuals, and better viewing angles, clearly showing the proposed design scheme with proper annotations specifying materials to be used and corresponding to proposal drawings and context.
  - b) A large scale of renovation work is to be undertaken with lighting arrangements etc. the Committee opines that the air-conditioners and exposed electrical conduits/wires etc. could be an eye-sore to the Connaught place area and the building façades. To avoid the same, the

screen the outdoor air-conditioning units, wires etc. at this stage, so as not to mar the visual and aesthetics. A scheme shall be submitted to show the placement, screening and material of screening for the same in plans/elevations and 3d views etc.

- 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 should be retained in the 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.

3. The architect is advised to adhere to all the above observations given by the HCC and furnish pointwise incorporation & reply.

**Item no. 11: Proposed Executive Enclave, plot no.36, 1 Dalhousie Road.**

1. The proposal was forwarded by the CPWD (online) for consideration by the HCC.
2. A letter dated 05.04.2022 issued by the Chief Architect (RD), CPWD, New Delhi was placed before the HCC. The contents of the letter are reproduced below:

*“.....the plot no: 36 & 38 falls under “Zone-D” of MPD-2021 and not listed under the heritage structure and precincts. Even though the plot no. 36 & 38 are not part of the heritage structure and precincts, the proposal is sent to the Heritage Conservation Committee as directed by the Supreme Court of India....”*

3. It was also brought to the notice of the HCC by the architect/proponent that the proposal is 109 metres away from the heritage-listed grade-I property i.e. South Block. The HCC took note of it.
4. Taking into consideration the facts enumerated above at para 2 & 3, the HCC opines that the proposal is neither a listed heritage building, precincts nor affecting any other heritage building in the vicinity. In view of the above, the proposal is returned to the concerned local authority i.e. CPWD without consideration of the HCC.

**Item no. 12: Proposed Executive Enclave, plot no.38, 1 Kamraj Road.**

1. The proposal was forwarded by the CPWD (online) for consideration by the HCC.
2. A letter dated 05.04.2022 issued by the Chief Architect (RD), CPWD, New Delhi was placed before the HCC. The contents of the letter are reproduced below:

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*“.....the plot no: 36 & 38 falls under “Zone-D” of MPD-2021 and not listed under the heritage structure and precincts. Even though the plot no. 36 & 38 are not part of the heritage structure and precincts, the proposal is sent to the Heritage Conservation Committee as directed by the Supreme Court of India....”*

3. It was also brought to the notice of the HCC by the architect/proponent that the proposal is 109 metres away from the heritage-listed grade-I property i.e. South Block. The HCC took note of it.
4. Taking into consideration the facts enumerated above at para 2 & 3, the HCC opines that the proposal is neither a listed heritage building, precincts nor affecting any other heritage building in the vicinity. In view of the above, the proposal is returned to the concerned local authority i.e. CPWD without consideration of the HCC.

#### **B. Additional items:**

##### **Addl. Item no.1: Building plans in respect of Plot no. 1259-60, Gali Guliyan, Jama Masjid.**

1. The HCC did not approve the building plan proposal at its meeting held on December 20, 2021, specific observations were given.

#### **A. Background :**

*“1. The proposal was forwarded by the North DMC (online) for consideration by the Heritage Conservation Committee (HCC). Earlier, the HCC did not approve the building plan proposal at its meeting held on July 2, 2021, the following observations were made:*

*“1. The proposal, a listed Grade-III heritage property indicated at serial no. 236 (plot no-1259) of the gazette notified heritage building vide notification no: F.13 (43)/MB/UD/2014/1602 dated 29.07.2016 was forwarded by the North DMC (online) for consideration of the HCC.*

#### **Background:**

*“The Heritage Conservation Committee (HCC) did not approve the building plan proposal at its meeting held on March 12, 2021, following observations were given:*

1. *The proposal was forwarded by the North DMC (online) for consideration of the HCC. It was earlier considered by the Heritage Conservation Committee (HCC) at its meeting held on January 2, 2019, and the proposal was not approved, the following observations were made:*

*“1. The proposal was forwarded by the North DMC online for consideration of the HCC.*

*The proposal is in Grade-III of heritage notified list of MCD area.*

2. *The proposal was scrutinized. It was found that the informations/ materials Forwarded are incomplete since no site photographs and report have been received.*

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

1. Prof. Rommel Mehta ... Member HCC
2. Ms. Vertika Sharma ... Member HCC
3. Shri P. Dinesh ... Senior Town Planner,  
North DMC
4. Member Secretary, HCC ... Member convener”

2. The Sub-Committee made a site visit on February 13, 2019 and the observations of the sub-committee are as given below:

- i. As the property was found to be sealed by the North DMC, the members were unable to enter the premises for inspection.
- ii. At the first instance, it was observed that a lot of heritage character must have been there inside the heritage building which seems to have been demolished.
- iii. From outside, a lot of new construction has been noticed up to the level of the second floor.
- iv. Considering all the aspects, it was decided to request the building department, City S.P. zone to submit a status report with respect to the sealing of the premises and other actions taken in this regard.
- v. To assess the overall heritage character of the building, it was decided to request the owner, as well as North DMC to submit the original pictures, drawings, documents etc., of the original structure, to understand the extent of its heritage character.”

3. The recommendations of the sub-committee were accepted by the HCC at its meeting held on February 20, 2019.

4. In response to the HCC’s above observations, the revised proposal received from North DMC (online) was scrutinized. The comments received from the concerned local body i.e. North DMC vide letter no: AE (B)/CSPZ/D-2258 dated 18.02.2021 with the status of the heritage property as under:

“...Status of Property:

.....1. The property was booked against u/c of entire Ground floor, first floor, second floor on dated 23.10.2018 and demolition order was passed dated 30.10.2018.

2. Sealing order u/s 345-A of the DMC Act was passed on 30.10.2018. Now the property is sealed....”

5. *The Committee observed that since the property is in grade-III of the gazette notified list of the heritage buildings in Delhi, it must have contained heritage elements at the site. Moreover, a lot of new construction has been noticed up to the level of the second floor during site inspection without taking necessary approvals from the concerned authority including HCC.*
6. *The Committee deliberated into the matter further taking into consideration the provisions as stipulated under 1.4 of annexure-II, Unified Building Bye Laws 2016 (UBBL) for Delhi, the same are reproduced as under:*

*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.*

7. *In view of the above, the HCC decided to reject the proposal and reiterated the earlier observations of the sub-committee that:*

*“..... the owner, as well as North DMC to submit the original pictures, drawings, documents etc., of the original structure, to understand the extent of its heritage character.....”*

2. *The revised building plan proposal received (online) was scrutinized along with the comments received from the concerned local body i.e., North DMC vide letter no: AE(B)/CSPZ/D-322 dated 10.06.2021, reply of the architect/proponent and in terms of the clause 1.2 of the annexure-II of the UBBL for Delhi-2016:*

*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.*

- 3.** *Taking into consideration the facts enumerated above, the HCC reiterated its earlier decision taken at its meeting held on March 12, 2021 the proposal was not approved and the following observations were given:*
- a) The owner, as well as North DMC to submit the original pictures, drawings, documents etc., of the original structure, to understand the extent of its heritage character.*
  - b) Discrepancies observed in the drawings show that all previous existing plans submitted in the proposal appear to be different. The same needs to be clarified. The plans of the ground floor, part of first floor & second floor have been shown as existing but the photographs clearly indicate ongoing construction at the site, thus clarification is needed and correlated drawings shall be submitted.*
  - c) It was observed that the property was declared as grade-III listed heritage property vide gazette notification no: F.13 (43)/MB/UD/2014/1602 dated 29.07.2016. The HCC opines that the property must contain significant heritage elements due to which it was included in the heritage notified list in the year 2016.*
  - d) The HCC took a serious view of the fact that the building was included in the gazette notified heritage list in the year 2016 and MCD approved the proposal in the year 2018 without forwarding the case to the HCC for its consideration.*
  - e) Accordingly, MCD was requested to submit its endorsements/report etc. as per which the property was included in the gazette notified heritage list in the year 2016, along with all the necessary data to substantiate its heritage significance.*
  - f) Also, because of the proximity of the heritage property with the Jama Masjid its distance from the monument shall also be indicated on the layout plan.*
  - g) Further, the MCD was directed not to send this proposal again for the consideration of the HCC till such time all the pertinent information related to its heritage importance are made available to HCC.”*
- 4.** *The revised building plan proposal received (online) was scrutinised along with the replies submitted by the architect in response to the observations of the HCC communicated vide HCC observation letter no: OL-2306215005, 5(5)/2021-HCC-Online dated 05.07.2021, and letter no: AE(B)/CSPZ/2021/D-1313 dated 02.12.2021 received from the o/o Assistant Engineer (B)-II (city SP Zone). Based on the response received, revised submission the HCC observed that inadequate compliances for this has been given and again reiterate that:*
- a) The building department, City S.P. zone to submit a status report along with the reasons for sealing the premises and other actions taken in this regard.*
  - b) The owner, as well as North DMC, to submit the original pictures, drawings, documents etc., of the original structure, to understand the extent of its original heritage character.*
- 5.** *Given the facts enumerated above, the proposal is returned to North DMC without consideration by the HCC.”*

6. The Committee scrutinised the proposal (*including documents, 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, four side elevations, sufficient number of photographs of the original heritage building (interior as well as external façade) of the heritage-listed property by the local body. In absence of substantial original data, it is not possible to examine the proposal viz-a-viz original construction and provide its comments feedback.
- b) All compliances to HCC earlier observations as per meeting held on March 12, 2021 and December 20, 2021 be ensured.

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

**(Ruby Kaushal)**  
**Member-Secretary**  
**Heritage Conservation Committee**