

# FRIENDS OF HERITAGE SOCIETY

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Despatch... 3/28

Date... 27/8/12

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Dairy No. 1154

Date... 27/08/12

Director (Plg.) MPR/TC,  
D.D.A. Vikas Minar N. DELHI-2

Dy.No. 1387

Dated... 28/8/12

756/16/Z

17/08/2012

The Principal Secretary (UD),  
Government of National Capital Territory of Delhi,  
Department of Urban Development,  
9<sup>th</sup> Level,  
Delhi Secretariat,  
I.P. Estate,  
New Delhi.

By... UD/2014/4434  
Pr. Secy

Director (Plg.) MPR/TC,  
D.D.A. Vikas Minar N. DELHI-2

Dy.No. 6-296

Dated... 28/12/12

21 AUG 2012

Reg. :- 2<sup>nd</sup> Review meeting of Management Action Group (MAG) for Heritage Conservation on 21/08/2012.

Sub. :- Incentives to be provided to Heritage Properties

Dear Sir,

In order to ensure that Heritage Properties are given due attention by the state, we wish to point out certain incentives that need to be given.

1. This Note has been prepared for **providing Incentives to Heritage Properties to help promote their conservation.**

We refer to the Gazette Notification of the Gazette of India, Extraordinary, Part-II, Section 3, Sub Section (ii), Published by Authority, No. 157, New Delhi, Thursday, February 12, 2004/MEGHA 23, 1925, it states that – CONSERVATION OF HERITAGE SITES INCLUDING HERITAGE BUILDINGS, HERITAGE / PRECINCTS AND NATURAL FEATURE AREAS” at Clause 23.9 – wherein it is stated that:

### Incentive Uses for Heritage Buildings

23.9 "In cases of buildings located in non-commercial use zones included in the Heritage Conservation List, if the owner/owners agree to maintain the listed heritage building as it is in the existing state and to preserve its heritage state with the repairs and the owner/owners / lessees give a written undertaking to that effect, the owner/owners/lessees **may be allowed with the approval of the Heritage Conservation Committee within permissible use zone to convert part or whole thereof of the non-commercial area within such a heritage building to commercial/office use/hotel.** Provided that if the heritage building is not maintained suitably or if the heritage value of the building is spoiled in any manner, the commercial/ office / hotel use shall be disallowed."

2.1 In terms of the above we give below a few incentives that would go a long way to give incentives to people to restore and use their Heritage Properties.

*Dr. Bhanu Prasad*

*Commr Plg  
DDA  
27/8/12*

*Secretary  
J.S. (MOS)  
Arley V*

*27/8*

*P.P. Singh  
27/8/12*

*AC (MPPR)  
D.D.A. (MPPR)  
27/8*

*30/8*

*HA (Plg) III*

3. **Allow conservation of Heritage Properties to be used as Serai Hotels offering traditional style hospitality.**

3.1 Allow all Heritage Properties to be used as Serai Hotels to be able to offer traditional hospitality in its natural habitat. Indian hospitality is famed the world over. We need to keep alive the cultural traditions alive & one way to do this is to offer the best in hospitality in the simple old traditional way. This is best possible in the Heritage properties that reflect the traditional way of life.

4. **Allow at least 25% (Twenty Five percent) are of all Heritage Properties to be used for commercial use/purposes to allow for sustenance.**

4.1 All Heritage properties, which are used for providing accommodation & amenities to tourists should be allowed to convert a part of their premises for commercial use, i.e., for shops, retail use to be able to provide a steady source of income to the property & help sustain it.

4.2 At least 25% (Twenty Five percent) of the property should be allowed to be so used. This 25% (Twenty Five Percent) would only be allowed if the balance 75% (Seventy Five Percent) of the area is actually used for Tourist Accommodation.

4.3 The people owning Heritage Properties would generally be inexperienced & cannot sustain the long gestation periods as is applicable to Hotels. It is therefore necessary to provide them with sustained & regular income while ensuring that they use the balance property for Tourist accommodation purposes.

4.4 The Space in the Heritage Property that is used by the Hotel for running a Restaurant should not be counted as Commercial Use and not counted within the 25% (Twenty Five Percent) that is proposed to be allowed as commercial use as the restaurant is also meant for Tourist use.

4.5 The Retail / Shop Space in Heritage Properties also allows the Heritage Property to attract tourists, which in helps to retain valuable foreign exchange & profitability of the Heritage Hotel.

5. **Exempt Heritage Properties from payment of House Tax.**

5.1 All Heritage Properties that are converted to Hotels & used for providing accommodation & facilities/ amenities to tourists should be exemption for payment of House Tax.

5.2 The Revenue loss in terms of House Tax to the Government would be miniscule compared to the impetus that it would provide & urge people to convert their Heritage Properties to Hotels & provide accommodation & amenities to Hotels.

6. **The Heritage Buildings must be given concessional means of finance as it requires a large budget to restore these heritage properties.**

6.1 Since it requires a large budget to restore these heritage properties to their original glory, we suggest that the Heritage Properties must have access to a cheaper means of finance to enable them to afford to do the conservation & preservation in the most authentic manner – which is a costly way to preserve.

Incentives shall be given to enable the owners to follow the basic principal of not adding a brick or removing a brick.

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7. **The Policies & Laws relating to Heritage Buildings should be made tourist friendly & simpler.**

7.1 Most of the Heritage properties are inherited & come down through the ages through generations within the family, passing on from one descendent to another. The laws & policies should therefore be made simpler to enable them to understand and thereby to make use of the same without any hassles.

8. **Listed in Government of India's / Delhi Tourism , Tourism Website.**

8.1 All Heritage Properties that are listed & have tourist accommodation should be listed on tourist related Government of India / Delhi Tourism Websites to provide for maximum exposure through the websites & provide information to people in an easy manner.

9. **Tax benefits on Restoration.**

9.1 All amounts spent by the Restorer / Owners on the renewal of Heritage properties & putting them for tourism use should get substantial Tax benefits.

9.2 All amounts spent by the owners/occupiers towards Restoration should be allowed to be set off as an expenses over 3 – 5 years under the Indian Income Tax Act.

9.3 This will give a great boost to tourism & encourage people to spend on Preserving Heritage.

10. **Tax benefits of operating of Heritage Establishments.**

10.1 All Heritage Properties that are Restored & put to tourism use should be allowed tax concessions

- ◆ Free from House Taxes
- ◆ No Commercial House Tax
- ◆ No Commercial Power rates & taxes.

11. **Annually Reward for properties for Best Restoration.**

11.1 This must be an Annual Reward Program for choosing the Best Restored Property in the Region.

11.2 This may be for –

- (i) Best Restored Property over 100 years old;
- (ii) Best Restored Property within 100 years old;
- (iii) Best Restored Commercial Property, etc.;
- (iv) Best Adaptive Reuse of Restored Property;
- (v) Best Restored & Earlier Awarded Property that continues to be Best Maintained,

*i.e., different categories of Awards for different categories may be constituted.*

The people / owners must feel pride in their heritage.

12. **Annual Awards for Restored Properties that continue to help the Restoration**

- 12.1 All Awarded Haveli's/Restored Properties must be inspected yearly and continuously given awards for the best maintained Haveli/Property. Changes made in the property be checked & owners helped in restoration.
13. **All awards for Restored Properties must be given due publicity to create Pride & Awareness**
- 13.1 All awards given must be given due publicity to the public at large with the name of the peoples also displayed, so that it creates a pride in winning the awards & also helps in spreading awareness amongst the people to make them more cautious & resolute about maintaining the heritage property in a better shape.
- 14 **The value level of Awards must be increased.**
- 14.1 The Level of Awards must be increased. The awards must be presented by eminent personalities & properly published to create a higher sense of pride.
- 14.2 This would lead to ensuring that a better wider support base is established & the people feel a higher sense of achievement.
- 14.3 This will also help other people to aspire to attain the same goal.
15. **Free Guidance:**
- 15.1 The Government should set up a panel of experts who would offer free guidance to owners of Heritage Buildings who wish to re-use them.
- 15.2 The Panel should consist of –
- (i) Conservation Architects
  - (ii) Professionals who have knowledge of Restoration
  - (iii) Experts in conservation / Restoration.
- 15.3 This would enable people to take free advice & guidance from a distinguished panel of experts, which would then lead to a better understanding & comprehensive preservation system of buildings.
16. **List of Approved Experts in Particular Method.**
- 16.1 The Heritage Conservation Committee should observe & keep a Approved list of (Experts, Craftsmen, Architects, Contractors), in various forms & lines of Architecture.
- 16.2 Sometimes it is difficult for ordinary people to find a particular craftsmen for a particular type of Restoration. This leads to improper preservation. In case the direct reference is available then this mis-Restoration could be avoided.
- 16.3 This facility should be available as a recommendatory facility & not as on mandatory service.
17. **Listing of Experts to be done under several Heads**
- 17.1 Listing of experts should be done under various sub-heads & if any expert can straddle several

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sub-parts this, their name should appear across several sub-heads for case in.

18. **No need to follow Norms – Specific Norms for Heritage Buildings be laid.**

18.1 Since most of the heritage properties are built around a central 'aangan' or courtyard, and there are no set backs on the edge of the building line as these are left in the Center as per earlier olden times.

18.2 The present Building Bye laws did not allow the 'Aangan' concept as they require setbacks to be left on the edge of the property.

18.3 The Bye-laws of New Properties should thereafter not be applicable on these heritage properties & where (with due permission) they are allowed to build some more based the old method of leaving space (in consonance of what is existing) should be allowed.

18.4 The Norms of DDA/MCD/Building Bye-laws should be amended to this extent to incorporate this 'aangan' concept in Heritage Properties.

19. **Transfer of FAR Benefit.**

19.1 In the Heritage Properties, that are not allowed (for any reason whatsoever) to take advantage of Buildings Norms and increased FAR applicable to such properties, then the FAR should be allowed to be 'sold' or 'transferred' to any other property owned by the same owner or even outsiders.

19.2 This would remove the disincentive requiring the Heritage Property to be retained in the same manner.

20. **Property Tax Exemption / Rebate in case used Commercially:**

20.1 There should be a Property Tax Exemption / Rebate in case the listed Heritage Properties are re-used as per norms. This would help incentives the owners of the properties to look to using them as per allowed uses. It would help the owners & propel them to use it carefully & thereby maintain the 'Heritage' status.

21. **No Taxes on use of Heritage Property**

21.1 There should be no taxes - such as Luxury Tax etc., on use of Heritage Properties commercially. It will help as more & more people will then take it up and be lured to invest into Heritage Properties & Maintain them properly.

22. **Rebate in Sales Tax / VAT in case of use in Heritage Properties.**

22.1 All goods & Services 'Sold' in Heritage Properties should be made eligible for exemption or Rebates as this would encourage people to take care of the Heritage Properties & re-use them properly.

23. **Tourist to be encouraged by allowing them the rebate on the sales tax / service charge on their boarding and lodging.**

23.1 The Tourist would also be allowed Rebates in their Service Tax / Sales Tax on staying in a

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Heritage Properties which in term would lead to these properties being used more and thereby making them profitable. This would lead to a surge in the use of such properties & thereby lead to a better care & maintenance.

24. **Rebate on the advertisement charges of such properties.**

24.1 There should be a rebate allowed on all Advertisements issued by Heritage Properties in official media.

25. **Lifelong free membership of HCC Libraries.**

25.1 There should be free Life long Membership for use of the Heritage Conservation Committee's Libraries. This would help the Heritage Property owners to look up reference & research in a proper institution. This would help bring more authenticity to the restoration process.

26. **On window clearance for all clearances required in a time bound manner.**

26.1 This is one of the foremost issue.

26.2 In the case of Heritage Properties there should be a one window clearance for all the issues pertaining to restoration & re-use. The owner should not have to run around for years to get clearances. All clearances must be given in a time bound manner.

27. **Heritage Conservation Committee must take clear stand on the matter.**

27.1 The Heritage Conservation Committee must take a clear stand on Re-use of Heritage Properties & encourage such properties to be re-used properly. A Clear stand would avoid any ambiguity in the matter with other agencies in the Capital.

We have made an endeavor to list of some incentives to make a beginning in the framing of a policy to offer Incentives to Heritage Properties.

We trust & hope a beginning would be made in this direction.

A personal meeting may be fixed to enable us to explain its finer points.

Regards,



S. Batra  
Friends of Heritage Society