

## CHARTER FOR THE CONSERVATION OF UNPROTECTED ARCHITECTURAL HERITAGE AND SITES IN INDIA

**Drawing** upon the experience of the Indian National Trust for Art and Cultural Heritage (INTACH) in conserving the unprotected architectural heritage and sites of India within an institutional framework for two decades;

**Respecting** the invaluable contributions of the Archaeological Survey of India (ASI) and State Departments of Archaeology (SDA) in preserving the finest monuments of India;

**Valuing** ASI's pioneering role in promoting scientific methods of practice and establishing highest standards of professionalism in preserving monuments;

**Acknowledging** the importance and relevance of principles enunciated in the various international Charters adopted by UNESCO, ICOMOS, *et al*;

**Conscious**, however, that a majority of architectural heritage properties and sites in India still remains unidentified, unclassified, and unprotected, thereby subject to attrition on account of neglect, vandalism and insensitive development;

**Recognising** the unique resource of the 'living' heritage of Master Builders/ *Sthapatis/ Sompuras/ Raj Mistris* who continue to build and care for buildings following traditions of their ancestors;

**Recognising**, too, the concept of *jeernodharan*, the symbiotic relationship binding the tangible and intangible architectural heritage of India as one of the traditional philosophies underpinning conservation practice;

**Noting** the growing role of a trained cadre of conservation architects in India who are re-defining the meaning and boundaries of contemporary conservation practices;

**Convinced** that it is necessary to value and conserve the unprotected architectural heritage and sites in India by formulating appropriate guidelines sympathetic to the contexts in which they are found;

We, members of INTACH, gathered here in New Delhi in the 4<sup>th</sup> day of November 2004, adopt the following **Charter for Conservation of Unprotected Architectural Heritage and Sites in India.**

### PART I PRINCIPLES

#### ARTICLE 1: WHY CONSERVE?

- 1.1 The majority of India's architectural heritage and sites are unprotected. They constitute a unique civilisational legacy, as valuable as the monuments legally protected by ASI/ SDA and other governmental and non-governmental agencies. This legacy is being steadily eroded as a result of insensitive modernization and urbanization, and the fact that it does not command the same respect as legally protected monuments. Many unprotected heritage sites are still in use, and the manner in which they continue to be kept in use represents the 'living' heritage of India. This heritage is manifest in both tangible and intangible forms (Article 2.2), and in its diversity defines the composite culture of the country. Beyond its role as a historic document, this unprotected heritage embodies values of enduring relevance to contemporary Indian society, thus making it worthy of conservation.

- 1.2 This 'living' heritage is not legally protected. The buildings and sites which constitute it are subject to demolition or unsympathetic interventions. The knowledge of traditional building skills with which it is associated is also in danger of being lost in the absence of patronage and official recognition. Conserving the 'living' heritage, therefore, offers the potential to conserve both traditional buildings and traditional ways of building.
- 1.3 Conserving the unprotected architectural heritage and sites ensures the survival of the country's sense of place and its very character in a globalising environment. It offers the opportunity not only to conserve the past, but also to define the future. It provides alternate avenues for employment and a parallel market for local building materials and technologies, which needs to be taken into account when resources for development are severely constrained.
- 1.4 This 'living' heritage also has symbiotic relationships with the natural environments within which it originally evolved. Understanding this interdependent ecological network and conserving it can make a significant contribution to improving the quality of the environment.

## **ARTICLE 2: WHAT TO CONSERVE?**

- 2.1 The objective of conservation is to maintain the significance of the architectural heritage or site. Significance is constituted in both the tangible and intangible forms. The process of Listing (Article 5) must determine the characteristics of significance and prioritise them.
- 2.2 The tangible heritage includes historic buildings of all periods, their setting in the historic precincts of cities and their relationship to the natural environment. It also includes culturally significant modern buildings and towns. The intangible heritage includes the extant culture of traditional building skills and knowledge, rites and rituals, social life and lifestyles of the inhabitants, which together with the tangible heritage constitutes the 'living' heritage. Both tangible and intangible heritage, and especially the link between them, should be conserved.
- 2.3 Conservation of architectural heritage and sites must retain meaning for the society in which it exists. This meaning may change over time, but taking it into consideration ensures that conservation will, at all times, have a contemporary logic underpinning its practice. This necessitates viewing conservation as a multi-disciplinary activity.
- 2.4 Where the evidence of the tangible or intangible architectural heritage exists in fragments, it is necessary to conserve it, even in part, as representative of a historic past. Such conservation must ideally be undertaken *in-situ*, but if this is not possible, then it should be relocated to a place where it would be safe for continued contemplation.
- 2.5 Conservation in India is heir not only to Western conservation theories and principles introduced through colonialism and, later, by the adoption of guidelines formulated by UNESCO, ICOMOS and international funding agencies, but also to pre-existing, indigenous knowledge systems and skills of building. These indigenous practices vary regionally and cannot be considered as a single system operating all over India. This necessitates viewing conservation practices as a multi-cultural activity.
- 2.6 While the Western ideology of conservation advocates minimal intervention, India's indigenous traditions idealise the opposite. Western ideology underpins official and legal conservation practice in India and is appropriate for conserving protected monuments. However, conserving unprotected architectural heritage offers the opportunity to use indigenous practices.

This does not imply a hierarchy of either practice or site, but provides a rationale for encouraging indigenous practices and thus keeping them alive. Before undertaking conservation, therefore, it is necessary to identify where one system should be applied and where the other. For this purpose, it is necessary at the outset to make a comprehensive inventory (see Article 5) of extant heritage, both tangible and intangible, and separate it into two categories (Article 5.1.3)

- I. a. Buildings and sites protected by ASI, SDA and other government or non-government agencies. Only the official and legal instruments of conservation and internationally accepted principles should be adopted here;
- b. Other listed buildings and sites which, though not protected by ASI, SDA and other government or non-government agencies, possessing heritage value or significance equivalent to that of protected monuments. Here too, the official and legal instruments should be adopted for their conservation;
- II. The remaining listed buildings and sites both modern and historic, including those produced within the last hundred years. Here, the conservation strategy may adopt either the official and legal instruments of conservation or those rooted in indigenous building traditions. Hybrid strategies, inventively combining indigenous and official practices, can also be employed to conserve this heritage category. The decision to adopt indigenous practices should be based on the availability of skilled and knowledgeable *raj mistris*. In all cases a rationale for the decision taken to adopt one or another system of conservation must be recorded.

2.7 The overarching objective for undertaking conservation of unprotected architectural heritage and sites is to establish the efficacy of conservation as a development goal. What to conserve will, therefore, be determined by those strategies of conservation which accommodate the imperatives of development and the welfare of the community while seeking economically to achieve maximum protection of the significant values of the architectural heritage and site.

### ARTICLE 3: CONSERVATION ETHICS

#### 3.1 Authenticity

- 3.1.1 The traditional knowledge systems and the cultural landscape in which it exists, particularly if these are 'living', should define the authenticity of the heritage value to be conserved. In the absence of such contexts, the official and legal guidelines, particularly as defined by the "Nara Document on Authenticity, 1994", should determine the nature of the authenticity of the architectural heritage and site.
- 3.1.2 Traditional knowledge systems and cultural landscapes vary from one regional/cultural context to another or within the same region/culture. Thus, the values of 'living' architectural heritage can differ from one context to another, reflecting the cultural diversity of the country. In each case, however, conservation should faithfully reflect the significant values which define the heritage.

#### 3.2 Conjecture

- 3.2.1 Local master builders build, rebuild, restore, renew and make additions/alterations to historic buildings in response to contemporary exigencies or evolving local needs of the community; they must be encouraged to follow their traditions even when there is no available evidence in the form of documentation, oral histories or physical remains of previous structures. Appropriate craftspeople for undertaking such works should be identified as described in Article 5.1.4.
- 3.2.2 An exact replacement, restoration or rebuilding must be valued when it ensures continuity of traditional building practices.

3.2.3 Conjectural restoration or rebuilding must nevertheless respect the overall spatial and volumetric composition of historic settings. The parameters of the historical setting should be defined through comprehensive urban design studies. These parameters should also guide new urban development in the vicinity of heritage buildings and sites.

3.2.4 The ASI/ SDA rule prohibiting development within a 100-metre radius of a protected building restricts the practice of restoration or rebuilding of sites, conjectural or otherwise, and thereby harms the welfare of society. This rule should not be applied to conserve unprotected architectural heritages and sites.

### **3.3 Integrity**

3.3.1 The integrity of the heritage is to be defined and interpreted not only in terms of the physical fabric of the building, but also with respect to the collective knowledge systems and cultural landscape it represents. This knowledge system, where it exists, must mediate the process of conservation/ restoration/ rebuilding of the unprotected architectural heritage in order to reinforce an appreciation of the cultural landscape. This dynamic concept understands the integrity of the individual building as one which evolves in response to contemporary needs of local society.

3.3.2 The concept of an evolving integrity accepts the introduction of new architectonic elements, materials and technologies when local traditions are insufficient or unavailable. The introduction of new elements may reflect contemporary aesthetic ideals as modern additions to old buildings.

### **3.4 Patina**

3.4.1 The patination of historic fabric due to age or natural decay should not compel the preservation of a ruin as it exists, frozen in time and space. In conformity with local aesthetic traditions, and for the well being of the heritage building or site, renewal, restoration, repair or rebuilding is acceptable. Patina may, where necessary, be considered as a sacrificial layer.

### **3.5 Rights of the indigenous community**

3.5.1 Each community has its own distinctive culture constituted by its traditions, beliefs, rituals and practices - all intrinsic to defining the significance of the unprotected architectural heritage and site. The conservation strategy must respect the fact that local cultures are not static and, therefore, encourage active community involvement in the process of decision-making. This will ensure that the symbiotic relation between the indigenous community and its own heritage is strengthened through conservation.

### **3.6 Respect for the contributions of all periods**

3.6.1 The contributions of earlier periods which produced the historic fabric and consequent interventions, including contemporary interventions, based on either traditional systems of building knowledge or modern practices, must be respected as constituting the integrity of the heritage sought to be conserved. The objective of conserving the unprotected architectural heritage and site is not so much to reveal the authentic quality of the past or preserve its original integrity, but rather to mediate its evolving cultural significance.

3.6.2 The holistic coherence of the heritage in terms of its urban design, architectural composition and the meaning it holds for the local community should determine any intervention in the process of conservation.

### **3.7 Inseparable bond with setting**

3.7.1 An unprotected heritage building or site is inseparable from its physical and cultural context, and belongs to the local society as long as its members continue to value and nurture it. The conservation process must be sensitive to this relationship, and reinforce it.

3.7.2 If the unprotected heritage does not possess any bond with contemporary society, then its relevance for conservation may be questioned and modern re-development may be considered an option to meet the welfare needs of society. This decision must invariably be taken in consultation with a larger review panel as described in Article 7.2.5.

### **3.8 Minimal intervention**

- 3.8.1 Conservation may include additions and alterations of the physical fabric, in part or whole, in order to reinstate the meaning and coherence of the unprotected architectural heritage and site. In the first instance, however, conservation should attempt minimal intervention.
- 3.8.2 However, substantial additions and alterations may be acceptable provided the significance of the heritage is retained or enhanced.

### **3.9 Minimal loss of fabric**

- 3.9.1 The nature and degree of intervention for repairing, restoring, rebuilding, reuse or introducing new use, should be determined on the basis of the intervention's contribution to the continuity of cultural practices, including traditional building skills and knowledge, and the extent to which the changes envisaged meet the needs of the community.

### **3.10 Reversibility**

- 3.10.1 The principle of reversibility of interventions need not dictate conservation strategy. In order to use the unprotected heritage for the socio-economic regeneration of the local communities, the historic building and site can be suitably adapted and modified for an appropriate reuse. For this it is only essential that the process of intervention contributes to conserving the traditional context as far as possible in the modified form. This decision must invariably be taken in consultation with a larger review panel as described in Article 7.2.5.

### **3.11 Legibility**

- 3.11.1 The legibility of any intervention must be viewed in its own context. If traditional craftspeople are employed then it must be accepted that their pride derives from the fact that the new work is in complete harmony with the old and is not distinguishable from it. Thus, historic ways of building must be valued more than the imperative to put a contemporary stamp on any intervention in a historic building.
- 3.11.2 Where modern material or technology is used, it could be used to replicate the old or be distinguished from it, depending on the artistic intent governing the strategy of conservation.

### **3.12 Demolish/ Rebuild**

- 3.12.1 If local conditions are such that all strategies to conserve the unprotected architectural heritage and site are found to be inadequate, then the option of replacing it should be examined. This process recognises 'cyclical' perceptions of time, whereby buildings live, die and are rebuilt. This is the concept of *jeernodharan*: regeneration of what decays. This belief is fundamental to conserving traditional ways of building and maintaining the continuity of local knowledge systems. This option must be discussed, debated and decided in consultation with all concerned stakeholders, including the larger review panel as described in Article 7.2.5.
- 3.12.2 Where the existence of a cultural resource is under severe threat by natural calamities or man-made hazards, the building may be dismantled and reassembled at another appropriate site after undertaking thorough documentation of its extant condition.
- 3.12.3 If a historic structure has outlived its significance and its meanings to local people are lost, it may either be left undisturbed to meet its natural end, or its parts may be re-used to meet other needs.
- 3.12.4 If removal in whole or part from the original site or context is the only means of ensuring the security and preservation of a building, then a comprehensive documentation of all valuable and significant components of the cultural resource must be undertaken before it is dismantled.

### **3.13 Relationship between the conservation architect and the community**

- 3.13.1 In dealing with the conservation of unprotected architectural heritage and sites, it may become necessary to temper the role of the conservation architect as an expert professional by taking into account the desires and aspirations of the local community and the traditional practices of *raj mistris*. This does not assume, a

*priori*, that the interests of conservation architects and those of the community and traditional master builders are incompatible, but rather that there must be room in the process of conservation for dialogue and negotiated decision making.

- 3.13.2 In order to achieve a more satisfying result for the community it may be necessary to override the professional imperative to adhere to the principles governing the conservation of legally protected monuments. This is acceptable when dealing with unprotected architectural heritage and sites provided, as stated in Article 2.7, that conservation strategies seek economically to achieve maximum protection of the significant values of the architectural heritage and site.

## **PART II**

### **GUIDELINES**

#### **ARTICLE 4: CONSERVATION OBJECTIVES**

##### **4.1 Retain visual identity**

- 4.1.1 In a globalising world, where visual spaces are rapidly becoming homogenised, it is necessary to retain the specific visual identity of a place created by the presence of unprotected architectural heritage and sites. Yet, this image should not be preserved in the manner of legally protected monuments, but must accommodate the imperatives of change in making the heritage relevant in contemporary society. The objective must be to integrate unprotected heritage and sites into daily social life by balancing their needs so that neither overshadows the other.
- 4.1.2 The visual cacophony created by advertisement boards, signage, hanging electric cables, air conditioning units, dish antennas, etc. must be carefully controlled to enhance the visual character of the architectural heritage and site. Additions of street furniture, pavement material, lighting, signage, etc., can add to the experience and appreciation of the heritage.
- 4.1.3 In this respect the objectives of conservation can mediate even new buildings or neighbourhoods by requiring them to make reference to the old by employing elements, methods and devices characterising the architectural heritage of the area so that the new is linked with the old.

##### **4.2 Adaptive re-use**

- 4.2.1 The re-use of historic buildings and neighbourhoods is economically sensible. It is an effective strategy to conserve architectural heritage, particularly by using traditional craftspeople in the process. Such re-use distinguishes between preservation as an ideal on the one hand and, on the other, the goal to prolong the useful life of architectural heritage by retaining as much (and not necessarily, all) of the surviving evidence as a vestigial presence.
- 4.2.2 Priority must be accorded to retaining the continuity of original functions. Any new use must be introduced only after studying its effect on the local context, and must conform to the carrying capacity and vulnerability of the architectural heritage.
- 4.2.3 All changes to the original fabric should be preceded and followed by comprehensive documentation. Additions and alterations must respect the coherence of the whole, and must, to the extent possible, engage traditional materials, skills and knowledge in the process.
- 4.2.4 When it becomes necessary to modernise and comprehensively alter the original internal functional characteristics of the building or site, its external image must be retained.

4.2.5 At the outset, the local community must be made aware of the changes envisaged and explained the benefits to be derived.

### **4.3 Restoration/ Replication/ Rebuilding**

4.3.1 Restoration is an appropriate conservation strategy to reinstate the integrity or complete the fractured 'whole' of the architectural heritage/ site. It must aim to convey the meaning of the heritage in the most effective manner. It may include reassembling of displaced and dismembered components of the structure and conjectural building or replacement of missing or severely deteriorated parts of the fabric. Invariably, restoration work must be preceded and followed by comprehensive documentation in order to base interventions on informed understanding of the resource and its context, and in conformity with contemporary practices of local craftspeople.

4.3.2 In consonance with traditional ideals, replication can be accepted as an appropriate strategy not only to conserve unprotected historic buildings, but especially if such replication encourages historic ways of building.

4.3.3 At the urban level, the objective of rebuilding historic structures should be to enhance the visual and experiential quality of the built environment, thereby providing a local distinctiveness to contest the homogenising influence of globalisation.

4.3.4 In addition, reconstruction/ rebuilding can provide the impetus to develop a parallel market for local buildings materials and new opportunities for the use of alternative systems of building.

4.3.5 Reconstruction based on minimal physical evidence is appropriate where it is supported by the knowledge of local craftspeople, including folklore, beliefs, myths and legends, rituals, customs, oral traditions, etc. The objective of this practice must be to interpret the original meanings of the resource in the contemporary context and reinforce its bond with society.

### **4.4 Employment generation**

4.4.1 Conservation strategy must focus on the potential for employing local *raj mistris*, labour and materials because this will prolong the economic viability of traditional ways of building. In conditions of resource scarcity, the use of architectural heritage can provide an alternate and more economic strategy to meet contemporary needs as well.

### **4.5 Local material and traditional technology**

4.5.1 The use of local materials and traditional technologies must invariably be preferred. Their choice must be based on the availability of traditional knowledge systems. Modern substitutes should be considered only after their use is proven efficient and judicious, and must not compromise the integrity and continuity of local building traditions.

### **4.6 Integrated conservation**

4.6.1 Conservation of architectural heritage and sites must be integrated with the social and economic aspirations of society. Conservation-oriented development must be the preferred strategy for social and economic progress. This necessitates the formation of multi-disciplinary teams to undertake integrated conservation projects. Since social aspirations are diverse and often at odds with each other, the conservation team must include social workers to facilitate dialogue and decision-making.

### **4.7 Sustainability**

4.7.1 The objective of conservation should be to sustain the building and/or the traditional skill and knowledge system of building. In this context, continuity must be seen as evolving over time. The test of its validity must be the positive contribution it makes to the quality of life of the local community.

## ARTICLE 5: LISTING

### 5.1 Introduction

- 5.1.1 Through the ASI, the Central Government protects monuments more than 100 years old declared to be of national importance. Monuments of importance to States are protected by the respective SDAs. However, the existing legislation covers only about 5000 monuments at the national level and approximately 3500 at the state level. Considering India's vast cultural heritage, these numbers are inadequate and their focus monument-centric.
- 5.1.2 INTACH has undertaken an inventory of built heritage in India which includes notable buildings aged 50 years or more which are deemed to be of architectural, historical, archaeological or aesthetic importance.
- 5.1.3 This inventory will become INTACH's National Register of Historic Properties. It attempts to create a systematic, accessible and retrievable inventory of the built heritage of this country. It will serve as resource material for developing heritage conservation policies and regulations. In due course, this database should be made more comprehensive and the information compiled should be available online. It should also be made compatible with similar registers of other countries to facilitate international research.
- 5.1.4 A similar Register of Craftspeople associated with the architectural heritage must be undertaken by specialist cultural organizations (Article 8.6.3). It is important to reiterate that both buildings being listed and associated activities that keep these building in use constitute the 'living' heritage. The Register of Craftspeople is, therefore, essential to viewing the architectural heritage in a holistic manner.

### 5.2 Inventory of properties/ buildings

- 5.2.1 Since a large part of India's cultural heritage has so far remained undocumented, preparing an inventory of heritage buildings worthy of preservation is the most important task with which to begin the process of conservation.
- 5.2.2 The primary aim of listing is to document the fast disappearing built heritage and then present it to scholars and the general public in a user-friendly format, which aids conservation by generating public awareness. Once a property/ building is included in such a list, it becomes justifiable to undertake necessary conservation activities by formulating special regulations for its conservation or according it due protection under Town Planning Acts. Ideally, the footprints of all listed buildings should be included in the Master Plan documents of cities.
- 5.2.3 Buildings protected by the ASI and SDA should also be included in the list prepared by INTACH.

### 5.3 Selection criteria

- 5.3.1 Although interrelated, the following three key attributes will determine whether a property is worthy of listing:
- i) Historic significance
  - ii) Historic integrity
  - iii) Historic context
- One or more of these attributes need to be present in a building to make it worthy of listing.

### 5.4 Historic significance

- 5.4.1 Historic significance refers to the importance of a property to the history, architecture, archaeology, engineering or culture of a community, region or nation. In selecting a building, particular attention should be paid to the following:
- i. Association with events, activities or patterns.
  - ii. Association with important persons, including ordinary people who have made significant contribution to India's living heritage.

- iii. Distinctive physical characteristics of design, construction or form, representing the work of a master craftsman.
- iv. Potential to yield important information, such as socio-economic history. Railway stations, town halls, clubs, markets, water works etc. are examples of such sites
- v. Technological innovation represented. For example: dams, bridges etc.
- vi. Town planning features such as squares, streets, avenues, etc. For example: Rajpath in New Delhi.

## **5.5 Historic integrity**

- 5.5.1 Historic integrity refers to the property's historic identity, evidenced by the survival of physical characteristics and significant elements that existed during the property's historic period. The "original" identity includes changes and additions over historic time.
- 5.5.2 Historic integrity enables a property to illustrate significant aspects of its past. Not only must a property resemble its historic appearance, but it must also retain original materials, design features and aspects of construction dating from the period when it attained significance.
- 5.5.3 Historic integrity also relates to intangible values such as the building or site's cultural associations and traditions.

## **5.6 Historic context**

- 5.6.1 Historic context refers to information about historic trends and properties grouped by an important theme in the history of a community, region or nation during a particular period of time.
- 5.6.2 Knowledge of historic context enables the public to understand a historic property as a product of its time.

## **5.7 Precincts or properties with multiple owners**

- 5.7.1 A historic building complex may comprise of numerous ancillary structures besides the main structure. Each structure of the complex must be documented on individual proformas. For example, Jahangir Mahal, Diwan-i-Aam, Diwan-i-Khas and Moti Masjid all form part of the Agra Fort complex but are also individual buildings in their own right and, as such, must be documented individually.

## **5.8 Methodology**

- 5.8.1 The determination of significance is the key component of methodology. All conservation decisions follow from the level of significance that is assigned to a building or site.
- 5.8.2 Listing work is comprised of two phases:
  - i. Background research;
  - ii. Field work.

## **5.9 Background research**

- 5.9.1 Before commencing actual fieldwork, the lister should gather basic information from various sources including gazetteers, travel books and other specialised books containing information about the architecture and history of the area to be listed and documented. This work could be done in university libraries, the ASI, the National Museum, the Central Secretariat, the respective State Secretariats, Institutes of Advanced Studies and Schools of Planning and Architecture. In a given area, local experts and university scholars are resource persons who could also provide required guidance and help.
- 5.9.2 Background research helps to ensure that no important structure or representative style of building is left out of the list. It enables the identification of historic areas, historic development of the area, significant events in the area and important persons associated with the area. In some well-documented areas, distinctive physical characteristics of design, construction or form of building resource can also be identified.

## **5.10 Field work**

- 5.10.1 First and foremost it is necessary to carry out a field survey to identify the buildings and the areas to be listed. Following this, a detailed physical inspection of the property and dialogues with appropriate local people such as the owners of the property, area residents, local *panchayats*, etc. need to be undertaken. By physically inspecting the property the lister can gather information regarding the physical fabric of the building, such as physical characteristics, period of construction, etc. that need to be cross-checked with the literature survey. By conducting a dialogue with area residents, the lister can determine the changes to the property over time, ownership details, historic function and activities, association with events and persons and the role of the property in local, regional or national history.
- 5.10.2 When gathering information, the lister must be mindful of proforma requirements (Article 5.12). The proforma is, first of all, a record of the property at the time of listing and consists of current name; historic or other name(s); location; approach and accessibility; current ownership; historic usage; and present use.
- 5.10.3 Claims of historic significance and integrity should be supported with descriptions of special features, state of preservation, relevant dates, etc.

## **5.11 Mapping of vernacular architecture and historic settlements**

- 5.11.1 The major shortcoming of the current list of legally protected architectural heritage is that it does not recognise vernacular architecture and historic settlements as categories of heritage worthy of being conserved. The listing of unprotected architectural heritage and sites must, therefore, include this category. An example of such an inclusive document is INTACH's "Listing of Built Heritage of Delhi" brought out in 1999.

## **5.12 Detailed format for all the structures**

- 5.12.1 Information for each building or site should be recorded as per INTACH's standard format as described below.
- 5.12.2 Each proforma must contain information about listers and reviewers.
- 5.12.3 At least one photograph of the property/ building should be recorded for identification purposes. All significant elements of the property also need to be photographed. All photographs should be properly catalogued.
- 5.12.4 A conceptual plan (if available, a measured drawing) should be given for each building/ area listed.
- 5.12.5 Any additional information related to or affecting the built heritage of the city/town/region documented and its conservation should be included as appendices, for example: laws and regulations on planning and conservation, etc.
- 5.12.6 A glossary should be provided explaining the technical and the special words used must be provided. For example: "Imambara - a shrine/ religious structure of Shia Muslims".
- 5.12.7 A bibliography of all books, publications, articles and unpublished work must be provided. The uniform format should be followed throughout.

## **5.13 Grading**

- 5.13.1 The primary objective of listing is to record extant architectural heritage and sites. But the outcome of this process should invariably be to grade the listed heritage into a hierarchical series. This process must be undertaken in a rigorous and transparent manner by a multi-disciplinary team of experts whose recommendations should be available for public scrutiny. The importance of this process cannot be underestimated because its results determine subsequent conservation decisions. Such hierarchical categorisation facilitates the prioritisation of decisions relating to the future of architectural heritage and sites.
- 5.13.2 This Charter recommends that buildings and sites be classified as Grade I\*, I, II and III in descending order of importance.

- 5.13.3 Buildings and sites classified as Grade I\*, I and II should be conserved in accordance with the provisions of official and legal manuals of practice (for example, ASI's Works Manual). Other listed buildings and sites may be conserved in accordance with principles enunciated in this Charter (See Article 2.6).
- 5.13.4 The process of listing should be constantly upgraded and the list updated in keeping with the availability of fresh information, financial and material resources, advances in technology and developments in the understanding of architectural heritage and its constituents.

## **ARTICLE 6: GUIDELINES FOR CONSERVATION**

### **6.1 "Guidelines for Conservation" by Sir Bernard Feilden**

- 6.1.1 For the present, the latest edition of "Guidelines for Conservation" prepared by Sir Bernard Feilden for INTACH in 1989, should be followed, unless otherwise indicated by the imperatives of this Charter. These Guidelines should be updated periodically. It may also be necessary to bring out region-specific guidelines so that conservation practices can be sensitive to regional material and cultural attributes.

### **6.2 Heritage zone**

- 6.2.1 Conservation of architectural heritage sites can be undertaken in terms of the Heritage Zone concept propagated by INTACH. In general, Heritage Zones are sensitive development areas, which are a part of larger urban agglomeration possessing significant evidence of heritage. The Heritage Zone concept requires that the conservation of unprotected architectural heritage and sites must be sensitively planned, but also aligned with the imperatives of routine development process.
- 6.2.2 Urban conservation plans must be incorporated into the statutory Master Plan of cities. This necessitates undertaking a process of dialogue and negotiation with government town planning departments as part of the conservation strategy. Regulations to control or mediate development within the Heritage Zone, including new construction, demolition or modification to existing buildings around historic structures or within historic precincts can be formulated and incorporated within the "Special Area" provision of the respective Town Planning Acts of different States.

### **6.3 Role of conservation architects**

- 6.3.1 The role of the conservation architect is to provide expert advice for conserving the architectural heritage and site. Conservation, however, is a multi-disciplinary activity and conservation architects must work closely with professionals of other disciplines in order to address its diverse objectives. Depending on circumstances, the conservation architect may either lead the project team or simply participate as a team member with specific expertise. In any event, the role of conservation architects must be clearly defined, either by conservation architects themselves or by the initiator of the project.
- 6.3.2 Conservation architects also have an important advocacy role to play in promoting the conservation of unprotected architectural heritage and sites. They need to catalyse awareness both among administrators and beneficiaries to achieve the objectives of conservation enunciated in this Charter

**PART III**  
**MANAGEMENT AND EDUCATION**

**ARTICLE 7: MANAGEMENT**

**7.1 Role of local communities**

7.1.1 Local communities or individuals must be entrusted with responsibilities to conserve their own heritage. Where outside expertise is necessary, local stakeholders must be made active participants at all stages of the conservation process. All decisions regarding the conservation and management of heritage must be taken in consultation with local communities in consonance with the 73<sup>rd</sup> and 74<sup>th</sup> Amendments to the Constitution of India.

**7.2 Role of INTACH**

7.2.1 The role of INTACH is to institutionalise the conservation of the unprotected architectural heritage all over India. It should accomplish this objective by establishing Local Chapters.

7.2.2 INTACH's local Chapters should promote the culture of conservation (Article 8), and make an inventory of architectural heritage (Article 5). They should develop ways and means to conserve local architectural heritage in consultation with INTACH's Regional and Central offices.

7.2.3 Each Local Chapter should compile an annual "State of the Architectural Heritage Report" for its area and submit annual and quinquennial plans for conservation works to be undertaken in its locality.

7.2.4 INTACH's Regional and Central offices should compile this data to produce an annual national "State of the Architectural Heritage Report" which should highlight heritage in danger and formulate conservation strategies for its protection.

7.2.5 To further facilitate its goal of protecting architectural heritage, INTACH should establish interdisciplinary Advisory Committees at the regional and national Level. These Committees should act as clearing-houses for conservation plans, assessment reports, scientific studies, funding proposals, legal and administrative measures for conserving the unprotected architectural heritage.

7.2.6 INTACH should facilitate and coordinate its activities with the Government and other interest groups, local, national and international, which are concerned with the conservation of architectural heritage.

7.2.7 INTACH should establish appropriate benchmarks for professional fees for conservation work and promote its adherence in all conservation projects (see Article 9.1.8).

**7.3.1 Fiscal measures**

7.3.2 Innovative financial schemes must be offered to individuals or communities in order to encourage their involvement and interest in the preservation of their own heritage. INTACH's Advisory Committee should engage in dialogue with the Government to initiate the formulation of appropriate fiscal policies to promote conservation.

7.3.3 INTACH should lobby for the provision for a 'Heritage Fund' to be included in the annual or quinquennial budgetary allocations of Central and State governments. It should endeavour to ensure that local governing bodies have access to these funds through transparent mechanisms.

7.3.4 The policy of the 'adoption' of historic buildings/areas by competent and concerned community groups, trusts or private entrepreneurs of repute, that in no way harms the interests or well-being of the heritage or the society in which it exists, must be encouraged.

7.3.5 The owners or caretakers of listed heritage should be offered incentives by way of favourable tax rebates, grants, loans, transfer of development rights and so forth, in order to encourage and foster their interest in the conservation of their cultural property.

7.3.6 Public authorities, private companies, governmental bodies and non-governmental organisations should be encouraged to offer adequate financial assistance to traditional craftspeople and agencies involved in craft promotion and trade.

#### **7.4 Tourism**

7.4.1 The strong affinity between tourism and heritage should be leveraged to promote the conservation of unprotected architectural heritage and sites.

7.4.2 The potentials of domestic tourism, particularly pilgrimage tourism, need to be developed.

7.4.3 At the same time, however, there must be adequate safeguards planned to mitigate problems created by aggressive tourism promotion in areas where traditional communities are associated with unprotected architectural heritage and sites.

#### **7.5 Punitive measures**

7.5.1 Punitive measures as defined in the existing legislative framework concerning heritage protection, town planning acts and building byelaws must be extended to cover all listed buildings. In principle, permission must be sought for any intervention in listed buildings or precincts. Where the opportunity exists, a new set of regulations to deal specifically with unprotected heritage should be drafted.

7.5.2 Administrative or criminal prosecution must be considered in cases of deliberate damage to listed architectural heritage.

### **ARTICLE 8: EDUCATION AND PUBLIC AWARENESS**

#### **8.1 Public responsibilities**

8.1.1 The responsibility for care and maintenance of heritage must be entrusted to the local community, for the protection and conservation of any cultural resource is ensured only if it enjoys the love and respect of the local people.

8.1.2 In conformity with the intent of the Constitution of India, conservation of heritage must be the duty of every Indian citizen, and all administrative, legislative and financial assistance must be provided in this regard at all levels.

#### **8.2 Public awareness**

8.2.1 It is essential to create public interest, awareness and concern regarding the significance of cultural heritage, its protection, conservation and enhancement for the benefit of both present and future generations. This public education can be achieved by utilising communication and promotion techniques: thematic publications, print and electronic media, cultural programmes, educational fairs, heritage site visits and excursions, exhibitions, workshops, lectures, seminars and so on.

8.2.2 Regional, national or international historically significant days, festivals and similar occasions could provide opportunities for community celebrations sensitively designed to draw public attention. Such events can be organised in or around historic structures/areas thereby reinforcing the role of heritage in the well-being of society.

8.2.3 Heritage walks can be used as an effective tool to involve local people in the informed appreciation and protection of their historic surroundings and cultural context. Such small-scale activities could precipitate a chain reaction of localised conservation projects involving community participation and contribution. These collective efforts need to be publicised so that they can serve as models to be adopted and adapted by other communities. Cultural walks linking various historic nodes must also be tailored to promote tourism, thereby creating economic benefits for the local community.

8.2.4 The legislation and regulations laid down in the administrative system, building by-laws, town planning acts and other measures relevant to the protection and conservation of architectural heritage must be made accessible to the public through user-friendly manuals and publications.

8.2.5 Governments at all levels and their associates authorities should support and facilitate non-government organisations, registered charitable trusts, heritage cooperatives and private initiatives to organise awareness programmes highlighting various aspects of heritage conservation, consequently informing local people of the means to deal with the challenges involved therein.

### **8.3. Education in primary and secondary schools**

8.3.1 Respect and affection for heritage - both natural and cultural - and concern for its protection and conservation should be inculcated in school children, and this must form a crucial aspect of education. Children must be encouraged to experience historic environs by engaging them in outdoor play activities, cultural events, picnics and extra-curricular subjects involving drawing or painting of cultural sites.

8.3.2 School teachers should be given specialised training in order to make them aware of the issues involved in the appreciation and preservation of heritage.

8.3.3 Education curricula should include subjects on India's natural, cultural, and living heritage that highlight the multifaceted relationship between cultural resources and society, reinforcing their inseparable bond.

### **8.4 Undergraduate education**

8.4.1 The institutes, colleges and universities for the education of architects, engineers, archaeologists, planners, administrative service officers, management professionals, material chemists and other professions relevant to heritage conservation and management should encourage inter-disciplinary interaction on shared issues and common concerns and inculcate a holistic understanding of heritage with reference to social, cultural and economic aspects of the society.

8.4.2 The education of conservation professionals must include short training periods when students work with master craftspeople in their own learning environment or at building/conservation sites. This would provide an opportunity for students to acquire practical experience in the application of skills and use of materials, thus strengthening their theoretical training.

8.4.3 In order to respond sensitively and constructively to India's special conservation challenges, conservation professionals must be trained to appreciate and integrate both traditional and modern principles in their work.

### **8.5 Post-graduate education**

8.5.1 In addition to history and theory of conservation, which will principally include the Western perspective, and a thorough understanding of UNESCO, ICOMOS and other recognised international conventions, recommendations, Charters and guidelines, the specialized education and training of conservation professionals must build upon traditional indigenous principles and practices of building and conservation. Professional must be trained to adopt a flexible stance most relevant to the specificity of their own context - which will frequently require using indigenous principles and practices - rather than adhere blindly to the conservation ideology advocated by UNESCO/ ICOMOS and other international aid giving agencies. Working with an inter-disciplinary team of professionals should be encouraged as an effective conservation and management mechanism.

8.5.2 It must be stressed that conservation architects acquire hands-on experience and practical understanding of indigenous materials and technologies through training or working with local master craftspeople. This will facilitate a healthy and sustained relationship amongst teachers, students and craftspeople, which can be mutually beneficial for future collaborative work on conservation projects, training workshops, awareness programmes and so forth.

## **8.6 Education and training of craftspeople**

- 8.6.1 The ideal way to preserve a craft is to practice it. In order to ensure the continuity of craft traditions, it is essential that systematic education and training environments be provided and supported at all levels by the Government, non-governmental organisations and private entrepreneurs. In addition to individual initiatives of modest scale within limited resources, NGOs can support small to medium-sized schools, and Central and State governments can operate fully equipped training centres that specialise in traditional building and conservation crafts.
- 8.6.2 Building Centres set up by HUDCO (Housing and Urban Development Corporation of the Government of India) are important initiatives that can be leveraged to promote traditional conservation practices. These Centres train and upgrade the skills of various trades of builders, with a focus on the use of appropriate materials and technologies. Conservation architects should associate themselves with these Centres in order to systemise the dissemination of traditional building principles and practices.
- 8.6.3 A comprehensive list of specialised crafts and craftspeople must be prepared that can serve as a resource base for owners, care-takers or managers of heritage properties, as also for professionals involved in the conservation and management of historic buildings/areas.
- 8.6.4 The monologue aspect of the modern ‘teaching’ system should be abandoned and a dialogue of mutual ‘learning’ must be adopted as a training principle, where both the instructor and the crafts person benefit from each other by exchanging ideas, ideologies and experiences. Training programmes must aim toward the sustainability of indigenous building system, and skills that are rooted in traditional knowledge bases and local cultures.
- 8.6.5 The education of crafts people seeking advanced skills or specialisation must reconcile the crucial aspects of both traditional texts and techniques and modern theories and technologies, consequently bridging the gap between indigenous and western (glossed as ‘universal’) principles and practices of conservation.

## **PART IV**

### **PROFESSIONALISM**

#### **ARTICLE 9: CODE OF PROFESSIONAL COMMITMENT AND PRACTICE**

##### **9.1 Conservation professionals shall:**

- 9.1.1 Ensure that their professional activities do not conflict with their general responsibility to contribute positively to the quality of the environment and welfare of society;
- 9.1.2 Apply their knowledge and skills towards the creative, responsible and economical development of the nation and its heritage;
- 9.1.3 Provide professional services of a high standard, to the best of their ability;
- 9.1.4 Maintain a high standard of integrity;
- 9.1.5 Conduct themselves in a manner which is not derogatory to their professional character, nor likely to lessen the confidence of the public in the profession, nor likely to bring conservation professionals into disrepute;
- 9.1.6 Promote the profession of conservation, standards of conservation education, research, training and practice;
- 9.1.7 Act with fairness and impartiality when administering a conservation contract;
- 9.1.8 Observe and uphold INTACH’s conditions of engagement and scale of charges, which will be prepared, in the due course, in consultation with conservation professionals;

- 9.1.9 If in private practice, inform their client of the conditions of engagement and scale of consultancy fee, and agree that these conditions be the basis of their appointment;
- 9.1.10 Not sub-commission to other professional(s) the work for which they have been commissioned, without prior agreement of their client;
- 9.1.11 Not give or take discounts, commissions, gifts or other inducements for obtaining work;
- 9.1.12 Compete fairly with other professional colleagues;
- 9.1.13 Not supplant or attempt to supplant another conservation professional;
- 9.1.14 Not prepare project reports in competition with other professionals for a client without payment or for a reduced fee (except in a competition conducted in accordance with the competition guidelines approved by INTACH);
- 9.1.15 Not attempt to obtain, offer to undertake or accept a commission for which they know another professional has been selected or employed until they have evidence that the selection, employment or agreement has been terminated, and the client has given the previous professional written notice to that effect;
- 9.1.16 Allow the client to consult as many professional as desired/ required provided that each professional so consulted is adequately compensated and that the project is in the preliminary stages;
- 9.1.17 Comply with guidelines for project competitions and inform INTACH of their appointment as assessor for a competition;
- 9.1.18 Not have or take as partner in their firm any person who is disqualified;
- 9.1.19 Provide their employees with a suitable working environment, compensate them fairly and facilitate their professional development;
- 9.1.20 Recognise and respect the professional contributions of their employees;
- 9.1.21 Provide their associates with a suitable working environment, compensate them fairly and facilitate their professional development;
- 9.1.22 Recognise and respect the professional contributions of their associates;
- 9.1.23 Recognise and respect the professional contributions of all consultants;
- 9.1.24 Enter into agreements with consultants defining the scope of their work, responsibilities, functions, fees and mode of payment;
- 9.1.25 Not advertise their professional services nor allow their name to be included in advertisements or be used for publicity purposes except under the following circumstances:
  - i. Notice of change of address may be published on three occasions and correspondents may be informed by post;
  - ii. Professionals may exhibit their name outside their office and on a conservation site, either under implementation or completed, for which they are or were consultant, provided that the lettering does not exceed 10 cm. in height and this in agreement with the client;
  - iii. Advertisements including the name and address of professionals may be published in connection with calling of tenders, staff requirements and similar matters;
  - iv. Professionals may allow their name to be associated with illustrations and/or descriptions of their work in the press or public media, provided that they neither give nor accept any compensation for such appearances;
  - v. Professionals may allow their name to appear in advertisements inserted in the press by suppliers or manufacturers of materials used in a project they have undertaken, provided that their name is included in an unostentatious manner and they neither give nor accept any compensation for its use;
  - vi. Professionals may allow their name to appear in publications prepared by clients for the purpose of advertising or promoting projects for which they have been commissioned;
  - vii. Professionals may produce or publish brochures, and pamphlets describing their experience and capabilities, for distribution to those potential clients whom they can identify by name and position;

viii. Professionals may allow their name to appear in the classified columns of trade/ professional directories and/ or the telephone directory.

9.1.26 When working in other countries, comply with the codes of conduct applicable there.

**9.2** If a conservation professional practices as a partner in a partnership firm or is in charge and responsible to a company registered under the Companies Act 1956 for the conduct of business of such company, he/she shall ensure that such partnership firm or company, as the case may be, complies with the provisions of Article 9.1;

**9.3** Violation of any of the provisions of Article 9.1 shall constitute professional misconduct.

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