

**GOVERNMENT OF INDIA
CULTURE
LOK SABHA**

UNSTARRED QUESTION NO:2064

ANSWERED ON:02.12.2009

NORMS FOR CONSTRUCTION WORK AROUND PROTECTED MONUMENTS

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Will the Minister of CULTURE be pleased to state:

- (a) the norms/guidelines regarding construction work around protected monuments;
- (b) whether any Expert Committee was set up by the Archaeological Survey of India (ASI) in 2006 to consider relaxation of ban on construction norms within 100 meters of protected monuments;
- (c) if so, the details thereof including the recommendations of the Committee;
- (d) whether the ASI has granted permission/relaxation to allow construction work violating the norms/guidelines in this regard;
- (e) if so, the details of all such construction works during the last three years and the current year and the reasons therefor;
- (f) whether the Government has any proposal to inquire into all such cases; and
- (g) if so, the details in this regard and if not, the reasons therefor?

Answer

MINISTER OF STATE FOR PLANNING AND PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY)

(a) The Central Government in exercise of its power under Rule 31 of the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958 had issued a Notification in 1992, published in the Official Gazette of India vide S.O. No. 1764 of 16th June, 1992 to contain construction and mining activities within the prohibited and regulated areas, i.e. areas upto 100 metres and 200 metres further beyond, respectively, from protected limits.

(b)&(c) Yes, Sir. The Committee was constituted in 2006 in view of the fact that even much prior to the issue of 1992 Notification, defining prohibited and regulated areas, the areas close to some of the monuments had already been inhabited and the blanket ban on the construction/repairs activities had caused a lot of problems to the genuine owners of the properties. There were cases wherein the existing buildings constructed decades ago had become dilapidated but the owners were not in position to undertake any major repairs, addition and alteration or restoration/ reconstruction.

To address the problems being faced by local inhabitants relating to constructions in prohibited and regulated areas of centrally protected monuments, an Expert Advisory Committee was constituted in 2006 to render advice to the Director General, ASI in the matter. The Committee comprised of eminent scholars, historians, architects as its members.

(d)&(e) The Committee after examining the proposals on case to case basis, made recommendations, on merit, taking into account the ground realities and also whether the proposed construction was likely to cause any adverse effect on the monument either visually or structurally. A State-wise list of permissions granted by the Archaeological Survey of India as per the recommendations of the Expert Advisory Committee is at the Annexure.

(f)&(g) As per the judgement of Delhi High Court, dated 30.10.2009 the cases pertaining to prohibited areas are to be reviewed.