



## Is Heritage an Asset or a Liability?

Understanding the debate and din in Mumbai

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The present trends of development in the city of Mumbai are scary and yet seem to be only the start of the reckless redevelopment model endorsed by the government with higher FSI (Floor Space Index) as the sole driving force. Instead of addressing the root cause of why buildings are not maintained and become dilapidated, increased FSI is assumed to be the solution, even though the increase of FSI has not created any more affordable housing or commercial areas.

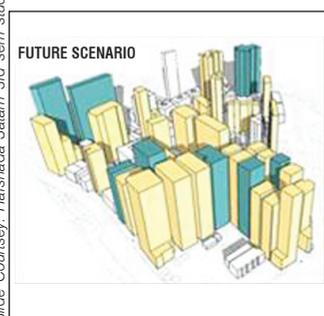
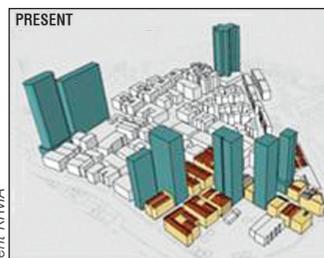
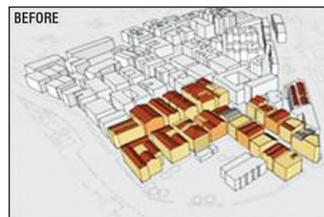


**T**here seems to be a sudden hue and cry from owners and occupiers of houses and areas that have been declared 'heritage' in the revised list of heritage buildings and precincts published in 2012 for Mumbai. Many political parties are also endorsing people's views in practically all the newspapers, complaining that they do not want the 'heritage tag' and that their property should be de-listed. **Though there may be some truth in the apprehension that people have regarding**

**heritage building listing, one need to know the facts before reaching conclusions.**

Our forefathers who planned the city of Mumbai thought about the future of the city while developing different areas. Until and unless we can design a better future for the city, we must protect and conserve what we have inherited; hence the conservation that we undertake today is a tool to secure this inheritance.

In the next five years in Mumbai, we shall be seeing more re-development with no proper planning and no parallel infrastructure up-gradation. This is going to seriously affect the quality of life, the social behaviour and the culture of the city. Shanghai and Singapore have already lost their historic areas and what's left of them are fossilised areas with museum-like treatment, rather than a living and breathing historic area. Recently, there were newspaper reports saying that China has issued a warning



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to stop all construction in mega cities like Shanghai as the air is heavily populated beyond acceptable standards and is creating health hazards. Back at home in India, in the beginning of every winter, the fog that encompasses Delhi is also a warning to us in Mumbai, reminding us of the 1400 cars that get added to our city every day. While we can't compare ourselves with developed cities like London or NY, we can at least stop ourselves from going the Shanghai way. We have to address our own issues in our context and capitalise on our strengths.

### SOME COMMONLY HELD MYTHS ABOUT CONSERVATION

#### a) Conservation means no-development:

This is NOT true for most heritage buildings and areas, and is true ONLY for exceptional heritage stock such as monuments that have Grade I status. For all other buildings and areas termed as heritage, all that is required is sensitive development. CST is a functional and one of the most frequented and used World Heritage Site in the World that does not mean it no changes... Yes no one in proper senses would ask for its redevelopment as it is asset and icon of Mumbai.

Similarly even for Grade I buildings, development is possible: we can have international and national design competitions to encourage the best contemporary or contextual design for a heritage building, as has been proposed for Dr Bhau Daji Lad

Museum in Byculla, and as seen in the extension to Grade I Chattrapati ShivajMaharaj Vastu Sangrahalaya which recently reconstructed its children centre.

For buildings listed as Grade II, adaptive reuse as well as internal changes are allowed but external changes need to be controlled, as has been done in the Army and Navy Building at Kala Ghoda with 'Westside' replacing the 'Indian Airlines' or in the BMC head offices or in Tata Palace, originally a residential building now a functional bank. Lifts have been permitted in grade II A like Bradys Flat and BJPCI. In Rallis House grade II A, the shell of the building was retained and complete new interiors were done internally. Additional building was permitted in Grade II B Anjuman e Islam School, Addition of a floor was allowed in Grade IIB as in case of Cathedral John Connon School. Repairs, addition and alterations, adaptive reuse, changes in the interiors, etc. are all allowed in grade III buildings and heritage precincts, and even redevelopment is allowed when a building is damaged in a fire or is structurally unsafe. Like Jhulelal House (Banque Indo Suez bldg.) which has retained the old arches and has reconstructed a contemporary block in that envelope. Repairs and renovations have been allowed office buildings of Ballard Estate which grade III. The unfortunate part is that the re-

development now follows the normal bye-laws and not the special guidelines of the precinct where mass and scale, and setting of the precinct is significant and that is the area of the conflict which needs to be addressed.

#### b) Our buildings are old, not maintained and can collapse anytime, hence heritage listing is not needed:

More than the age of the building, one must examine whether the building can be repaired properly or not? Some of the recent collapses in the city (Altaf Manzil and Dockyard Road BMC conservancy staff residential building) were neither old nor heritage buildings but relatively recently built structures. The truth is that all buildings require good maintenance and one should encourage this and address this as the core issue and have a policy which encourages good maintenance.

#### c) We can make no changes if our buildings are listed as 'heritage':

All buildings are listed for some cultural value and these values need to be respected while one is doing interventions. Hence there would be some restrictions while dealing with a heritage structure but that does not mean that no changes are permitted. The heritage listing means that one needs to be sensitive while undertaking essential changes that may be required. Examples above reveal that changes are allowed to meet the need.

#### d) Redevelopment is the need of the hour:

Yes, re-development is the need of the hour for buildings that are dilapidated and require reconstruction. It is the need of the hour if it creates affordable housing stock for our city. The sad reality is that as the current Government rules give more FSI and encourage reconstruction, we find even structural sound buildings get demolished under the pretext of being dilapidated. The new buildings that come-up with the 'rehabilitation' component are so expensive that ordinary citizens can't afford such accommodation. Hence the increase in density is seen in suburban areas like Vasai, Virar, Thane and beyond. Ideally reconstruction should be taken up by the Government itself (through MHADA) in public private partnership model to ensure that the cost of reconstruction is economical and that the saleable component is available to all strata of society in a transparent manner (e.g. through lottery).

### REALITIES OF REDEVELOPMENT IN MUMBAI:

#### a) Reduced quality of life for all:

Ad-hoc Reconstruction is a severe load to the fragile century-old infrastructure (roads, sewage) and adversely affects the quality of life for the citizens of that area. It is seen that people residing in many streets abutting heritage buildings, and who never owned any vehicles

but in new redeveloped sites following the generic law where parking is free results in multi-storeyed car park in podiums but these are later sold at a premium. The podium disconnects the building with ground and street level which was the character of the area and allows individual buildings to sell flats easily as it raises average precinct height by 4 floors or so and allows for good views of the city in its high rise. This may be true for a while, but is ultimately an illusion as when the whole area undergoes similar redevelopment, then there will be dark alleys and narrow streets with multi-storeyed car parks and flats with no view, no natural light or ventilation as the adjacent building would have blocked it all. Examples of this kind of development are visible in the Bellissimo and Minerva residential towers near Mahalaxmi Station.

**b) Unaffordable maintenance costs leads to displacement:**

The maintenance of these redeveloped properties are so high that the tenant who was housed in the old building finds it difficult to stay in the new properties, being used to meagre rents enforced through the Rent Control Act. This results in gentrification of the area and the community or inhabitants that stayed in an area for years and who had associations with the place become uprooted.

**c) Increased load on same public amenities:**

In areas that undergo redevelopment, as the amenities and infrastructure of the area is not similarly increased to keep up with the increased number of people using this, this puts a strain on these shared amenities, such as gardens, railway and bus stations, etc. leading to even further reduction in the quality of life. The road widths are the same but the parking has increased many folds in its podium style car park.

**d) Heritage policies threatened by other contradictory policies of the government, and by lack of a repair policy:**

The built heritage of Mumbai was protected, not only because of the heritage laws (that are relatively recent), but also because most of these buildings had consumed more FSI than what was permitted by the Development Control Regulations (that were framed after these buildings were built) and hence it made economic sense to keep such buildings intact. This is however now changing due to the government's new



policies to encourage redevelopment through TDR (Transfer of Development Rights), increased FSI (Floor Space Index) and MHADA (Maharashtra Housing and Area Development Authority) policies.

However, despite the fact of a large number of buildings in Mumbai needing repair, strangely enough, so far there is no comprehensive policy for repairs even by MHADA. The Repair Board under MHADA can be entrusted with the task of repairing heritage buildings by introducing basic concepts of conservation to its engineers; concepts such as use of like-to-like material, minimum intervention wherever possible, and respecting the authenticity of a building. The present budget of MHADA for repairs of Rs 200/sq ft is inadequate for a good and proper repair following the conservation pattern and requires should be raised, based on prevailing rates and repair techniques in practice.

**e) Need to adopt repair, rather than reconstruction:**

If we chose to repair a building, this is usually always more economical, while also retaining the people in the building in their original location as they then do not shift (permanently or temporarily). If these buildings are well kept and restored (e.g. Lal Chimney Compound) then they would also create affordable building stock, which is the need of the hour.

**f) Conservation needs incentives, just as redevelopment has incentives:**

To encourage conservation, the government should focus on policies that encourage repairs. In presence of existing policies such as the Rent Control Act that disadvantage landlords from maintaining a building, to encourage repairs, incentives in the form of additional marginal FSI or TDR of say 0.17 should be allowed to the owner,

provided he and the tenants together come forward for professional repairs and with an undertaking of looking after the building for 2 decades till the new master plan for the city is being prepared.

**g) Other incentives:**

Some other incentives that the government can consider to encourage repairs over reconstruction is to limit the increase in lease rent to only 50 per cent for repaired properties, as compared to the 100 per cent increase for redeveloped properties. Property taxes should also be reduced to 50 per cent to encourage repairs and restoration. Rents of areas leased out in heritage properties to be increased for commercial premises and larger premises, to reflect market rates, so as to enable the landlord to have economic benefits from leasing out his / her property. For smaller areas that have been rented out in heritage properties, the rents to be calculated based on economic considerations that strike a balance between the

rights of the landlord and market rates. A cess should be levied on all redevelopment proposals and the funds of this should be used to preserve the surrounding areas.

**h) New redevelopment of the recent past that has destroyed Mumbai's urban fabric can still be erased:**

Recent redevelopment that has happened in Mumbai has all involved the demolition of existing structures and the reconstruction of new buildings. These new buildings are certainly not going to be the heritage of tomorrow, as they are poorly built and already in states of disrepair with no maintenance being undertaken. As Mumbai prepares for a new development Plan, there is an opportunity for us to reconstruct these buildings in a manner consonant with the surroundings, and hence restore the urban fabric of areas that were affected by these rashes of new developments.

**i) Traffic / Car parking:**

Blindly providing car parks based on numbers is not the solution to solving parking problems. Traffic management is the solution that has been successfully adopted worldwide, and this involves discouraging use of private vehicles and parking and incentivising those those who use public transport. Policies for repair and redevelopment of buildings should also reflect this understanding.

Cities are ever growing and ever renewing but the question to be addressed is a good planning policy which caters to the need but arrests the greed. Quality of life is as important in heritage and redevelopment and one should address it. ▲

*Vikas Dilawari is a practicing conservation architect with more than two and half decades of experience exclusively in the conservation field, ranging from urban to architecture. He has done his double Masters in Conservation from School of Planning and Architecture (New Delhi) and from the University of York. He was the Head of Department of Conservation Department at KJ Somaiya Institute of Architecture (KRVA) Mumbai from its inception in 2007 till Aug 2014. His practice has successfully executed several conservation projects ranging from prime landmarks to unloved buildings of Mumbai. He was instrumental with INTACH Mumbai chapter to list the CST station as World Heritage Site in 2004. Several of his projects have received national recognition. A total of ten of his projects have won UNESCO ASIA PACIFIC Awards for Cultural Preservation in SE Asia. Prof Dilawari has lectured and written extensively on the subject of conservation nationally and internationally. He was one of the reviewers on technical mission of ICOMOS to review the works at World Heritage Site of Ayutthaya in Thailand in May 2014. He is a Trustee of Indian Heritage Cities Network (IHCN) and Co- Convener of INTACH Mumbai Chapter and a member of Mumbai Heritage Conservation Committee (MHCC). He was member Board of Governors of MMR HCS (Heritage Conservation Society) from 2009-2011. He is named in the latest Architectural Digest AD 50 Awards as the most influential names in Indian Architecture and Design.*