Government of India
Ministry of Culture
National Monuments Authority
24, Tilak Marg, New Delhi 110001

MINUTES OF THE 102nd MEETING OF NMA

Venue - Conference Hall, NMA Hqrs, 24,Tilak Marg, New Delhi 110001
Time & Date - 10.30 A.M on 05th May, 2014

Before cases were taken up for consideration, Sh. Saleem Beg, Whole Time Member and Dr. Meera Ishwar Dass, Whole Time Member raised an issue about the minutes of 99th meeting which were to be confirmed. They expressed their strong objection to the use of the words "sub standard report" as remarked by Chairperson in relation to report that they had submitted on their visit and inspection of "Ali Vardi Khan" mosque, Gurgaon. Subject to these observations, the minutes of 99th, 100th and 101st meeting were taken as confirmed.

Thereafter, the back log cases of the 101st meeting were taken up for consideration.

Deferred case

Case no.01

(Thiru Kishore Kumar Jain B, Chennai)

After perusal of the application, it was decided to **recommend** grant of NOC for ground+1 floor with total height of 15 mtrs (including mumty, water storage tank, parapet etc) as per applicant's plan.

Case no.02

(Sh. Satya Prakash Bagla, Khasra No. 285 (farm No.. 1) situated at Revenue Village, Lada Sarai, Tehsil Meharauli, New Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for ground+2 floors with total height of 14.50 mtrs (including mumty, water storage tank, parapet etc). The applicant should give undertaking that no construction, even boundary wall, in 100 mtrs would be done.

Case no.03

(Mr. A.K. Gupta (Chief Engineer DMRC), 8, Jantar Mantar Road, Delhi)

This case has been deferred. The application for this case was received by CA on 18th April 2011. It has been discussed in at least four meetings, but no decision has been reached.

Review Cases

Case no.01

(V. Rajasekhar & others, Kerala)

After perusal of the application, it was noted that when the present owner had acquired this property, prior to 2010, the construction as standing now, was already there. Keeping this in view, it was decided on review to **recommend** grant of NOC for ground+2 floors with total height of 10.75 mtrs (including mumty, water storage tank, parapet etc). As it is review case so the applicant should follow revised building plan as per construction already done, and further penalty of 1 lakh Rupees as the present owner inherits all liabilities.

Fresh Cases

Case no.01

(Sh. Rajendra Butte-Patil, Gulab Pavillion, Deccan Gymkhana, Pune, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC restricting the total height to 18 mtrs (including mumty, water storage tank, parapet etc), as per maximum height allowed in this area.

Case no.02

(Sh. Vinod Parshuram Bhagat, Agarkot, Taluka-Alibag, Raigad, Maharashtra)

On perusal of the application, it was observed that the construction has already started. While it was decided to **recommend** grant of NOC in this case only for Ground + 2 Floors with total height of 12.6 mtrs including mumty, water storage tank, parapet etc. It was also decided to impose a penalty of Rs. 1 Lakh for construction without permission and the amount would be utilized by the way of providing amenities/facilities at the protected monument under the guidance of ASI.

Case no.03

(Sh. Bharat Tarachand Jain & Arvind T Jain, Agarkot, Alibag, Raigad, Maharashtra)

On perusal of the application, it was observed that the construction has already taken place. While it was decided to **recommend** grant of NOC in this case only for Ground + 1 Floor with total height of 30 feet including mumty, water storage tank, parapet etc., it was also decided to impose a penalty of Rs. 25,000 for construction without permission and the amount would be utilized by the way of providing amenities/facilities at the protected monument under the guidance of ASI.

Case no.04

(Sh. Abhay Vinayak Kavi, Pune, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for parking+4 floors with total height of 17.98 mtrs (including mumty, water storage tank, parapet etc).

Case no.05

(Sh. Bhimashankar Kashinath Ghanti, Pune, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for parking+3 floors with total height of 15.71 mtrs (including mumty, water storage tank, parapet etc).

Case no.06

(M/s. Shrungeri Developer Represented its proprietor Rajiv Ramnath Vaidya, Haveli, Pune, Maharashtra)

On perusal of the application, it was decided to **recommend** grant of NOC in this case parking+5 floors with total height of 18 mtrs including mumty, water storage tank, parapet etc.

Case no.07

(Mr. Ramesh Raghunath Shinde, Aurangabad, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for ground+1 floor with total height of 7.40 mtrs (including mumty, water storage tank, parapet etc).

Case no.08

(Mrs. Sangita Ashok Mutta, Ahmednagar, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for G+1 floor with total height of 10.17 mtrs (including mumty, water storage tank, parapet etc).

Case no.09

(Sh. Suryakant Papalal Parwat, Aurangabad, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for ground+2 floors with total height of 12.40 mtrs (including mumty, water storage tank, parapet etc).

Case no.10

(Sh. Ashok Madhukar Deshpande, Pathardi Shiwar, Nashik, Maharashtra)

After perusal of the application, it was observed by the Members that proposed construction is for five different buildings which is quite large area wise. Also it was observed that the proposed construction area consist of huge forest land. Hence, it was decided to get an Archaeological Impact Assessment done including the forest land and conservation area. Thereafter, the matter would be again take for consideration.

Case no.11

(Sh. J.K. Jain and Smt. Priya Jain, Connaught Place, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 17.36 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permissible, as the site is 167 mtrs from the monument.

Case no.12

(International Bank for Reconstruction and Development through its Country Director Mr. Onno Ruhl, Lodhi Garden, New Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for ground floor with total height of 2.4 mtrs (including mumty, water storage tank, parapet etc). Basement was not applied for/not recommend.

Case no.13

(Sh. Yogesh Chadha, Sh. Harsh Vardhan Chadha, Sh. Chetan Chadha and Sh. Subhash Chadha through its GPA Sh. Harsh Vardhan Chadha, Masjid Moth, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for basement+stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement to a depth of 2.90 mtrs was allowed as the site is 250 mtrs from the monument.

Case no.14

(Sh. Pradeep Bishnoi, Green Park Main, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permitted, as the site is 105 mtrs from the monument.

Case no.15

(Sh. Shamsher Singh Mittal and Sh. Sriram Mittal, Green Park Main, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permitted, as the site is 105 mtrs from the monument.

Case no.16

(Sh. Anil Kumar Bassi, Green Park Main, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permitted.

Case no.17

(Sh. Ved Prakash Sud, Green Park(Deer Park), South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement is allowed up to a depth of 2.74 mtrs, as the site is 295 mtrs from monument.

Case no.18

(Smt. Balesh Kumari, Smt. Santosh, Smt. Chander Wati and Sh. Ashok Kumar Chaudhary, Kotla Mubarakpur, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement was allowed up to a depth of 2.91mtrs, as the site is 204 mtrs from monument.

Case no.19

(M/s. Newfield Advertising Pvt. Ltd. Through its Managing Director Sh. Raman Gupta, NDSE-I, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for basement+stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement depth is of 2.90 mtrs, as the site is 249 mtrs from the monument.

Case no.20

(Sh. Ajit Kaicker, NDSE-I, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for construction of 3rd floor on existing basement+3 floors with total height of 15.5 mtrs (including mumty, water storage tank, parapet etc). Existing basement depth is of 2.91 mtrs

Case no.21

(Sh. S.M. Pachnanda, Smt. Kanta Pachnanda and Sh. Sachin Pachnanda, NDSE-I, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement was not applied for/not recommended

Case no.22

(Smt. Pushpa Lata Mittal and Smt. Sneh Lata Mittal, Rana Pratap Bagh, C.C. Colony, North Delhi, Delhi)

After perusal of the application, it was observed that the matter should be examined in more details so how MCD sanctioned the plan in the absence of NMA clearance etc.

Case no.23

(Smt. Asha Rani, Rana Pratap Bagh, C.C. Colony, North Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+4 floors with total height of 17.50 mtrs (including mumty, water storage tank, parapet etc). Basement was not applied for/not recommended.

Case no.24

(Sh. Naveen Breja, Sh. Sandeep Breja, Sh. Parveen Breja and Smt. Daya Rani Breja, East of Kailash, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc)., with basement of 2.92 mtrs, as the site is 255 mtrs from the monument.

Case no.25

(Sh. Surjit Singh Jolly, Smt. Indra Jolly, Smt. Parveen Jolly, Sh. Ranjit Singh and Smt. Sushil R. Singh, Panchsheel Park, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permitted. The applicant will ensure no construction in the 100 mtrs prohibited limit as per nearest point from the protected boundary.

Case no.26

(Sh. Vivek Madan and Smt. Neena Madan, Green Park, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 18 mtrs (including mumty, water storage tank, parapet etc). However, no basement is permitted, as the site is 147 mtrs from the monument.

Case no.27

(Dr. Chander Dutt Parasher and Dr. Surya P. Parasher, Hauz Khas, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for basement+stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc), with basement of 3.00 mtrs, as the site is 273 mtrs from the monument.

Case no.28

(Sh. Sharat Kumar Dutta, Sh. Sisir Kumar Dutta, and Sh. Hemant Kumar, Green Park Main, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement was not applied for/not recommended.

Case no.29

(Sh. Dev Raj Korpal, Panchsheel Enclave, South Delhi, Delhi)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+4 floors with total height of 18 mtrs (including mumty, water storage tank, parapet etc). Basement was not applied for/not recommended.

Case no.30

(Sh. Ajal Pal Kothari and Smt. Sharmilla Kothari, NDSE-I, South Delhi, Delhi)

After perusal of the application, it was observed that there is no clear report. CA Delhi should undertake proper enquiry on whether any new construction has taken place or is it an existing building for repair/renovation and resubmit the case.

Case no.31

(Sh. Bhagwati Prasad s/o Late Moti Lal Shahu, Charkhari, Mahoba, Uttar Pradesh)

After perusal of the application, it was decided to **recommend** grant of NOC for ground+1 floor with total height of 7.10 mtrs (including mumty, water storage tank, parapet etc).

Case no.32

(Architect jadhay Pravin, Borivali, Mumbai, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for stilt+7 floors with total height of 28.19 mtrs (including mumty, water storage tank, parapet etc).

Case no.33

(Saibaba SRA Sahakari Gruhanirman Sansta Sh. K. Ramaswamy, (Chairman) Sion(East), Mumbai, Maharashtra)

After perusal of the application, it was noted that the details for the sale and rehab buildings were not provided i.e. how many rehab/sale buildings are proposed, their individual heights, individual floor plans and its floor area. Hence, this information is required to process the NOC application further.

Case no.34

(M/s. S.S. Associates, Jogeshwari, Andheri, Mumbai, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for Rehab Wing with the total height of 42.50 mtrs (including mumty, water storage tank, parapet etc) for and Sale Wing with total height of 42.50 mtrs (including mumty, water storage tank, parapet etc).

Case no.35

(Fine Developments, Kondivita, Dist. Mumbai, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC with total height of 32 mtrs (including mumty, water storage tank, parapet etc).

Case no.36

(Sh. R.D. Shenoy, Sion, Mumbai, Maharashtra)

After perusal of the application, it was decided to **recommend** grant of NOC for ~~with~~ maximum total height of 75 mtrs (including mumty, water storage tank, parapet etc). where the building height will be 70 mtrs and an extra 5 mtrs for roof structures.

Draft Heritage Bye-laws for Parel and revised guidelines for Delhi

Thereafter the Agenda item for discussions on Draft Heritage Bye-laws for Parel monument and categorization of monuments of Delhi and revised guidelines for Delhi were taken up. A copy of the Draft Heritage Bye-laws for the Parel monuments and a copy of the record of discussions of the 96th meeting in Mumbai on 21.01.2014 had already been circulated to all members. It was explained that the draft heritage bye-laws incorporating the suggestions in the record of discussions of the Mumbai meeting had been approved by the Authority and these were put up on the website for inviting comments and objections. At the end of the 30 day period, no comments suggestions and objections were received. As such the draft heritage bye-laws were now placed before the Authority for final approved.

Extensive discussions took place on this proposal and several Members wanted to modify the already approved draft heritage bye-laws by putting some sort of limit on the height of buildings that may be recommended for NOC. As per the approved draft, provisions of DCR 1991 for Mumbai would be applicable in respect of the Parel monument prohibited and regulated area. It was pointed out that as per the provisions of AMASAR Amendment Act and relevant rules framed there under, there did not appear to be any provision for revising an already approved draft heritage bye-laws as the rules only provided for the Authority to consider any suggestions and objections received from the public and finalize the draft heritage bye-laws accordingly. (Rule 18 of the NMA Rules refer) However, some of the members suggested that a legal clarification may be obtained as to whether the Authority could modify draft heritage bye-laws once they were approved by the Authority and put up on the website for public opinion. In view of this, it was decided to take up approval on draft heritage bye-laws for the Parel monument after getting such a clarification.

Cases to be taken up after discussion on Parel and Delhi Revised Guidelines

Case no.01

(Mr. A.K. Gupta (Chief Engineer DMRC), 8, Jantar Mantar Road, Delhi)

This case has been deferred again, as revised guidelines for Delhi could not be considered.

Case no.02

(Sahana Properties & Resorts Pvt. Ltd., 54-B, 402, Sagar Avenue, S.V., Road, Andheri (West) Mumbai, Maharastra)

This case has already been considered several times since the initial application in August, 2012. The applicant's original proposal was for 73 mtrs rehab building and 193 mtrs for sale building. The applicant has submitted review petition in October, 2013 as height recommended in this case was 75 mtrs as per the guidelines existing for Parel at that time. The case had been put up for disposal again after revised guidelines for Parel were adopted in January, 2014 (and incorporated in the draft heritage bye-laws) but has been deferred on the last two occasions for some clarifications. These were since received but the case was not decided upon. It was agreed in the last meeting that the case may be put up on the day, the Parel bye-laws were to be finalized i.e. 5th May 2014. The bye-laws for Parel monument could not be finally approved today and it had been decided to obtain legal clarifications relating to procedure for Parel. In the light of this, in the present case under consideration has been deferred once again with the observations that it would be disposed off in the light of the clarification that would be received from the Ministry of Law.

Review case

Case no.01

(Sh. Shahaji Yashwant Salgar, Mumbai, Maharashtra)

After review, it was decided that the building height as requested for by the applicant could not be agreed to and at the most, height of 18 mtrs (including mumty, water storage tank, parapet etc) may be allowed in the case.

Case no.02

(Sh. Gurupaddappa Channappa Ashtagi, Mumbai, Maharashtra)

On review, it was decided to recommend a height of up to 18 mtrs (including mumty, water storage tank, parapet etc) in this case.