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महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-पुणे विभागीय पुरवणी

वर्ष - २, अंक - २]

गुरुवार, जानेवारी १७, २०१३ / पौष २७, शके १९३४

[पृष्ठे १५, किंमत : ८.००

असाधारण क्रमांक २

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai-400 032

dated 9th January 2013

Notice

No. TPS-1912/469/CR-84/12/Reconstruction No. 38/UD-13.—Whereas, the Development Control Regulations for Panchgani (District Satara) (hereinafter referred to as "the said Regulations") have been sanctioned by the Director of Town Planning *vide* Notification No. वियो/पांचगणी (सु.)/49-88/टीपीव्ही-2/2848, dated 30th March 1988 under Section 31 (1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") and have come into force with effect from 1st July 1988 ;

and whereas, the Government *vide* Urban Development Department Order No. TPS-1999/1180/CR-79/99/UD-13, dated 16th February 2000 has issued directives to the Pachgani Municipal Council (hereinafter referred to as "the said Council") under Section 37 (1) of the said Act to initiate the modification proposal to incorporate/include in the said Regulations, the Regulation for Conservation of Heritage Buildings/Precincts/ Natural features (hereinafter referred to as "the said Heritage Regulation") and the list of Heritage Buildings/ Precincts/natural features (hereinafter referred to as Heritage list);

and whereas, after following all necessary procedure and legal formalities stipulated in the said Act, the said Council *vide* its letter, dated 5th May 2003 has submitted the modification proposal to incorporate the said Heritage Regulation and Heritage list in the said Regulation (hereinafter referred to as "the said Modification") to the Government for sanction;

and whereas, the Government has sanctioned the Second Revised Development Plan for Panchgani, along with the Revised Development Control Regulations (hereinafter referred to as "the said Revised D. C. R.") *vide* Urban Development Department Notification No. TPS-1911/1445/CR-270/11/UD-13, dated 4th June 2012 under Section 31 (1) of the said Act and whereas, Regulation No. 11 of the said revised D. C. R., prescribes, that the said Heritage Rules shall become part of the said Revised D. C. R., as and when sanctioned by the Government under Section 37 (2) of the said Act;

and whereas, the Government after making necessary enquiries and consulting Director of Town Planning, Maharashtra State, is satisfied that the said Modification and the list of Heritage Buildings/Precincts/ Natural Features should be sanctioned with appropriate changes;

Now therefore, in exercise of the powers conferred under sub-section (2) of Section 37 of the said Act, the Government hereby :—

- Sanctions with changes the said Modification regarding incorporating in the Development Control Regulation for Pachgani, the Heritage Regulation as shown in Schedule "A" and the Heritage list as shown in Schedule "B" appended to this Notification.
- Fixes the date of publication of this Notification in the Official Gazette, as the date of coming into force of this modification.
- Directs that a new entry be added as per Schedule "A" and "B" appended herewith, in the Schedule of Modification appended to the Notification No. विगो/पाचगणी (सु.)/49-88/टीपीव्ही-2/2848, dated 30th March 1988.

This Notification of sanctioned modification shall be kept open for inspection by public during office hours on all working days in the office of the Pachgani Municipal Council, Pachgani.

This notice shall also be available on Government web site at www.urban.maharashtra.gov.in

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

SUNIL MARALE,

Under Secretary to Government.

नगरविकास विभाग

मंत्रालय, मुंबई-४०० ०३२

दिनांक ९ जानेवारी २०१३

अधिसूचना

क्रमांक टीपीएस-१९१२/४६९/प्र. क्र. ८४/१२/पुनर्बाधणी क्र. ३८/नवि-१३.---ज्याअर्थी, पांचगणी शहराच्या विकास नियंत्रण नियमावलीस (यापुढे "उक्त नियमावली" असे उल्लेखिलेली) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांनी अधिसूचना क्रमांक विगो/पाचगणी (सु.)/४९-८८/टीपीव्ही-२/२८४८, दिनांक ३० मार्च १९८८ अन्वये महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (यापुढे "उक्त अधिनियम असे उल्लेखिलेला) चे कलम ३१ (१) अन्वये मंजुरी दिली आहे आणि उक्त नियमावली दिनांक १ जुलै १९८८ पासून अंमलात आली आहे;

आणि ज्याअर्थी, शासनाने नगरविकास विभागाकडील आदेश क्रमांक टीपीएस-१९९२/११८६/प्र. क्र. ७९/९२/नवि-१३, दिनांक १६ फेब्रुवारी २००० द्वारे पांचगणी नगरपरिषदेस (यापुढे "उक्त नगरपरिषद" असे उल्लेखिलेली) उक्त अधिनियमाच्या कलम ३७ (१) अन्वये दिलेल्या निदेशानुसार ऐतिहासिक वास्तु/स्थळे/परिसराचे संरक्षण करणेसाठीची हेरिटेज नियमावली (यापुढे "उक्त हेरिटेज नियमावली" असे उल्लेखिलेली) व ऐतिहासिकदृष्ट्या जतन करावयाच्या वास्तूच्या स्थळांची यादी (यापुढे "हेरिटेज यादी" असे उल्लेखिलेली) उक्त नियमावलीत समाविष्ट करण्यासाठी कलम ३७ अन्वये फेरबदलाची कार्यवाही करणेबाबत निदेश दिले आहेत;

आणि ज्याअर्थी, उक्त नगरपरिषदेने दिनांक ५ मे २००३ रोजीच्या पत्रान्वये उक्त अधिनियमाच्या कलम ३७ (१) अन्वये सर्व आवश्यक बाबी व कायदेशीर तरतुदीनुसारची प्रक्रिया पूर्ण करून, हेरिटेज यादी व हेरिटेज नियमावली उक्त नगरपरिषदेच्या विकास नियंत्रण नियमावलीत समाविष्ट करण्याचा फेरबदल प्रस्ताव (यापुढे "प्रस्तावित फेरबदल" असे उल्लेखिलेला) शासनाने मंजुरीसाठी सादर केला आहे;

आणि ज्याअर्थी, शासनाने नगरविकास विभागाकडील अधिसूचना क्रमांक टीपीएस-१९११/१४४५/प्र. क्र. २७०/११/नवि-१३, दिनांक ४ जून २०१२ द्वारे उक्त अधिनियमाच्या कलम ३१ (१) अन्वये पांचगणी शहराची दुसरी सुधारित विकास योजना, विकास नियंत्रण नियमावलीसह (यापुढे "उक्त सुधारित नियमावली" असे उल्लेखिलेली) मंजूर केली असून ज्याअर्थी उक्त सुधारित नियमावलीतील नियम क्रमांक ११ मध्ये अशी तरतूद आहे की, ज्यावेळी उक्त फेरबदल कलम ३७ (२) द्वारे मंजूर होईल त्यावेळी उक्त हेरिटेज नियमावली व हेरिटेज यादी ही उक्त सुधारित नियमावलीचा भाग होईल;

आणि ज्याअर्थी, आवश्यक त्या चौकशीअंती व संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर प्रस्तावित फेरबदल व हेरिटेज यादी आवश्यक त्या बदलांसह मंजूर करणे आवश्यक आहे, असे शासनाने मत झाले आहे;

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(अ) या अधिसूचनेसोबतच्या परिशिष्ट 'अ' मध्ये नमूद हेरिटेज नियमावली व परिशिष्ट 'ब' मध्ये नमूद हेरिटेज बाटीस पांचगणी शहरासाठीच्या विकास नियंत्रण नियमावलीमध्ये अंतर्भूत करणेबाबतच्या उक्त फेरबदलास काही बदलांसह मंजुरी देत आहे.

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(ब) सदर अधिसूचना शासन राजपत्रात प्रसिद्ध झाल्यान्या दिनांकापासून उक्त फेरबदल अमलात येईल.

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(क) दिनांक ३० मार्च १९८८ रोजीची अधिसूचना क्रमांक गिगो/पाचगणी (सु)/४९-८८/टीपीव्ही-२/२८४८, सोबतच्या फेरबदलाच्या परिशिष्टामध्ये या अधिसूचनेसोबत जोडलेल्या परिशिष्टानुसार नवीन नोंद घेण्याबाबत आदेश देत आहे.

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उक्त फेरबदल सर्व कामकाजांचे दिवशी कार्यरतचीन वेळेत पाचगणी नगरपरिषदेच्या कार्यालयात जनतेच्या अवलोकनार्थ ठेवण्यात यावा.

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सदर अधिसूचना शासनाच्या www.urban.maharashtra.gov.in या वेबसाईटवर प्रसिद्ध करण्यात आली आहे.

महाराष्ट्र

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व जावाने,

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SCHEDULE-A

(Accompanied with Government Notification, Urban Development Department No. TPS-1912/469/C. R. 84/12/Reconstruction No. 38/UD-13, dated 9th January 2013)

REGULATION No. 19 :- REGULATION FOR CONSERVATION OF HERITAGE BUILDING/ PRECINCTS AND NATURAL FEATURES

This regulation shall be known as Regulation for conservation of building, artifacts, structures areas and precincts of historic and/or architectures and/or aesthetic and/or cultural significance (heritage and heritage precincts) and/or natural features of environmental significance or sites of scenic beauty including view points, walks, ride, and bride path for Pachgani Municipal Council.

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APPLICABILITY

- (1) This regulation will apply to those buildings, artifacts, structures, areas and precincts of historic and/or architechural and/or cultural significance (hereinafter referred to as listed Buildings/Heritage Buildings and listed precincts/Heritage precincts) and those natural features of environmental significance and or of scenic beauty including sacred groves, hills hillocks, water bodies (and the areas adjoining the same), open areas, wooden areas, sthalarikshas, view points, walks, rides, bridal path etc., (hereinafter referred to as 'listed natural features') which are listed in public notice, to be issued by the Chief Officer as per the provision of Clause No. 4 as given below. Such list shall be (hereinafter referred to as 'the said list').

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(2) RESTRICTION ON DEVELOPMENT/RE-DEVELOPMENT/REPAIRS ETC.

- 2.1 No Development of Re-Development of engineering operation or additions, alterations, repairs, renovation including the painting of buildings, replacement of special features of plastering or demolition of any part thereof the said listed buildings or listed precincts of listed heritage streets or natural features shall be allowed except with the prior written permission of the Chief Officer.

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Before granting any such permission, the Chief Officer, Municipal Council, Pachgani shall consult the Heritage Conservation Committee to be appointed by the State Government in accordance with the provisions of Clause No. 14 herein below (hereinafter referred to as the said Heritage Conservation Committee) and shall act on the advice of the Heritage Conservation Committee.

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Schedule A—contd.

- 2.2 In relation to religious building in the said lists, the changes, repairs, additions, alteration and renovations required on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in religious codes may be treated as permissible, subject to their being in accordance and in consonance with the original structure and architecture, designs, aesthetics and other special features thereof. Provided that while considering application for such changes, repairs additions, alteration and renovations, the Chief Officer, Municipal Council, Panchgani shall act on the advice of the Heritage Conservation Committee. (5) SPE 4.5
- 2.3 Provided that before granting any permission for demolition of major alteration/additions to the listed buildings (or buildings within listed precincts), streets of construction of any listed natural features for alteration of boundaries of any listed features, objections and suggestions from the public shall be invited and duly considered by the Heritage Conservations Committee. 5.1
- 2.4 Provided that in exceptional cases, the Chief Officer may refer the matter back to the Heritage Conservation Committee for reconsideration. If upon reconsideration the Heritage Conservation Committee reaffirms its earlier views or modifies it and the Chief Officer is still not in agreement with same, then the Chief Officer may refer the matter to the Director of Town Planning, Maharashtra State, Pune, whose decision in the matter shall be final. 5.2

(3) RESPONSIBILITY OF THE OWNERS OF HERITAGE BUILDINGS

It shall be the responsibility of the owners of Heritage Buildings and of Buildings in Heritage precincts to carry out regular repairs and maintenance of the buildings at their own cost.

5.3

(4) PREPARATION OF LIST OF HERITAGE BUILDINGS, HERITAGE PRECINCTS AND LISTED NATURAL FEATURES.

- 4.1 The Government/Chief Officer, in consultation with the Heritage Conservation Committee shall prepare list of buildings, artifacts, areas and precincts of historic and/or cultural significance and the list of those natural features of environmental significance including sacred groves, hills hillocks, water bodies (and areas adjoining the same), open areas, wooden areas, sthalarikshas, view points, walks rides, bridal path and/or area of scenic beauty etc. The list to which this regulation apply shall not from of this regulation for the purpose of Section 37, of Maharashtra Regional and Town Planning Act of 1966.
- 4.2 The Chief Officer, in consultation with the Heritage Conservation Committee shall issue public notice in the local newspapers declaring his intention to include of delete or modify the buildings, structures artifacts, areas and precincts of historic and/or cultural significance and the list of natural features of environmental significance, including sacred groves, hills, hillocks, water bodies, land and areas, view points, walks, rides, bridal path and/or area of scenic beauty etc, and invite objections and suggestions from any person in respect of the proposed inclusion within a period of thirty days from the date of such notice. 5.3
- 4.3 On receipt of any objection or suggestions the Chief Officer, in consultation with the Heritage Conservation Committee shall decide the same after giving hearing to the objector. 5.3
- Provided that the Chief Officer, may supplement or amend the list from time to time either *suo moto* or on the advice of the Heritage Committee after following the procedure under Clause 3.1 and 3.2. The Heritage Conservation Committee may also recommend additions to the list to the Chief Officer. 5.3
- 4.4 When a building or group of buildings are listed it would automatically mean (unless otherwise indicated that the entire property including its compound subsidiary structures etc, from part of the list).

Schedule A—contd.

- 4.5 Any person aggrieved by the final decision regarding listing under Rule No. 4.1 to 4.3 above, within 3 months from the final approval, prefer an appeal to the Director of Town Planning, Maharashtra State, on the ground of improper application of Heritage listing criteria as prescribed in this regulation.

(5) SPECIAL BYE-LAWS OR GUIDELINES FOR HERITAGE PRECINCTS/STREETS/NATURAL FEATURES IN CONSULTATION WITH THE HERITAGE COMMITTEE.

- 5.1 In cases of Heritage precincts, and (where deemed necessary by the Heritage Conservation Committee) of natural features notified as per the provisions of Clause No. 4, hereinabove, development permissions shall be granted in accordance with the special separate bye-laws or guidelines prescribed for respective precincts/streets/natural features which shall be framed by the Chief Officer.

- 5.2 Before finalizing the above mentioned special separate bye-laws or guidelines for precincts/streets/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 the objections received within a period of 60 days from the date of publication in the Official Gazette and or newspapers shall be considered by the Chief Officer, in consultation with the Heritage Conservation Committee.

- 5.3 (i) After consideration of the above suggestions and objections, the Chief Officer, in consultation with the Heritage Conservation Committee shall modify it necessary the aforesaid draft special bye-laws or guidelines for precincts/streets/natural features and forward the same to the Government for sanction.

Provided that pending invitation and/or consideration of suggestions and objections and pending final sanction from the Government to the above draft special bye-laws or guidelines for precincts, the Chief Officer/Heritage Conservation Committee shall have due regard to the above draft special bye-laws or guidelines while considering applications for development etc., of heritage building/heritage precincts/streets/natural features.

- 5.3 (ii) The Chief Officer, while framing the bye-laws shall prescribe the Road widening line so as to protect and not to detract from the said Heritage Precincts or listed natural features.

- 5.3 (iii) If there are any new roads or road widening lines proposed in the Drafts or sanctioned Regional Plan/Revised/ Draft/Sanctioned Development Plan of Panchgani, the Chief Officer, shall consider the Heritage provisions and environmental aspects while considering applications for development permissions in these precincts.

- 5.3 (iv) No widening of the existing roads under the Maharashtra Municipal Councils, Nagarpanchayats, and Industrial Townships Act, 1965 or in the Development Plan of Panchgani or in the Regional Plan, shall be carried out in a manner which may affect the existing Heritage Buildings which may affect listed natural features.

- 5.3 (v) If there are any Development Plan/Regional Plan reservations shown on Heritage Buildings or on listed natural features the same shall not be implemented. If required, the Chief Officer, on the advice of the Heritage Conservation Committee, shall move Government to get these reservations deleted/modified as the needs be.

Schedule A—contd.**(6) 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 period and/or design and/or unique use of the building or artifact.	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 group of buildings 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	
—	historical	
(f)	The unique value of a building or architectural features or artifact 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 buildings	G (grp)
(h)	Representing forms of technological development	H (tec)
(i)	Vistas of natural / scenic beauty of interest, including water-front areas, distinctive and / or planned lines of sight, street line, skyline topography.	I (sec)
(j)	Open spaces, sometimes integrally planned with their associated areas, having a distinctive way of life and which have the potential to areas of recreation.	J
(k)	Industrial sites of historical interest	(Ind)
(l)	Archaeological sites	(Archae)
(m)	Natural heritage sites	NH
(n)	Sites of scenic beauty	(sec)

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Schedule A—contd.

7. Power to Alter, Modify or Relax other Development Control Regulations / Building Bye-laws.

On advice of the said Heritage Conservation Committee and for the reasons to be recorded in writing, the Chief Officer may alter, modify or relax the provisions of the Regulations of the Development Control Regulations/Buildings Bye-laws of the Development Plan (hereinafter referred to as "the said Regulation"), 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 buildings/heritage buildings or listed precincts/heritage precincts and the preservation of any listed natural features and/or environment.

8. Restriction on Development of Heritage Precincts or listed

8.1 No permission for Development, Alteration and Modification etc., shall be granted to any person in respect of any Heritage precincts or the listed Building except with the advice of the Heritage Conservation Committee.

8.2 The Chief Officer, may grant permission for development alteration, modification etc., subject to provisions made under special bye-laws or guidelines framed for Heritage Precincts of the listed buildings within 60 days from receipt of the proposal or within the 60 days from the date of receipt of reply from the applicant in respect of any requisition made by the Chief Officer.

8.3 Penalties

Violation of this Regulation shall be punishable under the provisions regarding unauthorized development.

In case of proven deliberate neglect of and/or damage to heritage buildings and heritage precincts or if the building is allowed to be damaged or destroyed due to neglect or any other reason, in addition to penal action provided under the Act, no development permission to construct any new building shall be granted on the site, if a heritage building or building in a heritage precinct is damaged or pulled down without appropriate permission from the Chief officer.

It shall be open to the Heritage Conservation Committee to consider a request for re-building/reconstruction of a heritage building that was unauthorisely demolished or damaged provided, that it is with similar architectural language and materials and roof and further provided that the total builtup area in all floors put together in such new construction is not in excess of the total builtup area in all floors put together in the original heritage building in addition to other controls that may be specified.

8.4 In the absence of the Heritage Conservation Committee, the Chief Officer shall consult the Director of Town Planning, Maharashtra State, before giving such permission.

9. Incentive uses for Heritage Building

After the commencement of this Regulation, the Heritage Precincts on the listed Buildings shall not be permitted to be used for any commercial or office purpose except with the permission of Chief Officer, Municipal Council, Pachgani in consultation with Heritage Conservation Committee. However, in cases of buildings included in the Heritage Conservation List, if the owner/owners agree to maintain the listed Heritage building as it is in the existing stage and to preserve its heritage with due repairs, the owner/owners may be allowed, with the approval of the Chief Officer in consultation with Heritage Conservation Committee to convert part or the whole of the non-commercial area to Commercial/Office use. Provided that if heritage building is not maintained suitably or the heritage value of the building is allowed to be spoiled in any manner, the Chief Officer shall withdraw the permission forthwith.

10. Maintaining Skyline

Buildings included in the heritage precincts or in the vicinity of the listed buildings/listed natural features shall maintain the skyline in the precinct (without any high-rise development) as may be existing in the surrounding area, so as not to demolish or destroy the value and beauty of or the view from the said heritage buildings/heritage precinct/or of the natural features. The development within the precincts in the vicinity of the heritage buildings shall be in accordance with the guidelines framed by the Chief Officer on the advice of Heritage Conservation Committee.

Schedule A—contd.

11. Restrictive covenants

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

12. Heritage Conservation Fund

With a view to facilitating conservation of heritage buildings, separate fund may be created which would be kept at the disposal of the Chief Officer, who will make disbursement from the funds on the advice of the Heritage Conservation Committee. Provisions for such a fund may be made through District Planning and Development Council Budget.

(13) Grading of the Listed Buildings/Listed Precincts

In the column of the said list, the Heritage Buildings/Precincts in "Grades" such as I, II, III shall be indicated. The meaning of these grades and basic guidelines for development permission are as follows :-

Listing does not prevent change of ownership or usage. However, such usage should be in harmony with the said list precincts buildings.

Grade I

Grade II

Grade III

(A) Definition

Heritage Grade I comprises buildings and precincts of national or Historic Importance. Embodying excellence in architectural style, design, technology and material usage and/or aesthetics; they may be associated with a great historic event, personally, movement or institution. They have been and are the crime landmarks of the region. All natural features shall fall within Grade I.

Heritage Grade II (A and B) comprises buildings and precincts of local importance possessing special architectural or aesthetic merit or cultural or historic significance though of a lower scale as compared to 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.

Heritage Grade III comprises buildings and precincts of importance for town scape. They evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade II. These contribute to determine 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.

(B) Objective of Grades

Heritage Grade I

Richly deserves careful preservation.

Heritage Grade II

deserves intelligent conservation.

Heritage Grade III

deserves intelligent conservation (though on lesser scale than Grade II) and special protection to unique features and attributes.

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Schedule A—contd.

(C) Scope for Changes

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Grade I

No intervention be permitted either on exterior or interior, unless it is necessary in the interest of strengthening and prolonging the life of the building(s)/or precincts or any part of features thereof. For this purpose, absolutely essential and minimum changes shall be allowed and they must be in accordance with the original.

Grade II (A)

Internal changes and adaptive re-use and external changes may by and large be allowed but subject to strict scrutiny. Care shall 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, architectural details and facade, and provided that the extension/additional building shall not be larger than the original property in mass and scale.

Grade III

External, internal changes and adaptive re-use would by and large be allowed. Changes can include extensions and addition buildings in the same plot or compound.

However, any changes should be they are in harmony, they do not detract from the existing heritage building/precinct in terms of heights architectural details and facade, and provided that the extension/additional building shall not be larger than the original property in mass and scale.

(D) Procedure for Development Permission

Grade I

Development permission for the changes would be given by the Chief Officer on the advice of the Heritage Conservation Committee to be appointed by the State Government.

Grade II

Development permission for the changes would be given by the Chief Officer on the advice of the Heritage Conservation Committee to be appointed by the State Government.

Grade III

Development permission for the changes would be given by the Chief Officer on the advice of the Heritage Conservation Committee to be appointed by the State Government.

(E) Vistas / Surrounding Development

Grade I

All Developments in areas surrounding Heritage Grade I shall be regulated and controlled insuring that it does not mark the grandeur of or view from Heritage Grade I.

Grade II

All Developments in areas surrounding Heritage Grade II shall be regulated and controlled insuring that it does not mark the grandeur of or view from Heritage Grade II.

Grade III

All Developments in areas surrounding Heritage Grade III shall be regulated and controlled insuring that it does not mark the grandeur of or view from Heritage Grade III.

Schedule A—contd.

14. Nothing mentioned above shall be construed to confer a right on the owner/occupier of the plot to demolish and/or reconstruct his heritage building/buildings in a Heritage Precinct or on a natural heritage site, if in the opinion of the Heritage Conservation Committee, such demolition/ reconstruction/ alteration is undesirable.

15. Signage and Outdoor Display Structures including Street Furniture

15.1 No display or advertising signs and outdoor display structures on listed buildings and or the heritage precincts shall be permitted except in accordance with Part X (Signs and outdoor display structures) National Building Code of India, with prior approval of Heritage Conservation Committee.

Provided however, that for good sufficient reasons to be recorded in writing, the Chief Officer in consultation with the Heritage Conservation Committee may give directions in specific cases in regard to grant of permission, conditional grant of permission or refusal of permission. These directions shall be binding.

15.2 Additional conditions

In addition to above, the following provisions shall apply to advertising signs in different land use zones;

(i) Residential Zone (R-1)

The following non/flashing neon signs with illumination not exceeding 40 watt light may be permitted.

(a) One name plate with an area not exceeding 0.1 sq.mtr. for each dwelling unit.

(b) For other uses permissible in the Zone, one identification sign or bulletin board with an area not exceeding 10 sq.mtr. provided the freight does not exceed 1.5 sq.mtr.

(c) For "sale or for rent" signs for real estate, not exceeding 2 sq.mtr. in area. s

(ii) Residential Zones with Shop lines (R-2)

Non-flashing business signs placed parallel to the wall and not exceeding 1 mtr. in height for the establishment.

(iii) Commercial Zones

Flashing or non flashing business signs parallel to the wall not exceeding 1 mtr. in height provided such signs do not face residential building.

15.3 Prohibition of advertising signs and outdoor display structures in certain cases

Notwithstanding the provisions of sub-clauses 15.1 and 15.2 no advertising sign or display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance, or in heritage precincts as may be decided by the Chief Officer, on Government buildings, so that, in the case of Government buildings, only advertising signs or outdoor display structures relate to the activities for the said buildings own purposes or related programs.

Providing that as advertising or display structures shall be permitted in listed natural features.

Provided that if the Heritage Conservation Committee, so advises, the Chief Officer, shall add, alter or amend the provisions of sub-clauses 15.1, 15.2 and 15.3 above.

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Schedule A—contd.

16. Composition of Heritage Conservation Committee

16.1 There shall be a Heritage Conservation Committee for Panchgani Council. The Committee shall be nominated by the State Government. The Committee shall comprise of members with following qualification;

- | | | | |
|----|--|----|--------------------------|
| 1 | Expert member with relevant experience, being a retired Secretary to the State Government, or retired Municipal Commissioner or retired Divisional Commissioner or a Heritage Conservation Expert, having 15 years experience. | .. | Chairman |
| 2 | Eminent Structural Engineer having experience of ten years in the field of conservation and having membership of the Institute of Engineers. | .. | 2 members |
| 3 | Eminent Architect having 10 years experience in conservation Architecture and membership of the Council of Architecture. | .. | 2 members |
| 4 | Environmentalist having indepth knowledge and experience of 10 years in the subject matter. | .. | 1 member |
| 5 | Expert in the field on History, having 10 years experience in the Field | .. | 1 member |
| 6 | Representative of NGO with proven Experience in heritage conservation | .. | 1 member |
| 7 | Representative of the Department of Archaeology, Government of Maharashtra. | .. | 1 member |
| 8 | Representative of Archaeological Survey of India | .. | 1 member |
| 9 | Deputy Director of Town Planning, Pune Division, Pune | .. | member |
| 10 | Assistant Director of Town Planning, Satara Branch | .. | Member Secretary. |

16.2 The Committee shall have the powers to co-opt. upto five additional members who may have lesser experience, but who have special knowledge of the subject provided that the additional member (in addition to this five above) may be co-opted for special purpose or on sub-committees of the Heritage Conservation Committee.

16.2.1 The tenure of the Members of category (i) to (vi) above shall change after three years provided however that the same person shall be eligible for reappointment as member.

16.3 The Heritage Committee shall come into existence with effect from the date of its publication in the official Gazette.

16.4 No act of the committee done in good faith shall be deemed to be invalid by reason only of some defect subsequently discovered in the Organization of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed.

16.5 The Chairman and in his absence, the chosen members of the Committee shall preside over the meetings of the committee

16.6 The terms of reference of the Committee shall be, *inter alia*.

- (i) To advise the Chief Officer, Municipal Council, Panchgani, whether Development permission should be granted under this Regulation and if so, the nature and scope of such development along with the conditions of such permission.

Schedule A—contd

(ii) To prepare a supplementary list of building, artifacts, structures, areas, precincts of historic, aesthetic, architectural or cultural significance and a supplementary list of natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooden areas, Sthalarikshas, view points, walks, rides, bridle path etc. to which this Regulation would apply.	(A CR-84/	
(iii) To advise whether any relaxation, modification, alteration or variance of any of the Development Control Regulations/Building Bye-laws, is called for.		Sr. No 1
(iv) To suggest amendments, changes, modifications for regulation for listed buildings and the Heritage Precincts regulated under those regulations and to advise the Chief Officer, Municipal Council, Panchgani regarding the same.		1 2
(v) To advise whether to allow commercial/office user of any listed building of Heritage precincts and when to terminate the same.		3 4
(vi) To advise the Chief Officer, Municipal Council, Panchgani to regulate erection of outside advertisement/bill boards.		5
(vii) To recommend the Chief Officer, Municipal Council, Panchgani about guidelines to be adopted by those private parties who sponsor beautification schemes at public intersection and elsewhere.		6 7
(viii) To advise the Chief Officer, Municipal Council, Panchgani to evaluate the cost of repairs to be given to owners to bring the existing buildings back to the original condition. For this purpose the Committee may also try to help the Chief Officer, Municipal Council, Panchgani to raise funds through private sources.		8 9 10
(ix) To prepare special designs and guidelines for listed buildings and control of height and essential facade characteristics such as maintenance of the buildings and to suggest suitable designs adopting new materials for replacement keeping the old form intact to the extent possible.		11 12
(x) To prepare guidelines relating to design element and conservation principles to be adhered to and to prepare other guidelines for the purposes of this regulation.		13
(xi) To advise the Chief Officer, Municipal Council, Panchgani on any other issues as may be required from time to time during course of scrutiny of Development permissions and in overall interest of heritage/environmental conservation.		14 15
(xii) To prepare special bye-laws or guidelines for Heritage precincts/and to advise the Chief Officer, Municipal Council, Panchgani regarding the same.		16 17
16.7 Meeting of the Heritage Conservation Committee shall be conducted atleast once in a calendar month and a gap between the consecutive meetings shall be maximum 40 days and the minimum quorum shall be 50 per cent of the total strength of the committee, rounded off to the next higher integer.		18 19 20
16.8 If the Heritage Conservation Committee does not communicate its decision regarding development permission to the Chief Officer, within 40 days from the date of receipt of the application from the Chief Officer, or within 40 days from the date of receipt of reply from the Chief Officer in respect of any requisition made by the Heritage Conservation Committee, whichever is later, the Committee shall have no claim about the heritage matter or any other aspect covered under this Regulation.		21 22 23
17. APPEAL		24
Any person aggrieved by any decision of the Chief Officer, or the Heritage Conservation Committee may prefer an appeal to the State Government within 40 days as stipulated in Section 47 of Maharashtra Regional And Town Planning Act, 1966.		25 26

SCHEDULE-B

(Accompanied with Governments Notification, Urban Development Department No.TPS-1912/469/CR-84/12/Reconstruction No. 38/UD-13, dated 9th January 2013.

Final Sanctioned List of Heritage Properties

Sr. No.	Name of Property	Grade as per final Sanction
1	2	3
1	Baby Point (Nehru Park)	II B
2	Bahai Bhawan (Kenilworth)	II A
3	Bahai Cemetery	II A
4	Batha High School (Compound well incongruent)	II B
5	Bazar	I
6	Billimoria High School and Grounds	II B
7	Billimoria High School, Nowroji Stadium	II B
8	Bohra Cemetery	II A
9	Bouddha (Harijan) Cemetery	II A
10	Cashana Cottage	III
11	Ca-juerina	II A
12	Chastia Manzil (Dr.Marchant's Hospital)	II A
13	Dr.R.B. Billimoria's Bel Air Sanitorium and Hospital	II B
14	Dulwich House (and Dulwich Cottage)	II A
15	European Christian Cemetery including Indian Christians	II A
16	Government Rest House	II A
17	Gujrat Lodge	II A
18	IL-Palazzo Hotel and Annex	II B
19	Jerroz Hotel	II A
20	Khoja Sanitorium	II B
21	Kimmins High School	II B
22	Lawrance Villa	I
23	Maidstone	II A
24	Maratha Well	I
25	Moral Rearmament Association	II B
26	Municipal Garden and Children's Park	II B

Schedule B—contd.

1	2	3	4
27	Muslim Cemetery	II A	56
28	Nagindas Durlabhdas Arogya Bhavan	II B	57
29	panchgani Castle	I	58
30	panchgani Club and Library	II B	59
31	Parsi Sanitorium	I	60
32	Parsi Cemetery, Shirinbanod Behdin Prayer Hall	II A	61
33	Parsi Fire Temple	II A	62
34	Parsi Point	II A	63
35	Police Parade Ground	II A	64
36	'Roman Catholic Cemetery	II A	65
37	Shankar Temple	I	66
38	St. Joseph's Church and Clergy House	II A	67
39	St. Joseph's Convent	II B	68
40	St. Peter's Church	I A	69
41	St. Peter's School	II A	70
42	Stone Wall	II A	71
43	Sukh Niwas (1 and 2)	II B	72
44	Table Land	II A	73
45	Tata Textiles Holiday Home	II A	74
46	The Ark	I	75
47	Wind View (Kathe Villa)	II A	76
48	Sydney Point	II A	77
49	Aeolia	II A	78
50	Ambassador Hotel	II B	79
51	Auburn Villa	II B	80
52	Aviram	II B	81
53	Bella Vista	II A	82
54	Brightlands	II A	83
55	Cosy Corner (Nav Bahar)	III	

Schedule B—contd.

	1	2	3
3			
IA	56	Dave's Bungalow	II B
IB	57	Dhun-Heta, Jena and Joy Cottage	II A
I	58	Dil Pazir	II A
IB	59	Giristhan Nagar Parishad Shala	II B
I	60	Hotel (Air India Holiday Home)	II A
IA	61	Homi Villa	II B
IA	62	Hotel Mount View and Khambatta Garage	II A
IA	63	Hotel Western	III
IA	64	Meherbai House	III
IA	65	Minocher Lodge	III
I	66	Mon Plaisir	II A
IA	67	Mount Hall	III
IB	68	Nav-Bahar	III
A	69	New Era High School	II B
IA	70	Oaks High School	II B
IA	71	Orange Villa	II A
IA	72	Preston and Preston Cottage	II A
IB	73	Prospect Hotel	II A
IA	74	Rashid Manzil	III
IA	75	Rashmi Choke	II A
I	76	Rehmat Baug	II B
IA	77	Rock Side	II A
IA	78	Rock Cliff	II A
IA	79	Satara Prathmic Arogya Kendra	II A
B	80	Sher Baug	II B
B	81	Sheth Vadilal	II A
A	82	Sydney Cottage	II A
A	83	General Cemetery	II A

SUNIL MARALE,

Under Secretary to Government.