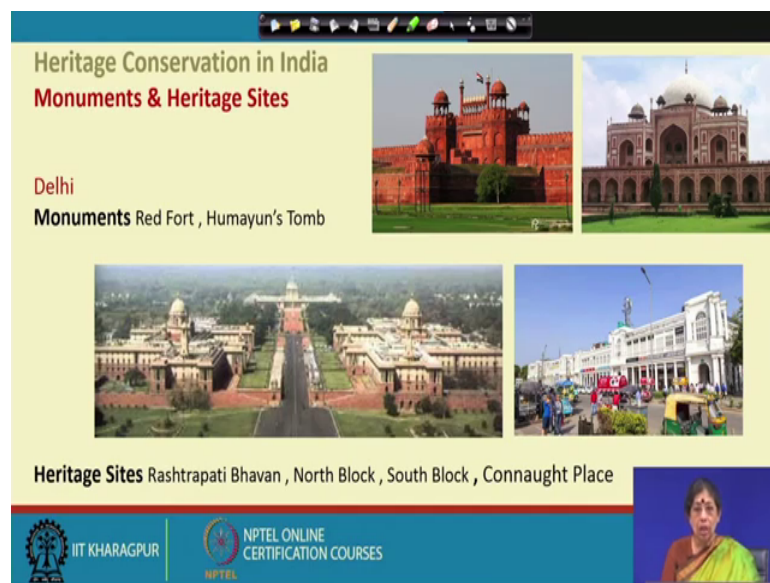


**Architectural Conservation and Historic Preservation**  
**Prof. Sanghamitra Basu**  
**Department of Architecture and Regional Planning**  
**Indian Institute of Technology Kharagpur**

**Lecture – 41**  
**Legislative and Organizational Policies for India**

Today we will be talking about the legislative and organization policies for India, you are almost coming towards the end of the lectures in our course. We have been discussing about a lot of places lot of aspects the next 2 lectures we will talk basically to see what is happening in the Indian situation, in with a special focus on the legislative and organization policies and also later on we also talk about the voluntary organization and NGOs.

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So, let us see it is almost a summing up let us see when we talk about the heritage conservation, there are broadly 2 types of 2 categories, 1 is the monument and other is the heritage sites.

See if you take Delhi for example, Delhi the monuments are the red fort and Humayun's tombs and many other they are a safe protected archaeological survey of India protected and also the heritage site the Rashtrapati Bhavan, which is the north block and south block the which we call the centrals vista and the example of Latin's planning and the Connaught place which is also in heritage site, these are actually not monuments these

are the heritage sites. So, now the question is who looks after them and what is what are being done to conserve this area if at all the conservation is necessary.

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**Safeguarding Heritage Structures and Historic Areas in India**  
**Organisational framework and role of various agencies**

**Agencies**  
Monuments are protected by

1. Archaeological Survey (ASI)
2. State government archaeological departments

**Heritage Sites and Historic areas**

- Town & Country Planning Organization (TCPO)  
Ministry of urban development
- National Monuments Authority (NMA)  
National Monuments Authority (Ministry of Culture)

**NGO**  
Indian National Trust of Art & Cultural Heritage (INTACH)

**Challenge**  
Conserving our historic areas and planning the development of our cities, towns, settlements and region

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Now let us see what are the agencies who were responsible in the Indian scenario to take care of the heritage structure and historic areas, the monuments are protected by like the red fort and Humayun's tomb and other they are protected by archaeological survey of India ASI.

But these are also the state government archaeological department and they are both governed by a particular law which will come to that and the heritage sites and historic areas they are basically taken care by the Town and Country Planning Organization or TCPO, this is within the under the ministry of urban development whereas, archaeological survey of India under the ministry of culture, state archaeology are the respective state departments.

Recently in 2010 due to an amendment in 2011 we have seen a new agencies coming up which is the National Monument Authority or NMA and that is under the ministry of culture. I we have discussed about that the jurisdiction of NMA we will also touch on that today.


But in addition to that there are some nongovernmental organization and the voluntary agencies, which also a playing very important role when we talk about the heritage

conservation and preservation and most important of that is the Indian national trust for art and cultural heritage or Intach, but the challenge is the when we even though this is they will talk about broadly this at the structure, the challenges that how to conserving our historic areas and at the same time planning and development of our cities towns settlements and region.

So, this is on 1 side we are talking about conservation and preservation not of monuments only, but also the historic size and area at the same times we are talking about the development and as we can see that there were various ministries and various levels of organization are involved in that.

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**Safeguarding Heritage Structures and Historic Areas in India**  
**Organizational framework and role of various agencies**

 **Archaeological Survey (ASI)**

- Founded in 1861 in the British Indian Empire, now a Government of India Ministry of Culture organization
- Responsible for **archaeological research and the conservation and preservation of cultural monuments in the country.**
- The ASI divided into circles each headed by a Superintending Archaeologist.
- **ASI administers more than 3650 ancient monuments, archaeological sites and remains of national importance.**
- These can include everything from temples, mosques, churches, tombs, and cemeteries to palaces, forts, step-wells, and rock-cut caves. State government archaeological departments

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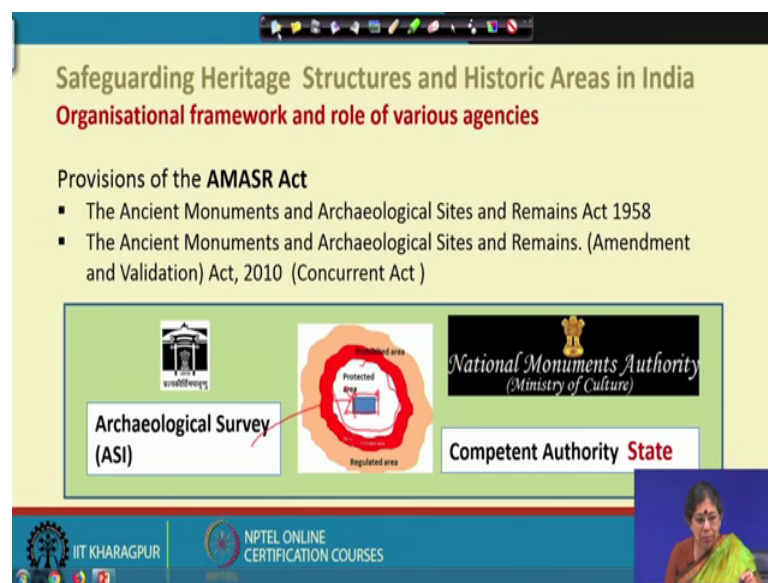
Now, let us talk about archaeological survey of India, archaeological survey of India was founded in 1861 in the British Indian Empire. Now a government of India ministry of culture organization, archaeological survey of India is responsible for the archeological research and the conservation and preservation of cultural monuments in the country, which are listed under ASI and whenever you go to a ASI protected site you will see a blue boat where it is written where is always written that it is a protected site and other because it is under a an act a law that it has been the it is they are protected.

Now, ASI also because we have a huge country and a lot of heritage from the different areas, ASI though the head office is in Delhi but this is divided into circles and each headed by a superintending archeologist where the various regions of India. Now and

under that also there are various local divisions ASI administers more than 3650 ancient monuments archaeological sites and remains of national importance.

So, whichever monument or size or precincts are there under ASI, they are considered as they are of national importance. This can include everything from temples mosque churches tombs and cemeteries to palaces forts step wells and rock cut caves, state government archaeological developments also are responsible for some of them, but they are of importance at the state level.

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Now, this either they are taken care of by the ASI or they are taken care of by the state archaeological department, they are governed by AMASR act the provisions of the AMASR act and the ancient monument and archaeological sites and remains at 1958, which was further amended in 2010 the entrant monument in archaeological sites and remains amendment and validation act 2010.

Now, I am saying that it is a concurrent act what is a concurrent act according to the Indian our constitution there are certain acts or which can are applicable both at the national level and at the state level the state. So, the state archaeology they also follow this act, but they take care of the monuments structures and sites which are of the state importance and they are under the respective state department and as we call this data state archeology.

Now, let us see this is a structure we talked about the national monument authority which when it came and national monument authority came because of the validation of that. Now let us see as an example this is the archaeological survey of India which takes care of the nationally protected monument and let us see 1 the because of this amendment act this 1 if this is a protected site and area so this is the boundary of this protected site, it will be under taken care by the archaeological survey of India if it is a nationally protected monument.

Now, due to this new amendment of the act, the national monument authority which is under also the ministry of culture they are supposed to take care of that what is the type of development which is happening into the regulated area. Now hundred meter around the protected area is the prohibited area; that means, no new development come can come according to this act and the regulated area is further 200 meter. Now this is something which has to be understood very clearly because we are talking about more than 3000 structures and sites all over the India and they are either in the cities or rural areas and under the ASI.

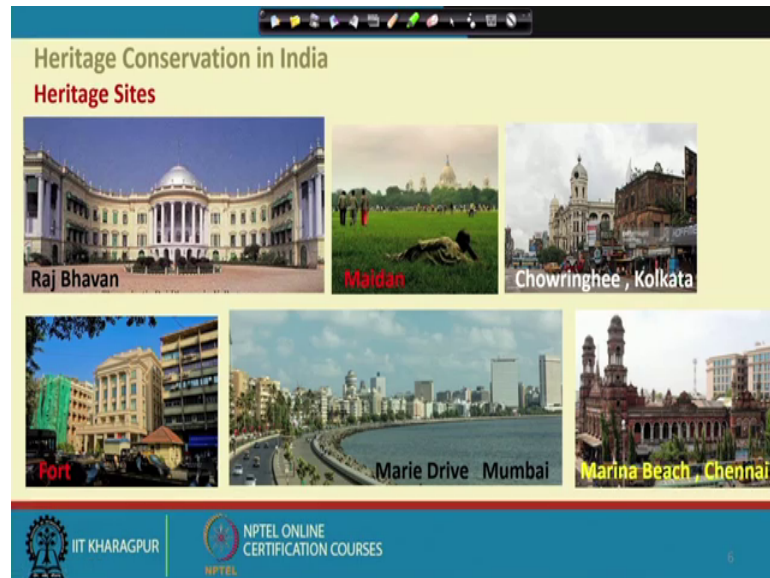
Now, development of these in the regulated area, the access that it should be governed or seen by a competent authority which is will be under the state, but it has to be under the jurisdiction of national monument authority under minister of culture which is as a national level; why this happen because the land that land which we are talking about of the regulated area and also the prohibited area it is not under ASI it is not under center, they are the areas which may be the vacant site it may be the living areas, but this is the jurisdiction of the state.

So, the state the competent authority which has to be formed in the case specific under the state, they will work in collaboration or in together with the national monument authority to approve that what type of development can come up there and also the x says that what for each and every site of the protected area, there has to be a special bylaws a which has to be framed heritage bylaws and regulation for each of the monument and this is a sort of a new since 2011.

A new act which has come to take care of not the monument or the it is office setting that what type of development can be there. So, it is regulated it is not saying that it is no development, but it is saying that it is a regulated development.

So, this is something which is in collaboration with the both the national the national monument authority and the competent authority which is the state level things.

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Now when we are talking about so there is 1 Which is the monument which is clearly under the ASI or under the state archaeology if it is are the state importance and we are talking about the heritage site.

Let us see there can be so many different types of heritage sites for example, the Raj Bhavan in Kolkata or Maidan in Kolkata or Chowringhee in Kolkata which is a spine Maidan is a green area, raj Bhavan is again a structure very important structure or the fort area in Mumbai or the marine drive in Mumbai which is also known as the queens necklace because, of it is streetscape or the marina beach in Chennai and we can go on and on these are all heritage sites they are not monuments.

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Now, why they are heritage site and why they are important because, as you can see in the Chowringhee of Calcutta that there it had a character and significance some of these is still remaining it has a distinct identity or if you talk about fort or if you talk about marine drive you see the queen's necklace there is a particular streetscape or there are certain heritage structures which is defining a precinct or a significant characteristics of that area.

So, we are not talking about monument we are talking about the sites. So, who takes care of this sites which are not monuments they are living areas there may be the green areas or open areas. So, what is the act? How it should be preserved if there is a significant characteristics.



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But in addition also addition to the built heritage or townscape or streetscape there are also natural heritage sites like backwater in Kerala or Ranikhet the terrace cultivation which is happening or in Landour the city Sundarban which is the particular types species of the tree and the flora and fauna Matheran and sand dunes in Rajasthan.

The each one is they do not have or they may have some settlement, but the natural heritage sites are very important and we are talking about this sites which of significance for our heritage and so why then if there is an act and we are talking about monuments and size.



(Refer Slide Time: 12:13)

Why Heritage Legislation or Regulations ?

Without heritage legislation or heritage regulations there can be **NO permanent preservation**

Some Restoration Projects

St James Church , Delhi

By Amanraj04 - Own work, CC BY-SA 4.0, <https://commons.wikimedia.org/w/index.php?curid=51608271>

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The slide features a title at the top, a key statement in bold, and two photographs of St. James Church in Delhi. The left photo shows the church in a state of disrepair, while the right photo shows it fully restored and illuminated at night. The slide is part of an NPTEL course from IIT Kharagpur, as indicated by the logos and page number at the bottom.

We have to understand that why heritage legislation or regulation is necessary because, without heritage legislation or heritage regulations there can be no permanent preservation, monuments can be preserved on the ASI act AMASR act either at the state level or the national level, but without the heritage legislation or regulation there can be no permanent preservation of this heritage sites.

Let us see some of the restoration projects I am talking which is outside the purview of the ASI or state archaeology. For example, the saint James church in Delhi it was very old structure very important structure it was in a dilapidated condition and now it has been preserved as you can see it very well and it has been done not by ASI or not by state archaeology by with the help of Intach which we will talk about that which is a non governmental organization.

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Why Heritage Legislation or Regulations ?

Without heritage legislation or heritage regulations there can be  
**NO permanent preservation**

Some Restoration Projects



Mehrangarh fort ,  
Jodhpur

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Or let us say the Mehrangarh fort in Jodhpur it has been beautifully preserved or restored and it is being used adaptive reuse and the tourist places.

Talk about Prinsep Ghat in Kolkata none of these are ASI or your state archaeological protected the Prinsep Ghat in Kolkata is very important structure and it had been restored under the patronage of Intach I am emotionally attached to that because, that was my first restoration project way back in 90.

(Refer Slide Time: 13:47)



Why Heritage Legislation or Regulations ?

Without heritage legislation or heritage regulations there can be  
**NO permanent preservation**

Some Restoration Projects



Prinsep Ghat , Kolkata

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It was in a very dilapidated condition and it has a lot of association values and architectural heritage and now it has been beautifully preserved it is maintained people visit that area and so these are the structures we are talking about which are heritage sites.

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**Larger picture**

**Restoration preserves only a few sites .**

**Other sites** in the historic cities and areas and outside are not protected by the law and **NEED PRESERVATION**

**Heritage regulations or legislation –**

- save hundreds if not thousands of buildings
- cannot restore a building , but

**they can prevent the biggest threat to physical heritage, namely demolition**

Kenilworth Hotel, Kolkata



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So, restoration why we need that heritage regulation the in the larger picture because, restoration preserves only a few sites under the act, but other sites in the historical cities and areas and outside are not protected by the law and they need preservation and that is why we are talking about why and what type of laws we are there to take care of this larger this resources what we have.

Now, let us talk about why in the heritage regulation or legislation it saves 100 if not 1000 of buildings, it cannot restore a building but they can prevent the biggest threat to the physical heritage namely demolition, I have talked about the Kenilworth hotel which has happened very recently in Calcutta a heritage structure heritage listed heritage structure, it was first the demoted in terms of risk reading and it is being now demolished.

So, we are talking about this was resources which comprised the majority of our a area cities and the places and which constitute the significance and the identity of places we are talking about this site and what are the heritage regulation or legislation are there in India.

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**END OF A JOURNEY**

- ▶ Old Kenilworth Hotel, also known as Purdy Mansion, this three-storey masterpiece of tropical colonial architecture has defined the street corner at Middleton and Little Russel Street for close to a century
- ▶ The mansion at 7 Little Russel Street became an institution, frequented by writers, celebrities and city personalities
- ▶ The hotel was downgraded to Grade III heritage building last year where a structure having no architectural importance is allowed to be demolished

A residential tower will come up where the iconic structure stands now

**Kenilworth Hotel, Kolkata**

Heritage regulations or legislation can **prevent** the biggest threat to physical heritage, namely **demolition**

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The slide includes a photograph of the Kenilworth Hotel, a cartoon illustration of a building being demolished with a hammer, and a small video feed of a woman in a green sari speaking.

A talking about even the Kenilworth hotel let us see why it is important it is just a 2 or 3 storey structure, it is the reported the newspaper said it is an end of a journey, because it was also known as the Purdy mansion it was a masterpiece of architecture, it a lot of people important people dignitaries they have been visiting that areas. So, it was an important not only architecturally, but important association with the history of the Calcutta.

Now, this could not be prevented and this prevention of course, there are other stories of how why and it happened because of the delisting, but this is something which is happening again and again in all over India and this demolition this can be prevented only with the heritage regulations and legislation which is not possible by the AMASR act.

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Senate House, Calcutta University, Kolkata

1957  
The Senate Hall of Calcutta University, being demolished.

The new Centenary building

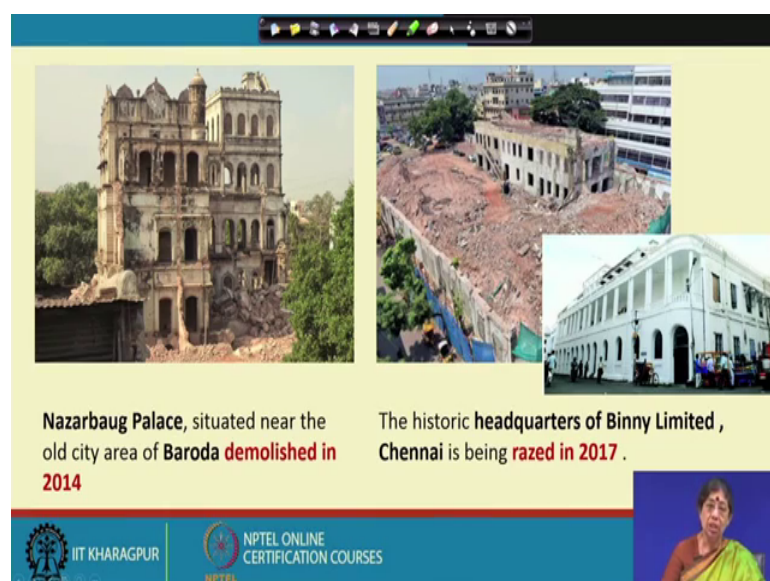
Heritage regulations or legislation can **prevent** the biggest threat to physical heritage, namely **demolition**

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The slide features a large image of the Senate House, a neoclassical building with many columns. To its right, a smaller image shows the building being demolished in 1957. Below that, another image shows the new Centenary building, a modern multi-story structure. The text at the bottom emphasizes that heritage regulations can prevent demolition, which is the biggest threat to physical heritage.

Let us talk about another example I am from this region. So, I know more about that, but it is a situation all over India like, if you see that the beautiful senate house in Calcutta university of Calcutta, it is a neoclassical architecture in 1957 that senate hall is being demolished and then the centenary year a new century building has come up and we lost a very important classical neoclassical building from that area because it has given rise and these does not have any character, it may be it has more places more space in terms of area and other thing, but it has totally wiped out a particular landmark from the face of Calcutta.

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Nazarbaug Palace, situated near the old city area of Baroda **demolished in 2014**

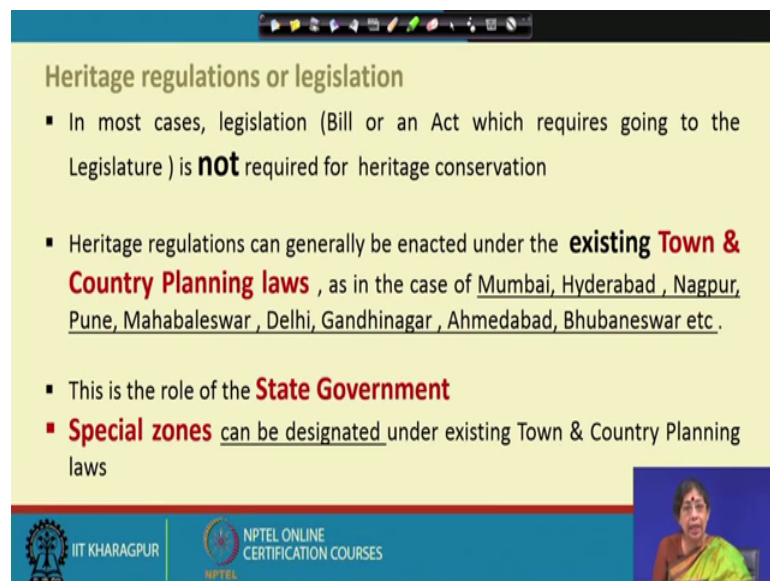
The historic headquarters of Binny Limited, Chennai is being **razed in 2017**.

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The slide features two main images. On the left, a large, ornate building (Nazarbaug Palace) is shown in a state of demolition. On the right, a smaller image shows the historic headquarters of Binny Limited in Chennai, which is also being demolished. The text at the bottom highlights the demolition of these historic buildings in 2014 and 2017 respectively.

As I said that it happens in all over India, they I have just chosen a few example like the Nazarbaug palace situated near the old city of Baroda it was demolished in 2014, the historic headquarters of the Binny limited in Chennai is being raised in 2017 a beautiful structure it was a very important in the industrial connection of the place and it has been demolished to give make place for a new development a high rise structures and other thing the story is same everywhere.

(Refer Slide Time: 17:51)



The slide is titled "Heritage regulations or legislation" in a bold, dark font. It contains four bullet points: 1. "In most cases, legislation (Bill or an Act which requires going to the Legislature ) is **not** required for heritage conservation". 2. "Heritage regulations can generally be enacted under the **existing Town & Country Planning laws** , as in the case of Mumbai, Hyderabad , Nagpur, Pune, Mahabaleswar , Delhi, Gandhinagar , Ahmedabad, Bhubaneswar etc .". 3. "This is the role of the **State Government**". 4. "**Special zones** can be designated under existing Town & Country Planning laws". The slide has a yellow background with a blue header and footer. The footer contains the IIT Kharagpur logo and the NPTEL Online Certification Courses logo. A small video inset of a woman is visible in the bottom right corner.

- In most cases, legislation (Bill or an Act which requires going to the Legislature ) is **not** required for heritage conservation
- Heritage regulations can generally be enacted under the **existing Town & Country Planning laws** , as in the case of Mumbai, Hyderabad , Nagpur, Pune, Mahabaleswar , Delhi, Gandhinagar , Ahmedabad, Bhubaneswar etc .
- This is the role of the **State Government**
- **Special zones** can be designated under existing Town & Country Planning laws

Now, in most cases as we see that they are not protected they cannot be protected by AMASR act because, they are not monument or protected on the these I listed it is not necessary also. In most cases the legislation or a bill or an act which requires going to the legislature is not required for heritage conservation generally we do not need another heritage regulation or for protecting preserving or taking care of this type of structures.

Heritage regulation can generally be enacted under the existing town and country planning law, which is under the ministry of urban development as in the case of Mumbai Hyderabad Nagpur, Pune, Mahabaleshwar, Delhi, Gandhi Nagar, Ahmadabad, Bhubaneswar and there may be Punjab, they have also taken under this town and country planning laws the agent these states have these places or cities have provided a new law or regulations under the town and country planning act or law.

Now, what we have to remember that this is the purview of the state government because, we are talking about the land and the structures which comes under jurisdiction



of purview of the respective state government. Under this law the existing town and country planning law there is a provision that one can designate a special areas and these special areas can be for various reason it can be a heritage area there can be a area of a special significance value an area of an environmental value, it can be a slum area a or of some special environmental or other hazards.

So, there is a provision in the existing town and country planning law to take care of the special zone and under this special zones or by designating a special zone one can give a various provision, one can take care of the height, one can take care of the affair, one take up the color of facade treatments. So, there is a provision in the existing town and country planning law to designate an area or repressing thus a special zone and to device or to formulate a special regulation under for those special areas.

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**Heritage regulations or legislation**

**MUMBAI:**

- Introduced a **landmark law** in 1990s identifying and protecting heritage in the city.
- The country's **first urban heritage** rule looked beyond grand buildings to neighbourhoods or "precincts"—clusters of buildings and spaces that had a unique sense of place, reflecting a historical aesthetic or way of life.

Khotachi Wadi in Girgaum

1920s-built Dadar Parsi Colony

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Now, let us talk about that what has been done and in this case Mumbai has really played a very pioneering role, they introduced a landmark law in 1990 identifying and protected heritage in the city and in Mumbai also there were lot of structures which are under ASI archaeologically archaeological survey of India, they are state protected, but these landmark law which Mumbai did under the town and country planning act is something which played a very pioneering role in the field of heritage conservation.

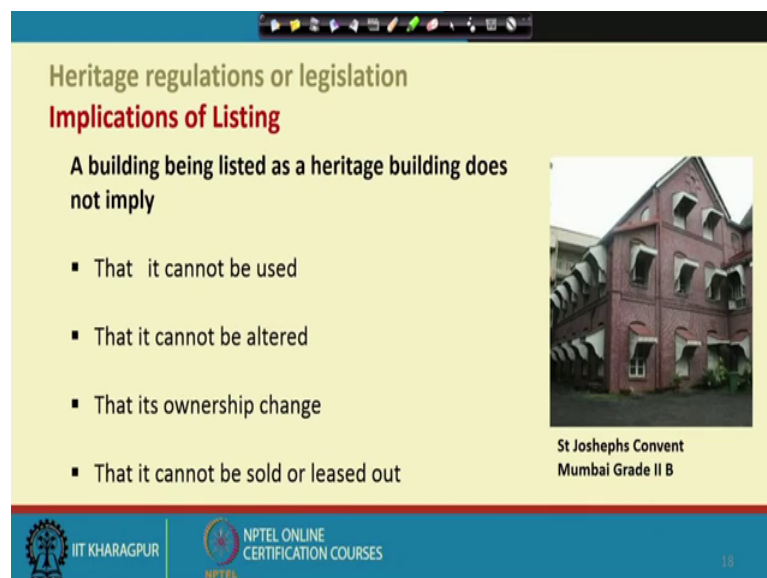
It is the country's first urban heritage rule which looked beyond the grand buildings or to neighborhoods or precincts, for example this Khotachi Wadi in Girgaum I do not know I



am pronouncing Khotachi Wadi in Girgaum, which is a particular neighborhood as you can see that just outside there the multi storey structures high rise structures have come up or 1920 built Dadar Parsi colony there of different types there are many more and these are of a special character and a special heritage zone and which we call the first cluster or a neighborhood which is looking beyond the grand building this is a combination of a normal structures, but which have some significance.

They can be the clusters of buildings and spaces that had unique sense of place reflecting a historical aesthetics or a way of life.

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**Heritage regulations or legislation**

**Implications of Listing**

A building being listed as a heritage building does not imply

- That it cannot be used
- That it cannot be altered
- That its ownership change
- That it cannot be sold or leased out

**St Josephs Convent**  
Mumbai Grade II B

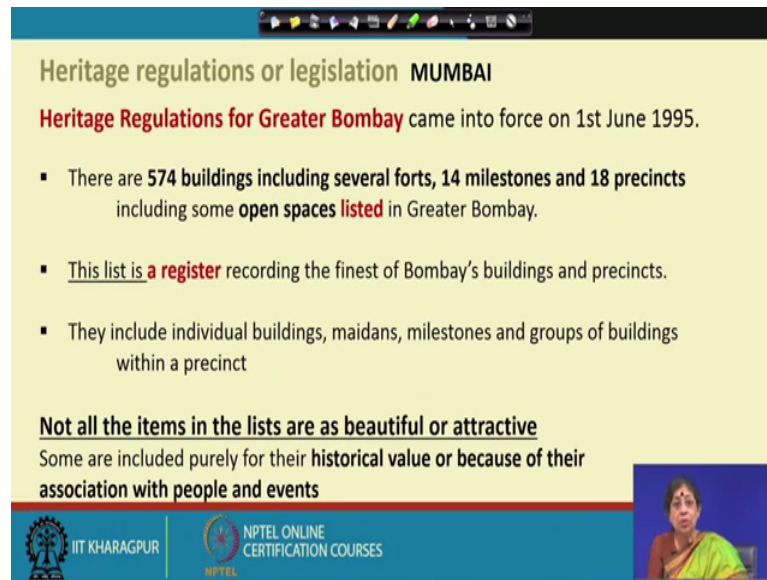
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Now for this under these law or the regulation under the town and country plan worked which Mumbai did what is important is the listing and this listing has to be a statutory listing.

A building being listed as a now one has to understand that when a building because, these are most of the time they are private properties and the owners they are very suspicious apprehensive that if their building is listed that what will be the outcome of that and one has to understand that a building being listed as a heritage building does not imply, that it cannot be used that it cannot be altered that it is ownership change or that it cannot be sold or leased out all of this are possible under this provision of listing.

For example, Saint Joseph convent in Mumbai a grade 2 be it was recently upgraded to grade 2 be because of his condition and the maintenance it is a school which is in use and this is a listed structure and there are many more.

(Refer Slide Time: 23:03)



**Heritage regulations or legislation MUMBAI**

**Heritage Regulations for Greater Bombay** came into force on 1st June 1995.

- There are **574 buildings** including several forts, 14 milestones and 18 precincts including some **open spaces listed** in Greater Bombay.
- This list is a register recording the finest of Bombay's buildings and precincts.
- They include individual buildings, maidans, milestones and groups of buildings within a precinct

**Not all the items in the lists are as beautiful or attractive**  
Some are included purely for their **historical value** or because of their **association with people and events**

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The slide features a video inset of a woman in a green and yellow sari speaking in the bottom right corner. The slide has a yellow background with a blue header and footer.

Now, heritage regulations for greater Bombay came into force on first June 1995 under the town and country planning act, there are they are very initially 574 buildings including several forts 14 milestone and 18 precincts including some open spaces listed in greater Bombay and this listing is very important, it has to be a statutory and published in the gazette under different categories I have discussed the grading in another lecture.

The list is a register recording the finest of bill Bombay's buildings and precincts. So, as I say we discuss 1 (Refer Time: 23:47). So, there can be a precinct there can be a group of building there can be a streetscape there can be a route along with the building. So, there can be a different possibilities they include individual buildings maidans, milestones and a group of buildings within a precincts.

Not all the items are list are as beautiful and attractive this has to be remembered, that aesthetic is not the only criteria for listing there can be many other reasons when we have talked about; somewhere included purely for historical value or because of their association with peoples and events because, a lot of time people come and say this is not a beautiful building why it is a heritage thing. So, one has to prepare a statement while the listing that the with the state of preservation documentation is very important, first of

all why what is the significance of the structure precinct that has to be very clearly mentioned while doing the inventory and putting it as a case for listing.

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**Heritage regulations or legislation MUMBAI**

**Heritage Regulations for Greater Bombay**

The inclusion of a building in the heritage list **does not mean** that development is **NOT permitted**.

It only means that **an expert inter – disciplinary group determines** what suitable development is allowed within the framework of the Heritage Regulations of 1995.

**Parsi Trust Gets UNESCO Award for Restoration**

TNN | Updated: Sep 8, 2016, 04:38 PM IST

Mumbai: The campaign to conserve heritage structures in the city received a boost by a special announcement on Thursday. The restoration of the Parsi Trust-owned Cama Building at Gilder Road received the UNESCO Asia Pacific Award of Merit. The residential building in Marathi Colony, Mumbai Central. This is the 12th UNESCO award for conservation architect Vikas Dilavari, and the third for the Garb Zarthoriana Rabhasa Fund (GZRF), which owns the Grade III building. The team had together won for Sethna Building and Wadia Building before. Dilavari said, "The Cama project is a pointer to redevelopment chosen Mumbai, that it only costs Rs 600 per sq ft to conserve a building structurally and architecturally."

**Cama Building at Gilder Road, Grade III**

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Now, again I am saying the inclusion of a heritage building in the heritage list does not mean does not mean that development is not permitted because, this is a concern for the owners that if it is a listed a heritage structure that there cannot be development that is not true. It only means that an expert interdisciplinary group determines what suitable development is allowed within the framework of heritage regulations of 1995 in this case of Mumbai.

So, what it is saying that if there is something of a special character special precincts and it can be a valid time and there has to be a special bylaws or regulations for that particular area depending on the significance and there has to be a suitable development for that area, which will continue this to be used to be developed.

But it cannot be done in an ad hoc manner with the any developer who is coming and designing that there has to be a special framework of heritage regulations and which has to be done by an expert of interdisciplinary group and that is also specified in the regulation that what is that committee and who are the members who can be the members of this committee and then also there is an empanelment of the architects and the engineers, who can take care of such structure precincts and other.

Because it needs an expertise and there the combination of that multi disciplinary group is also historical landscape architect, conservation architect planner and depending on a particular structure the people can be invited.

So, there is a special committee which can which has to take care of such structures. For example, this is a parsi trust a which has been restored this is a residential area it has not been demolished there was threat because, it is a trust property. So, it was safe and it was and the cost for restoration preservation or development I would not say development the maintenance and the repair was very less and it got an UNESCO award, this the cama building and the people are very happy living there. But this now are becoming more and more rare because most of them are being demolished in the name of development to give space to the high rise structures.

(Refer Slide Time: 27:11)

**Heritage regulations or legislation MUMBAI**

- Heritage status are graded

**Grade II-A status** — buildings of regional or local importance with special architectural features or aesthetics — be accorded for setting up a “heritage streetscape”

eg buildings - Mahalaxmi temple precinct

**Mahalaxmi temple precinct**

The slide includes a map of the Mahalaxmi temple precinct in Mumbai, showing various landmarks and streets. The map is labeled with 'Mahalaxmi temple precinct' and 'Mahalaxmi temple precinct'. The slide also features the IIT Kharagpur logo and the NPTEL Online Certification Courses logo.

Now, also we must understand just listing is not important, one has to also talk about the grading I have discussed about the grading the grade 1 grade 2 grade 3 and what are the significance of that, what are the implications of the grade, what is the objective of that grade and what type of permission is required for that and that has to be clearly specified in Bombay Mumbai regulation. It has been clearly specified the grade 2 a status the buildings of regional or local importance with special architectural features or aesthetics be like accorded setting up a heritage streetscape.

So, if it is a streetscape value. So, that has to be maintained for example, the mahalaxmi temple precinct in that this is one of the precinct in Mumbai and there are many more like which is there in Mumbai and each has its own character value and significance.

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**Heritage regulations or legislation MUMBAI Heritage precincts**

**Grade II-A status** — buildings of regional or local importance with special architectural features or aesthetics — be accorded for setting up a **“heritage streetscape”**

Courtesy URBAN DESIGN RESEARCH INSTITUTE, MUMBAI, INDIA

The slide features three aerial photographs of heritage precincts in Mumbai. The bottom left corner includes the IIT KHARAGPUR and NPTEL ONLINE CERTIFICATION COURSES logos, and a small video inset of a woman in a green and yellow sari.

So, any new development anything which has to be done according to the special regulation of format, under this framework which can be done and it has to be a statutory 1.

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**Heritage regulations or legislation MUMBAI**

November 5, 2016

**Mumbai: Heritage precincts lose protective cover, set for highrise development**

Official statistics show that the city has about 60 heritage precincts, so far been characterised by their low-height cityscapes.

**2017 report**

**Heritage precincts shrink by up to 50% in 20 years**

the city's new development draft permits Grade-III heritage structures and precincts to be redeveloped up to 10 storeys instead of the earlier 24 meters without any special permission from the commissioner's office.

The slide includes three photographs of heritage precincts: **HINDU COLONY** (BUILT: EARLY 1900), **BDD CHAWL**, and **Parsi COLONY**. The bottom left corner features the IIT KHARAGPUR and NPTEL ONLINE CERTIFICATION COURSES logos.



Now, what we see is that in spite of this pioneering effort by Mumbai having the heritage or that the town and country planning act, but this is a reporting in 2006 November 5th. The Mumbai heritage precinct loose protective cover asset for high rise development 2017 report is saying heritage precinct shrink by 50 percent in 20 years.

The cities new development dropped permits grade 3 heritage structures and precincts to be redeveloped up to 10 storey's, instead of the earlier twenty 4 meters without any special permission from the commissioner happening and as a result the Hindu colony the parsi colony and BDD chawl which were once declared and enlisted as a heritage precinct there all losing their a most of them many of them and a significant amount of them are losing and giving in to the pressure of the development which is an unsympathetic development.

A there was no nowhere it was set the no development can happen, but what is of concern is the height has been changing, the type of development is coming it is not only destroying the physical structure it is also impacting the socio economic fabric. The community structure of that area and that is of great concern and in spite of the heritage regulation why it is being done, because it is on the state and the state state department are trying to delisting or allowing the different types of development happen and what are the issues they are the lack of incentives this is 1 of the issue.

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**Heritage regulations or legislation**

**MUMBAI: Issues**

- **Lack of incentives** for repair or conservation, incentives like a repair fund, exemption from property taxes, and exemption on parking, balcony and setback norms to allow reconstruction to harmonise with an older streetscape.
- Only existing incentive: **heritage TDR**, which grants compensatory development rights in another part of the city .
- Heritage TDR has had few takers because it offers far lower building rights than redevelopment policies; an FSI of 1.33, say , compared to an FSI 3 under the cessed policy.

Khotachi Wadi in Girgaum

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The incentives for a pair of conservation incentives like a repair fund exemption from the property taxes, exemption of parking balcony and setback norm to allow the reconstruction to harmonize with an older streetscape.

So the incentives has to be there a special incentive, if we are talking about a development and trying to preserve those area and there has to be a case wise specific wise, that this type of incentives the residents who own the houses they must get some benefit out of that. The only existing is the TDR the transfer of development right which grants compensatory development rights in another part of the city that which can be sold as a shear.

So, these was in in effect a TDR as a part of the Mumbai heritage regulation and it is a sort of an instrument which was but now when we take that 1 time we are talking about this area FSI of 1.33 and at the same time we are allowing an FSI of 3 in that area. That means, it is encouraging demolishing of the structures and changing of that. So, on 1 hand we have to talk about incentives, another hand we have to talk about disincentives that these areas should not allow more FSI and if that happens they will be under a grade threat or pressure of demolition and these incentive the sensitive has to be taken care of together, to what is permitted and what is not permitted.

So, there is certain recommendations for Mumbai based on these experience in our next lecture, we will continue with that that based on the experience of Mumbai; which is which really has played a very pioneering role that what were the recommendations and what needed to be done because, there is a strong conservation a lot of agencies are working conservation architect a different advocacy group and they are talking about and they are realizing that and propagating recommending that what can be the way forward for this heritage precinct.

So, we will continue in our next lecture with the case of heritage regulation within Mumbai and what were the recommendations and then we will see a larger picture of overall India.

Thank you.