

**GOVERNMENT OF INDIA
CULTURE
LOK SABHA**

UNSTARRED QUESTION NO:3165

ANSWERED ON:13.12.2011

BAN ON CONSTRUCTIONS AROUND PROTECTED MONUMENTS

Chanabasappa Shri Udasi Shivkumar;Dhanaplan Shri K. P.;Hussain Shri Syed Shahnawaz

Will the Minister of CULTURE be pleased to state:

- (a) whether a number of infrastructural projects, ongoing /proposed constructions, repair/renovation of residential houses have come to a halt in the country due to the existence of Centrally protected monuments within the enhanced prescribed limit of distance under the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010;
- (b) if so, whether the Government has received any representations regarding the same;
- (c) if so, whether the Government has taken any steps to relieve the genuine residents due to the halt of development works;
- (d) if so, the details thereof;
- (e) whether the Government has any proposal to amend the law/rules in this regard; and
- (f) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF CULTURE (KUMARI SELJA)

(a)to (f) As per the notification of 16th June, 1992, an area of 100 metres surrounding the protected monuments has been declared as prohibited area and the area further 200 metres beyond the prohibited area as regulated area for the purposes of construction, reconstruction, repairs and renovation and mining activities. With regard to the representations received it is pointed out that the stipulations relating to 'prohibited' and 'regulated' areas in the proximity of monuments and sites declared as of national importance, have been in vogue since 1992. However, under the provisions of the AMASR (Amendment and Validation) Act 2010, an institutional mechanism has been provided for, to deal with the applications for grant of permission to undertake repairs/renovation/re-construction or construction in the 'prohibited' and 'regulated' areas. The mechanisms include the establishment of Competent Authorities (26 such Notifications have been issued); setting up of a National Monuments Authority and formulation of heritage bye-laws based on drafts prepared in consultation with the Indian National Trust for Art and Cultural Heritage (INTACH) and other notified national-level heritage bodies. As such, there is no proposal under consideration of the Government, at this stage, to further amend the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958.