F. No. 1/8/2010-M(Pt.III.R)
Government of India
Archaeological Survey of India

Janpath, New Delhi
Dated: 23.8. 2011

23 AUG 2011

To,

The Manager,
Government of India Press,
Mayapuri,
New Delhi.

Subject : Publication of Notification of the Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-laws and Other Functions of the Competent Authority) Rules, 2011.

Sir,

Please find enclosed herewith a copy of the final notification, of the Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-laws and Other Functions of the Competent Authority) Rules, 2011, both in Hindi and English duly signed by the Director General, Archaeological Survey of India, an officer equivalent to the Additional Secretary in the Government of India. It is requested that the same may be published in the Extraordinary Gazette, Part II, Section 3 sub-section (i).

The S.O. number of the notification and the date of its availability to the public may please be intimated to this office.

Further, two hundred copies of the printed Gazette Notification may please be supplied to this office.

Yours faithfully,

(P.B.S. Sengar)
Director (Monuments)

Encl.: As above

O/C

[To be published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i)]

Ministry of Culture

O/C

(Archaeological Survey of India)

NOTIFICATION

New Delhi : , 2011

.....Whereas draft Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-Laws and other Functions of the Competent Authority) Rules, 2011 were published vide Notification of the Government of India, Ministry of Culture, Archaeological Survey of India number G.S.R. 86 (E) dated the 11th February, 2011 published in the Gazette of India, Part-II, Section 3, Sub-section (i) as required by sub-section (1) of section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which the copies of the said Gazette Notification are made available to the public;

And whereas, the said Gazette was made available to the public on 18th February, 2011;

And whereas, the objections received before the due date have been duly considered and disposed of by the Central Government;

Now, therefore, in exercise of the powers conferred by clauses (cb), (cc), (cd) and (ce) of sub-section (2) of section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following rules; namely: -

1. **Short title and commencement :-** (1) These rules may be called the Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-laws and Other Functions of the Competent Authority) Rules, 2011.

(2) They shall come into force on their publication in the Official Gazette.

2. **Definitions:-** In these rules, unless the context otherwise requires, -

(a) "Act" means the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

(b) "competent authority" means the competent authority notified by the Central Government under sub-section (db) of section 2 of the Act;

(c) "Authority" means the National Monuments Authority constituted under section 20F of the Act;
(d) "Form" means the form annexed to these rules;
(e) "Schedule" means the Schedule appended to these rules;

3. **Appointment of supporting staff :-** The Central Government may provide supporting, technical and administrative staff as required, for the proper and efficient functioning of each office of the competent authority.

4. **Functions of the competent authority:-** (1)The competent authority shall receive and process applications received for repair, renovation, construction and reconstruction in the regulated and prohibited area of protected monuments and protected areas, and forward the same to the Authority for its approval.

(2) The competent authority shall obtain archaeological assessment reports, survey or inspection reports connected with grant of permissions related to major development projects, public project, project essential to public in the context of conveying its recommendations to the Authority.

(3) The competent authority shall formulate time bound programmes for preparation of detailed site plans for regulated and prohibited area, protected monument and protected area.

(4) The competent authority shall formulate time bound programme for preparation of heritage bye-laws for prohibited area or regulated area of each protected monument and protected area.

(5) The protected monuments under different categories to be identified by the Authority shall be clubbed by the competent authority on the basis of location, architectural style, comparative analysis, attributes and value and such other features to enable time bound completion of heritage bye laws.

(6) The competent authority shall develop a website to host information related to construction, reconstruction, repair, renovation, bye-laws, detailed site plans, awareness, capacity building and to publish its activities.

(7) The competent authority shall have regular interaction with the Authority to accomplish above mentioned tasks.

(8) The competent authority shall maintain a database and registers with regard to applications received for repair, renovation, construction, reconstruction, permissions granted, refused, permissions revalidated, site plans and heritage bye-laws.

5. **Receipts of applications for grant of permissions:-** The competent authority shall receive five sets of duly completed applications as per Form I at least three months before the commencement of the proposed work and process them with due care for the grant of permission for repair, renovation, construction or reconstruction in the prohibited or regulated area of each protected monument and protected area, as the case may be.

6. **Processing of applications under various categories :-**The competent authority shall consider processing of the applications so received under the following categories, namely: -

I. Large scale development projects involving construction proposed by the State Government or the Central Government, public sector, private bodies or any person, such as multi-purpose dams, hydro-electric projects, townships, industrial plants, airports or such other projects.

II. Public utility projects involving construction by the State Government or the Central Government, private-public sector, such as roads, highways, pathways, drains, sewage lines, water tank/lines (both above the ground and under ground), transportation, metro railways (above and underground), bus station, etc. or such other projects.

Provided that the public works shall not include maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences, or, the construction and maintenance of works meant for providing supply of water for public, or construction or maintenance, extension, management for supply and distribution of electricity to the public or provision for similar facilities to the public.

III. Construction of public amenities to be provided by State Government, the Central Government, non-Governmental organizations, public sector undertakings, local bodies or private bodies or any person, such as, drinking water facility, toilets, kiosks, facilities for physically challenged, publication counter, souvenir shops, ticket booths, information counters, visitor facilitation centres, parking facilities for various types of vehicles or generator rooms.

IV. Re-construction of residential buildings or structures in the land owned by any person, office building or structure owned by private, public sectors, the State Government or the Central Government or any other agency located in the regulated area.

V. Construction of residential buildings or structures in the land owned by any person, the State Government or the Central Government or any other agency located in the regulated area.

VI. Repair or renovation of residential building or structure located in the prohibited area owned by any person, private sector, public sector, the State Government or the Central Government built prior to 16th June, 1992 or subsequently constructed with the approval of Director General, Archaeological Survey of India on the basis of the recommendation of the expert advisory committee; or

VII. Repair or renovation of any building or structure located in the land owned by the applicant in the regulated area.

7. **Category of application to be forwarded to Authority :-** The competent authority shall forward the applications received under category I, II, III, IV and V specified in rule 6, to the Authority after processing them with its recommendation.

8. **Category of applications to be processed and cleared by the competent authority under intimation to Authority:-** (1) The applications received under category VI of rule 6 in the prohibited area, involving minor repairs, such as filling up of or grouting cracks, re-plastering of certain portions of the building or structure, repairs to water tanks or drainage, sewerage lines, underpinning to strengthen the foundation, replacement of windows, doors, relaying of flooring, water-tightening the roof, providing weather proof course to stop leakage, replacement of electrical poles, laying or alter water pipe lines, preventing breach of water tanks, replacement of or strengthening of staircase, provide coat of whitewash or colour wash or painting of walls of the building or structure or similar such works may be examined and grant permission at his end under intimation to the Authority.

(2) The applications received under category VII of rule 6 for the renovation and repair of building or structure located in the regulated area may be processed and permission granted by the competent authority under intimation to the Authority.

9. **Stages of processing of applications by competent authority :-** (1) The competent authority after receipt of applications under specified categories, shall take immediate follow up action by issuing an acknowledgement from its office.

(2) The applications shall be examined in detail by the competent authority, which may determine the impact of proposed construction on the protected monument and protected area by adopting appropriate study or methods including site inspection and submit its observations in writing within a period of seven days.

(3) The applicant, if necessary, may be informed about site visit by the competent authority or its representative in advance.

(4) The distance between the protected monument or protected area and the proposed location of the building or structure or land referred to in the application for repair, renovation, construction or reconstruction, shall be measured by the inspecting official with the help of land survey officials or any other technical official in the presence of applicant and record the distance mentioned in the application.

(5) The inspecting official shall make a reference to the notified boundary while recording the distance of the protected monument or protected area, as the case may be.

(6) The detailed photos exhibiting earth aerial view with appropriate marking may be enclosed along with inspection report.

(7) The competent authority may examine whether the relevant information sought in the application form has been provided by the applicant viz. site plan showing hard surface, landscape, sections, existing physical features, boundaries of the site, access, set backs on two or three sides, service plan, building plan including section, elevation, façade design, details of internal modifications, recent photographs in suitable size, showing the environs.

(8) If the details of the site plan referred to in sub- rule (7) is not found enclosed, the applicant shall be intimated to resubmit the application along with such details within a period of seven days.

(9) The competent authority may appoint an expert or consultant who is skilled and experienced in the field of archaeology for archaeological impact assessment, if the proposal involves large scale project.

(10) The competent authority may, depending upon the requirement in specific areas, appoint experts from the field of urban studies, urban conservation, heritage conservation, landscape studies, town planning, architecture or such other fields.

(11) The experts and consultants shall be paid such consultation fees and allowances as are admissible to the technical consultants of equivalent level in the Government of India.

(12) The assessment by the competent authority shall be carried out keeping in view the heritage bye-laws proposed for each protected monument or protected area.

10. Forwarding of application by competent authority to Authority :- After site inspection and impact assessment study (wherever necessary) and documentation, the competent authority may record its observations including assessment of impact of such construction on protected monuments or protected area and forward the application, within a period of fifteen days from the date of receipt of application, to the Authority as per Form II, for construction, reconstruction, repair, renovation, as the case may be, in the prohibited or regulated area of the protected monument or protected area.

11. Recommendations of the Authority :- The Authority after receipt of applications under any category specified in rule 6 with specific observations or comments of the competent authority, shall examine the proposal and convey its recommendation including the impact of such construction on the significance of the protected monument or protected area.

12. Intimation from competent authority to applicant :- Within a period of one month after the receipt of recommendation of the Authority, the applicant shall be informed by the competent authority about the grant or refusal of permission as so recommended by the Authority in Form III, IV and V, as the case may be.

13. Communication of refusal :- The competent authority before refusing the permission for repair, renovation, reconstruction, construction of building or structure in the prohibited or regulated area of the protected monument or protected area, on the grounds recommended by the Authority, shall give an opportunity in writing to the applicant to submit or offer his comments and clarifications and the competent authority shall, on being satisfied, convey the refusal in Form V to the applicant within a period of three months from the date of receipt of the application.

14. Appeal :- (1) Any applicant aggrieved by the refusal of permission for repair, renovation, construction or reconstruction of building or structure in prohibited or regulated area of the protected monument and protected area by the competent Authority on the basis of recommendation of the Authority, may within a period of 30 days, from the date of the communication of such refusal, prefer an appeal to the Central

Government for considering his case and the decision of the Central Government on such appeal shall be binding.

(2) The Central Government shall consider the appeal and dispose of the appeal within a period of ninety days from the date of receipt of appeal.

15. Granting permission in exceptional cases :- The competent authority may, in exceptional cases and pending the finalisation of the heritage bye-laws, grant permission for repair, renovation, construction or reconstruction to any person, agency, institution, Government departments, who owns or possess such building or structure or land with the approval of the Authority.

16. Grant of permission during natural calamities :- The reconstruction, construction, repair and renovation of any type of building or structure, collapsed or damaged and found beyond repair due to natural calamities, such as, earthquakes, flood, incessant rain, fire, landslide, cyclone and such other calamities, located in the prohibited or regulated area of the protected monument or protected area and need immediate restoration, shall be considered as a category by the competent authority which may not require the approval of the Authority for construction, reconstruction, repair and renovation of the building or structure to the extent damaged or destroyed.

17. Validity and Revalidation of permission :- (1) Permission granted by the competent authority after the approval of the Authority for construction, reconstruction, repair and renovation of building or structure as the case may be, in the prohibited area or regulated area of protected monument or protected area, which is of residential, public utility, public projects and industrial in nature, shall be valid for a period of three years from the date of grant of permission.

(2) If the applicant for any reason fails to carry out repair, renovation, construction or reconstruction during the period specified in the permission, he may approach the competent authority for revalidation of the same, which may be granted for any period not exceeding two years by the competent authority.

18. Violation of permissions :- Where the competent authority, based on material evidence in its possession, is of the opinion that permission granted by it has been violated by the applicant while carrying out repair, renovation, construction or reconstruction in terms of approved designs, height (both vertical and horizontal), plinth area and such other specifications and finds that such violation is likely to affect the preservation, safety, security or access to protected monument or protected area, as the case may be, it may refer the same to the Authority for its recommendations and if so recommended, withdraw the permission granted.

19. Failure to comply with conditions of permission :- In matters where the applicant fails to comply with approved design and specifications and violates terms and conditions laid down in the permission conveyed to the applicant for repair, renovation, construction, or re-construction of building or structure located in the prohibited or regulated area, as the case may be, the competent authority shall initiate legal action, under the provisions of the Act.

20. Hosting of information on website : (1) The competent authority shall send copies of orders granting or refusing permission for repair, renovation, construction or reconstruction in the prohibited and regulated area, to the Director General, Archaeological Survey of India, who shall host information on permission granted or refused on the website of Archaeological Survey of India from time to time.

(2) The competent Authority shall also host similar information on its website.

21. Preparation of Site Plan :- (1) The Director-General, shall make endeavour within a period of five years to cause a survey to be conducted in respect of all prohibited areas, regulated areas of each protected monument and protected area for the purpose of preparing detailed site plans as per the First Schedule with the help of experts and consultants.

(2) The demarcation of the protected monument and protected area shall be undertaken in consultation with concerned revenue officer on the basis of revenue map duly mentioning revenue plot numbers and schedule thereto.

(3) The District Collector or District Commissioner, as the case may be, shall arrange for demarcation and verification of the limits of the protected monument and protected area, as the case may be, within a period of thirty days of the receipt of request from the Director-General.

(4) The site plan shall be prepared following the notified protected limit of the protected monument or the protected area, the duly authenticated revenue records and the revenue map furnished by the District Collector or District Commissioner as the case may be.

(5) The identification and demarcation of Government land appurtenant to the protected monument and protected area shall be taken as part of cultural landscape or for providing infrastructural facilities to enhance the number of visitors at the site.

(6) The identification of land appurtenant to the protected monument and protected area which is necessary for the development of infrastructure or visitor's facility may be identified.

(7) The mapping of protected monument and protected area shall comprise recording of contours, preferably at 0.5 metre intervals, plan, all side elevations and section of each structure, pathways, landscaped area, open spaces, trees with detailed inventory, other features like tank, well, embankments, fortifications, remnants of ancient structures and such other features including caves and rock-shelters as may be deemed fit that form part of cultural landscape of the protected area.

(8) The open space in the detailed site plan shall comprise of the name of owner, possessor, lessee, mortgage and address, area in square meter, revenue plot number and present usage of area.

(9) The digital still and video photographs of each structure or building and general view of the area from different spots with a view to give an overall idea of the constructions around the protected monument or protected area shall be taken.

22. Framing of heritage bye-laws :- (1) The competent authority shall, in consultation with the Indian National Trust for Arts and Cultural Heritage prepare heritage bye-laws in respect of prohibited area or regulated area of each protected monument and protected area as per the Second Schedule.

(2) The competent authority shall prepare bye-laws under sub-rule (1) in consultation with heritage bodies, experts and consultants in the country, who have expertise in rendering such consultancy.

(3) The competent authority shall evolve his own mechanism to engage heritage bodies, experts and consultants for preparation of bye-laws in the respective regions.
(4) The heritage bye-laws in respect of each protected monument and protected area shall be framed on the basis of the relevant site plan prepared under rule 21.

(5) The competent authority shall ensure that heritage bye-laws in respect of each protected monument and protected area is taken up as a time bound programme and completed within a period of sixty days from the date of preparation of the site plans.

(6) The heritage bye-laws shall include use of building material, façade, roofing pattern, colour, height, built-up area, usage, stilt parking, underground construction, drainage systems, roads and service infrastructure like electric poles, water, sewerage, excavations and such other factors which may be necessary within the prohibited areas and regulated areas of the protected monuments and protected areas.

(7) While preparing the heritage bye-laws, the parameters specified in the Second Schedule shall be followed by the competent authority.

(8) A copy of each heritage bye-laws shall be placed before the Authority for its approval.

(9) Each heritage bye-law shall after the approval by the Authority be made available by the competent authority to the public on its website.

23. Documentation Centres :- (1) The Archaeological Survey of India shall set-up documentation centres or units in the offices of the Director General, Regional Directors and in Circles, on site plans and heritage bye-laws.

(2) A central documentation centre shall be established in the office of the Director General, Archaeological Survey of India, wherein documents, photographs, video graphs, films, compact discs, digital video documentation, drawings, survey plans, site plans and maps in respect of all protected monuments and protected areas and their respective prohibited and regulated areas, declared as of national importance under the Act shall be properly housed for consultation and reference by the interested persons.

(3) The Regional Directorates of the Archaeological Survey of India shall also establish regional documentation centres for storing information of various activities including preparation of site plan and heritage bye-laws of protected monuments, protected areas, prohibited and regulated areas in the respective regions.

(4) The bye-laws shall be recorded, digitised and stored and updated regularly with an easy mode to retrieve the data as and when required and in exceptional cases, features

referred in the bye-laws shall be documented in 3D and 360° virtual so that modifications, unauthorised activities, alterations and additions in the physical setting are detected immediately.

24. **Annual Report :-** The competent authority shall prepare an annual report and submit it to the Central Government and the Authority by the 30th day of April every year giving full description of all the activities for the previous year.

Form I

(See rule 5)

Application for grant of permission for undertaking repair / renovation in the prohibited area and construction / reconstruction / repair / renovation in the regulated area of protected monument or archaeological site and remains declared as of national importance under the Ancient Monuments and Archaeological Sites and Remains Act, 1958

1. Name of the applicant :

2. Address of the applicant :
   (a) Present

   (b) Permanent

3. Name of the owner(s) :
   (if the applicant is other than the owner)

4. Address of the owner(s) :
   (a) Present address

   (b) Permanent address

5. Whether the property is owned by individual or jointly
   (furnish documents)

6. Whether the property is owned by Government/Public Sector Undertaking/Private Sector Undertaking/Firm (if so, details to be furnished with complete address and phone numbers) :

7. Locality of the proposed construction :
   (with full details plot number, etc.)

8. Name of the nearest monument or site :
   (a) Locality :
   (b) Taluk :
   (c) District :
   (d) State :
   (Enclose area map showing the monument and the site of repair / renovation / construction / reconstruction)

9. Distance of the site of construction related activities from the protected boundary of the monument:

(a) Distance from the main monument:

(b) Distance from the protected boundary wall of the monument:

10. Nature of the work proposed:
(Repair/renovation/construction/reconstruction, etc.)

11. Details of work proposed
(furnish complete details with drawings of building / structure)

(i) Number of storeys
(ii) Floor area (storey-wise)
(iii) Height (excluding mumty, parapet, water-storage tank, etc.)
(iv) Height (including mumty, parapet, water-storage tank, etc.)
(v) basement, if any proposed with details

(Enclose plan, section and elevation drawings of the existing building duly approved by the Building Plan Sanctioning Authority and proposed building plan with section and elevation in case of reconstruction. Enclose building plan, section and elevation of the proposed building in case of construction/reconstruction.)

12. Purpose of the proposed work :
(residential/commercial/institutional/public/community)

13 Approximate date of the commencement of the proposed works:

14 Approximate duration for completion of the proposed work:

15. Maximum height of the existing modern buildings in the close vicinity of -
(a) near the Monument:
(b) near the site of construction related activity:

16. Whether the monument is located within the limits of Municipal Corporation / Municipalities/ Nagar Panchayat / Village Panchayat

17. Does any Master Plan/zonal development plan/layout plan approved by concerned local authorities exists for the city / town / village:

18. Status of modern constructions in the vicinity of the monument and the proposed site of construction/reconstruction:

19. Open space/park/green area close to the protected monument / protected area:

20. Whether any road(s) exists between the monument and the site of construction/reconstruction:

21. Remarks/additional information, if any:

I .....declare that the above information is correct. I also undertake to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 as amended by the, the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010 and the rules made there under.

Place:

Seal of firm (if any)

Date:

Signature of the applicant

Note:

1. If the application is on the behalf of the organisation/firm, the signature should be of the head of that organisation/firm.
2. Enclose photographs showing the monument and the existing modern constructions.
3. Google Earth Images of the area under reference showing the monument and the site of construction related activities.
4. Enclose ownership documents duly attested by an authorized officer of the Government.
5. In case of repairs/renovation a report from a duly authorised/licenced architect to be submitted by the applicant.

Form II

(See rule 10)

Forwarding of proposal from competent authority to the Authority for recommendation / approval for grant of permission for undertaking repairs/ renovation in the prohibited area and construction / reconstruction / repairs / renovation in the regulated area of an protected monument or archaeological site and remains declared as of national importance

1. Name of the applicant :

2. Address of the applicant :

   (a) Present
   (b) Permanent

3. Status of the ownership :

4. Whether the property is owned by individual or jointly / Government / Public Sector Undertaking / Private Sector Undertaking / Firm

5. Locality of the proposed construction, etc. :

6. Name of the nearest protected monument or protected area :
   (a) Locality :
   (b) District :
   (c) State :

7. Distance from the protected monument/protected area: (distance should be given from all sides)

8. Nature of the work proposed : (repair/renovation/construction/reconstruction)

9. Details of work proposed : (furnish complete details with drawings showing the nature of work)
   (i) Number of stories
   (ii) Floor area (storey-wise)
   (iii) Height (excluding mumty, parapet, water-storage tank, etc.)
   (iv) Height (including mumty, parapet, water-storage tank, etc.)
   (v) Basement, if any proposed with details

10. Purpose of the proposed work : (residential/commercial/institutional/public/community)

11. Status of maximum height of the existing modern buildings in the close vicinity of:
(a) near the Monument:
(b) near the site of construction related activity:

12. Whether the monument is located within the limits of Municipal Corporation / Municipalities / Nagar Panchayat/Village Panchayat:

13 Does any Master Plan/zonal development plan duly approved by the respective local authorities exists for the city/town/village:

14. Category of the Application:

15. Date of inspection of the site:
(by the Competent Authority or other designated officer)

16. Name & Designation of the site inspecting official:

17. Report of the inspecting official :
(Photographs, aerial view of the site to be submitted)

18. Assessment reports by Experts, if any:

19. Specific recommendations of Competent Authority:
(with three sets of the proposal)

Place:

Date:
F.No.

Signature of the Competent Authority

SEAL

Form III

(See rule 12)

Grant of permission for undertaking repairs and renovation of building / structure located in the prohibited area of the protected monument or archaeological site and remains declared as of national importance under the Ancient Monuments and Archaeological Sites and Remains Act, 1958

Whereas, ..., of .....has applied for permission for..... ....in the prohibited area near or adjoining ....at .... District....., State.....and has undertaken to observe the provision of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) and rules made there-under, I, ..., competent authority, do hereby grant this permission on the basis of the approval/recommendation of the National Monument Authority, under sub rule (.....) of rule .....of the said rules to the said..... (name of the applicant)..... ..... for .....in the area indicated in red outline on the plan attached hereto.

The permission is granted subject to the provision of the Act and the Rules and is further subject to the following conditions, namely.-

1.
2.
3.

The permission is not transferable and it shall be valid for a period of three years commencing with .....day of .....

Station :
Date :
F.No.

Signature of the Competent Authority

SEAL

Form IV

(See rule 12)

Grant of permission for undertaking construction /reconstruction / repair/ renovation in the regulated area of protected monument or archaeological site and remains declared as of national importance under the Ancient Monuments and Archaeological Sites and Remains Act, 1958

Whereas, ... , of .... has applied for permission for..... .... in the regulated area near or adjoining ....at .... , District....., State..... .... and has undertaken to observe the provision of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) and rules made there under, I, ... , competent authority, do hereby grant this permission on the basis of the approval/recommendation of the National Monument Authority, under sub-rule (.....) of rule .....of the said rules to the said .....(name of the applicant) ....for ....in the area indicated in red outline on the plan attached hereto.

The permission is granted subject to the provision of the Act and the Rules and is further subject to the following conditions, namely:

1.
2.
3.

The permission is not transferable and it shall be valid for a period of three years commencing with ..... day of ....

Station :
Date :
F.No.

Signature of the competent authority

SEAL

Form V

(See rule 12 and 13)

Refusal of permission for undertaking construction / reconstruction / repair / renovation in the regulated area / prohibited area of protected monument or archaeological site and remains declared as of national importance under the Ancient Monuments and Archaeological Sites and Remains Act, 1958

To

.....
.....
.....

File No : ..... Dated : .....

Sir/Madam,

With reference to your application no.....dated..... .....for the grant of permission for the construction/ reconstruction / repair / renovation in the prohibited / regulated area of protected monument / archaeological site and remains declared as of national importance, plot no.....block no. ..... situated at..... .....I am to inform you that the permission has been refused on the following grounds.

1.
2.
3.
4.

Station : Signature of the Competent Authority
Date :

SEAL

THE FIRST SCHEDULE
[see rule 21 (1)]

Parameters for Preparation of Site Plan

While preparing a site plan for the protected area, the prohibited and regulated areas, the following parameters shall be adhered to and incorporated.

(a) **Protected Area, protected monument, prohibited area or regulated area**

Parameters:

(i) Contouring (1 metre interval) is preferably. However, it can vary depending on the nature of landscape. If it is hilly terrain with cliffs, then contour intervals can be increased. If the landscape is plain, then it can be reduced to 0.5 metre;
(ii) Fixing of Bench mark and survey points on the ground and map;
(iii) Protected area needs to be mapped in such a manner that property and feature within the area can easily be identified. Therefore the area shall be required to be grided both on map and ground. Grids can be of 50 x 50 metres;
(iv) Mapping of structures on plan;
(v) Other features like tank, embankment, mud fortification, remnants of ancient structures etc should be shown;
(vi) Roads and pathways;
(vii) Garden area;
(vii) Trees (with an inventory – tree type, girth and height);
(ix) Telephone Lines
(x) Sewerage Lines
(xi) Water supply lines, etc.
(xii) Contouring / Relative heights of certain areas
(xiii) Ground Penetrating Radar survey determining the buried archaeological remains.
(xiv) Any other feature that is required to be incorporated in consultation with the competent authority;

THE SECOND SCHEDULE
[See rule 22]

Parameters for Heritage Bye-laws :

The heritage bye-laws shall be framed on the basis of the site plan prepared for each of the prohibited and regulated areas of protected monuments and the following parameters, namely –

(i) Architectural, historical and archaeological value of the monument;
(ii) Sensitivity of the monument (e.g. developmental pressure, urbanization, population pressure, etc);
(iii) Visibility from the protected monument or area and visibility from regulated area;
(iv) Land-use to be identified;
(v) Archaeological heritage remains other than protected monument(s);
(vi) Cultural landscapes;
(vii) Significant natural landscapes that forms part of cultural landscape and also helps in protecting the monument from environmental pollution;
(viii) Usage of open space and constructions;
(ix) Traditional, historical and cultural activities;
(x) Skyline as visible from the monument and from regulated areas;
(xi) Vernacular architecture;
(xii) Developmental plan as available by the local authorities;
(xiii) Building related parameters-
  (a) Height of the construction;
  (b) Floor area;
  (c) Usage;
  (d) Façade design;
  (e) Roof design;
  (f) Building material;
  (g) Colour;
(xiv) Visitors facilities and amenities.

F.No. 1/8/2010-M(Pt.-III.R)

(GAUTAM SENGUPTA)
Director General

O/C