

## Model Bye-laws for Conservation of Heritage Sites

<p>In exercise of the powers conferred by sub-section-(e) of Section- 57 read with sub-section-2(d) of Section-9 of the Uttar Pradesh Urban Planning and Development Act, 1973.....Development Authority with the previous approval of the Government hereby makes following bye-laws namely:</p>	
<b>1. Short title, Extent and Commencement</b>	
(i)	These bye-laws may be called bye-laws for Conservation of Heritage Sites.
(ii)	They shall extend to the Development Area of.....
(iii)	They shall come into force on.....
(iv)	<p>These bye-laws shall apply to heritage sites listed in a notification to be issued by Government in bye-law-5.</p> <p>Provided that, these bye-laws shall not be applicable to protected monuments/sites/buildings and their respective prohibited and regulated areas as notified under:-</p> <p>(a) Ancient Monuments and Archaeological Sites and Remains Act, 1958 and Rules, 1959 made thereunder.</p> <p>(b) The U.P. Ancient and Historical Monuments and Archaeological Sites and Remains Preservation Act, 1956 (U.P. Act No. VII of 1957).</p>
<b>2. Definitions</b>	
In these bye-laws unless the context otherwise requires:	
(I)	'Act' means the Uttar Pradesh Urban Planning and Development Act, 1973;
(II)	'Adaptation' means modifying a place to suit proposed compatible uses;
(III)	'Alteration' means a change from one type of occupancy to another, or structural change, such as an addition to the area or height, or the removal of part of a building or any change to the structure, such as the construction of, cutting into or removal of any wall, partition, column, beam, joints, floor or other support, as a change to or closing of any required means of ingress or egress or a change to the fixtures or equipment;
(IV)	'Authority' means the Development Authority constituted under section-4 of the Uttar Pradesh Urban Planning and Development Act, 1973;
(V)	'Building' includes any structure or erection or part of a structure or erection which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;
(VI)	'Conservation' means process of managing change to a heritage site in its setting in ways that will best sustain its heritage values, while recognizing opportunities to reinforce those values for present and future generations. It includes maintenance and may according to circumstance, include preservation, restoration, re-construction and adaptation, and is often a combination of more than one of these;

(VII)	'Development' with its grammatical variations, means the carrying out of building, engineering, mining or other operations, in, on, over or under land, or the making of any material change in any building or land, and includes redevelopment, or in the use of any building or land or change to a heritage site including any material or structural change in or painting of any heritage building, or in a heritage precinct or on a listed natural feature and includes demolition of any existing building, structure of erection or part of such building, structure or erection, and reclamation, redevelopment and layout and sub-division of any land and 'to develop' shall be construed accordingly.
(VIII)	"Development right" means a right to carry out development or to develop the land or building or both;
(IX)	'Floor Area Ratio (FAR)' means the quotient obtained by dividing the total covered area (plinth area) on all floors by the area of the plot: FAR=Total covered area of all floors divided by plot area;
(X)	'Government' means Government of Uttar Pradesh;
(XI)	"Grading" means the process by which the levels of intervention permissible are determined in preserving, maintaining and upgrading the heritage sites;
(XII)	'Height of Building' means the vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Authority to the terrace of last livable floor of the building adjacent to the external walls; and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gables facing the road, the mid-point between the eaves level and the ridge. Height of the building shall also include-mumty, machine room, overhead tank, A.C. installations, etc. if any, which may obstruct the skyline of the heritage building.
(XIII)	"Heritage buildings" means buildings, artifacts, structures of historical or archaeological or aesthetic or architectural or cultural or environmental significance which are included in a list(s) published by a notification in the official Gazette by the Government from time to time;
(XIV)	"Heritage precincts" means streets and spaces including those around a heritage building or a group of such buildings of which they are part and parcel which are included in a list (s) published by notification in the official Gazette, by the Government from time to time;
(XV)	'Heritage Sites' means those buildings, artefacts, structures, streets, areas and precincts of historic or archaeological or aesthetic or architectural or cultural or environmental significance and those natural features of environmental significance and sites of scenic beauty including, but not restricted to, sacred groves, hills, hillocks, water bodies (and the areas adjoining the same),

		<p>open areas, wooded areas, points, walks, rides, bridle paths which are listed in a notification to be issued by the Government from time to time.</p> <p>Heritage sites shall generally include buildings, artefacts, structures, streets, areas and precincts of historic or archaeological or aesthetic or architectural or cultural significance which are at least 100 years old. In special circumstances, however, heritage sites may be less than 100 years old keeping in view their historic, architectural or cultural or aesthetic significance;</p>
	(XVI)	'Heritage Conservation Committee' means a district level Committee constituted by the Government of Uttar Pradesh under bye-law-20;
	(XVII)	"Listing" means an archaeological or other systematic study or documentation of a heritage site to reveal its history and other special features and shall include the recording and analysis of artefacts, features and other material necessary for the purpose of determining the heritage value or environmental significance;
	(XVIII)	"Listed natural features" means those natural features of environmental significance and sites of scenic beauty including, but not restricted to, sacred groves, mountains, hills, hillocks, tablelands, sand dunes, deserts, lakes, rivers, other water-bodies and wetlands (and the areas adjoining the same), open areas, wooded areas, point, walks, rides, bridle paths, etc, which are included in a list(s) published by a notification in the official Gazette by the Government;
	(XIX)	<p>'Owner' means person or body having a legal interest in land and/or building thereon. This includes freeholders, leaseholders, tenants or those holding a sub-lease which both bestows a legal right to occupation and gives rise to liabilities in respect of safety of building conditions.</p> <p>In case of lease or sub-lease holders, as far as ownership with respect to the structure is concerned, the structure of a flat or structure on a plot belongs to the allottee/lessee till the allotment/lease subsists;</p>
	(XX)	'Preservation' means maintaining the fabric of a place in its existing state and retarding deterioration.
	(XXI)	'Property' means the land and or building on any plot;
	(XXII)	'Prohibited Area' or 'Regulated Area' means an area near or adjoining a protected monument which the Central or State Government has, by notification in the Official Gazette, declared to be a prohibited area, from as the case may be, a regulated area, for purpose of mining operation or construction or both;
	(XXIII)	'Restoration' means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new materials.
	(XXIV)	'Vice-Chairman' means the Vice-Chairman of the Development Authority.

<b>3. Restriction on Development/Re-Development/Repairs, etc.</b>	
(I)	Development, redevelopment or engineering operation or repairs or additions, alterations, renovations including the painting of buildings, replacement of special features or plastering or demolition of any part thereof of the listed buildings or listed precincts or listed natural features shall be permissible in accordance with bye-law-17.
(II)	Provided that before granting any permission for demolition or major alterations/additions to listed buildings (or buildings within listed streets or 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 by the Authority and duly considered by the Heritage Conservation Committee.
(III)	Provided that only in exceptional cases, for reasons to be recorded in writing, the Vice-Chairman may refer the matter back to the Heritage Conservation Committee for reconsideration. However, the decision of the Heritage Conservation Committee after such reconsideration shall be final.
<b>4. Responsibility of the owners of Heritage Buildings</b>	
It shall be the duty of the owners/occupiers of heritage sites to carry out regular repairs and maintenance of the heritage sites at their own cost. The Government or the Authority or the local bodies shall not be responsible for such repair and maintenance except for the buildings owned by the Government, the Authority or the local bodies.	
<b>5. Preparation of List of Heritage Sites</b>	
The list of heritage sites to which these bye-laws apply shall be supplemented from time to time by the Authority on the advice of the Heritage Conservation Committee. The Government may also notify the heritage sites based on information available or made available to it. The list shall also include the important features of heritage sites for which no intervention would be permitted. Provided that before the list is supplemented by the Government or the Authority, objections and suggestions from the public shall be invited by the Authority on behalf of the Heritage Conservation Committee by publishing in two widely read leading newspapers (one in Hindi and one in English language) in the district and giving minimum 30 days time and duly considered by the Authority on the advice of Heritage Conservation Committee. The Authority shall submit the draft list of heritage sites to the Government for final approval and notification. The notification should be made available online for public interface.	
Provided that any list which is in draft form and pending for approval will, in the interim period, also be deemed to be part of the heritage list for purposes of development permission.	
When a building or group of buildings or natural features are listed it would automatically mean (unless otherwise indicated) that the entire property including its entire compound/plot boundary along with all the subsidiary structures and artefacts, etc. within the compound/plot boundary,	

	etc. from part of list. After the notification of the list, provisions of U.P. (Rent Control and Eviction) Act, 1972 shall not apply to the listed heritage sites.	
<b>6.</b>	<b>Criteria for Listing of Heritage Sites</b>	
		<b>Abbreviations</b>
(a)	Value for architectural, historical, archaeological 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 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 buildings and/ or areas of a distinct architectural design and/ or style, historic period or way of life having sociological interest and/or community vale	E
	• style	
	• historical	
(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 buildings	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, skyline or topographical	I (sce)
(j)	Open spaces sometimes integrally planned with their associated areas having a distinctive way of life and for which area have the potential to be areas of recreation	J
(k)	Natural heritage sites	NH
(l)	Sites of scenic beauty	(sce)
<b>7.</b>	<b>Penalties</b>	
	Violation of these bye-laws shall be punishable under the provisions of the Act. 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	

	<p>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 Vice-Chairman.</p>
	<p>Provided that it shall be open to the Heritage Conservation Committee to consider a request for re-building/reconstruction of a heritage building that was demolished or damaged in an unauthorised manner, subject to the condition that the building is re-built in its original form (i.e. architectural features, front elevation and height, etc.) and the total built up area in all floors put together in such new construction is not in excess of the total built up area in all floors put together in the original heritage building in addition to other control that may be specified.</p> <p>Provided further that no violation of these bye-laws shall be compoundable under the Act.</p>
<b>8.</b>	<b>Power to Alter, Modify or Relax Building Bye-laws</b>
	<p>On the advice of the Heritage Conservation Committee and for reasons to be recorded in writing, the Authority with previous approval of the Government may alter, modify or relax the provisions of Building Bye-laws and of the Master Plan if it is needed for the conservation, preservation or retention of historic or aesthetic or cultural or architectural or environmental quality of any heritage site.</p>
<b>9.</b>	<b>Heritage Precincts/Natural Features</b>
	<p>In case of streets, heritage precincts, areas and (where deemed necessary by the Heritage Conservation Committee) of natural features published as per the provisions of bye-law No.5 above, development permissions shall be granted in accordance with the special separate bye-laws prescribed for respective streets, precincts/natural features, areas which shall be framed by the Authority with previous approval of the Government on the advice of the Heritage Conservation Committee.</p>
	<p>Before finalising the special Bye-laws for precincts, streets, natural features, areas, the draft of the same shall be published by the Authority on behalf of the Heritage Conservation Committee in leading newspapers for the purpose of inviting suggestions and objections from the public. All suggestions and objections received within a period of 30 days from the date of publication in the newspapers shall be considered by the Authority as per the advice of Heritage Conservation Committee.</p>
	<p>After consideration of above suggestions and objections, the Authority acting on the advice of the Heritage Conservation Committee shall modify (if necessary) the aforesaid draft Bye-laws for streets, precincts, areas and natural features and forward the same to Government for approval.</p>
	<p>Provided that pending consideration of suggestions and objections and pending final approval from Government to the above draft Bye-laws for precincts and natural features, the Vice-Chairman on the advice of Heritage Conservation Committee shall have due regard to the above draft Bye-laws while considering applications for development/re-development, etc. of heritage buildings, streets, heritage precincts, areas and listed natural features.</p>

<b>10. Road Widening</b>	
(i)	If road widening lines under the Master Plan/Zonal Development Plan are prescribed, they shall be such so that they will protect and not detract from the heritage sites.
(ii)	If there are any new road widening lines proposed in the Master Plan/Zonal Development Plan, the Vice-Chairman 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 Master Plan/Zonal Development Plan accordingly. Pending this action, the road widening/development of new roads shall not be carried out.
(iii)	No widening of existing roads proposed in the Master Plan/Zonal Development Plan 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.
<b>11. Master Plan/Zonal Development Plan proposals not conforming to Heritage Sites</b>	
Master Plan/Zonal Development Plan proposals which are not compatible with conservation of heritage sites shall not be implemented. However, the Authority, on the advice of the Heritage Conservation Committee may recommend to the Government for amendment of the Master Plan/Zonal Development Plan proposals in accordance with the provisions of the Act.	
<b>12. Incentive uses for Heritage Sites</b>	
<p>In case of buildings included in the Heritage Conservation List, if the owner agrees to maintain the listed heritage building as it is in the existing state and to preserve its heritage stage with due repairs and the owner gives a written undertaking to that effect, the Authority on the advice of Heritage Conservation Committee may allow the owner to convert part or the whole thereof of the non-commercial area within such a heritage site to commercial/ office uses/hotel with the approval of the State Government.</p> <p>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 uses shall be disallowed. Provided further that no such use will be permitted which puts the safety of the heritage building at risk.</p>	
<b>13. Maintaining Skyline and Architectural Harmony</b>	
Buildings within a heritage precinct or in the vicinity of heritage sites shall maintain the skyline and follow the architectural style (without any high-rise or multi-storeyed development) as may be existing in the surrounding area, so as not to diminish or destroy the value and beauty of or the view from the said heritage sites. The development within the precinct or in the vicinity of heritage sites shall be in accordance with the guidelines framed by the Authority with previous approval of the Government on the advice of the Heritage Conservation Committee.	
<b>14. Restrictive Covenants</b>	
Restrictions existing as on date of these bye-laws imposed under covenants, terms and conditions on the leasehold plots either by Government or by	

	Authority/Local Body shall continue to be imposed in addition to Building Bye-laws. However, in case of any conflict with the heritage preservation interest/environmental conservation, these bye-laws shall prevail.	
<b>15.</b>	<b>Heritage Conservation Fund</b>	
	With a view to give monetary help for such repairs and maintenance of Heritage buildings owned by the Government, the Authority or the local body, a separate fund may be created which would be kept at the disposal of the Vice-Chairman, who will make disbursement from the fund on the advice of the Heritage Conservation Committee. The fund shall be used to support the cost of listing of heritage sites and expert guidance and fees for architects, engineers and other experts as well as maintenance of heritage sites. Conservation works of private heritage sites shall be carried out by the owners or from sources other than the Heritage Conservation Fund. All money received as grant from Government of India or from State Government and contribution from other sources and Local Authority/Agency shall be deposited in the Heritage Conservation Fund.	
<b>16.</b>	<b>Grading of the Listed Buildings/Listed Precincts</b>	
	In the last column of the said list of Heritage buildings, Heritage precincts, "Grades" such as I, II or III have been indicated. The meaning of these Grades and basic guidelines for development permissions are as follows:-	
	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 within 30 days from the date of submission of the application.	
	<b>Grade-I</b>	<b>Grade-II</b>
	<b>Grade-III</b>	
<b>A) Definition:-</b>	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, 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 of buildings, and precincts of regional or local importance possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale 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.
	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 determine the character of the locality and can be representative of lifestyle of particular community or region and, may also be distinguished by setting on a streetline, or special character of the facade or uniformity of height, width and scale.	



<p><b>B) Objective:-</b> Heritage Grade-I richly deserves careful preservation.</p>	<p>Heritage Grade-II deserves 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><b>C) Scope For Changes:-</b> Works relating to changes, development or redevelopment or additions, alterations and renovation of heritage sites shall be permitted in accordance with following:-</p> <p><b>(I) Permission not Required</b></p> <ul style="list-style-type: none"> <li>• Construction and repair of roads, lanes and footpaths.</li> <li>• Construction of drain and laying of sewage pipes.</li> <li>• Construction of water supply network and electrification.</li> <li>• Construction of septic tank/soak pit.</li> <li>• Installation of hand pump.</li> <li>• Construction of recharge trench for rainwater harvesting.</li> <li>• Landscaping in accordance with original form.</li> <li>• Installation of lift (In Grade-III heritage sites).</li> <li>• Beautification of the premises by gardening, lighting and fountains.</li> </ul> <p><b>(II) Prohibited</b></p> <ul style="list-style-type: none"> <li>• Demolition (part or whole) and reconstruction.</li> <li>• Change in the exterior facade.</li> <li>• Alteration or addition including structural changes (In Grade-I heritage sites).</li> <li>• Removal or alteration of carvings and paintings.</li> </ul> <p><b>(III) Permitted by Authority</b></p> <ul style="list-style-type: none"> <li>• Strengthening of structure</li> <li>• Renovation without changing the original exterior/facade.</li> <li>• Construction of boundary wall in harmony with heritage site.</li> <li>• Installation of internal lift.</li> <li>• Installation of solar water heating system/solar power plant/fire safety equipments.</li> <li>• Alteration or addition including structural changes (In Grade-II and Grade-III heritage sites).</li> <li>• Internal changes and adoptive re-use (In Grade-II and Grade-III heritage sites).</li> <li>• New doors and windows on internal/external walls (In Grade-II and Grade-III heritage sites).</li> <li>• Extension and addition in the same compound if it is in harmony with existing heritage building (In Grade-IIB and Grade-III heritage sites).</li> <li>• All other works not mentioned in (I) and (II) above.</li> </ul> <p>Note: These works may be permitted on the recommendation of a technical committee constituted for this purpose, one member of</p>		

which shall compulsorily be a Conservation Architect. The committee will submit its recommendation to Vice-Chairman after site inspection within a period not exceeding four weeks.

**D) Vistas / Surrounding Development:-**

	Grade-I	Grade-II	Grade-III
	All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-I. Development permission for the changes would be given by the Vice-Chairman on the advice of the Heritage Conservation Committee.	All development in areas surrounding Heritage Grade-II shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage-Grade-II. Development permission for the changes would be given by the Vice-Chairman on the advice of the Heritage Conservation Committee.	All development in areas surrounding Heritage Grade-III shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from Heritage Grade-III. Development permission for the changes would be given by the Vice-Chairman on the advice of the Heritage Conservation Committee.
<b>17.</b>	Nothing mentioned above should be deemed to confer a right on the owner/occupier of the plot to demolish or reconstruct or make alteration to 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.		
<b>18.</b>	So as to preserve the aesthetics of the area, the Authority on the advice of Heritage Conservation Committee shall have the power to direct, especially in areas designated by them, that the exterior design and height of building should have their prior approval.		
<b>19.</b>	<b>Signs and Outdoor Display Structures/including Street Furniture</b>		
	The Authority with previous approval of the Government on the advice of the Heritage Conservation Committee shall frame norms or guidelines to regulate signs, outdoor display structures and street furniture. Till such norms and guidelines are framed, the following guidelines may be followed:-		
	<b>(A) National Building Code to apply-</b> The display or advertising signs and outdoor display structures on buildings and land shall be in accordance with Part-10, Signs and Outdoor Display Structures, National Building Code of India.		
	<b>(B) Additional Conditions:-</b> In addition to sub- bye-law (A) above, the following provisions shall apply to advertising signs in different land use zones:-		
	(i)	<b>Residential Zone:</b> The following non-flashing neon signs with illumination not exceeding 40 watt light:-	
		(a)	one name plate with an area not exceeding 0.1 sqm. for each dwelling unit;
		(b)	for other uses permissible in the zone, one identification

			sign or bulletin board with an area not exceeding 10 sqm. provided the height does not exceed 1.5 m.
		(c)	"For sale" or "for rent" signs for real estate, not exceeding 2 sqm. in area provided they are located on the premises offered for sale or rent.
		(ii)	<b>Residential Zones with Shops:-</b> Not flashing business signs placed parallel to the wall not exceeding 1.0 m. in height per establishment.
		(iii)	<b>Commercial Zones:-</b> Flashing or non-flashing business signs parallel to the wall not exceeding 1.0 m. in height provided such signs do not face residential buildings.
	<b>(C)</b>	<b>Prohibition of advertising signs and outdoor display structures in certain cases:</b>	
		Notwithstanding the provisions of sub- bye-laws of (A) & (B), no advertising sign or outdoor display structure shall be permitted on building of architectural, aesthetic, historical or heritage importance as may be decided by the Authority with previous approval of the Government on the advice of the Heritage Conservation Committee or on Government buildings, save that in the case of Government buildings only advertising signs or outdoor display structures may be permitted if they relate to the activities for the said buildings' own purposes or related programmes.	
	<b>(D)</b>	Provided that if the Heritage Conservation Committee so advises, the Vice-Chairman shall refuse permission for any sign or outdoor display structure.	
	<b>(E)</b>	The Authority with previous approval of the Government may on the advice of the Heritage Conservation Committee add to, alter or amend the provisions of sub- bye-laws (A), (B) and (C) above.	
<b>20.</b>	<b>Composition of Heritage Conservation Committee</b>		
	<b>A.</b>	The Heritage Conservation Committee shall be appointed by Government.	
	<b>B.</b>	The composition of the Heritage Conservation Committee shall be as follows:	
		(i)	District Magistrate/Vice-Chairman, Development Authority (whoever is senior)
		(ii)	Representative of Department of Culture
		(iii)	Heritage Conservation Architects with 15 years experience in the field of heritage conservation
		(iv)	Structural Engineer having experience of one years in the field and membership of the Institute of Engineers
		(v)	Environmentalist/Natural Historian having in-depth knowledge and experience of 10 years of subject matter
		(vi)	Representative of INTACH

	(vii)	Chief Town Planner/ Town Planner of the Authority	1 Member
	(viii)	Municipal Commissioner or any Officer authorized by him in his behalf or Executive Officer as the case may be.	1 Member
	(ix)	Representative of Archaeological survey of India.	1 Member
	(x)	Representative of Chief Town & Country Planner	1 Member
		<p><b>Note:-</b></p> <p>(a) The Committee shall have the powers to co-opt up to five 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.</p> <p>(b) The tenure of the Members of category (iii), (iv), (v) and (vi) above shall change after every three years provided however that the same person shall be eligible for re-appointment as Member.</p>	
	<b>C.</b>	The terms of reference of the Heritage Conservation Committee shall be, inter-alia,	
	(i)	to advise the Vice-Chairman whether development permission should be granted under these bye-laws and the conditions of such permission (vide sub- bye-law-3),	
	(ii)	to prepare a supplementary list of heritage sites, which include buildings, artefacts, structures, streets, areas, precincts of historic, aesthetic, architectural, cultural, or environmental significance and a supplementary list of natural features of environmental significance of scenic beauty including but not restricted to sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, points, walks, rides, bridle paths etc. to which these bye-laws would apply (vide sub- bye-law-5).	
	(iii)	to advise whether any relaxation, modification, alteration, or variance of any of the Building Byelaws is called for under sub- bye-law-7.	
	(iv)	to frame special bye-laws for precincts and if necessary for natural features to advise the Authority regarding the same (vide sub- bye-law-8).	
	(v)	to advise in terms of sub- bye-law-12 whether to allow commercial/office, hotel uses in the (name the areas) and when to terminate the same.	
	(vi)	to advise the Vice-Chairman in the operation of sub- bye-law-19 to regulate or eliminate/erection of outside advertisements/ bill boards/street furniture.	
	(vii)	to recommend to the Vice-Chairman guidelines to be adopted by those private parties or public/Government agencies who sponsor beautification schemes at public intersections and elsewhere.	

	(viii )	to advise the Vice-Chairman to evaluate the cost of repairs/maintenance 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 Authority to raise funds through private resources.
	(ix)	to prepare special designs and guidelines/publications for listed 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 in tact to the extent possible.
	(x)	to prepare guidelines relating to design elements and conservation principles to be adhered to, and to prepare other guidelines for the purposes of these bye-laws.
	(xi)	To advise the Vice-Chairman 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.
	(xii )	To appear before the Government either independently or through or on behalf of the Vice-Chairman in cases of Appeals.
<b>21.</b>	<b>Implications of Listing as Heritage Buildings</b>	
	These bye-laws do not amount to any blanket prevention of demolition or of changes to heritage building/buildings within heritage precincts. The only requirement is to obtain special clearance from the Vice-Chairman on the advice of Heritage Conservation Committee from heritage point of view.	
<b>22.</b>	<b>Ownership not affected</b>	
	Sale and purchase of heritage buildings does not require any permission from the Vice-Chairman or Heritage Conservation Committee. These bye-laws do not affect the 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 within 30 days from the date of submission of the application.	
<b>23.</b>	<b>Appeals</b>	
	(i)	Any person aggrieved by an order of the Vice-Chairman under these bye-laws, may within thirty days from the date on which the decision is communicated to him prefer an appeal to the Government.
	(ii)	On receipt of an appeal under sub bye-law (i), the appellate authority shall after giving the appellant an opportunity of being heard, pass such order as it deems fit and the decision of appellate authority on such appeal shall be final.