

**KARACHI BUILDING AND TOWN PLANNING**  
**REGULATIONS 2002**  
**Government of Sindh**  
**Housing and Town Planning Department**

**Chapter 15 – Preservation of Heritage Buildings**

**15-1. Definition**

These definitions shall be confined to this Chapter only.

15-1.1. **Heritage Building** means any premises or objects declared as protected Heritage under Sindh, Cultural Heritage Preservation Act-1994 by the Govt. of Sindh, Culture, Tourism, Sports and Youth Affairs Department and the Government of Pakistan Antiquities Act-1975 and Amendments thereof.

15-1.2. **“Extension” or “to extend”** means the making of additions to a Heritage Building which affects its character as such.

15-1.3. **“Department”** means the Government of Sindh’s Culture, Tourism, Sports and Youth Affairs Department.

**15-2. Designation and Declaration of Special Interest Structures**

15-2.1. The Department may designate and declare a special architectural, historical, archaeological, artistic, ethnological, anthropological or national interest structures (under the Sindh Cultural Heritage Bill-1994), and forward the list of these designated

structures **to the Authority**, as applicable, for enforcement of the writ.

### **15-3. Approval of Building Plans for Heritage Buildings**

15-3.1. Any building declared as a Heritage Building by the Government of Sindh, under the above mentioned preservation Act (1994) shall **not be considered for approval by the Authority**, except with the prior approval of the department designated as such by the Government of Sindh.

#### **15-3.2. Transferable Development Rights.**

In the event that the existing total floor area of a Building, declared / notified under the Heritage Law as a Heritage Buildings, is less than the allowable covered area (Floor Area Ratio FAR) as per these Regulations, the **owner of the such a building / property shall be entitled to sell unutilized floor area ratio**. (Total allowable floor area minus the utilized floor area = unutilized floor area), to the owner/s of any another property / subject to following conditions:

15-3.2.1 The unutilized floor area ratio can only be utilized on commercial plots or residential flats sites or residential cum commercial site **where there is no restriction on constructions of number of floors**, provided this also does not violate other conditions of owning regulations as given in Chapter 25 accept the rules for floor area ratio, which shall be allowed to the extent the rights of floor area of a Heritage building is purchased by the applicant's owner of the building requesting the utilize the same FAR for his / Their building / project. No

**change in the land use shall be allowed** where such a FAR of the Heritage Building to utilized.

15-3.2.2 The **unutilized floor area ratio can be sold to more than one owner**, However the maximum unutilized floor area which could be sold to one owner of a property / site shall not exceed 1 / 3<sup>rd</sup> of the floor area allowed for the said property.

15-3.2.3 The sale of unutilized floor area of the Heritage building must be recorded with Department of Heritage and with the Authority. The Authority shall maintain a separate register for the maintenance of record of the unutilized floor area of the Heritage building.

15-3.2.4 The purchaser of the unutilized floor area of Heritage Building shall provide a certificate copy of the document certificate by the concerned Heritage Department with regard to the exact covered area utilized in the Heritage Building. The Authority on receipt and verification of such information, by itself, shall, as per the provided in Chapter 25 of these Regulations determine the surplus, covered area which could be sold to other buyers and shall allow the applicant for the utilization of the same in the application project / building.

#### **15-4. Approval for Demolition, Alteration, or Extension**

15.4.1. It shall be **unlawful for any person to demolish, alter or extend any heritage building without obtaining the prior approval of the concerned Department** and completing necessary required formalities of this Authority.

- 15-4.2. Prior to permitting the alteration, extension to Heritage Building, the Authority shall inform the concerned Department of the Government of Sindh. The Department shall have a period of **thirty (30) days** in which **to express any objection** to such an alteration or extension.
- 15-4.3. In case of **unauthorized or illegal demolition of declared protected Heritage Building no fresh approval of Building Plan** on the said plot **shall ever be permitted** and a **fine** as permitted by the Ordinance as amended from time to time, shall **be imposed** by the Authority in addition to any other fine that may be imposed by the Department under the provision of the Sindh Cultural Heritage Preservation Act-1994 or the Antiquities Act-1975.