

#HeritageBeku #RMP2031 Inputs

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Heritage Beku/Past Forward

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LINKS OF DOCUMENTS REFERRED TO

- a. RMP31 main doc: <http://www.bdabangalore.org/RMP2031.htm> ;
- a. Heritage Overview: Preamble page 149 -156;
<http://www.bdabangalore.org/Volume 3 MasterPlanDocument.pdf#>
- b. Zoning : Page 100, Page 88-90;
<http://www.bdabangalore.org/Volume 6 Zoning Regulations.pdf#>
- c. Lists of Heritage Properties* - Annexures 4 & 5 in above link have listing & maps Pages 186-205

INTRODUCTION

The Revised Master Plan 2031 (RMP31) is an important step forward in the urban governance in Bangalore, and we, the citizens of Bengaluru, greatly appreciate the Govt. of Karnataka's effort in detailing the Master Plan, its effort to secure public discussion & citizen involvement, as well as its emphasis and sincere attempt to showcase and preserve our city heritage. The open minded response to the citizen petition bit.ly/HeritageBeku and positive stride in the right direction is only to be lauded.

While time to respond to the RMP31 is limited, an eclectic and cross functional group under the informal aegis of #HeritageBeku #PastForward comprising eminent citizens, academics, conservationists, heritage experts, urban planners, academics, engineers, lawyers, historians and architects (list available) have worked closely together & attempted to delve deeper into the portions of the master plan that refer or encompass city heritage issues, in order to add the citizen & local perspective in the objections sought by 23rd Jan 2018. Best practices of cities across India as well as expert organizations like INTACH, IHCN et al have been consulted. This understandably, is an ongoing, dynamic exercise and we believe that much work will remain in progress. We are aware that the final Heritage Listing would need extensive crowdsourcing and detailing in order to be truly current & request that this be kept on top of mind, as this is a very sensitive space.

What is noteworthy is the broader definition of heritage used by the RMP31 to include natural, intangible and cultural aspects in addition to the standard focus on buildings – by doing so, the city authorities have clearly shown their desire to address and amalgamate the true spirit of Bangalore and its rich legacy. With this initiative, coupled with sincere public consultation, the city not only follows the stringent standards of Heritage Cities globally but also ensures that the heritage framework of the city can be far more robust, democratic and inclusive.

There have undoubtedly been huge & tragic erosions to our beloved city's heritage, some inadvertent and due to ignorance, and some due to indifference & commercial interests. This has deeply affected the citizens, city history and its global impact. However, we can see that there is an attempt made to have a more inclusive development that will also protect the city. The RMP31, by enabling a workable framework, structure & process, backed by the legal and governance support, will create a robust system where such irreparable erosions and loss do not recur.

We see two critical areas in the RMP Heritage which we respectfully require the government to address - one on the critical issue of private ownership and support thereon, as well as the second on the legal/implementation issues that cover a

proper Heritage Regulation Bill as well as the composition of the Heritage Committee heading the city's heritage efforts. This will clearly showcase the might and genuine sincerity the city authorities are placing on the important issue of heritage.

The list of inputs is enclosed in a pdf file. We have attempted to first address the Master Plan points , before going on to zones and specific adaptations therein. There are also a list of additional suggestions in the final section. We would be delighted to have a chance to anchor a discussion on this with the concerned officials.

We look forward, under your stewardship, to a Bengaluru replete with both heritage and development, taking its place with pride , as a Global Heritage , High Growth City.

Response to Heritage Conservation and Protection, Section 14, **Volume 3**

The approach adopted in this section by the Government of Karnataka and the Bangalore Development Authority demonstrates its sincere intent to safeguard Bengaluru and its history for which we citizens are deeply grateful. It is indicative for a glorious futuristic vision for Brand Bengaluru while respecting its diverse and vibrant history.

The definitions and concepts that have been included in this section stay true to an extent to the spirit of UNESCO's guidelines which details heritage as both Cultural and Tangible. Preservation of both these components validates memories and the actuality of either an object or cultural norm as opposed to a reproduction or surrogate, draws people in and gives them a literal way of touching the past. The government's responsibility towards the future generations multiplies greatly as the chief custodian of history. It is critical that they should lead by example with public spaces and architecture putting in place stringent checks and balances with penalties to ensure that we do not lose anymore of our history.

We would now like to draw your attention to the specifics proposed and our objections to them to allow for a true collaboration between citizens and the government. We approach issues with two formats- Objections and Alternatives.

List of objections against Section 7.4:Heritage Buildings/ Precincts (Zones) Volume 6, Zoning regulations, Revised Master Plan 2031

7.4.1

Objective

The stated objective in this section, largely covers heritage to include the varied aspects of it include “natural features of environmental significance and or sites of scenic beauty”. The Revised Master Plan 2031 (henceforth to be called RMP) also wisely includes cultural and intangible heritage similar to concepts proposed by UNESCO.

However, the title of this section leans towards an architectural/building centric approach. We propose that this be expanded to include concepts that are unique to the garden city as Bengaluru is called i.e. ecological, natural and living heritage as proposed by Section 14, Volume 3.

7.4.2

Heritage Committee

- We object to the current composition of proposed Heritage Committee. We would like to propose that the citizen/professional representation on this committee SHOULD be 50% of its total strength. Therefore, we propose that the total number in the committee be increased to 12 to have adequate representation from both the bureaucracy and citizenry.
- We object to the advisory nature for the Heritage Committee that is proposed and ask that it be independent authority empowered with legal powers that allows it to legally protect heritage.(Refer to Annexure I for more details)
- We propose a new law (tentatively titled and referred henceforth as Heritage Conservation Act) be debated and passed in six months to arm the above committee to legally enforce heritage conservation. Similar laws exist in the context of the Indian cities of Mumbai, Hyderabad, Ahmedabad where the Committee is an independent body. Mysore has also successfully protected its historical legacy with the a similar independent committee. All of these processes can be referred to and customised for Bengaluru.
- In the meantime, we propose the Karnataka Town and Country Planning Act 1961 be amended IMMEDIATELY to evolve guidelines/ definitions to arm the committee legally to ensure that there is no loss of heritage while the Heritage Conservation Act is being formulated.
- We propose that the committee members SHOULD NOT have conflicting private commercial interests that fall under the jurisdiction of the Heritage Committee. If that is the case, the said member WILL recuse himself/herself from the committee and its proceedings.

- The powers to appoint subcommittees will rest with the Heritage Committee.
- We propose that no decisions shall be passed by the committee without the explicit agreement of at least 50% of the government officials and 50% of the citizenry being present at the meeting in person to ensure due process. None shall be passed in absentia.

7.4.3

Heritage Zones

- The proposed zoning is detailed and has identified 12 heritage zones. However the maps of the zones that are attached as annexures need to be reviewed to address glaring omissions. For example, Carlton House which adjoins Central Administrative Heritage Zone, Precinct 1 and 3 and houses the COD offices has been omitted from the boundary of the zone. The Temple complex abetting the Kadu Malleshwara Temple is part of the cultural heritage of the locality and is excluded in the Malleswaram Heritage Zone. Please refer to the maps attached this. Such omissions have to be corrected across all the 12 proposed zones.
- The demarcation of these zones has followed no specific criteria and will negatively affect any regulations that are proposed.
- The proposed zoning does not include heritage zones as part of the Land Use Zoning guidelines. This needs to be addressed.
- The focus of the proposed heritage zones SHOULD be expanded to include intangibles with ecological, natural and living heritage and open space precincts of the heritage buildings as opposed to focusing largely on just architectural structures. Please refer to Annexure I for more details.
- The proposed heritage zones SHOULD include all lakes and historical water systems (dry or otherwise) as part of protected heritage to reclaim river banks and tank bunds and revive them for the future. So while this is a good first step but without a detailed listing and grading this will not hold any legal hold - so Listing and Grading must be commissioned.

7.4.4

General Guidelines of Heritage zones and heritage buildings.

A. Architectural and Visual Control

- We object to the presence of ambiguous terms like excetera. We also ask for a precise definition of public interest in this context to ensure that there is no subversion of the spirit of this exercise. (refer to point ii of the section)
- We propose the jurisdiction of the Heritage Committee SHOULD NOT be limited to the proposed heritage zones (which need to be revised) and encompass the entire Greater Bangalore Area with a futuristic view. The tense of time is fluid and what is “present” today is “heritage” tomorrow.
- We object to the exception clause and propose NO additional buildings in the open spaces of a heritage site be allowed (refer to point iv).However, lower graded

buildings like Grade III could have additional buildings but keeping the overall character intact - style, scale etc will be controlled by the Urban Design Guidelines

- We propose that the Heritage Committee frame specific urban design guidelines for heritage precinct including streetscape (refer to point v).
- We concur with the recommendation that NO public utilities or infrastructure (like flyover or OHT) shall be allowed within the zone that will obstruct the vision or view of heritage structure/precinct. There will be NO EXCEPTIONS to this clause and we object to any such suggestions. We further propose all attempts will be made for the reclamation of such heritage precincts

B. Streetscape in heritage precincts

- We propose the Committee will formulate guidelines for any and all interventions as part of urban design policy guidelines in line with the aesthetics of the heritage precinct that it is proposed in.
- We propose the Heritage Committee will be the ONLY permitting authority for any and all streetscape in the heritage precinct. We would also suggest a more disabled friendly and inclusive approach be adopted for the planning of such precincts

C. Signages and hoardings

- We propose that signages of all individual shops shall follow the prescribed regulations drafted by the Heritage Committee keeping in mind the character of the local aesthetics. There will be NO EXCEPTIONS allowed to this.

ANNEXURE I

Institutionalising Heritage Conservation -Champaka Rajagopal

It is commendable that the RMP 2031 has evoked heritage conservation in Bengaluru, as a substantive challenge. Given this strength, it has engendered a discussion on the dimensions of planning for heritage preservation and conservation in the City, amongst concerned citizens. While over the last decade, the Government of Karnataka undertook several initiatives to further this cause, the domain remains uninstitutionalised. The RMP 2031 now offers an opportunity to define the policy with clarity and craft a path towards its implementation.

Bengaluru's Heritage: RMP 2031: Strengths and Policy Gaps

The Draft RMP 2031 states "It is essential that the heritage in Bengaluru is safeguarded, conserved and maintained" in order to cope with the city's rapid development. It pays due attention to various forms of heritage that the city is host to, architectural, cultural and natural heritage. Within this premise, the plan advances the following: first, the need for listing heritage; second, drafting regulatory conditions for preservation of heritage assets; third, creating an institutional framework for effective implementation and enforcement of regulations. The RMP 2031 also mentions the need to create an institutional mechanism, in order to further this intent.

In alignment with this, the plan recommends a list of places in the city that qualify as heritage precincts (pg. 136, Vol 03, Master plan Document, RMP 2031) and includes a list of heritage monuments and buildings by tracing history (pg. 92, Vol 03, Master plan Document, RMP 2031 and Proposed Land Use Maps). In recognising intangible-cultural heritage, the plan emphasizes the need to valorize events such as the annual Karaga festival, Bull temple and Kadlekai Parishe, Someshwara temple in Halasuru and its processional path, Shivajinagar(areas around St. Mary's basilica, during St. Mary's feast).

Heritage, the plan views, from a prominent perspective of serving as 'asset value'. It states, "It is important to understand that the heritage and cultural preservation/ conservation of heritage precincts do have positive impact on economy, social aspects and environment of the city, though these impacts are long term in nature. Heritage and cultural conservation may lead to boost tourism and helps in educating ourselves about our rich cultural history. Heritage conservation and designation increases property values, both of the restored building and surrounding properties. Thus Heritage preservation & conservation should be an integral part of urban development."

Heritage as a Narrative of the City, as Social Embedding

The group of concerned citizens in Bengaluru, working towards Bengaluru understand Bengaluru's heritage as being very distinct from that of any other city in India.

It's central location in the Southern peninsular India has rendered it historically a place of cosmopolitan culture (Janaki Nair, Promise of the Metropolis). A rich linguistic mix of people have continued to inhabit Bengaluru's several regions, in its core and its extended territories. The historic core of the city, the Pete or the City still comprises of traditional activities, such as textile weaving, spice markets, flower markets and old markets for

materials for the construction industry. Occupations of people inhabiting these clusters are intrinsically linked to place and its built form. In light of inadequate social security offered by the State, social, religious and caste based institutions still play an important role in providing access to amenities, health, education facilities and even loans and grants.

The Colonial Bungalow: A Response to Local Climate and Culture

Unlike other major metropolises in India, such as Delhi, Mumbai and Kolkata and even Chennai, Bengaluru's political and economic significance as a trading hub was lesser in comparison. Consequently, these regimes expressed themselves less dominantly in Bengaluru, in comparison. The grand manner of Lutyen's Delhi or Mumbai's Fort did not qualify Bengaluru's Cantonment. Instead, Colonial architecture manifested itself in Bengaluru in gentler ways. The Colonial Bungalow, for example, underwent multiple transformations in form and scale to adapt to domestic and institutional architecture (see, Anthony D. King, *The Bungalow: The Production of a Global Culture*). The verandah, here became a symbol of response to climatic conditions of the city which was its unique characteristic. Over the last two decades, the loss of the Bungalow typology through rampant transformations mean the loss of the spirit of designing locally contextualised built form. Restoring historicity in this context would mean revival of designing built form that suits local character. Colonial architecture that remains in the City must be viewed from this lens. Zonal regulations for heritage precincts should be devised within parameters that acknowledge these characteristics.

Historicity, Place, Transformation and Continuity

The City was pioneer also in other forms of historical innovations. It has remained a centre of scientific innovation from the time of Tippu. The TATA Institute for Social Sciences was established in 1909. Post-independence, the 1950s and 1960s witnessed the setting up of Hindustan Aeronautics Ltd and Bharat Electronics Ltd. Technology change, post liberalization has engendered several socio-economic transformations. For example, while the physical fabric of S.P Road area in the Pete, including its historical street network has remained the same, the built form has intensified and its building use has transformed, historically, from a flower market to now a market selling electronics goods, and sale of newer and more lucrative technologies. Transformation in trade however, have meant further consolidation of communities that dominate these activities. Such historic places are qualified by transformation just as much as continuity of historicity. These places in the Pete, are distinct from the Old City of Ahmedabad, for example, where the built form exhibits strong historic character. Regulations for historic fabric under socio-economic transformation may need a different type of strategy. Zonal regulations would need to foster and incentivize holistic transformation of the built form while still maintaining the historic footprint.

Other precincts such as the Vattaras, have densified over time. As traditional settlement form, spread across Bengaluru, are examples of community living through shared resources. While communities inhabiting these precincts continue to occupy these spaces, their life styles are changing. Zonal Regulations presently do not acknowledge this historic traditional form at all. Their rampant transformation would mean lower quality of life for its inhabitants. The RMP 2031 needs to address these transformations through a range of strategies. The plan therefore must focus on devising a larger planning process through which specific needs of local areas may be addressed.

Enabling the Planning Process for Preservation and Continuity of Urban Places of

Historic Value

Given the nuances of how heritage itself may be defined in the City, one of the first requirements is to define a planning process, to support heritage conservation.

Since heritage sites span across the entire planning area of Bengaluru, planning for heritage conservation in the city would need to be addressed at multiple scales:

1. City wide Heritage Master Plan
2. Precinct level planning – spatial or non-spatial (natural, physical and cultural)
3. Conservation of buildings with heritage value

The RMP 2031 does not include a comprehensive governance framework for implementation and enforcement of RMP 2031; this applies to the context of developing place based heritage regulations and their enforcement in the Heritage Conservation sector as well.

A four-pronged approach is proposed for developing the planning process for Heritage Conservation in Bengaluru.

1. ***Institutional context***
2. ***Data***
3. ***Capacity building***
4. ***Systems***

1. **Institutions:** This would include but is not limited to:
 - a. Establish legislation for Heritage Conservation at State level;
 - b. Establishment of organizational structure of the entity (Heritage Cell/ Trust) that would be entrusted to govern the process of planning and enforcing heritage conservation;
 - c. Designing the regulatory environment including prescriptions and guidelines that accommodate changing needs of local communities in traditional settings;
 - d. Developing procedures for a nested planning process (in consonance with the 74th Constitutional Amendment Act), in order to ensure convergence of plans undertaken at Ward Committee level, by the Municipal Corporation and parallel plans undertaken by the Heritage Cell/ Trust;
 - e. Designing processes for vertical and horizontal integration: Contracts for inter-governmental coordination (Centre-State-City and across parastatals in Bengaluru- BDA, BBMP, BWSSB, BESCO et al);
 - f. Setting procedures for information sharing/ data sharing and communication protocols;
 - g. Devising processes for budgetary integration with Capital Annual budgets of the Municipal Corporation/ receipt of grants/ loans etc;
 - h. Processes for private participation in heritage conservation.
2. **Data:** This includes but is not limited to:
 - a. Establishing standard methods for conducting surveys, with cognizance to international norms and national level mandates;
 - b. Setting criteria for reading heritage in Bengaluru and heritage listing;
 - c. Defining criteria for demarcating heritage precincts;

- d. Develop a framework for creating a fundamental data set for heritage conservation projects at the different scales of intervention;
 - e. Developing a common statutory base map for heritage projects at different scales, including
 - f. Developing specifications for materials etc at the building level;
 - g. Signage norms.
3. **Capacity building:** Two types of capacity building efforts would be essential:
- a. Launching a series of awareness building initiatives regarding significance of heritage conservation for Bengaluru, amongst public departments at City and State levels and inhabitants of dwelling units, precincts etc;
 - b. Developing a continuous process of capacity building and orientation sessions for select officials and staff designated for design and enforcement of heritage policies and regulations.
4. **Systems:**
- a. Set up common data repositories with the Heritage Trust (including data on land use, infrastructure, demography etc);
 - b. Develop tools for ease of administering policy and plan implementation;
 - c. Devising policy instruments for providing equitable compensation towards development rights (such as transferable Development Rights or other policy instruments).

The BDA must propose that the first step would be to establish a holistic policy encompassing all four dimensions, in order to ensure sustenance of the initiative.

ANNEXURE II

Concerns of Urban Planners - Sanjay Sridhar, Et al

(1) The RMP according to the KTCPA has the legal provision to only go into Zoning Level plans and therefore does not detail out Local Area Plans (LAP's). Without a legal provision or clear mechanism for doing LAP's, there is concern on the legal backing for a Heritage List to be integrated into the RMP. Going by its current shape, the Heritage Listing could be rejected by a court of law because of the lack of enabling mechanism for detailing out the LAP around the heritage property.

It would be advisable to therefore de-couple the Heritage Listing from the RMP and propose creation of an independent Heritage Committee that is free from conflicts and vested interests similar in insitutto that in Gujarat and other states. The RMP should recognise this independent Heritage Committee by giving it the administrative and executive powers. This independent Heritage Committee should also be tasked with compiling and maintaining the Heritage Listing for the city and should frame individual and specific heritage guidelines contextual to its location.

The citizens of Bangalore should also be allowed to propose addition to the Heritage Listing based on a set of criteria that the independent Heritage Committee will formulate

(3) Global & Indian Urban planners confirm that TDR's are a very sensitive planning mechanism. It is can be easily hijacked by developers for their own vested interests. Without a thorough understanding of TDR's it should not be proposed as incentives for private heritage property owners. Typically TDR mechanisms need to identify current FAR consumption at the LAP level and then identify TDR exporting and importing zones based on current infrastructure. Otherwise, we will end up with TDR being imported in the middle of the city where there is no capacity for infrastructure upgrades such as water, electricity, transportation, SWM, Sewage etc. Alternatively, and more damagingly the TDR can be applied way out of the city by a developer and then the city has to provide infrastructure to service those areas that are in the middle of nowhere. Therefore we should either avoid TDR's altogether or suggest TDR's with a caveat that the enabling provision has to be notified by DTCP in the KTCPA. Perhaps Proposed Landuse can be used as the regulatory mechanisms to control TDR. This again has to be enabled in the legal framework.

(4) There is limited mention of the intangible heritage such as people's association with the city or historic traditions that the city has been a part of. For example, the Kadalekai Parishe in Basavanagudi...has a spatial aspect to it in terms of the space the activity requires to function. The RMP needs to protect this spatial requirement through the mechanism of Landuse Plans.

Noted conservationists who have created successful heritage frameworks like Prof Rabindra Vasawada stress that the Conservation field has to include all disciplines to be more inclusive and people centric as the stakeholders

ANNEXURE III

Inputs from the Heritage Experts, Practitioners , IHCN & INTACH Team

PART I

1. It is noticed that there is some ambiguity with respect to the plot versus the building included in the Heritage Buildings list. The following clause may please be included (modelled on the Model Heritage Regulations of the Government of India)
 - When a building or group of buildings or natural feature or area is listed, it automatically means (unless otherwise indicated) that the entire property including its entire compound / plot boundary along with all the subsidiary structures and artefacts, etc. within the compound/plot boundary, etc. shall form part of the list.

2. With respect to the Heritage List, it is recommended that the following clause may be included: (based on Bombay Regulations and subsequent High Court cases there):
 - This list shall be supplemented from time to time by Government and/or the BDA/BBMP Commissioner on the advice of the Heritage Committee suo moto, provided that before the list is supplemented, objections and suggestions from the public shall be invited and duly considered by Government and/or the Commissioner and/or the Heritage Committee respectively.
 - Provided that any list which is in draft form and pending for approval will, in the interim period, also be deemed to be part of the heritage list for purposes of development permissions.

3. Regarding the Heritage Committee, the following clauses may be considered:
 - The Committee shall include an environmentalist having in-depth knowledge for the subject and region.
 - The tenure of the Committee members shall be for a period of two years. However, the same person is eligible for reappointment as a member.
 - The Heritage Committee shall have the power to co-opt four additional members who have special expertise or knowledge of the subject matters in order to set up a subcommittee and/or a technical cell.
 - The Committee shall prepare a supplementary list of heritage sites, which include buildings, artefacts, structures, streets, areas, precincts, of historic aesthetic, architectural, cultural or environmental significance to which this Regulation would apply.
 - The Heritage Committee shall be independent, and empowered with statutory powers.

4. The Terms of Reference of the Heritage Committee may be considered as below:
 - To advise the Commissioner whether development permission is to be

- granted under Heritage Regulations and the conditions of permission. Care shall be taken to ensure that the development permission relating to these buildings is given/denied within 60 days.
- To advise whether any relaxation, modification, alteration, or variance of any of the Building Bye-laws is required in the context of the Regulations.
- To frame regulations for precincts and if necessary for natural feature areas and to advise the Commissioner
- To advise whether to allow commercial / office/ hotel use in the (name the areas) and when to terminate the same. (please see suggestion below)
- To advise the Commissioner on any other issues as may be required from time to time during course of scrutiny of development permissions and in the overall interest of heritage conservation.

5. The following clause may be included for public spaces and private owner who wish to accept the heritage tag:

- Nothing mentioned above should be deemed to confer a right on the owner / occupier of the plot to demolish or reconstruct or make alterations to a heritage building / buildings in a heritage precinct or on a natural heritage site if in the opinion of the Heritage Conservation Committee, such demolition / reconstruction / alteration is undesirable.

6. A Clause may be included on Ownership and Usage:

Sale and purchase of Heritage Buildings does not require any permission from the Commissioner or the Heritage Committee. The Regulations do not affect the ownership or usage. However, such usage shall be in harmony with the said listed precincts / buildings.

7. The incentives for private owners of heritage properties needs extensive debates and discussions before policy is formulated so as to protect the rights of these owners.

8. Clauses pertaining to Road widening

- i. If road widening is proposed under the Master Plan, it shall be done such that it protects and not detract from the said heritage sites. There shall be a 100 metre protected area and additional 200 metre buffer area around heritage buildings and monuments.
- ii. If there are any new road widening lines proposed in the revised draft or sanctioned Master Plans, the Heritage Committee shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these areas. Necessary steps may be taken to modify the Master Plan accordingly. Pending this action, the road widening / development of new roads shall not be carried out.
- iii. No widening of the existing roads under the Master Plan shall be carried out in a manner which may affect the existing heritage buildings or sites (even if they are not included in a Heritage Precinct). Widening of the existing roads under the Master Plan or Zonal Development Plan or Layout Plan shall be carried out considering the existing heritage buildings (even if they are not included in a Heritage Precinct) which may affect listed natural features areas.

9 . Heritage Repair Fund

With a view to give monetary help for owners of heritage buildings a separate fund may be created, which would be kept at the disposal of the Commissioner, who shall make disbursement from the funds only on the advice of the Heritage Committee. Owners of heritage properties may be given loans at low interest rates for the purpose of restoration and/or repairs of their heritage properties.

10. The following clause may be considered towards **Responsibility of the Owners:**

It shall be the responsibility of the owners of heritage buildings and buildings in heritage precincts to carry out regular repairs. The State Government /BDA/ BBMP shall not be responsible for such repair and maintenance except for the buildings owned by them.

11. The following clause **Implication of listing** may be considered for

The Regulations do not amount to any blanket prevention of changes to Heritage Buildings. The only requirement is to obtain clearance from the Commissioner on the advice of the Heritage Committee.

12. It is recommended that the buildings in the heritage list be **graded** according to some criteria.

GRADE-I comprises buildings and precincts of national or historic importance, embodying excellence in architectural style, design, technology and material usage and/or aesthetics; they may be associated with a historic event, personality, movement or institution. They have been and are the prime landmarks of the region. All natural sites shall fall within Grade-I.

Scope for Changes: No interventions shall be permitted either on exterior, interior of the heritage building, or on natural features unless it is necessary in the interest of strengthening and prolonging the life of the buildings/or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes shall be allowed and they must be in conformity with the original features.

A GRADE-I building under private ownership might be allowed absolutely essential internal changes. Repairs and maintenance might be compensated as determined by the Heritage Committee.

GRADE-II 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 than 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 may be models of proportion and ornamentation or designed to suit a particular climate. Heritage Grade-II deserves intelligent conservation.

Scope of changes:

Grade-II(A): Internal changes and adaptive re-use may be allowed, subject to strict scrutiny. Care should 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 on the same plot or compound may 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 and provided that the additional building is not larger than the original building in terms of mass and scale .

GRADE-III comprises buildings and precincts of importance for townscape; that evoke architectural aesthetic, or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting, or special character of the façade and uniformity of height, width and scale.

Scope of changes: Internal changes and adaptive re-use may by and large be allowed. Changes may include extensions and additional buildings on the same plot or compound. However, any changes should be such that they are in harmony and should be such that they do not detract from the existing heritage building/ precinct especially in terms of height and façade and provided that the extension/ additional building is not larger than the original building in mass and scale.

Vol. 3

14 HERITAGE CONSERVATION AND PROTECTION

Karnataka Town & Country Planning Act, 1961 (KTCP Act, 1961) – is ineffective in terms of protection and guidelines for built heritage which could be empowered via a Landmarks/ Heritage law which needs to be framed independently or through additional Heritage Regulations.

References that should be considered for the preamble should include academic journals and authoritative works on the subject.

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3.3. ZONAL BOUNDARIES AND INTERPRETATION

1. The Special Areas of Interventions such as Special Development Zones, ToD Zones,
2. Redevelopment Areas, Heritage Areas and Precincts, Station/ Transit Area
3. Improvement, Junction Improvements, shown in RMP 2031 refer to indicative area
4. In the city that need to be dealt with detailed action plans and they serve as mere
5. informative tool on the plans.
6. It would be useful to see the detailed action plans for the above and understand which agency has prepared them.

3.4. LAND USE ZONE CATEGORISATION – This should list heritage land asset as a **category**

PART II

Identification of heritage buildings:

1. There are no criteria mentioned on how these buildings were given the status of heritage.

2. The list is not comprehensive and there are many buildings which have not been listed. It is also to be noted that some of the buildings, which do not exist, are also mentioned in the list. This is unacceptable. It is hence suggested that a thorough listing process is undertaken. A format for the same which is used by INTACH for heritage listing is attached with this mail.

3. The list also doesn't consider streets character except for talking about views.

4. The listing of the building doesn't look at precincts in a holistic manner. While the buildings are identified individually, it is the sum of the parts that make the whole, hence these buildings need to be looked in the overall context of the open space and the existence of other buildings, activities, which lend the intangible character to the experience of the place.

5. The Regulations mention heritage sites, but the maps only show buildings.

6. Demarcating Zones again are not having any specific criteria. Lack of a clear criteria which will then affect the regulations. Furthermore, 3.4 of Volume 6 identifies Land Use Zone Categorisation. This should list heritage land asset as a category.

7. The listing of the building is not enough, the open space and the ancillary buildings which are part of the building also need to be recognised. As in case of Lalbagh, which is recognised as open space, not all buildings within Lalbagh are protected and more importantly as a botanical garden character. Even in Cubbon Park, elements like sculptures not recognised. In case of Harihara temple in Gavipuram, the hillock isn't considered.

8. Lakes and buffer zones are not recognised.

9. It is unclear why Vikas Soudha listed as a heritage building, or even a Sophia School. Is this any specific building, or is it the school? But heritage buildings like Poorna Prasada, Patankar house are not listed. In Malleshwaram, only two buildings and precincts are listed – Kadu Malleshwara temple and Panchavati i.e., Sir C V Raman house.

10. What does the residence 'No' indicate? Is this defined by Revenue Survey, BBMP? Name of owner? This could give rise to legal complications. Star Gymnasium Club in KR Park, Building No. 54, Simindhar Shantisuri temple are not historical; Building No. 59 - Name and address of this incorrect. There is no numbering on the maps and therefore this cannot be co-related. There are no views and directions on the maps

II Regulating the Listed Buildings:

1. There is no grading of the heritage buildings, which basically means that the regulations apply equally to a Church or a public building as to a residence, or a building of prominence to a vernacular structure. This cannot be done. The regulations should be specific to the grading of the building based on the importance of it.

2. The regulations given for the various Zones do not come out of the character of the precinct. It isn't clear what guidelines would govern new buildings in the area or on what basis are heights of proposed buildings determined, or even how buildings up to a height of 21m allowed near the Raj Bhavan in present scenario. In such instances in future, where it is a clear case of violation of regulations and security breach, it should be debated if buildings are liable to be demolished.

3. How do we control the character of the precinct? Is it only through restricting heights of the buildings?

4. How do we regulate cultural streets or the intangible heritage? No regulations are mentioned for areas/streets identified under Intangible heritage.

5. Pg 10- Regulations for Pete - "Existing building lines to be maintained for any construction to retain the urban character and scale of streets in Petta." What character does this refer to? This is the earliest settlement area and needs to be duly addressed.

III Mechanism to Implement

1. Roles and Responsibilities of the Heritage Committee need to be defined.

2. It is strongly recommended that the Committee be empowered with a Technical Cell to support the Committee. This cell can review the applications and make recommendations for the committee to take up in their meetings.

IV Incentivizing

1. The TDR zones for heritage is not clear, and given current situation, it is strongly recommended to avoid this cumbersome mechanism

2. It is strongly recommended to find other models for providing incentives to owners of heritage building.

- a) Creating a Revolving Heritage Fund
- b) Providing a Low Interest Loan for Restoration and Repairs
- c) Providing relief on Property Tax
- d) Matching Grant
- e) Providing a database of experts in heritage restoration and maintenance

(Some of the points here are were collated based on a meeting with Conservation Architects, Urban Historians and Heritage Architecture practitioners: -

Afifa Nuzhat, Meera Iyer, Pankaj Modi, Paromita Sarkar, Saparya, Sharathchandra, Shraavanthi K, Sonali Dhanpal, Sridevi Changali, Yashaswini Sharma et al).

ANNEXURE IV

Proposed methodology for Listing and Grading of Heritage Assets prepared for the Greater Bangalore Metropolitan Area

-Sridevi Changali

Proposed Methodology for Listing and Grading of Heritage Assets prepared for the Greater Bangalore Metropolitan Area

Introduction

Creating successful heritage inventories is the first logical step towards the protection of Heritage Assets. It is ineffective to start a process on protection of heritage assets without an extensive database of what needs to be conserved. And these assets need to include tangible, intangible, natural, historic and any other components of heritage that the city and its people recognize as protection worthy.

Contents of the Annexure

INTACH Delhi Chapter has defined and stipulated in its document *Identification and Documentation of Built Heritage in India* by Divay Gupta the process to carry out this arduous task of inventory creation and maintenance. This brief document looks at the preferred path forward for Bangalore city by taking a successful example of similar work carried out in Pondicherry.

The document has been divided into two sections:

Section 1: Pondicherry Case Example

Section 2: Plan of Action for Greater Bangalore Metropolitan Area

Section 1: Pondicherry Case Example

The old town of Pondicherry, Boulevard town is a showcase of two distinct Architectural styles French and Tamil. Pondicherry has an interesting cross-cultural history and its built form is one of the major components in lending a unique identity to the town.

Efforts to collect information on styles, building types and other relevant details started in the late 80's and the list continues to be upgraded and updated on a regular basis. This has been compiled to form a comprehensive publication called *Architectural Heritage of Pondicherry* published by INTACH Pondicherry.

Listing and Grading – The Process

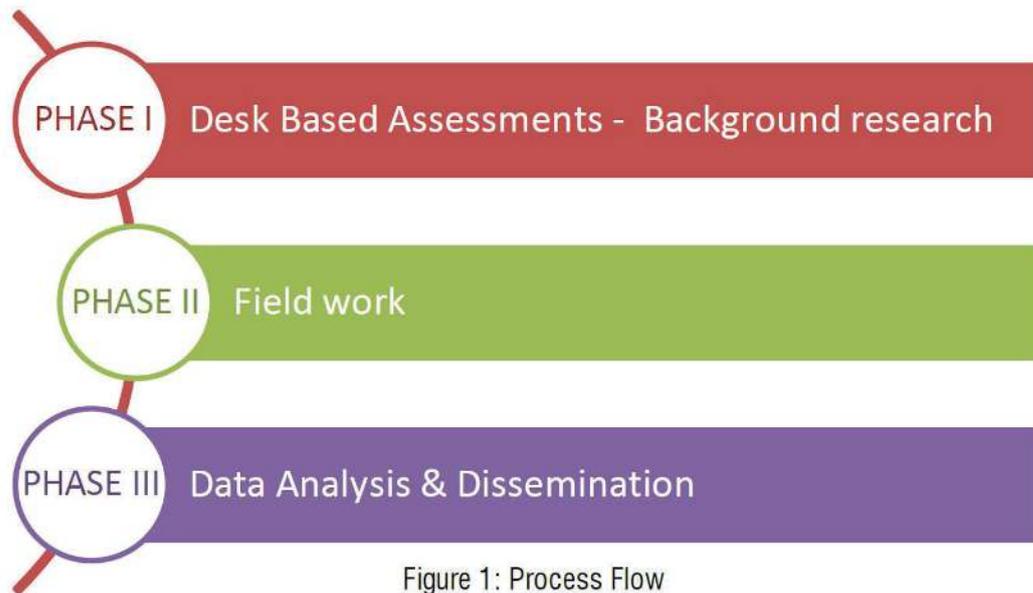


Figure 1: Process Flow

A phased out approach was implemented in the Pondicherry case example. The final outcome to the above approach can be seen in the illustrations below:

HERITAGE LISTING IN THE BOULEVARD TOWN OF PONDICHERRY: FRENCH PRECINCT

| Name | Grade | Town | Quartier | Section |
|----------------------------------|-------|--------|----------------|---------|
| Historic: Palais du Gouvernement | I | French | Administrative | A |

Current Name: Raj Nivas
Serial No. 1230 / ID No. AARM5

Address: Raj Nivas, rue Ananda Rangapoule

Age: Late 18th century (1766-1768)

Ownership: Public

Occupancy: Single owner

Name of Owner: Government of Pondicherry

Usage: In use

Historic: Residence/ Office

Current: Residence/ Office

Property Category: Building

Typology: Residential/ Administrative

Subtype: Residence/ Office

Architectural Significance: Raj Nivas is a majestic two-storey public building overlooking a garden. Rebuilt on the foundations of the Hôtel de la Compagnie building, it reflects the typical features of 18th century French public buildings in spatial arrangement and façade treatment. The annex buildings along the western and northern boundaries were probably added in the 19th century.

The plot is bound on all 4 sides by streets. Raj Nivas has two ornate pillared gates, the main one on rue Ananda Rangapoule and the rear entrance on Jawaharlal Nehru Street. From the main gate, a driveway leads to the arcaded entrance veranda of the building. A number of recent changes have altered the rear façades drastically.

Project Co-ordinator: AJR Koojigal
Editors: AJR, Ratna
Illustrations: Shilpi Chergal, Sankin Kalra, Raksh

Figure 2: Sample Card – this Level of detail will need to be achieved for each Heritage Asset – customized to each typology.

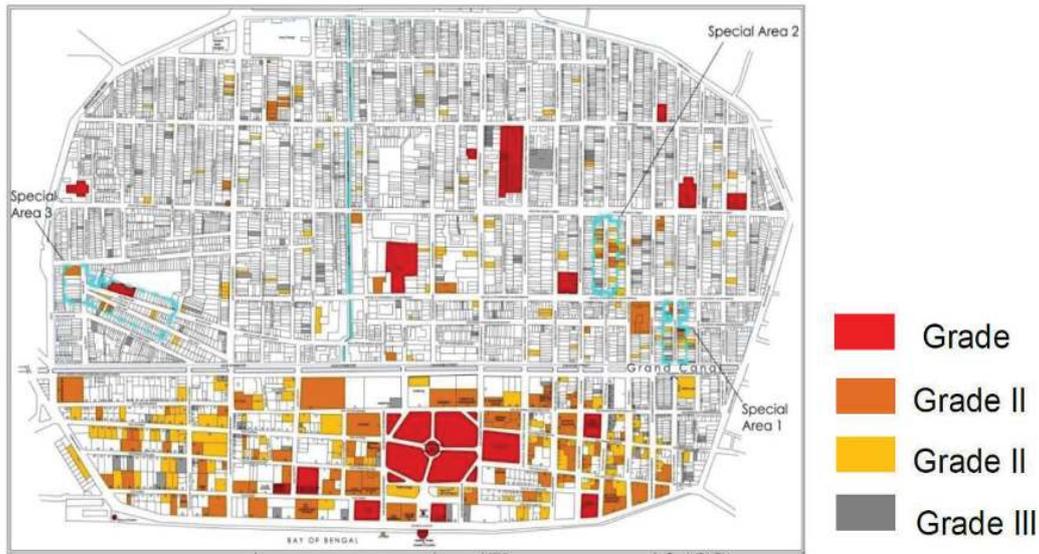


Figure 3: Detailed Maps – A detailed map that gives the location of all heritage assets including open spaces, water bodies etc has to be prepared and is part of

Listing and Grading – The Storage of Data – post data collection

After the above processes, it is essential to have a safe, easily accessible storage solution in order to retrieve the data effectively. For this, a Database Management System (DBMS) was set up with a central server and easily comprehensible User interface (UI).

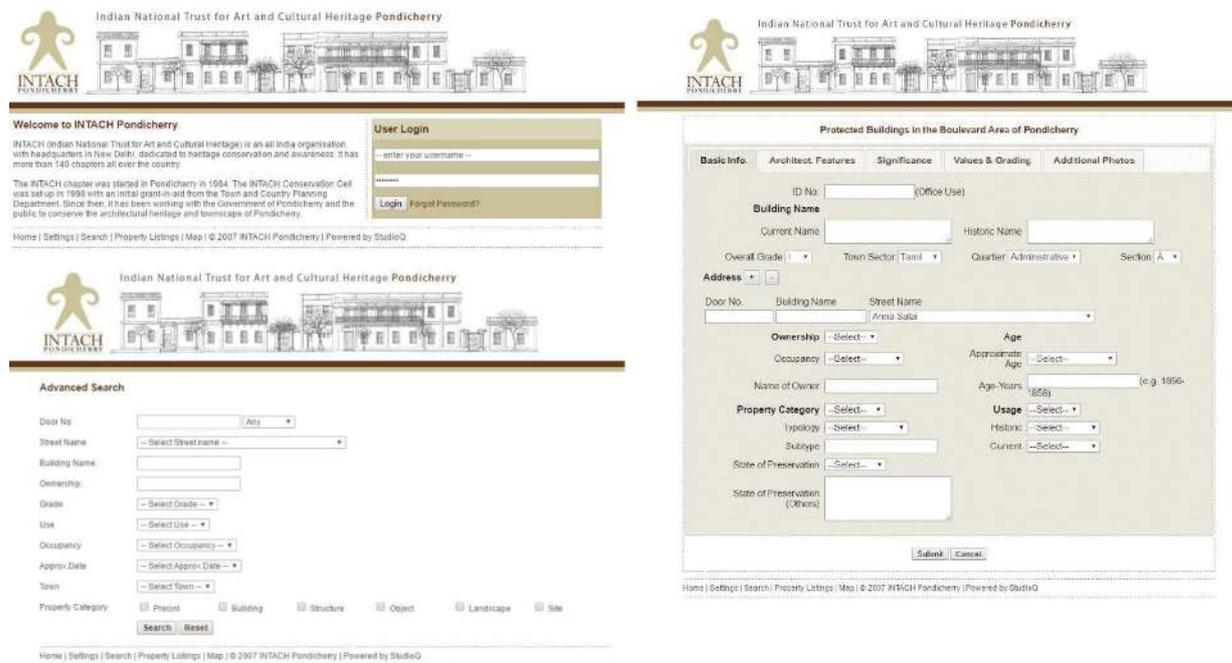


Figure 4: Screenshots of UI from INTACH Pondicherry DBMS

Section 2: Plan of Action for Greater Bangalore Metropolitan Area

The start point for any inventory generation is from the past. We will first have to review and collate all attempts that have been made in the city. The lists that have been prepared so far are:

- I. The City Beautiful – Collection of Surveyed Buildings sponsored by Bangalore Urban Art Commission in 1983
- II. INTACH Bangalore Chapter – Ulsoor, Frazer Town, Gavipuram (by independent consultants)
- III. RMP – 12 Heritage Precincts and Listed Heritage Buildings outside the Precincts

After which the following process flow will have to be undertaken:

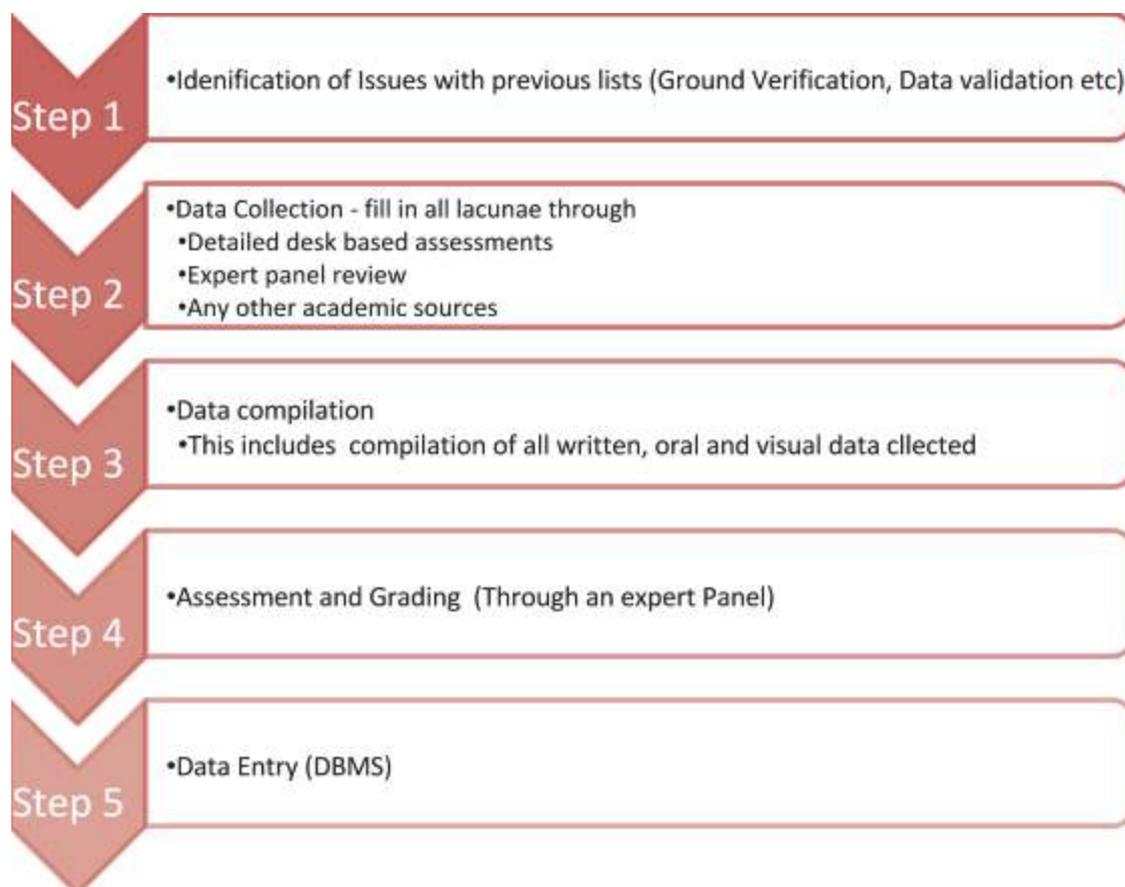


Figure 5: Methodology For Listing and Grading

The above effort must be a collaborative effort between the various agencies and institutions in Bangalore with the Heritage Conservation taking on the role of the overall project management.

ANNEXURE V

Vol. 6 Zoning Regulations / Chapter 7 Special Category of Developments / Heritage Buildings / Precincts (Zones) Siddharth Raja, Esq

1. Heritage Committee, Para 7.4.2:

For the purposes of ensuring a properly functioning and effectively managed Heritage Committee, it is felt that it is better to rely on the rigour, strictness and comprehensiveness of the structures of the appointments or selections to, as well as the guidelines / regulations governing the composition and functioning of, the Heritage Committee.

With that perspective, I have the following specific comments:

- a). The selection of the architect and the structural engineer should be done through a certified process of calling for applications and making an informed choice, decision and selection. Else, any nomination may be perceived as arbitrary, lacking in transparency as regards the selection and appointment process.

Such selection and appointment process can be best made less opaque by having a simple and streamlined system by which interested candidates, whether on their own accord or suggested by others, file an application (or have one filed) to be considered for such appointment on and to the Heritage Committee, with the criteria for the content of such application to be similar to the ones currently already in use by the Hon'ble High Court while considering judicial appointments. A similar mechanism can be quite easily adopted here.

- b). The same (as in "a" above) is true as regards the nomination of the INTACH representative. INTACH acts in this behalf, as a custodian or fiduciary discharging a public trust towards civil society as a whole, in that it must represent and be truly representative of such public trust, society and the wider public interest. Consequently, it is felt that the designation of the INTACH nominee or representative must follow the same system, mirrored here qua INTACH, as regards calling for applications, consideration and appointment as suggested in "a" above.

Also, it is felt that the INTACH representative on the Heritage Committee need not necessarily be a member of INTACH since a proper, open and duly certified process as above is being suggested; else, any such INTACH representative can only be on the Heritage Committee, subject to INTACH itself being and becoming a truly representative organisation with a broad base of membership, as otherwise it would be tantamount to a coterie selecting a cabal.

- c). Stemming from (a) and (b) above and to augment the custodian or representative / fiduciary nature of such appointments, there is a felt need to institute a disclosure of

interests mechanism amongst and by all Heritage Committee members, having the following elements:

- ** a statement of disclosure of all interests, pecuniary or otherwise (including through related parties), directly or indirectly, actual, potential or relationship based and in nature, to be made by all Heritage Committee members at the first meeting of such Heritage Committee.

This disclosure of such interest should be as regards matters covered under or pursuant to the RMP 203, in general, and any of the heritage regulations, in particular. Again, guidance for the content and extent of such disclosure is readily available in the detailed regulations in this behalf specific in the Indian company law; which can quite easily be made applicable mutatis mutandis to the functioning of the Heritage Committee.

- ** periodic such disclosure of interests should be made by each member of the Heritage Committee every few months, all of which will lead to updated and current state / levels of disclosure.
- ** in the event any such disclosure throws up a conflict-of-interest situation, that conflicted member(s) of the Heritage Committee should be both excluded from any quorum requirements for and in connection with the meetings of the Heritage Committee as well as not be entitled to attend and speak on such matter or issue on which he or she is so conflicted; and, in any event, his or her vote or opinion will be disregarded from any decision made by the Heritage Committee on any such issue of matter.

All of the above has enough guidance and available structures already existing in company law that can be mutatis mutandis applied hereto.

2. General Guidelines - Para 7.4.4:

It is felt that at the first meeting of the Heritage Committee or latest by the second meeting, the Heritage Committee itself be mandated by the RMP 2031 to put in place detailed guidelines + broad parameters for each of the following aspects, in particular identifying what criteria or considerations will NOT and CANNOT be capable of being taken into account by the Heritage Committee while making decisions pursuant to the RMP 2013 and the heritage regulations:

- ** grant of clearances on what basis?
- ** grant of reconsideration on what basis?
- ** what "special circumstances" are applicable in the case of open spaces?
- ** norms on signage.
- ** what constitutes "absolute necessary" facilities and infrastructure within any heritage precinct?

3. Detailed Regulations:

As in (2) above, it is felt that at the first meeting of the Heritage Committee or latest by the second meeting, the Heritage Committee itself be mandated by the RMP 2031 to put in place detailed guidelines + broad parameters for each of the following aspects, in particular identifying what criteria or considerations will NOT and CANNOT be capable of being taken into account by the Heritage Committee while making decisions pursuant to the RMP 2013 and the heritage regulations:

** the essential features of historical relevance.

** the aspects / features the Heritage Committee consider relevant for determination of urban character and typology; the architectural character and style; and spatial contiguity and congruence.

In essence, without going into the RMP 2031 itself being exhaustive in its definitional aspects (which it can never hope to be), it is better to empower and enable the Heritage Committee to have the tools, mechanisms and the guidelines that prescribe what it cannot as a body do, rather than be entirely prescriptive.

In that regard, the Heritage Committee must be specifically empowered to recommend necessary amendments to the relevant bye-laws, building regulations and other rules / regulations under the statutory provisions underpinning the RMP 2031, insofar as it relates to matters under its jurisdiction and competence, for instance, as regards the TDR Regulations.

Thank you for your attention .

RMP 2031 – A Note on the Heritage of
Sir Mirza Ismail Nagar (Richmond Town) and Langford Town
(Summary)

16th January, 2018 (2 pages)

Each neighbourhood has its own history and heritage, which should find a place in RMP 2031 (beyond just the 12 zones identified), as it adds to the city's heritage, contributing to the city, the region, the country and beyond – important to preserve the natural, built and intangible cultural heritage where it still exists and to find ways to recall it, where it is already lost.

Ways of Recalling Heritage and Carrying it forward

Preserve the natural, cultural and built heritage including tree tunnels, the arborways of the neighbourhood, a vital part of our natural heritage – essential for pedestrians and cyclists, protecting them and all the residents of the area from the deadly air and noise pollution, the most serious public health emergency of our times. Preservation is an excellent way to recall our heritage for the present and future generations.

Recall heritage, where it no longer exists, through

- Recreating tree tunnels – the arborways that covered the roads and streets here
- Name/Signboards of previous owners (e.g. Gallery SKE) or uses (e.g. Frank Anthony Jr School)
- Names or significant colours or same use continuing at the same place
- Interesting associations
- Trees and visual metaphors recalling a memory of a feature no longer extant
- Fitting this in with the larger history of the city, country and the world (through people and institutions)

All this could be through sign boards and on websites.

- Understanding the relationship between the past-present-future, a continuing accretion – our 21st century layer becoming the heritage of the future – Dr. Ambedkar's statue at Nanjappa Circle, for example.

Natural Heritage

- Banyan Trees - Rhenius Street and Hosur Road
- Jamun Avenue on Hosur Road
- The Peepul and the Neem, Ganapathi Temple, Akkithimmanahalli
- Exotics introduced during British times – Araucarias (Richmond Park, Eagle Street, All Saints Church), Raintrees at Nanjappa Circle, O'Shaughnessy Road – part of the Britain's worldwide 'economic botany' enterprise

All these and others need to be protected and preserved.

- Linking the three large lung spaces in the city through street tree planting – Lal Bagh, Corps of Military Police (CMP) grounds and Cubbon park – creating an avian way above and a path for pedestrians and cyclists below.

This will enable the health of the natural world around us, which indicates what lies ahead for us – an important early warning signal, deeply embedded in our heritage, which we are in urgent need of recall. It also protects us from the pervasive, deadly air and noise pollution surrounding us, from the heat and the torrential rain caused by the heat island effect. As private gardens shrink with rising real estate prices, this street tree planting will also bring the ‘garden’ back into our former ‘garden city’.

Built Heritage

- Board indicating earlier 19th century city limit, at the CMP junction.
- Places of worship – Ganapathi Temple, Akkithimmanahalli and Sri Kere Muneeshwaraswamy Temple, All Saints Church, Masjid e Askari and others
- Johnson market
- Frank Anthony Junior School, formerly Richmond Institute
- Military heritage – brigade ground to ‘native cavalry lines’ and ‘native infantry’ to convalescence ward during World War II to Military School and Corps of Military Police (CMP) Centre and School.
- Cemeteries and the people buried within – Aga Ali Asker Shirazi and Sir Mirza Ismail at the Shia Qabristan and Krumbiegal at the Hosur Road Cemetery, are some examples

Distinctive Character of the Area

- Cosmopolitan – heterogeneous mix of communities ensuring diversity all around
- Spirit of Service – schools, hospitals, old age facilities

Manifestations of Intangible Heritage

- Muharram *Yaum e Ashura* procession and the locality’s Karaga procession
- Culinary Heritage – Fanoos/Khazana/Siddique/Makkah café/Koshy’s Bakery/Tom’s /Iyengar bakeries– some examples
- Art District – Galleries SKE and Sumukha, 1 Shanthi Road, Attakalari and Shoonya and previously Jaaga and BAR1

This summary and note have been researched and compiled by Omana Eappen.