HERITAGE & ENVIRONMENT

An Indian Diary

shyam chainani

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This aroused Bittu Ahmadullah's interest, who, together with his son Zafar, plotted on a map where the milestones ought to be. Great must have been their excitement when they actually came across some of the milestones on the ground as plotted by them and also came across more later, some of which have sadly, since disappeared. These discoveries would have been of no avail had Bittu not mentioned all this to Cyrus Guzder, who suggested that he give the milestone details to Anjani Mehta for inclusion in the Heritage List being prepared by her team. This led to their inclusion in the statutory Heritage List of Bombay.

Inclusion in the List is a step forward; the greater challenge is, of course, to ensure their survival. Bittu Ahmadullah advised against implementing a suggestion made by Prince of Wales Museum Director Sadashiv Gorakshkar that the old milestones should all be relocated to the Bhau Daji Lad Museum. Bittu Ahmadullah's view was that when not in situ, an old milestone has no value except as a curio. However, the problem with leaving old milestones in situ lies in the difficulty in protecting them from vandalism, damage or destruction since they are isolated and scattered all over the city. Relocation to a museum would at least ensure their preservation.

GAZETTING OF THE DRAFT HERITAGE REGULATION AND PROPOSED HERITAGE LIST

The third and most important landmark in the history of heritage conservation in India was 20th February 1991 – a date that should be enshrined in gold. It was on this day that the Maharashtra Government gazetted the Draft Development Control Regulation 67 which is the Heritage Regulation for Greater Bombay.

In a separate Gazette Notification issued on the same day, the Government also published the proposed Heritage List for Greater Bombay. Public suggestions and objections were invited for both the draft regulations and the proposed List. By a third Gazette Notification, also issued on the same day, Urban Development Department Deputy Secretary G. S. Pantbalekundri (popularly known as Pant) was appointed as the officer to hear the public suggestions and objections, both to the draft regulations and to the List. These were good days for the conservation movement. The previous day, several years of our efforts had come to fruition when the Union Ministry of Environment and Forests notified the famous Coastal Regulation Zone (CRZ) Notification, which has protected India's shoreline for the last fifteen years.

The Government's drafting is not always of the highest standard, and in this case it certainly was poor. We received a jolt when we realised there was an error in the Heritage Notification. On this being pointed out to the Government they quickly issued a corrigendum which sorted out the issue.

It needs to be stressed that the Regulation and the List are quite separate and that the Heritage List does not form part of the Heritage Regulation and hence the need for separate gazetting. The reason for this is simple. The MRTP Act correctly stipulates that a moderately lengthy and step by step procedure be followed for altering the Development Plan. Any Development Control Regulation, including the Heritage Regulation, is a component of the Development Plan; hence the Heritage Regulation cannot be amended overnight. However, Listing of heritage sites is a continuous process and a quicker procedure for supplementing the List is therefore needed. Hence the stipulation, that the Heritage List is not part of the Heritage Regulation.

Though the Heritage Regulation and the Heritage List were both still in draft form, they both had legal force. The statutory backing came from section 46 of the MRTP Act which stipulates that the Planning Authority shall have due regard even to draft proposals to modify the Development Plan. **Thus for the first time in Bombay (and, with minor exceptions, in India) a Heritage List had proper statutory backing.**

AFTER THE GAZETTING

Gazetting of the Heritage List and Regulations was not by any means the end of the process. A long hard slog lay ahead, with many shocks and crises. The first set of problems arose from the Heritage Committee itself, where a series of prolonged arguments took place, often leaving me tense and nervous.

Over the years, Grade III buildings have been regular targets of attack. There was a feeling that there would not be much opposition to the Listing of Grade I and Grade II buildings since a large number of them were public and institutional buildings. However, Grade III buildings were mainly in private hands, and hence a great deal of public opposition was anticipated if these buildings were given statutory protection.

At the 6th July 1991 meeting of the Heritage Committee, D. T. Joseph suggested that, to start with, the concentration should be

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