

**GOVERNMENT OF INDIA
CULTURE
LOK SABHA**

UNSTARRED QUESTION NO:719
ANSWERED ON:15.07.2014
INSTITUTIONAL MECHANISM UNDER AMASR ACT
Shetti Shri Raju alias Devappa Anna

Will the Minister of CULTURE be pleased to state:

- (a) whether any Institutional mechanism /authority has been provided under the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) (AMASR) Act, 2010;
- (b) if so, the details thereof along with the Power and functions of such authority;
- (c) the criteria followed in carrying out construction activities near protected monuments;
- (d) whether the Government proposes to delegate power of such authority to the functionaries at district/block level in view of the difficulties faced by the people; and
- (e) if so, the details thereof and the remedial measures proposed to be taken by the Government in this regard?

Answer

MINISTER OF STATE (IC) CULTURE & TOURISM (SHRI SHRIPAD NAIK)

(a) Yes Madam, National Monuments Authority (NMA) has been constituted & under Section 20F of 'The Ancient Monuments and Archaeological Sites (b)and Remains (Amendment and Validation) Act, 2010'.

The Power and functions of NMA as mandated in the amended Act, are as under:-

- (a) make recommendations to the Central Government for grading and classifying protected monuments and protected areas declared as of national importance under sections 3 and 4, before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010;
- (b) make recommendations to the Central Government for grading and classifying protected monuments and protected areas which may be declared after the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, as of national importance under section 4;
- (c) oversee the working of the competent authorities;
- (d) to suggest measures for implementation of the provisions of this Act;
- (e) to consider the impact of large-scale developmental projects, including public projects and projects essential to the public which may be proposed in the regulated areas and make recommendations in respect thereof to the competent authority;
- (f) to make recommendations to the competent authority for grant of permission.

(c) As per the provision made in the amendment Act, no construction or reconstruction is permitted in the prohibited area (an area up to a distance of 100 meters in all directions from the nearest protected limit of nearby protected monument or protected area declared as of national importance), but repair or renovation are considered in the prohibited area. In the regulated area (an area up to a distance of 200 meters in all directions from the prohibited area of any protected monument and protected area declared as of national importance), repair / renovation / construction / reconstruction are being considered.

(d) There is no such provision in the Act to delegate powers of the Authority & to the functionaries at district / block level. However, 32 Competent

(e) Authorities notified by the Government, located at different places in the country, have been entrusted with the work of receiving of applications from the property owners, who intend to construct / reconstruct / repair / renovate their properties located in the prohibited / regulated area of any nearby protected monument and protected area declared as of national importance. The Competent Authorities after getting the field report and with his recommendation in the prescribed Form, forward the applications to the NMA for their consideration. In addition, Competent Authorities have also been delegated powers to dispose off NOC applications for repair and renovation.

