



INTACH

DELHI CHAPTER

Weekly News Clippings – 121
6th October-12th October

Editor's Note

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GOVT NOTIFIES NDMC HERITAGE

Almost 10 years after INTACH came out with a list of historically-significant structures in the capital, New Delhi Municipal Council has managed to get 141 heritage buildings in its area notified by the Delhi government. Though conservationists termed the development significant and the one that would go a long way in preserving the capital's heritage, they said the job is only half done. NDMC and Municipal Corporation of Delhi had issued a list of monuments in 2001, inviting public opinion for their notification. While NDMC has succeeded in its endeavour, 775 monuments that were part the MCD list are still crying for attention. "INTACH in 1999 came out with a list of 1208 prominent heritage structures in the capital. Of these, only 173 were protected by ASI. While NDMC and MCD issued a notice in 2001, inviting public opinion on notification, the hearing process started only in 2006. We have been pushing for notification since then," said A G K Menon, convener of INTACH. "To provide protection to these buildings, NDMC now just needs to acknowledge them as heritage structures in its bylaws. The MCD list has not yet been notified as there are a number bureaucratic problems and it is not clear who will notify the list —MCD or Delhi government." Conservationists claimed it is crucial for MCD to hurry on this matter because not only it has more heritage buildings in its list, but several of them are in particularly bad condition due to encroachment. "All the unprotected monuments under MCD are in bad shape. The government plans to notify many of these buildings but MCD has to take initiative," said a conservation architect. The notification of the heritage buildings in NDMC areas has come after the sustained efforts of conservationists and heritage experts. The heritage conservation committee, formed in 2005 after a PIL was filed in the Supreme Court, was also instrumental in pushing the cause. "This is a big step in conservation and I hope MCD follows suit and notifies their list as well," said conservationist Ratish Nanda. The notification means no alteration or addition can be made inside these buildings without permission from NDMC and the SC-appointed committee. "These buildings will be protected and any change in their structure will require special permission," said NDMC spokesperson Anand Tiwari. However, there appears to be some confusion on who will take responsibility for maintenance of the buildings. While Tiwari said conservation will be done by Delhi government because it has notified the list, chief secretary Rakesh Mehta told TOI that "conservation and preservation is NDMC's responsibility". When asked about the delay in the notification of the MCD list, Mehta said, "The list has not been notified as it is still being compiled by MCD." Meanwhile, MCD commissioner K S Mehra said: "We gave a public notice about our heritage list in 2001 and now it has to be notified by the Delhi government. The issue was discussed in a recent meeting with the heritage committee. We want the list to be notified at the earliest so we can start taking action as and when required for the conservation of heritage structures."

SOURCE

9th October 2009, Times of India

DELHI AMONG TOP 50 PLACES TO SEE

Delhi, a city people love to hate for its traffic, lack of civic services, civility and now its inability to appear trussed and ready for the Commonwealth Games, has found a place of honour in the National Geographic Traveler magazine's '50 Places of a Lifetime.' The Capital and Fatehpur Sikri are the only two Indian destinations to make it to the prestigious list that is part of the travel magazine's compilation that comes after a decade-long gap. In fact, the first list published in 1999 featured the Taj Mahal and put Kerala on the international map after it was described as 'Paradise Found'. Interestingly, the piece on Delhi has been written by minister of state for external affairs Shashi Tharoor who describes the city as a "symbol of a country on the move, the urban flagship of a better tomorrow". Calling it the "fast-forward capital", Tharoor writes, "New Delhi is India's contemporary equivalent — kinetic, heterodox, anti-ritual, prosperous. For all its inadequacies, it is a symbol of a country on the move, the urban flagship of a better tomorrow. It is leading India into the 21st century, even at the price of forgetting all that happened in the other 20." He adds, "Today's New Delhi — not the musty bureaucratic edifices of government, but the throbbing thriving agglomeration of factories and TV studios, industrial fairgrounds and software consultancies, night clubs and restaurants — is a city that reflects the vigour and vitality of those who have made it. It is far and away India's richest city." Just as historians feared that the elegance of Fatehpur Sikri would forever live under the shadow of the Taj, the monument has found its place as a World Wonder on the Traveler list. Author of 'Branding India, An Incredible Story' and former joint secretary with the tourism ministry Amitabh Kant says of the monument, "In this glowing sandstone city, elegant lattices, umbrella style pavilions, and Hindu imagery meet elegant onion domes and Islamic arches. The great archway leading to the Friday mosque reflects this religious diversity, its surface inscribed with a saying attributed to Christ... Attracting throngs of visitors each year, its latticed walls have grown heavy with the red threads of their wishes as they weave their own stories into history." Elaborating on the 50 hot picks as destinations with "character", the magazine's editor-in-chief Keith Bellows says, "Ten years ago, we could see the merging signs of a new kind of journeying — one that puts a premium on sense of place, authenticity, culture, sustainability and experience rather than mere sightseeing." The 25th anniversary special October issue also includes cities like Berlin, St Petersburg and Mexico City while short listing Aleutian Islands in Alaska in its section on wild places and the Hawaiian island of Molokai as paradise found.

SOURCE

9th October 2009, Times of India

WHERE ARE THE BIRDS

The dainty Stonechats, characterized by an orange body, black wings and white tufts on the neck, are absent. The yellow/peacock blue Warblers and white-necked Peregrine Falcons have also given it a miss. Okhla Bird Park and Wildlife Sanctuary is devoid of its tourists. But you can't blame the downturn for that. From September to March, thousands of migratory birds and waterfowls begin arriving from places as far as Eastern Europe, Central Asia and southern Russia at the Okhla address. Over 300 species make the annual visit, say local avian enthusiasts. "The score so far is zero," said avian researcher Anand Arya who has been a regular visitor to the facility for "over 10 years". When HT visited the sanctuary, it saw a few resident species like ducks and Pheasant Coucals, but no migratory birds. Divisional forest officer (Chambal, Agra) Neeraj Kumar, incharge of the park, said: "It could be that the migratory birds have delayed their arrival at the sanctuary.... The most probable reason could be the fact that it is still unusually hot/warm in Noida and other parts of north India." Kumar's optimism is not shared by the likes of Arya who said the non-arrival of birds can be because of two reasons. "A lack of maintenance of the sanctuary's habitat and the 24/7 construction at Ambedkar Memorial Park that lies right next to it."

he said. At the sanctuary, HT found water hyacinths, which should occupy only a fringe portion of the water body comprising of the Yamuna waters, straddling a major portion of it -- denying the birds the space to stand and prey on the fish, insects and algae. The reeds, also called elephant grass, cover the swampy portions to an inch and stand almost 15 feet tall. The narrow mud pathways /walking trails, the sole concrete road and even the wooden benches meant for visitors have unclipped shrubberies close by. Kumar said the annual main tenance could not be carried out due to lack of funds. But central funds were expected in a couple of weeks. The park project, worth Rs 685 crore, runs contiguous to the sanctuary. The dainty Stonechats, characterized by an orange body, black wings and white tufts on the neck, are absent. The yellow/peacock blue Warblers and white-necked Peregrine Falcons have also given it a miss. Okhla Bird Park and Wildlife Sanctuary is devoid of its tourists. But you can't blame the downturn for that. From September to March, thousands of migratory birds and waterfowls begin arriving from places as far as eastern Europe, Central Asia and southern Russia at the Okhla address. Over 300 species make the annual visit, say local avian enthusiasts. "The score so far is zero," said avian researcher Anand Arya who has been a regular visitor to the facility for "over 10 years". When HT visited the sanctuary, it saw a few resident species like ducks and Pheasant Coucals, but no migratory birds. Divisional forest officer (Chambal, Agra) Neeraj Kumar, incharge of the park, said: "It could be that the migratory birds have delayed their arrival at the sanctuary.... The most probable reason could be the fact that it is still unusually hot/warm in Noida and other parts of north India." Kumar's optimism is not shared by the likes of Arya who said the non-arrival of birds can be because of two reasons. "A lack of maintenance of the sanctuary's habitat and the 24/7 construction at Ambedkar Memorial Park that lies right next to it," he said. At the sanctuary, HT found water hyacinths, which should occupy only a fringe portion of the water body comprising of the Yamuna waters, straddling a major portion of it -- denying the birds the space to stand and prey on the fish, insects and algae. The reeds, also called elephant grass, cover the swampy portions to an inch and stand almost 15 feet tall. The narrow mud pathways /walking trails, the sole concrete road and even the wooden benches meant for visitors have unclipped shrubberies close by. Kumar said the annual main tenance could not be carried out due to lack of funds. But central funds were expected in a couple of weeks. The park project, worth Rs 685 crore, runs contiguous to the sanctuary.

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9th October 2009, Hindustan Times

ASI PANEL COMES UNDER HIGH COURT SCANNER

The legality of an Archaeological Survey of India (ASI)-appointed panel, that relaxes construction norms within 100 metres of protected monuments, has been challenged in Delhi High Court. The six-member experts committee was set up by the ASI in 2006 to consider relaxation of a ban on constructions within 100 metres of protected monuments on a case-by-case basis. The panel is headed by the ASI director-general and has eminent historians as members. Though the exact number of sanctions given so far is not known, as per RTI details on its website, it has allowed nearly 100 constructions across India between March 2008 and May 2009. As per a 1992 notification, areas up to 100 metres from protected limits are treated as "prohibited" areas for construction and further beyond it up to 200 metres, it is a regulated area for purposes of mining operations and construction. In this case, a construction sanctioned by the panel within 88 metres of Humayun's Tomb in Nizamuddin East, a world heritage site, has been challenged. The construction by a private builder is coming up adjacent to the property of petitioner Gaurang Kanth, a Supreme Court lawyer. "By allowing constructions in the prohibited area, the ASI has violated the very object of its creation that is preservation of ancient monuments," Kanth said. **BIZARRE TWIST** The case took an interesting turn when Kanth, after moving the court, realized his property too, 80 metres from the monument, was illegal as no sanction had been taken from the ASI. But he contends he came to know of this fact only after the ASI mentioned it in court. "The property was bought by my mother in November 2003 while I was abroad without knowing that the previous owner had not obtained the ASI sanction," he said. When the builder of the disputed property and the high court questioned Kanth's right to file a suit with "unclean hands"

the lawyer told the court he was ready to vacate the premises and the ASI could demolish it. "Let my building go. But I simply want to expose the irregularities within the ASI in allowing an illegally formed panel to sanction constructions within the prohibited area," he said. A two-judge bench had on August 28 allowed the builder to continue with construction by vacating the stay ordered earlier by a single bench. ASI'S U-TURN The high court had in July 2004 while dealing with a suit seeking permission to construct within the prohibited limits of Jantar Mantar asked the ASI to consider a mechanism where the 100-m prohibition was relaxed on a case-by-case basis. But the ASI approached the Supreme Court against the order and obtained a stay. "In this situation how can the ASI form a committee through an internal notification without the approval of Parliament which passed the original notification in 1992 strictly banning constructions within 100 metres of monuments?" Kanth asked. When contacted, an ASI official denied the panel was giving illegal sanctions and said it only needed the approval of the Ministry of Culture which it had secured.

SOURCE

12th October 2009, Hindustan Times

CONSTRUCTION NEAR HERITAGE SITES: HC TO HEAR PLEA

THE Delhi High Court is hearing a petition on the legality of an experts committee set up by the Archaeological Survey of India (ASI) three years ago for the renovation or sanction of buildings within a 100-metre range of protected monuments. The panel, headed by the ASI's Director General with several experts, was formed to hear and decide on a case-to-case basis, requests for construction in "prohibited" and "regulated" areas, coming up within 100 and 200 metres respectively, from protected heritage sites. The court was petitioned by Supreme Court lawyer, Gaurang Kanth, who challenged the legality of the sanction given to a building coming up within 88 metres of the Humayun's Tomb in Nizamuddin East. A Division Bench of the court had on August 28 lifted a stay on the construction of the property. "The court should look into the question as to why the ASI panel is allowing construction within 100 metres in violation of their own law. The archaeological body has violated the very object of its creation, that is preservation of ancient monuments," said Kanth. Interestingly, Kanth faced rough waters when the ASI responded that Kanth himself was living within 100 metres of the protected monument. The lawyer reportedly went on record saying he was ready to vacate the premises and face the prospect of demolition of his own property. "I'm willing to challenge the ASI panel's irregularities even at the cost of losing my own property. I want the court to decide why the ASI allowed such a committee to be formed when the law is clear that no sanction is to be accorded for construction within 100 metres of a protected monument," Kanth said. Interestingly, in July 2004, the High Court had, in a judgment on a petition seeking permission to construct within 100 metres of the Jantar Mantar, asked the ASI to relax the ban on construction within 100 metres. But the ASI at that time had appealed to the Supreme Court and got a stay. The case is coming up for hearing on Monday.

SOURCE

12th October 2009, Indian Express

Should you have any comments or suggestions, you could reach us at

INTACH Delhi Chapter

71, Lodhi Estate, New Delhi – 110003

Tel : 2463 2267, 2463 2269 Ext. 105

Email : feedback@intachdelhichapter.org