

& Forests, and Environment Secretary Mahesh Prasad agreed to take this issue up with the State Governments. On 31st October 1990, he wrote to the Chief Secretaries of all the State Governments requesting them to take similar action *"to identify and conserve the precious heritage of your state."*

For convenience, the proceedings of the Urban Conservation Sub Committee and the Heritage Committee have been dealt with together. Several parts of the Committee's report are interesting. Para 3.2.5.e. says:

"In the socialist countries, measures for protection of the architectural heritage are, if anything, even more extensive than in Western Europe and the emphasis has been on the documentation and preservation of vernacular architecture as 'self-evidence' of their culture.

"It is worth noting that an outstanding paradox of conservation is the refusal of erstwhile Communist States (including the U.S.S.R and also the Peoples Republic of China) to make a clean sweep of the monuments erected in the pre-revolutionary era. In fact, these are highly regarded as symbols of national culture and history. They therefore generally receive better material and financial treatment than those of the West." (emphasis mine).

In their report of January 1992, the Committee gave the set of criteria which had been adopted in carrying out the Listing. They suggested amendments to the MRTP Act, including the addition of a new chapter III A. They suggested compensation by way of TDR to be given to those who suffered a financial loss on account of heritage restrictions. Also recommended was a provision for maintenance grants to be paid to the owner of a Listed building. Incentives were also suggested in several forms including grants and loans, TDR and relief in taxation – property tax, income tax and exemption from gift tax. Though the other taxes were those of the Central Government, property tax was within the purview of the Municipal Corporation and hence the property tax relief could have been implemented immediately – but this has still not been done though more than 14 years have elapsed. With property taxes in the Island City about to be raised steeply, this would be of even greater relevance today. Another suggestion was the creation of a Heritage Conservation Fund to be raised through State Government grants and contributions from municipalities and voluntary donations from private individuals

and institutions. This last was a pipedream since few individuals would donate to a government or municipal fund. Coupled with the incentives was the recommendation for imposing penalties namely fine, or imprisonment, or both, in case of destruction or damage to a Listed building or a Conservation Area.

Three important suggestions were made by the Committee. It noted that **"Until recently, estate duty was a compelling reason for the disposal (and consequently destruction) of many outstanding buildings in Indian cities"**. It recommended that should estate duty ever be reintroduced, exemptions must be given for Listed heritage properties in an estate. It also suggested that state governments should consider exempting from the levy of transfer fees, the sale or gift of Listed heritage properties. The Committee also recommended that in Conservation Areas (today's Heritage Precincts), the FSI should be kept uniformly low in order to remove the incentive for demolition of heritage properties and also so that an individual property owner did not feel deprived of a monetary gain compared to his neighbours.

A key achievement of the Committee was preparing a Heritage List and its most important task was the drafting of a Heritage Regulation to govern development or redevelopment of and additions to heritage properties.

THE HERITAGE LIST

A few words on the Listing of Bombay and how it evolved would perhaps be in order. Writing a record has been difficult because although many people contributed to this effort, memories of most of those who took part are fragile, and documentation is sparse.

In April 1978, Foy Nissen submitted a Heritage List to the Bombay Municipal Committee consisting of 90 entries of buildings or groups of buildings. Though precincts had been contemplated by him, none had been included in his List. Over the years the Municipal Committee on Historical Buildings made several additions to the List. Around 1986, INTACH's Bombay Chapter headed by Anjani Mehta prepared an expanded List.

On 11th January 1988, while constituting the Urban Conservation Sub Committee, the Government circulated a List of 145 buildings, 7 Conservation Areas and 9 Design Control Zones. This was perhaps the first time that heritage precincts were designated in an official List.