

CULTURAL HERITAGE MANAGEMENT FRAMEWORK

**Gujarat Resilient Cities Partnership:
Ahmedabad City Resilience Project**

June 2022

Prepared by

**AHMEDABAD MUNICIPAL CORPORATION
AND
GUJARAT URBAN DEVELOPMENT MISSION**

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Note:

This document is approved vide resolution number: 136 dated 21/06/2022 by Municipal commissioner, Ahmedabad Municipal Corporation

List of Abbreviations

Abbreviation	Expansion
AMASR	Ancient Monuments and Archaeological Sites and Remains Act
AMC	Ahmedabad Municipal Corporation
APD	Assistant Project Director
ASI	Archeological Survey of India
AUDA	Ahmedabad Urban Development Authority
BOQ	Bill of Quantities
C&D	Construction and Demolition
CHMF	Cultural Heritage Management Framework
CHMP	Cultural Heritage Management Plan
DPR	Detailed Project Report
DTP	Directorate of Town Planning
EHS	Environmental Health and Safety
ESIA	Environmental and Social Impact Assessment
ESF	Environmental and Social Framework
ESMF	Environmental Social Management Framework
ESMP	Environmental and Social Management Plan
FGD	Focus Group Discussions
GoI	Government of India
GRC	Grievance Redressal Committee
G-ACRP	Gujarat Resilient Cities Partnership: Ahmedabad City Resilience Project
GUDM	Gujarat Urban Development Mission
ICOMOS	International Council on Monuments and Sites
IEC	Information Education Communication
IPF	Investment Project financing
NGO	Non-Governmental Organization
NIDM	National Institute for Disaster Management
NMA	National Monuments Authority
NOC	No Objection Certificate
O&M	Operations and Maintenance
OHS	Occupational Health and Safety
PD	Project Director
PDO	Project Development Outcome
PIU	Project Implementation Agency
PMC	Project Management Consultant
PWD	Public Works Department
QA	Quality Assurance
RMP	Risk Management Plan
SDU	Sustainable Development Unit
SHC	Stakeholder Consultations

Abbreviation	Expansion
STP	Sewage Treatment Plant
SW	Solid Waste
SWD	Storm Water Drains
SWM	Solid Waste Management
TA	Technical Assistance
ToR	Terms of Reference
TPD	Tons per Day
TSDf	Treatment Storage and Disposal Facility (for Hazardous Wastes)
TSS	Total Suspended Solids
TTP	Tertiary Treatment Plant
ULB	Urban Local Body
UNESCO	United Nations Educational, Scientific and Cultural Organization
WB	The World Bank

Gujarat Resilient Cities Partnership: Ahmedabad City Resilience Project (G-ACRP)

CULTURAL HERITAGE MANAGEMENT FRAMEWORK

Executive Summary

This Cultural Heritage Management Framework (CHMF) is prepared to fulfil the World Bank's requirements prepared to fulfil the requirements for the application of the Environmental and Social Standards (ESS 6: Cultural Heritage), of the World Bank's Environmental and Social Framework (ESF) applicable to its Projects funded through Investment Project Financing (IPF). The ESS 8 is applicable for the G-ACRP as the project area is the city of Ahmedabad in Gujarat, whose historic city is a World Heritage Site and there are heritage components in other part of the city. The Project will avoid supporting any subprojects in the historic walled city or its buffer. Though the initially identified investments do not have an impact on heritage city or its assets, and any intervention in historic city, since this is a framework type project, there may be potential impact on tangible and intangible forms of cultural heritage resources in potential project sites outside historic part or its buffer.

Cultural heritage resources play an important role, not only as historical information, but also as an economic and social asset for local communities as well as for national development. This CHPF sets out measures designed to protect cultural heritage throughout the project life-cycle. The measures for implementation of this CHPF will also need to take into account the ESS 6 (Biodiversity Conservation and Sustainable Management of Living Natural Resources) that recognizes the social and cultural values of biodiversity conservation areas of which the project sites located in or nearby. In addition, for the purpose of inclusion, the CHPF will follow the provisions on Stakeholder Engagement Plan (SEP) prepared for G-ACRP and follow the requirement as set out in the ESS 10 (Stakeholder Engagement and Information Disclosure).

01. Historical Trajectory of the city

The mighty city of Ahmedabad was founded in 1411, by Ahmed Shah, the second sultan of Gujarat, on the banks of the Sabarmati River on the ancient site of Ashaval and Karnavati. It became the new capital of the Gujarat Sultanate and continued to be a seat of power thereafter as the provincial headquarters of the Mughals till the mid-18th century. The city witnessed the rise of architecture—mosques such as the central Jama Masjid and Sidi Saiyyed Mosque, Bhadra Fort, gates of the walled city, mausoleums, and more. In addition, the housing pattern was also marvelous. With many of these still adorning the city today, Ahmedabad has become the first and only Indian city to earn the UNESCO World Heritage City status.

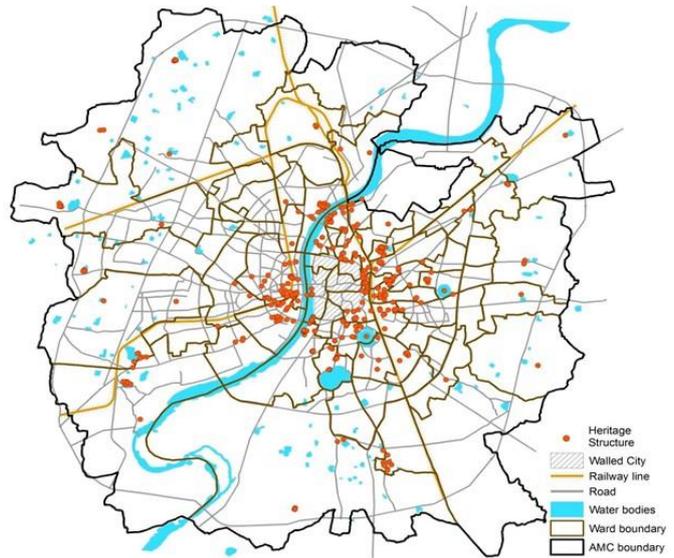
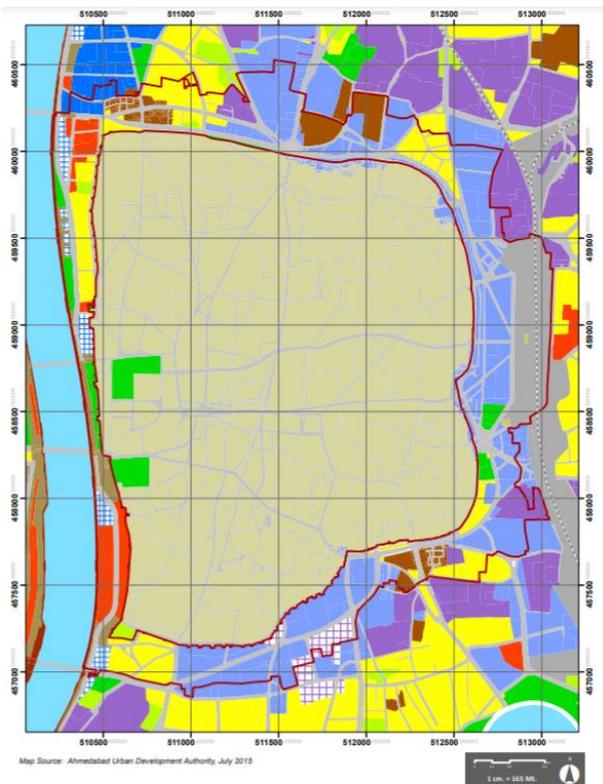


Figure 1: Distribution of Heritage Structures in Ahmedabad

Then, for nearly 60 years, after the Mughal reign, the city was governed by the Marathas till the early 19th century before being surrendered to the British. During British rule, Ahmedabad grew in prominence due to its railway linkages with Bombay. Then, a thriving textile industry led to Ahmedabad becoming known as the ‘Manchester of India’.



With Gandhi’s arrival in 1915, the city, which was already 500 years old, became the center of the Indian Freedom Movement. After Independence, the city was the district headquarters of the Bombay province for a few years. In 1960, when a separate Gujarat state was created, Ahmedabad regained its status as the provincial capital after almost 200 years. During that decade, the city invited the establishment of premier academic institutions such as the Indian Institute of Management Ahmedabad, Centre for Environmental Planning and Technology (CEPT) University, and the National Institute of Design. In a way, these institutions gave the city its international acclaim. Today, in the 21st century, Ahmedabad is essentially evolving into a heritage Smart City, with its historic walled city being recognised as the UNESCO World Heritage City. Dossier and Management Plan have been submitted to UNESCO. ¹

Figure 2: Historic walled City of Ahmedabad – World Heritage City

¹ <https://whc.unesco.org/en/list/1551/documents/>

With this heritage importance of the city, it is important to adopt a precautionary approach to ensure that project activities do not affect important Cultural Heritage. Hence, avoiding impacts on walled 'historic' city, provision of methodology for the screening of sites and incorporation of mitigation measures in ESMF is deemed important. Besides, chance finds may be encountered during site clearance or excavation activities associated with the construction of structures. At the project level, hence it is important to develop a Cultural Heritage Management Framework (CHMF) that identifies what measures shall be taken to protect these cultural resources, based on the framework provided in this section. The plan should also address measures to monitor downstream erosion of physical cultural sites and implement measures to protect these sites. Chance Find Procedures, which identify the measures to be taken if such heritage is encountered, are also outlined here.

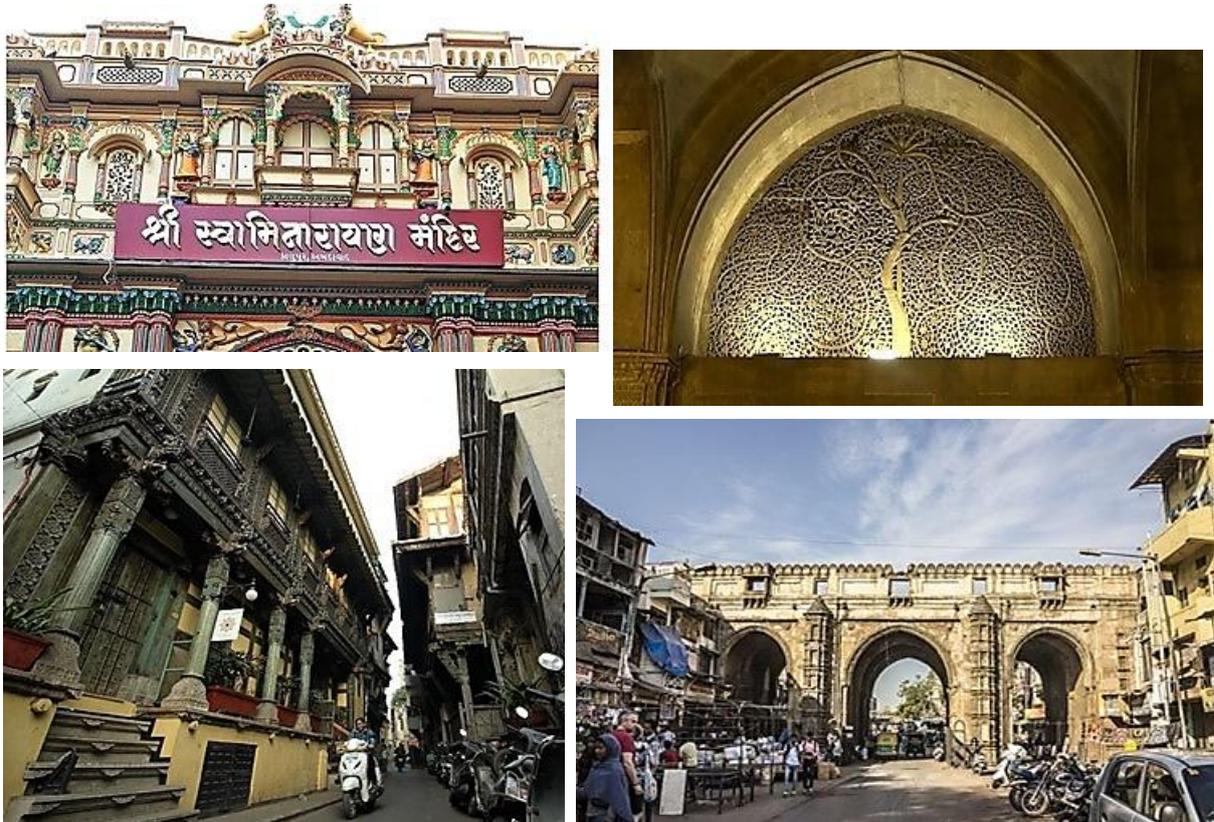


Figure 3: Glimpses of Ahmedabad’s Heritage: Detailing and Space Usage

02. Applicable Policies

Various National and State level policies/ laws and rules are applicable for heritage preservation. Key facts/guidance are listed here.

Table 1: Applicable National and State Policies

Policy/ Act	Description
Ancient Monuments and Archaeological Sites and Remains Act 1958.	Ahmedabad includes 28 monuments listed by the Archaeological Survey of India (ASI), one monument listed by the State Department of Archaeology (SDA), and 2,696 important buildings protected by the Heritage Department at the AMC.
Ancient Monuments and Archaeological Sites and Remains (Amendments and Validation) Act, 2010	The buildings and sites listed by the AMC (components of the walled historic city) are protected as a zone with special regulations

Policy/ Act	Description
	by the development plan of the Ahmedabad Urban Development Authority (AUDA). The act declares certain monuments/ sites as being of “national importance”. Stipulates conservation of cultural and historical remains found in India. (i) 100m radius is a “prohibited” area – no construction or reconstruction. Repairs allowed. (ii) A 200m radius is a “regulated” area (structures can be constructed by archaeological officers with due sanctions from a competent authority). Protection, maintenance, and conservation managed by the Archaeological Survey of India (ASI)
Indian Treasure Trove Act,1878	Promulgated to protect and preserve treasures found accidentally but had archaeological and historical value.
Antiquities and Art Treasure Act,1972	Effective control over moveable cultural property consisting of antiquities and art.
Urban Development and Urban Housing Department through The Gujarat Government Gazette, Extraordinary, Vol. XLVIII published on September 20, 2007, for amendment of The Gujarat Town Planning and Urban Development Act, 1976	Heritage notification including guidance on works in heritage precincts, Heritage Committee (refer to Appendix 1) These are applicable for various works including sewer or drainage network laying, rehabilitation of Lakes which have heritage importance

The grading of structures for Ahmedabad has been done as per the definitions by Urban Development and Urban Housing Department through The Gujarat Government Gazette, Extraordinary, Vol. XLVIII published on September 20, 2007, for amendment of The Gujarat Town Planning and Urban Development Act, 1976. As per the Gazette notification, the definitions of different grades are as follows:

Heritage Grade I: comprises buildings and precincts of national or historical importance embodying excellence in architectural style, design, technology, and material usage and/ or aesthetics; they may be associated with a great 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.

Heritage Grade II (A&B): comprises buildings and precincts of regional or local importance possessing special architectural or aesthetic merit or cultural or historical significance through of a lower scale than Heritage Grade I. They are landmarks that contribute to the image and identity of the region. They may be the work of master craftsmen or maybe models of proportion and ornamentation or designed to suit a particular theme.

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

Table 2: Applicable Environmental and Social Standard on Cultural Heritage

World Bank ESF:

ESS 8: Cultural Heritage	<ul style="list-style-type: none"> ▪ To protect cultural heritage from the adverse impacts of project activities and support its preservation 	ESS 8 is relevant. Ahmedabad is a World Heritage City with many heritage precincts, monuments, and features, mostly in the
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|---|---|
| <ul style="list-style-type: none"> ▪ To address cultural heritage as an integral aspect of sustainable development ▪ To promote meaningful consultation with stakeholders regarding cultural heritage ▪ To promote the equitable sharing of benefits from the use of cultural heritage | <p>‘old city’ area. Works related to sewerage network augmentation are proposed in the old part of the city, and hence there is a likelihood that the areas have several sites and structures with religious, cultural, archaeological, and historical significance. The risks and impacts to cultural heritage include vibration and activities such as drilling, excavations, demolitions, causing a disturbance, or other physical changes, including air or water pollution-related damage and risks to heritage, access restrictions to communities during works, etc. The possible chance finding of the notified cultural heritage site, beliefs, etc. cannot be ruled out near the project areas.</p> |
|---|---|

Here, the term ‘cultural heritage’ encompasses tangible and intangible heritage, which may be recognized and valued at a local, regional, national, or global level, as follows:

- Tangible cultural heritage, which includes movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible cultural heritage may be located in urban or rural settings, and may be above or below land or under the water; and
- Intangible cultural heritage, which includes practices, representations, expressions, knowledge, and skills—as well as the instruments, objects, artifacts, and cultural spaces associated therewith—that communities and groups recognize as part of their cultural heritage, as transmitted from generation to generation and constantly recreated by them in response to their environment, their interaction with nature, and their history.

The requirements of this ESS8 will apply to all projects that are likely to have risks or impacts on cultural heritage. This will include a project which:

- | | |
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| (a) Involves excavations, demolition, movement of earth, flooding, or other changes in the physical environment; | All construction works, upgradations involving movement of the earth |
| (b) Is located within a legally protected area or a legally defined buffer zone; | As in the case of Archaeologically protected monuments, National, State or City |
| (c) Is located in, or in the vicinity of, a recognized cultural heritage site; or | As in the case of network laying (Sewers, drains) through areas of cultural heritage importance |
| (d) Is specifically designed to support the conservation, management, and use of cultural heritage. | As in the case of Lakes, Tank redevelopment; where these have tangible, or intangible heritage value. The requirements of ESS8 apply to intangible cultural heritage only if a physical component of a project will have a material impact on such cultural heritage or if a project intends to use such cultural heritage for commercial purposes. |

International Guidance:**Table 3: Applicable International Guidance**

Guidance	Description
UNESCO Operational Guidelines for the Implementation of the World Heritage Convention, 2019.	The historic walled city of Ahmedabad has earned the distinction of being the first Indian city to get inscribed on the World Heritage list by UNESCO in July 2017. To facilitate the implementation of the World Heritage Convention, Requires the establishment of boundaries, buffer zones (where necessary), management systems, and sustainable use for effective protection of listed sites and to maintain their “Outstanding Universal Value”. (Refer Figure 2)

03. Institutional Setup in AMC

The Heritage Department of AMC acts as a catalyst to preserve the cultural heritage, both **tangible and intangible heritage aspects** of the city. It undertakes programs and projects such as heritage awareness creation and educational programs, identification and listing of heritage resources, conduction of heritage walk, organizing promotional programs, and heritage-based lectures, seminars, conferences, painting competitions, exhibitions, besides physical conservation and restoration of heritage buildings and structures located in the city. Processing of heritage building Repair/ restoration application including obtaining recommendations of the Heritage Conservation Committee appointed by the Government of Gujarat on matters related to Heritage Conservation. A list of 2236 residential buildings and 449 institutional buildings in the old walled city of Ahmedabad has been notified in the Gujarat government official gazette, in the year 2016. PIU will coordinate with Heritage Cell for heritage-related aspects of G-ACRP subprojects. PMC and consultants will have heritage experts to closely look at heritage-related aspects of subprojects.

AMC has in co-ordination with National Institute for Disaster Management (NIDM) prepared a Risk Mitigation Framework for Urban Cultural Heritage: Case Study of Walled City, Ahmedabad.² While part I of this task dealt with the assessment of vulnerabilities and various risks to the heritage components of the walled city and developing a framework for Disaster Management, part II was on documentation of traditional coping practices that contributed to its resilience.

04. Project Activities Impacts and Mitigation measures

Some of the subproject activities may be proximal to locally or regionally important cultural heritage and may affect the cultural spirit of the communities. Some activities might require site clearance, minor excavations, and construction closer to settlements and heritage in the project areas.

This ESMF includes the screening framework, and the process to prepare CHMP while finalizing the interventions at each location. The ESMP describes procedures to identify such properties, and mitigate and manage impacts in the case, such properties are impacted. Cultural resources (properties) if any would not be disturbed through avoidance of these. At the project preparation stage, it is important to prepare an inventory of heritage aspects and prepare the CHMP in case project screening identifies such possibilities. ESS1, will consider direct, indirect, and cumulative project-specific risks and impacts on cultural heritage. The methodology to prepare the CHMP is provided in the following section. The CHMP shall also include procedures to handle chance finds. Mitigation

² NIDM & AMC 2015. Risk Mitigation Framework for Urban Cultural Heritage: Case Study Of Walled City, Ahmedabad, NIDM.

Available at: https://nidm.gov.in/PDF/pubs/Culture_Heritage_Ahmedabad.pdf

Accessed on: 15 September 2021

measures include, for example, relocating or modifying the physical footprint of the project; documentation; strengthening the capacity of national and subnational institutions responsible for managing cultural heritage affected by the project; establishment of a monitoring system to track the progress and efficacy of these activities; establishment of an implementation schedule and required budget for the identified mitigation measures; and cataloguing of finds.

Table 4 Presents the indicative project activities, impacts, and mitigation measures for inclusion in CHMP.

Table 4: Guidance on Possible Impacts on heritage features and Mitigation Measures

Stage	Activity	Impact	Mitigation Measures
Design Stage	The layout of Facilities in proximity to heritage feature	Physical, Cultural disturbances to heritage features, use pattern by communities	<ul style="list-style-type: none"> ▪ Inventory of Heritage features and Consultation with Community and official stakeholders (including local bodies) during ESIA ▪ Avoid risks and impacts: (i) Safety check of fragile structures/features to plan and avoid the specific type of works, (ii) Prepare alternate design to avoid sitting of structures/ activities near heritage features; or prevent disturbances or access restrictions to such areas ▪ Consider at the design stage, risks to heritage due to potential overexploitation or impacts due to overuse
	Use of heritage assets		
Pre-Construction Phase	Site Clearance	Physical and Cultural impacts of cleared material strewn around heritage features	<ul style="list-style-type: none"> ▪ Follow proper stacking of cleared material in areas away from heritage features and ensure site housekeeping
		Chance Find of heritage feature during works and damage	<ul style="list-style-type: none"> ▪ Training/ instructions to workers on chance finds ▪ Discussion with informants and Site examination with user group/ communities before initiating construction activities ▪ Chance find procedures to be followed ▪ Barricading the area, watch, and vigil till authorities are notified and take charge ▪ Photo documentation if allowed and directed by authorities
		Dust pollution due to the removal of cleared material from the site	<ul style="list-style-type: none"> ▪ Dust suppression measures
	Transport and stacking of materials and Tools	Stacking of tools and material around heritage features	<ul style="list-style-type: none"> ▪ Follow proper covered/ safe stacking in areas away from heritage features, and ensure signages (with reflectors), site housekeeping
Construction and Operation Phase	Excavation or material sourcing (borrow/ quarry sites); Shifting of assets, Use of assets	Chance Find of historically important property (idols, structures, potteries, stone tools, fossils, and bones, etc)	<ul style="list-style-type: none"> ▪ Discussion with informants and Site examination with user group/ communities before initiating construction activities ▪ Chance find procedures to be followed

Stage	Activity	Impact	Mitigation Measures
			<ul style="list-style-type: none"> ▪ Barricading the area, watch, and vigil till authorities are notified and take charge ▪ Photo documentation if allowed and directed by authorities
		Structural and non-structural disturbances to physical or cultural heritage features, aesthetics, or users/occupiers due to construction activities	<ul style="list-style-type: none"> ▪ Plan to minimize disturbances (choice of type (for example: to minimize vibration, technology to save time), months (eg: festival 'Navratra' period), time and schedule (Eg: tourist visiting hours) for works) in consultation with communities, service providers and authorities ▪ Repairs, provision of retaining walls and other supports ▪ Arrange protection in place, or scheduled visitations, or community-sanctioned movement of sacred items if required ▪ Preserve the physical and visual context of individual or groups of historic structures by considering the appropriateness and effect of project infrastructure proposed for location within the range of sight ▪ Guard against theft and illegal trafficking of movable cultural heritage items affected by the project and will notify relevant authorities of any such activity
		Erosion and slippage affecting downstream heritage features	<ul style="list-style-type: none"> ▪ Proper site planning to avoid erosion, slippage ▪ Adopting indigenous knowledge to prevent erosion and slippage ▪ Protective measures like fencing/ retaining walls, barricading of downstream heritage features
	Transportation/ Loading/ unloading of material and waste	Negative Aesthetic Impact due to mismanagement of material and waste, in the vicinity of heritage feature	<ul style="list-style-type: none"> ▪ Proper stacking of material ▪ Proper storage of C&D at the worksite ▪ Waste management plan to be followed
		Dis-coloration of Monuments due to air emissions Deposition of dust on the monument	<ul style="list-style-type: none"> ▪ Emission control measures ▪ Dust suppression and control measures
		Accidents affecting heritage features during construction or operations	<ul style="list-style-type: none"> ▪ Follow Emergency Preparedness and Response Plan

05. Framework for Heritage Management

The CHMF identifies the mitigations to be adopted, institutional responsibilities, and frequency of monitoring to protect the cultural resources. The following **Table 5** presents the framework for heritage site management.

Table 5: Framework for Heritage Risk Management

Sl. No.	Anticipated Risks and Impacts	Avoidance / Mitigation/Management Measures	Responsibility
1	Design of projects/ layout/ siting	Avoid any project on Historic Walled City of Ahmedabad Prepare Inventory of heritage features within the area of influence of sub-project. Analysis of alternative design/location/ layout to avoid the potential impact on heritage features Plan the suitable control measures as a part of the project design Ensure involvement of relevant stakeholders and institutions	Design Consultant State Department of Archaeology (SDA) Heritage Department at the AMC
2	Accidental structural damage	Prepare emergency preparedness and response plan considering potential accident scenarios	Construction Contractor PIU
3	Aesthetically and functionally negative Impact	<ul style="list-style-type: none"> ▪ Proper stacking of material ▪ Proper storage of C&D at the worksite ▪ Waste management plan to be followed ▪ Inform communities/users of possible disturbances and support them in minimizing these 	Construction Contractor, PIU

06. Preparation of CHMP

The objective of the CHMP is to prevent any inadvertent loss of cultural heritage during project construction and operation. The development of a CHMP is to be made an integral part of the Environmental Impact Assessment process. Typically, the plan includes measures for avoiding or mitigating any adverse impacts on cultural heritage, provisions for the management of chance finds, any necessary measures for strengthening institutional capacity, a monitoring system to track the progress of these activities, and takes into account the country's overall policy framework, national legislation and institutional capabilities regarding cultural heritage.

In the case of a major subproject in a culturally sensitive area, which requires substantial archaeological investigations during project implementation, consideration should be given to instituting a program of independent monitoring and review. Whenever it is considered possible for project-related activities to encounter archaeological or paleontological sites or artifacts, the contractors should be required to follow procedures outlined by the World Bank regarding chance finds.

The assessment should rank potential impacts on heritage according to:

- The significance of the heritage.
- The level of the irreversibility of the impact; and
- The extent of potential damage.

A. *Project Screening*

Project activities near (100m radius) to the listed archaeological sites or important monuments shall not be permitted as they are in the restricted area as per AMASR Act. Further, permitted activities only shall be taken up in areas within 200m of restricted areas (regulated area as per AMASR Act).

For all other heritage features, culturally important tangible, or intangible assets, CHMP shall be prepared and mitigation hierarchy to be followed.

The CHMP can constitute either (i) a section of the Environmental and Social Management Plan or (ii) may be part of the recommendations of the completed ESA.

heritage feature component of the ESA shall include (a) an investigation and inventory of heritage features likely to be affected by the project; (b) documentation of the significance of such heritage features; and (c) assessment of the nature and extent of potential impacts on these resources.

The Management Plan should clearly:

- Schedule the implementation of the proposed mitigating measures and heritage feature monitoring, if any, considering the weather pattern, and identify roles and responsibilities for such implementation.
- Identify procedures for handling chance finds, including the role and responsibilities of the cultural authorities and the contractor.
- Identify procedures for addressing impacts that may occur during implementation but were not predicted in the impact assessment.

Sections of the CHMP are as below:

B. *Applicable Policy, Legal and Regulatory Framework*

This section should contain a reference to the following, including identification of any implications for the heritage component of the ESA, such as special standards or requirements:

- The World Bank's ESS1: Assessment and Management of Environmental and Social Risks and Impacts, ESS 8: Cultural Heritage
- Sections of national and state laws, regulations, and guidelines relating to heritage aspects.
- Sections of the national conservation strategy, if any, relating to heritage features.
- National, state/ provincial, or local legislation and regulations relating to:
 - Antiquities, including sale and export
 - Procedures for addressing chance finds, in terms of ownership and requirements by the contractor and cultural authorities
 - Archaeology, including the issue of permits
- Relevant authorities are charged with heritage feature identification, protection and management, their powers, the legal basis for their authority, and their actual capacity
- heritage feature-related conventions and treaties to which India is a signatory
- Sites currently listed by other international agencies in the field of heritage features such as the World Monuments Fund, or ICOMOS, as being of national or international importance
- Any national or provincial registers of heritage features are maintained by accredited authorities in India.

The city of Ahmedabad is listed as World Heritage Site according to the UNESCO World Heritage Convention

C. *Baseline Data*

It is important to understand the baseline heritage features in the region and specifically, the earmarked sites while preparing the project-specific Environmental Assessment. The Terms of Reference (ToRs) for CHMP or ESA/ ESIA shall propose spatial and temporal boundaries for the on-site collection of baseline data on heritage features potentially affected by the project and specify the types of expertise required for the heritage component of the ESA.

The ESA baseline data should include an investigation and inventory of physical cultural resources likely to be affected by the project. The data should consider all types of heritage features that might be impacted, covering:

- a. Living-cultural, as well as historical, archaeological, and paleontological features;
- b. Natural and human-made;
- c. Movable and immovable.
- d. Unknown or invisible.

The baseline data section should include maps showing heritage baseline data within the potential impact areas. Since many local heritage features are not documented or protected by law, consultation is an important means of identifying such resources, documenting their presence and significance, assessing potential impacts, and exploring mitigation options. The data collection activity should involve consultations with concerned authorities, potentially affected communities, and non-governmental organizations. Potential data sources might include cultural authorities, national or provincial heritage registers, universities and colleges, public and private heritage-related institutions, religious bodies, and local NGOs. Sources at the community level typically include, for example, community leaders and individuals, schools, religious leaders, scholars, heritage specialists, and local historians.

Also, the EA should detail the cultural significance or value attributed by the concerned or affected parties to the heritage feature identified in the baseline. This will normally not be expressed in monetary terms, but rather should explain the nature of the cultural significance, for example, whether it is religious, ethnographic, historic, or archaeological. In the case of features of archaeological, architectural, paleontological, or other scholarly or scientific value, the ESA should provide an assessment of the relative importance of the cultural heritage in this regard locally, nationally, and/ or internationally.

D. *Component Planning and Design based on Analysis of Alternatives*

A detailed description of the project components, supported by location/layout/ site maps, construction plans, and operation details of each activity and development proposed is essential to evaluate the impacts. It should describe the activities associated with pre-construction, construction, and operation phases including material sourcing and staking, transport, labor, work schedule, and impacts on nearby heritage features due to each activity.

Selection of alternate locations, designs, or arrangements shall be considered in case any heritage feature-related issues are identified. Alternatives shall aim at avoiding or minimizing the impacts on heritage features.

E. Impact Assessment

The ESA should specifically describe the nature and extent of the potential risks, impacts, and likelihood. The heritage feature components of the ESA must align with any heritage feature-related impacts in other reports, to ensure that elements of living culture are not overlooked in the assessment stage. The impact assessment should also consider the possibility of accidents during construction/ rehabilitation and operations which might affect heritage features, which might call for special precautionary measures and emergency responses.

F. Capacity Assessment

If the environmental and social assessment determines that the project may, at any time during the project life cycle, have significant potential risks and impacts on cultural heritage, the Borrower will engage cultural heritage experts to assist in the identification, valuation assessment, and protection of cultural heritage. The ESA should assess the borrower's capacity for implementing the proposed mitigating measures and managing chance finds, and where appropriate, recommend capacity-building measures. Capacity to implement the Plan, particularly to identify and manage heritage feature-related impacts, on-site training, institutional strengthening, inter-institutional collaboration, and rapid-response capacity for handling chance finds shall be augmented if found necessary. ESF and Heritage Specialists at the PIU and PMC co-ordinate with AMC Heritage Department and Heritage Committee to screen, analyse, manage subproject project implementation. The borrower will take steps for incorporating relevant requirements relating to cultural heritage into project procurement documents, including chance find procedures.

G. Consultations, Monitoring and Mitigation Measures

The Borrower will carry out meaningful consultations with stakeholders following ESS10 in order to identify cultural heritage that may be affected by the potential project; consider the significance of the cultural heritage affected by the project; assess the potential risks and impacts and explore avoidance and mitigation options. Agreements must be reached, and evidence of such agreements should be included in the ESA.

The following mitigation measure is essential: (i) Avoidance or mitigation of identified adverse impacts; (ii) Provisions for chance finds; (iii) Measures for strengthening institutional capacity; and (iv) Monitoring systems to track the progress of these activities. The ESA process should check whether the recommended mitigation measures might themselves have environmental impacts (e.g. paved access roads). The cost implications of implementing proposed mitigation measures shall be included in the costing table and finally in the bid documents.

All necessary and adequate care shall be taken to minimize the impact on cultural properties (which includes cultural sites and remains, places of worship including temples, mosques, churches, and shrines, etc., graveyards, monuments, and any other important structures as identified during design and all properties/ sites/ remains notified under the Ancient Sites and Remains Act. No work shall spill over to these properties, premises, and precincts. All utilities and common property resources likely to be affected due to the project will be relocated with prior approval of the concerned agencies before the start of construction. Similarly, cultural properties whose structure is likely to get affected will be relocated at suitable locations, as desired by the community before construction starts. The local community needs to be contacted and discuss relocation aspects, siting as well as maintenance. Continuous feedback and monitoring of works near Heritage aspects is important. Appropriate indicators for monitoring safe works and consultations with communities and visitors shall be selected and

used in ESIA monitoring depending on the type of work and heritage area where it would take place. The World Bank will monitor and follow up as per its internal guidance on ESS 8.

H. Budget, Timing/ Schedule

Cultural Heritage Management Plan will include an implementation timeline and an estimate of resource needs for each mitigation measure. This will be developed as a stand-alone document if screening indicates impacts and risks on Cultural Heritage. The CHMP shall be in place two months before the onset of site construction works for the main project site.

I. Recommendations

The key recommendations for project design and implementation are as follows:

- The Cultural Heritage Management Plan (CHMP) in the ESA at subproject stage should include specific recommendations for the design and construction team/contractors and PIU.
- These recommendations along with the draft CHMP and ESMP should be discussed/ shared with the technical team for consideration.
- The consulting firm should initiate a stakeholder’s workshop and make sure all major stakeholders, namely local government, Ministry of Culture, National Heritage, and Integration have also been consulted and will proceed the same over the planning, design, and construction stages.

In addition, UNESCO recommends the followings guidelines:

- Architectural surveys and documentation are to be carried out before any physical work in heritage areas.
- Buildings to be restored and utilized without any damage to heritage value; and
- Advice to be sought from the relevant authority.

However, the project does not involve works in heritage precincts / buildings and avoids any activities in Heritage City and its buffer.

J. Chance Find Procedures

These will be included in all contracts relating to construction of the project, including excavations, demolition, movement of earth, flooding, or other changes in the physical environment. The chance finds procedure will set out how chance finds associated with the project will be managed. The procedure will include a requirement to notify relevant authorities of found objects or sites by cultural heritage experts; to fence-off the area of finds or sites to avoid further disturbance; to conduct an assessment of found objects or sites by cultural heritage experts; to identify and implement actions consistent with the requirements of ESS 8 and national law, and to train project personnel and project workers on chance find procedures. Chance Finds Procedure to guide the management of any accidental discoveries of histo-cultural resources while implementing the project is presented here.

All fossils, coins, articles of the value of antiquity, structures, and other remains or things of geological or archaeological interest discovered on the site shall be the property of the Government and shall be dealt with as per provisions of the relevant legislation. The contractor will take reasonable precautions to prevent his workmen or any other persons from removing and damaging any such article or thing. He will, immediately upon discovery thereof and before removal acquaint the Engineer (Officer in Charge of the site) of such discovery and carry out the Engineer’s instructions for dealing with the same, waiting which

all work shall be stopped. The Engineer will seek direction from the Archaeological Survey of India (ASI) before instructing the Contractor to recommence the work on the site.

If the Contractor discovers archaeological sites, historical sites, remains, and objects, including graveyards and/ or individual graves during excavation or construction, the Contractor shall:

- Stop the construction activities in the area of the chance find.
- Delineate the discovered site or area.
- Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a nightguard shall be arranged until the responsible local authorities or the designated authority of the Ministry of Culture take over.
- Notify the Project Environmental Officer who in turn will notify (in writing) the responsible local authorities and the designated authority of the Ministry of Culture immediately (within 24 hours or less).
- Responsible local authorities and the designated authority of the Ministry of Culture would be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the archaeologists of the Ministry of Culture. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage; those include the aesthetic, historic, scientific or research, and economic values.
- Decisions on how to handle the finding shall be taken by the responsible authorities and designated authority of the Ministry of Culture. This could include changes in the layout (such as when finding an irremovable remain of cultural or archaeological importance) conservation, preservation, restoration, and salvage.
- Responsible authorities may also communicate to the project in charge or the Environmental Officer the emergency handling measures to collect and preserve certain heritage features even before they arrive at the location to plan a detailed preservation mechanism. (Eg: This may include directions to collect potteries/ stone tools/ fossils in cloth bags bearing the provenance of the find and its exact location, depth, and the total area to which it is evidenced or to collect bones and organic materials collected by the help of a spoon/ spool in steel and kept covered in aluminium foil; avoiding direct body contact; or as appropriate)
- Implementation for the authority decision concerning the management of the finding shall be communicated in writing by relevant local authorities.
- For Chance Found Flora/ Fauna
 - Training to Project Officials and workers on-site recce for heritage features before Site clearance and excavation
 - The contractor will take reasonable precautions to prevent his workmen or any other persons from removing and damaging any flora (plant/ vegetation) and fauna (animal) including fishing in any water body and hunting of any animal.
 - If any wild animal or rare species (fauna/ flora) is found near the construction site at any point of time, the contractor will immediately upon discovery thereof acquaint the Engineer and carry out the Engineer's instructions for dealing with the same.
 - The Engineer will report to the nearby forest office (range office or divisional office) and will take appropriate steps/ measures if required in consultation with the forest officials.

- Construction works could resume only after permission is granted from the responsible local authorities or the designated authority of the Ministry of Culture concerning the preservation of the heritage/ other chance finds.
- These procedures must be referred to as standard provisions in construction contracts, when applicable. During project supervision, the Site Engineer shall monitor the above regulations relating to the treatment of any chance find encountered are observed.

K. Confidentiality

The Borrower, in consultation with the Bank, project-affected parties (including individuals and communities), and cultural heritage experts, will determine whether disclosure of information regarding cultural heritage would compromise or jeopardize the safety or integrity of the cultural heritage or would endanger sources of information. In such cases, sensitive information may be omitted from public disclosure. If the project-affected parties (including individuals and communities) hold the location, characteristics, or traditional use of the cultural heritage in secret, the Borrower will put in place measures to maintain confidentiality.

L. Way Forward

This framework is the CHMF for G-ACRP. This will be consulted with the public along with ESMF consultations and updated in case required in agreement with the Bank in case of any changes in the regulations, or as required.

Appendix 1: Heritage Regulations of Gujarat

Extra No. 289

REGISTERED No. G/GNR/2

(C)



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XLVIII] THURSDAY, SEPTEMBER 20, 2007 / BHADRA 29, 1929

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Gujarat Acts.

URBAN DEVELOPMENT AND URBAN HOUSING DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 20th September, 2007.

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT, 1976.

NO.GH/V/258 of 2007/DVP-112007-1595-L : WHEREAS, the Government of Gujarat was of the opinion that it was necessary, in the public interest, to make variations in the G.D.C.R. of revised Development Plan of Ahmedabad Urban Development Authority sanctioned under Government Notification, Urban Development and Urban Housing Department No.GH/V/59 of 2002/DVP/1599/368/L Dated 18th May 2002. (hereinafter referred to as "the said G.D.C.R. of Development Plan" and "the said Authority")

AND WHEREAS, the variations proposed to be made in the said G.D.C.R. of Development Plan were published, as required by the Section 19(1) of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976) (hereinafter referred to as "the said Act"), in the Gujarat Government extra ordinary Gazette Part IV-B dated 05-05-2007 on page no. 128/1-7 under Government Notification, Urban Development and Urban Housing Department No. GH/V/157 of 2007/DVP-112007-1595-L dated 05-05-2007 along with a notice calling upon any person to submit suggestion or objection, if any, with respect to the proposed variations to the Principal Secretary to the Government of Gujarat, Urban Development and Urban Housing Department, Sachivalaya, Block No. 14, 9th Floor, Gandhinagar, in writing, within a period of two months from the date of publication of this notification in the official gazette.

AND WHEREAS, the Government of Gujarat received and considered suggestion or objection.

NOW THEREFORE, in exercise of the powers conferred by the section 19 of the said Act. The Government of Gujarat hereby :-

- sanctions the said variations to be made in the said G.D.C.R. of Development Plan, as set out in Schedule appended here to and;
- specifies that the variation so set out shall come into force from the date of this notification;

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SCHEDULE

Variations in the said G.D.C.R. of Development Plan of the said Authority sanctioned by Government Notification, Urban Development and Urban Housing Department No.GH/V/59 of 2002/DVP/1599/1368/L Dated 18th May 2002.

Proviso of Regulations no. 17.20 of sanctioned in force G.D.C.R. of AUDA is replaced with Annexure - I enclosed herewith.

By order and in the name of the Governor of Gujarat,

K. B. PANKHANIA,

Officer on Special Duty & Ex-Officio Deputy Secretary
to the Govt. of Gujarat.

17.20 HERITAGE REGULATIONS :

17.20.1 APPLICABILITY

This regulation will apply to those buildings, artifacts, structures, areas and precincts having aesthetic and/or architectural and/or cultural and/or environmental significance (hereinafter referred as listed heritage buildings/ listed heritage precincts) and natural areas of scenic beauty including but not limited to sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas (hereinafter referred to as 'natural features') which will be listed in a notification to be issued by Government.

For the purpose of this regulation, 'precinct' will hereinafter refer to any area delineated within the Ahmedabad Urban Development Area, containing listed heritage buildings, artifacts, structures of historic and /or aesthetic and / or architectural and /or cultural and /or environmental significance being bound on all sides by paths and /or roads and/or water bodies and/or railway lines and/or plot lines and/or buildings for which special regulations may henceforth be devised.

17.20.2 RESTRICTION ON DEVELOPMENT I REDEVELOPMENT I REPAIRS ETC.

- i) No development or redevelopment or engineering operation or additions- alterations, repairs, renovation including the painting of buildings, replacement of special features or plastering or demolition of any part thereof of the listed heritage buildings or listed heritage precincts or listed natural features shall be allowed except with the prior written permission of the Competent Authority. Before granting any such permission, the Competent Authority shall consult the Heritage Conservation Committee to be appointed by Government (hereinafter referred to as the said Heritage Conservation Committee) and shall act on the advice of the Heritage Conservation Committee.
- ii) Provided that before granting any permission for demolition or major alterations/ additions to listed heritage buildings (or buildings within listed heritage precincts), or construction at any listed natural features, or alteration of boundaries of any listed natural features, objections and suggestions from the public shall be invited and duly considered by the Heritage Conservation Committee.
- iii) Providing that only in exceptional cases, for reasons to be recorded in writing, the competent Authority may refer the matter back to the Heritage Conservation Committee for reconsideration.
- iv) It shall be the duty of the owners of heritage building and building in heritage precincts to carry out regular repairs and maintenance of the building at their own cost. The Government, the Municipality or the local bodies and authorities shall not be responsible for such repair and maintenance except for the building owned by the Government, the Municipality or the local bodies.

However, the decision of the Heritage Conservation Committee after such reconsideration shall be final.

17.20.3 PREPARATION OF LIST OF HERITAGE BUILDINGS, HERITAGE PRECINCTS AND LISTED NATURAL FEATURES

The list of buildings, artifacts, structures, areas and precincts of historic, and/or aesthetic and / or architectural and/or cultural significance and/or environmental significance and the said list of those

natural features of environmental significance and/or scenic beauty including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, etc. to which this regulation applies shall not form part of this Regulation for the purpose of Section 19 of the Gujarat Town Planning and Urban Development Act, 1976.

The list shall be supplemented / altered / deleted / modified from time to time by Government and/or the Competent Authority on the advice of the said Heritage Conservation Committee, or by Government suo moto or by the Competent Authority suo moto, or by the Heritage Conservation Committee suo moto, provided that after the list is supplemented/altered/deleted/modified, the modifications to the list shall be published in the official gazette and in such other manner as may be prescribed along with a notice in the prescribed manner, inviting objections and suggestions from the public within a period of 30 days from the date of its publication. The objections and suggestions received shall be duly considered by Government and/or the Competent Authority and on the advice of the Heritage Conservation Committee the list shall be finalized and notified.

When a building or group of buildings or natural features is listed it would automatically mean unless otherwise indicated that the entire property including its compound subsidiary structures etc. form part of the list.

17.20.4 POWER TO ALTER, MODIFY OR RELAX OTHER GENERAL DEVELOPMENT CONTROL REGULATIONS

On the advice of the said Heritage Conservation Committee and for reasons to be recorded in writing the Competent Authority may/shall alter, modify or relax the provisions of other General Development Control Regulations of the Draft Development Plan for AUDA (hereinafter referred to as the said Regulations if it is needed for the conservation, preservation or retention of historic and/or aesthetic and/or cultural and/or architectural quality of any listed heritage buildings or listed heritage precincts and / or the preservation of any listed natural features. Provided that any list which is in draft form and pending for approval will, in the interim period, also be deemed to be a part of the heritage list for purposes of development permission

17.20.5 SPECIAL REGULATIONS FOR LISTED HERITAGE PRECINCTS

In cases of heritage precincts and (where deemed necessary by the Heritage Conservation Committee) of natural features notified as per the provisions of this Heritage Conservation Regulation no. 17.20.2 above, development permissions shall be granted in accordance with the special regulations prescribed for respective precincts natural features which shall be framed by the Competent Authority on the advice of the Heritage Conservation Committee.

Before finalizing the special regulations for precincts/natural features, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting suggestions and objections from the public. All suggestions and objections received within a period of 60 days from the date of publication in the official gazette shall be considered by the Competent Authority / Heritage Conservation Committee.

After consideration of the above suggestions and objections, the Competent Authority acting on the advice of the Heritage Conservation Committee, shall modify (if necessary) the aforesaid draft special regulations for precincts/natural features and forward the same to Government for sanction.

Provided that pending consideration of suggestions and objections and pending final sanction from Government to the above draft special regulations for precincts, the Competent Authority/Heritage Conservation Committee shall have due regard to the above draft special regulations while considering applications for development/ re-development, etc., in the respective precincts / natural features.

6 APPLICABILITY OF DEVELOPMENT PROPOSALS TO LISTED HERITAGE BUILDINGS/ LISTED HERITAGE PRECINCTS

- (i) If road widening lines are prescribed under Section 12(2)(d) and/or Section 40(3)(c) of the Gujarat Town Planning & Urban Development Act, 1976, and or any other Act. They shall be such so that they will protect and not detract from the listed heritage precincts / natural features.

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- (ii) If there are any new roads or road widening lines proposed under Section 12(2)(d) in the Revised Draft or Sanctioned Development Plans the Competent Authority shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these precincts. Necessary steps may be taken to modify the Development 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 Gujarat Municipalities Act or in the Revised Draft or Sanctioned Development Plan for Ahmedabad shall be carried out in a manner which may affect the existing heritage buildings (even if they are not included in a Heritage Precinct) or which may affect listed natural features.
- (iv) If there are any Development Plan reservations shown on heritage buildings, or on listed natural features the same shall not be implemented. If required, the Competent Authority on the advice of the Heritage Conservation Committee shall move Government to get these reservations deleted modified as need be.

17.20.7 INCENTIVE USES FOR LISTED HERITAGE BUILDINGS

Section 10, Section 11, and Section 12 of these regulations define areas where commercial/ office / hotel uses are not permitted. However, in cases of buildings included in the Heritage Conservation List, if the owner/ owners/lessees agree to maintain the listed heritage building as it is in the existing state and to preserve its heritage state with due repairs and the owner/ owners/ lessees give a written undertaking to that effect, the owner/ owners/ lessees may be allowed by the Competent Authority on the advice of the Heritage Conservation Committee to convert part or the whole thereof of the non-commercial area within such a heritage building to commercial office use/hotel use. Provided that if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be spoiled in any manner, the commercial/ office/ hotel use shall be disallowed.

17.20.8 CREATION OF NEW INCENTIVES FOR HERITAGE CONSERVATION

Incentives may be created for heritage conservation of listed heritage buildings / listed heritage precincts by the Competent Authority on the advice of the Heritage Conservation Committee. Where applicable under the provisions of the General Development Control Regulations of the Revised Development Plan for AUDA or special regulations for listed heritage buildings/listed heritage precincts, these incentives may include Transfer of Development Rights, the creation of a Repair Fund, Tax incentive etc.

The specific provisions for these incentives, where applicable, may be framed by the Competent Authority on the advice of the Heritage Conservation Committee following the Bombay and Hyderabad models for heritage regulation, and the same submitted to the government for sanction.

17.20.9 MAINTAINING SKYLINE AND ARCHITECTURAL HARMONY

Buildings within listed heritage precincts and in the vicinity of listed Grade I heritage buildings / listed natural features shall maintain the skyline and follow those architectural styles so as not to diminish or destroy the value and beauty of or the view from the said listed heritage precinct / listed heritage building or of the listed natural features. The term "vicinity" shall be interpreted by the Heritage Conservation Committee. The development within the listed heritage precinct or in the vicinity of the listed Grade I heritage building / listed natural features shall be in accordance with the guidelines framed by the Heritage Conservation Committee.

17.20.10 RESTRICTIVE COVENANTS

Restrictions existing as on date of this Notification imposed under covenants, terms and conditions by the leasehold plots either by Government or by Municipality / Panchayat shall continue to be imposed in addition to the General Development Control Regulations. However, in case of any conflict with the heritage preservation interest/ environmental conservation, this Heritage Regulation shall prevail.

17.20.11 GRADING OF THE LISTED HERITAGE BUILDINGS/ LISTED HERITAGE PRECINCTS

In the last column of the said list of Heritage Buildings, Heritage Precincts, grades such as I, II, III have been indicated. The meaning of these grades and basic guidelines for development permissions are as follows.

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Listing does not prevent change of ownership or usage. However, such usage should be in harmony with the said listed precinct/building. Care will be taken to ensure that the development permission relating to these buildings is given without delay.

GRADE I	GRADE II	GRADE III
<p>A) DEFINITION Heritage Grade I comprises buildings and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material usage and/or aesthetics; they may be associated with a great 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.</p>	<p>Heritage II (A&B) comprises 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 in 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.</p>	<p>Heritage Grade III comprises buildings and precincts of importance for townscape; they evoke architectural, aesthetic, or sociological interest though not as much as in Heritage Grade II. These contribute to determining the character of the locality and can be representative of the lifestyle of a particular community or region and may also be distinguished by setting on a street line, or special character, of the facade and uniformity of height, width and scale.</p>
<p>B) OBJECTIVE</p>		
<p>Heritage Grade I richly deserves careful preservation.</p>	<p>Heritage Grade II requires intelligent conservation.</p>	<p>Heritage Grade III deserves intelligent conservation (though on a lesser scale than Grade II) and special protection to unique features and attributes.</p>
<p>C) SCOPE FOR CHANGES</p>		
<p>No interventions are permitted either on exterior or interior of the heritage building or natural feature unless it is necessary in the interest of strengthening and prolonging the life of the building/s or precincts or any part or features thereof. For this purpose, absolutely essential and minimal changes would be allowed and they must be in accordance with the original.</p>	<p>GRADE II (A) Internal changes and adaptive reuse and external changes may by and large be allowed but subject to strict scrutiny. Care would 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 in the same plot or compound could, 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 facade.</p>	<p>External, internal changes and adaptive reuse would by and large be allowed. Changes can include extensions, and additional buildings in the same plot or compound. However, any changes should be such that they are in harmony with the surrounding area and should be such that they do not detract from the existing heritage building Precinct.</p>
<p>D) PROCEDURE</p>		
<p>Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee to be appointed by the State Government.</p>	<p>Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee to be appointed by the State Government.</p>	<p>Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee to be appointed by the State Government.</p>
<p>E) VISTAS - SURROUNDING DEVELOPMENT</p>		
<p>All development in areas surrounding Heritage Grade I shall be regulated and controlled, ensuring that it does not mar the grandeur of, or the view from Heritage Grade I.</p>		

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17.20.12 DEMOLITION I RECONSTRUCTION I ALTERATION

Nothing mentioned under these regulations should be deemed to confer a right on the owner / occupier of the plot to demolish and/or reconstruct and/or make alterations to his listed heritage building / buildings in a listed heritage precinct if in the opinion of the Heritage Conservation Committee, such demolition I reconstruction I alteration is undesirable.

17.20.13 EXTERIOR DESIGN AND HEIGHT OF BUILDINGS

So as to preserve the beauty of the heritage precincts and/or buildings, the Heritage Conservation Committee shall have the power to direct, especially in areas designated by them, that the exterior design and height of buildings should have their prior approval.

17.20.14 COMPOSITION OF HERITAGE CONSERVATION COMMITTEE

- A. The Government shall constitute a Heritage Conservation Committee and frame the terms of reference.
- B. The composition and qualifications of the Heritage Committee shall be as follows:

1	Chairperson	Retired Municipal Commissioner of the Municipal Corporation or retired Secretary of Govt. of Gujarat with relevant experience.
2	Member	A Structural Engineer having experience of 10 years in the field
3	2 Members	Two Architects having 10 years experience in design and membership in the Council of Architecture: i) Urban designer ii) Architect having experience in conservation architecture
4	Member	A technical officer of the Archaeological Survey of India (not below the rank of Asst. Director)
5	Member	A technical officer of the State Archaeological Dept. (not below the rank of Asst. Director)
6	Member	An Environmentalist having in-depth knowledge and experience of 10 years of subject matter
7	Member	An Architectural /Urban Historian having 10 years experience in the field.
8	Member	Chief Town Planner, Govt. of Gujarat or his representative not below the rank of Senior Town Planner.
9	Member	Chief Executive Authority, AUDA
10	Member	Senior Town Planner, AUDA
11	Member Secretary	Head or Adviser of the Heritage Cell, Ahmedabad Municipal Corporation

The tenure of the members of category (2), (3), (6), and (7) above shall change after every three years provided that the same person shall be eligible for re-appointment as Member.

The Committee shall have the powers to co-opt upto three additional members who may have lesser experience, but who have special knowledge of the subject matter Provided that the additional members may be co-opted for special purposes or on sub-committees of the Heritage Conservation Committee.

- C) The terms of reference of the Committee shall be, inter-alia,
- to advise the Competent Authority whether development permission should be granted (under Regulation no. 17.20.2), and the conditions of such permissions.
 - to prepare a supplementary list of buildings, artifacts, structures, areas, precincts of historic, aesthetic, architectural, cultural, or environmental significance and a supplementary list of natural features of environmental significance or scenic beauty including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, etc., to which this Regulation shall apply (vide Regulation no. 17.20.3)
 - to advise whether any relaxation, modification, alteration, or variance of any of the General Development Control Regulations, is called for (vide Regulation no. 17.20.4).

- (iv) to advise the Competent Authority in framing special regulations for listed heritage precincts (vide Regulation no. 17.20.5).
- (v) to advise the Competent Authority on applicability of development proposals affecting listed heritage buildings/listed precincts and on moving the Government to modify the same (vide Regulation no. 17.20.6)
- (vi) to advise the Competent Authority whether to allow commercial/ office/ hotel uses in the listed heritage buildings/heritage precincts and when to terminate the same (vide Reg. 17.20.7)
- (vii) to advise the Competent Authority in creating new incentives for heritage conservation (vide Regulation no. 17.20.8).
- (viii) to recommend to the Competent Authority guidelines to be adopted by those private parties or public/government agencies who sponsor beautification schemes at public intersections and elsewhere within listed heritage buildings /listed heritage precincts.
- (ix) to prepare special designs and guidelines / publications for listed heritage buildings, control of height and essential facade characteristics such as maintenance of special types of balconies and other heritage items of the buildings and to suggest suitable designs adopting appropriate materials for replacements keeping the old form intact to the extent possible.
- (x) to prepare guidelines relating to design elements and conservation principles to be adhered to and
- (xi) to prepare other guidelines for the purposes of this Regulation.
- (xii) to advise the Competent Authority on any other issues as may be required from time to time during the course of scrutiny of development permission and in overall interest of heritage/ environmental conservation.
- (xiii) to appear before the Government either independently or through or on behalf of the Competent Authority in cases of appeals related to listed heritage buildings /listed heritage precincts.
- (xiv) Criteria for listing of Heritage sites :

	Abbreviations
(a) Value for architectural, historical or cultural reasons	A
• Architectural	A (arc)
• Historical	A (his)
• Cultural	A(Cul)
(b) The date and / or design and /or unique use of the building or artefact	B
• period	B (per)
• design	B (des)
• use	B (uu)
(c) Relevance to social or economic history	C (seh)
(d) Association with well-known persons or events	D (bio)
(e) A building or groups of building and / or areas of a distinct architectural design and / or style, historic period or way of life having sociological interest and / or community value	E
• Style	E (sty)
• Historical	E (his)
(f) The unique value of a building or architectural features or artefact and / or being part of a chain of architectural development that would be broken if it were lost	F
(g) Its value as a part of a group of building	G (grp)
(h) Representing forms of technological development	H (tec)
(i) Vistas of natural / scenic beauty or interest, including water- front areas, distinctive and / or planned lines of sight, street line, sky line or topographical	I (sec)
(j) Open space sometimes intergrally planned with their associated areas having a distinctive way of life and for which are have the potential to be areas recreation	J
(k) Natural heritage sites	NH
(l) Sites of scenic beauty	(sec)