

**Minutes of the 20<sup>th</sup> meeting of the Expert Advisory Committee to review the cases for construction/reconstruction/addition/alteration/renovation of buildings in the prohibited/regulated areas of the centrally protected monuments held on Monday 30<sup>th</sup> March, 2009 at 12.00 noon in the Conference Room, Office of the Director General, Archaeological Survey of India, Janpath, New Delhi.**

The meeting was chaired by the Director General, ASI and was attended by following members of the Expert Advisory Committee and officers of ASI, DDA-

1. Prof. Narayani Gupta - Member, EAC
2. Prof. Mohd. Shaheer - Member, EAC

Officers from ASI, DMRC, RTDC and DDA

1. Shri Vijay S. Madan, Addl. D.G., ASI
2. Shri C. Dorje, Director (Monuments)
3. Shri A.K. Sinha, S.A. (M)
4. Shri K.K. Mohammed, SA, Delhi Circle
5. Shri G.S. Narsimhan, SA, Mumbai Circle
6. Shri T.J. Baidya, SA, Kolkata Circle
7. Shri S.N. Kesarwani, SA, Chandigarh Circle
8. Shri T.K. Bhattacharya, ASAE, Kolkata Circle
9. Shri T.J. Alone, SA, Jaipur Circle
10. Shri V.K.Swarnkar,Dy. SA, Delhi Circle
11. Shri Jasmer Singh, Surveyor Officer
12. Shri Akshat Kaushik, Asstt. Archaeologist, Chandigarh Circle
13. Shri K.P. Pandey, Bhubaneswar Circle
14. Shri Y.C. Shekhar,
15. Shri S.M. Ahmed, Birla Cement Works, Chittorgarh
16. Shri G.P. Shah, RTDC, Jaipur
17. Shri Sanjay Mathur, RTDC, Jaipur
18. Smt. Kavita Jain, Conservation Architect, Jaipur
19. Shri Surajit Jawdhava, Dy. Director (Arh) Co-ordinator DDA
20. Shri Ashok Ghodeswar, Sr. Architect, East Zone, DDA
21. Shri Sonali Roy, CRCI, Consultant to PHTB
22. Shri Sunil Verma, AGM/UT Rites
23. Shri Kumar Keshav, Ex. Director (C), DMRC
24. Shri Rajan Kataria, CE/D, DMRC
25. Shri R.K. Tiwari, PC/U.T. Div., RITES
26. Shri S.C. Jain, Architect, DDA
27. Shri R.S. Rana, AO
28. Shri Rajender Prasad, W.A.Gr.I
29. Shri Gopal Singh, LDC

At the outset, DG stated that since Prof. K.T. Ravindran has not been able to attend this meeting the quorum does not seem to be complete. The two members, who were present opined that one of the absentee members whosoever is readily available could be shown the power point presentation on the proposals discussed in this meeting along with relevant documents to have his opinion to ensure that opinions of at least three members have been obtained to overcome with the problem of quorum as had been done in the past on more than one occasions. DG agreed with the suggestion and decided to proceed ahead with the cases listed in the agenda.

As per the decision the draft minutes prepared on the basis of the discussions held in the meeting on 30.3.2009 were shown to Prof. Subir Saha, Member of the Committee. He was also shown the power point presentation on each case discussed in the meeting and also all relevant documents to obtain his independent views. On perusal of the presentation and the documents, Prof. Saha expressed his agreement on the decisions taken. He gave a note confirming his agreement on the decisions taken on each case discussed in the meeting held on 30.3.2009.

In the meeting following cases were examined -

## **KOLKATA CIRCLE**

### **1. East-West Metro Corridor Project Kolkata regarding Construction activities near centrally protected Beth-el-Synagogue and Maghen David Synagogue.(F.No.24/193/2008-M)**

SA, Kolkata Circle has forwarded the proposal and has informed that the proposed construction of tunnel, underground station, etc. is proposed within a distance of 20 m from the centrally protected monuments Beth-El-Synagogue and Maghen-David Synagogue, falls within the prohibited area. There are proposals for underground construction of tunnels, stations etc. besides entry and exit points above the ground. Both the monuments are located in busy markets and are surrounded by stalls / kiosks causing difficulty in proper access. The monuments are not visible from the road side except the high tower of Maghen-David Synagogue.

The matter had come up for discussion in the 19<sup>th</sup> meeting of the Expert Advisory Committee but the same was not discussed since the Additional Chief Secretary, Transport Department of Govt. of West Bengal had requested DG, ASI for an opportunity to make a presentation before the Expert Advisory Committee on any date after 4.2.2009.

Addl. Chief Secretary, Govt. of West Bengal, Kolkata and Chairman/Managing Director, Metro Rail Corporation, Kolkata gave a power point presentation on the proposal in general and also the specifics of the work which are planned in the prohibited and regulated areas of Beth-el-Synagogue and Maghen-David Synagogue, both centrally protected monuments in Kolkata. DG, ASI observed that since the underground metro rail is likely to pass close to the monuments and the entry/exist is hardly 20 m away from the monument it would be desirable to have an archaeological impact assessment done to gauge the adverse effect, if any, likely to be caused on the protected monuments. He felt that KMRC may get the impact assessment carried out and submit a report to the ASI for evaluation. Addl. Chief Secretary, KMRC, Kolkata requested DG, ASI to suggest the agencies which could be assigned the task. DG suggested that the draft terms of reference to be made available to the agency for doing the archaeological impact assessment should be got approved from the ASI by KMRC. One of the members also stated that the ASI should be given the detailed drawings mentioning the dimensions of the tunnel, exit and entry points and the Metro Station. He also suggested that the exit and entry points may not have any super structure to avoid any obstruction in viewing the monuments. He also suggested that the exit/entry should be at the extreme end of the monument.

### **2. Request of Shri Ramakanta Chakrabarty, The Asiatic Society, 1, Park Street, Kolkata-16 for construction of Additional floors in the new Building of the Asiatic Society. (F.No.24/44/2009-M)**

The proposal had been placed before the Committee in its meeting held on 01.11.2007 wherein it was found that the Asiatic Society authorities desire to construct additional floors at the new Asiatic Society building to create more working space. The building where floors are to be added is located within the premises of Asiatic Society but falls within the prohibited area of

the centrally protected Old Asiatic Society Building. It was, however, noted by the members of the Committee that the proposal is not only limited to adding floors but also involves alteration in the exterior facade of the building. It was also observed that the elevation drawing of the proposed construction does not tally with the existing design of the building.

The Committee members had desired that the Asiatic Society authorities should be asked to clarify the position and resubmit the facts in the next Expert Advisory Committee meeting.

The Secretary, Asiatic Society along with his colleagues later presented the case before the Committee members on 20.12.2007 and explained in detail the proposal formulated. The members of the Committee were of the view that the Asiatic Society should incorporate the basic elements of the exterior facade of the old Asiatic Society Building while adding floors to the building. The members had felt that the Asiatic Society may submit a fresh set of elevation drawings to the ASI, incorporating the suggestions of the Expert Advisory Committee, for clearance. The members, however, had agreed to grant permission for construction of additional floors in the new building, in principle, considering that the Asiatic Society really needs additional space.

The Asiatic Society authorities have submitted the elevation design, as required and have sought the approval to go ahead with the plans.

The Expert Advisory Committee members were shown the façade design submitted by the Asiatic Society authorities. The members were not happy with the drawings submitted as it had no details. It was, therefore, decided that the Asiatic Society authorities may be requested to make a fresh power point presentation on the façade design by the architect in the next meeting for explaining the details to the members and to also make a comparison between the façade design of the protected Asiatic Society building with the one proposed now for the existing building for which permission to add 3 floors has already been granted by the ASI in principle. They may also be asked to provide the total covered area of existing building as well as of the proposed additions.

### **BHUBANESWAR CIRCLE**

**3. Permission for construction activity in Kedareshwar Mouza of Thana- Chondwar, Dist. Cuttack, Orissa by OSHB. (F.No.24/148/2008-M)**

The report from SA has so far not been received. The proposal was, therefore, not discussed by the Committee.

**4. Permission for construction of house on the land near Bhaskareswar Temple, Bhubaneswar by Shri Sanatan Das (F.No.24/97/2008)**

Shri Sanatan Das has appealed to DG, ASI informing that when he applied to BDA for approval of plans for construction of a house on the site which was allotted to him by BDA in 1989, he was informed that his plot partly falls in the prohibited area of Bhaskareswar temple, a protected monument, which is a no construction zone. He has submitted a few photographs besides the building plans and site plan. The exact distance between his plot and the monument has not been indicated. The construction proposed is double-storeyed with mummy and parapet wall having an approximate height of 10 m. He has stated that a number of buildings already exist around his plot and the proposed construction is not likely to affect the safety, appearance and maintenance of the monument under reference. He has undertaken that he shall not carry out construction beyond 7 m height.

SA, Bhubaneswar Circle has furnished the details along with photographs showing the ground conditions, area map and Google Earth image. As per the report received the site of construction falls in the prohibited area of Bhaskaresvara temple at a distance of 84.4 m where the applicant proposes to construct a building having maximum height of 9.32 m (ground and first floors). SA has informed that the plot where the construction is proposed is surrounded by residential buildings, mostly single and double-storeyed and has thus recommended that permission could be granted for construction.

Dy. SA, Bhubaneswar Circle gave a power-point presentation on the proposal with the help of photographs, area map, Google Earth image and drawings before the Expert Advisory Committee. The members of the Committee desired to know as to when was the last permission granted by ASI in the prohibited area of Bhaskareswar Temple as per the recommendation of the Expert Advisory Committee. They were of the opinion that Bhubaneswar Circle should mark the plot on an area map where the construction has been proposed and also those plots for which the Expert Advisory Committee has recommended grant of permission in earlier meetings. It was also desired by them that the height of existing buildings around the plot and the protected monument should be indicated on an area/locality map. The decision on the proposal was deferred.

**5. Permission for construction of building on Plot No.RP-3 under Baragarh Plotted Development Scheme, Tankapani Road, Bhubaneswar Shri Abhya Kumar Ray (F.No.24/124/2008-M)**

The applicant has appealed to the DG, ASI for grant of permission for construction at the plot which had been allotted to him by Bhubaneswar Development Authority. He has been refused permission for construction by BDA since the plot falls in the prohibited area of Bhaskareswar temple. He has submitted following justification for consideration of the DG, ASI –

- 1) That, between plot No.RP-3 and the boundary wall of ASI protected Bhaskareswar temple lies the existing BRIT Colony of BDA and a public road connecting Tankapani Road and Kalpana square of Bhubaneswar. The road is a busy one and thousands of vehicles ply on this road daily.
- 2) That, both the BRIT Colony and Bhaskareswar temple lie to the east of plot No.RP-3. Structures exist on Plot No.RP-3. Structures exist on Plot No.RP-1 and RP-5 on the south and north side, respectively, Plot No.RP-3 is west facing.
- 3) That, plot RP-3 is surrounded by structures on all three sides i.e. east, north, south except west where a road runs. The BDA in their letter no.2312 (WE)/BP/BDA dated 13.3.2008 has also mentioned this fact.
- 4) The Bhaskareswar temple stands at a higher elevation than the plot no.RP-3. The height difference between the temple and plot is around 3 m (10'). Therefore, there is little chance of visual obstruction to the temple.
- 5) That, all the plots on this row are having structures except Plot no.RP-3. Therefore, construction over this piece of land will neither directly nor indirectly affect the monument.

SA, Bhubaneswar Circle has informed that the construction site is located at a distance of 29 m thus falling in the prohibited area of Bhaskareswar temple. The applicant intends to construct a residential building having a height of 7.62 m comprising ground and first floors. SA has informed that the plot is surrounded by single and double storied buildings and hence has recommended that permission for construction could be given.

Dy. SA, Bhubaneswar Circle gave a power-point presentation on the proposal with the help of photographs, area map, Google Earth image and drawings before the Expert Advisory Committee. The members of the Committee desired to know as to when was the last permission granted by the ASI in the prohibited area of Bhaskareswar Temple as per the recommendations of the Expert Advisory Committee. They were of the opinion that Bhubaneswar Circle should mark the plot where the construction was proposed which has been recommended by the Expert Advisory Committee on the area layout plan of the colony approved by the Bhubaneswar Development Authority indicating the height. The decision on the proposal was deferred.

**6. Permission for construction of residential building in prohibited area of Khandagiri Caves MIG B/5, Brit Colony, Nayapalli, Bhubaneswar, Orissa in respect of Shri P.K. Sahu. (F.No.24/130/2008-M)**

The applicant has appealed to DG, ASI against the rejection of the request made to SA, Bhubaneswar Circle. He has informed that the site of construction partly falls in the prohibited

area. In support of his request he has stated that many residential buildings already exist in the prohibited area of the monuments.

SA, Bhubaneswar Circle has informed that the site of construction falls at a distance of 60 m from the monument i.e. Khandagiri and Udaigiri Caves. The applicant proposes to construct a double storied building having a height for 6.24 m. SA has informed that many residential buildings which are single and double storied exist in between the plot and the protected monument. A road also exists in between. SA has recommended that permission for construction could be granted.

Dy. SA, Bhubaneswar Circle gave a power-point presentation on the proposal with the help of photographs, area map, Google Earth image and drawings before the Expert Advisory Committee. The members of the Committee expressed that the documentation done by Bhubaneswar Circle is not adequate enough to evaluate the ground conditions. They also opined that more Google Earth images zooming the area around the monument and also the plot of construction should be submitted. They also desired that SA, Bhubaneswar Circle may be requested to submit an area/locality map mentioning the height of buildings, which already exist between the monument and the plot where construction has been proposed. The decision on the proposal was deferred.

**7. Permission for construction of residential building on Plot Nos.193 & 194, Jagamara, Bhubaneswar. (F.No.24/171/2008-M)**

The report from SA has so far not been received. The matter was not discussed by the Expert Advisory Committee.

**8. Permission for issue of NOC for construction on Plot No.720/1041/1076, BJB Nagar, Bhubaneswar near Rajarani Temple, Bhubaneswar. (F.No.24/176/2008-M)**

The applicant has requested for grant of permission for construction at the plot which is located along a lane far away from Raja Rani temple. He has informed that residential and commercial buildings exist close to the monument in the lane where his plot falls. SA, Bhubaneswar Circle has informed that the site of construction is 82 m away from the protected monument i.e. Raja Rani temple. The height of the proposed construction is 9.08 m having ground and first floors. He has also informed that the plot is surrounded by residential buildings, mostly single and double storied. A road also passes between the monument and the plot of construction. He has recommended that permission for construction may be granted since the view of the monument is not likely to be affected. He has submitted Google Earth

image, site plan of the monument, area map and photographs of the monument as well as the plot explaining the ground conditions.

Dy. SA, Bhubaneswar Circle explained the proposal with the help of relevant documents, area map, site plan of the monument, Google Earth images, photographs, etc. The members, however, felt that the Bhubaneswar Circle has not clearly mentioned that in between the plot of construction and the monument, buildings upto the height of 9.5 m do exist, which may indicate that the proposed construction in the prohibited area of the protected monument is not likely to adversely affect the monument. They expressed that the ASI may grant permission for construction to applicant subject to the condition that Bhubaneswar Circle makes a categorical mention of height of the existing buildings on each plot on a layout plan of the colony to the DG, ASI which exist between the monument and the site of construction for issuing permission for construction upto the height of 9.5 m.

**9. Permission for grant of NOC for construction of residential building on Plot nos.204, 205,206 and 191, Mauza Rajarani, Bhubaneswar by Smt. Aruna Dhal. (F.No.24/107/2008-M)**

The applicant has requested DG, ASI for grant of permission to undertake construction at the plots purchased by him close to Mukteswar temple. His request had been turned down by SA, Bhubaneswar Circle. He has further informed that many residential and commercial buildings have already come up much closer to the boundary of the protected temple than his. He has stated that the proposed construction is not likely to cause any obstruction in viewing the monument.

SA, Bhubaneswar Circle has informed that the site of construction is 84 m away from the Mukteswar and Siddheswar temples. The applicant intends to construct a residential-cum-commercial building at the site having a height of 16.94 m with a basement for parking purposes. It has also been informed that the construction at the site is in progress. He has further mentioned that the construction site is surrounded by residential and commercial buildings, mostly single and double storied. Besides, State Highway No.203 also passes between the monument and the site of construction. SA has recommended for grant of permission to the applicant. He has furnished site plan, area map, Google Earth image and photographs explaining the ground conditions besides the building plans.

Dy. SA, Bhubaneswar Circle gave a power point presentation before the Committee. The members of the Committee desired that Bhubaneswar Circle should do a fresh documentation of the buildings already constructed in the prohibited area of the monument and indicate the height of each one of them on the lay out plan of the colony to evaluate whether the new construction at the site shall not cause obstruction in viewing the monument.

**10. Request for review of the decision to set up a Logistics Park with Rail Siding near Charbatia Station (Village : Agrahat & Mangalpur, Tehsil : Jagatpur, Dist. Cuttack. (F.No.24/190/2008-M))**

The applicant has submitted an appeal for grant of NOC to set up a logistics park with rail siding near Charbatia station since his request had been rejected by SA, Bhubaneswar Circle with following justifications -

1. Our proposed project site is not near the Choudwar, which falls under the purview of the Ancient monuments Archaeological Sites and Remains Act, 1958 and Rule 1959. The project site is situated at a distance of more than 4 km away from the Budhi monument hence cannot affect the monument in any manner. Moreover, the project falls under non-polluting category industrial activity.

2. The areas surrounding the project site already has several industries which are established and operating for a quite long time such as : Indian Charge Chrome Ltd.(ICCL) along with a 108 MW Coal based Captive Power Plant, Orissa Textile Mills (OTM), Ballarpur Paper Industries Ltd. (BILT), Aviation Research Centre (ARC).
3. (i) The project area covers an area of 70 acres out of which only about 20 acres of land is of VIII-Agrahat which is required only for laying the train track and the balance area is VIII-Mangalpur. All are barren and paddy land.  
(ii) As per project plan, the above area of approx. 20 acres at Agrahat which comes under the protected area of the Ancient Monuments and Archaeological Sites and Remains Act 1958 and Rule 1959.  
(iii) The main construction under the project will be taken up at Mangalpur which does not come under the protected area.

SA, Bhubaneswar Circle has informed that the construction site falls within the notified area of Choudwar Fort besides the excavated site at Bodhi. However, the site of Bodhi is at a distance of about 4 km from the site of construction. SA has submitted Google Earth image, revenue map and photographs explaining the ground conditions. It is, however, stated that from the record submitted it is not clear as to what is the exact distance from the monument and the construction of site.

Dy. SA, Bhubaneswar Circle gave a power-point presentation on the proposal with the help of photographs, area map, Google Earth image and drawings before the Expert Advisory Committee and informed that the site of activities falls in the protected area of the monument.

The members of the Committee were not satisfied with the details of the documentation presented before them. They expressed that the details of revenue plot nos. as per the notification has not been submitted to show the area of protection. Moreover, the photographs and Google Earth images produced do not show the protected limits of the monument and the construction site. They were, however, of the firm opinion that the ASI may not agree on any proposal for construction/mining in the protected area. They also recommended that ASI may reject this proposal, since the construction activities are proposed in the protected area.

## **JAIPUR CIRCLE**

### **11. Permission for construction of Hotel & Resorts in C.S. No.340 & 509/351, Village Beer, District Rajsamand, Rajasthan by Shri Rajkumar Bapana. (F.No.24/120/2008-M)**

The applicant has appealed to DG, ASI for grant of permission of a hotel and resort in village Beer, Distt. Rajsamand (Rajasthan) at a site which is located at a distance of about 150 m from Kumbhalgarh Fort, a protected monument. It has further been informed that there is a level difference of about 50 m between the monument and the site of construction. The applicant has plans to construct double-storied structure with a maximum height of 6.5 m. No basement, mumty or machine room has been proposed for construction. The applicant has submitted area map, contour plan and site plan showing the exact location where the construction has been proposed, besides the photographs. On perusal of the documents submitted it was found by the SA, Jaipur Circle that the drawing for the proposed construction for car-parking has not been furnished. It was also perused that on the north-west of the plot of construction the fortification wall almost touches the boundary wall. Of course, the distance between the fortification wall and the exact site of construction is 150 m. The area of the plot is 12 bighas and 11 biswa.

SA, Jaipur circle has confirmed the data furnished by the applicant and has submitted area map, copies of Google Earth images and photographs explaining the ground conditions. It has also been informed that he had rejected the proposal on following grounds -

- (i) The land was purchased for agricultural purposes.
- (ii) The authorized agency has not changed the land – use plan from agricultural to commercial.
- (iii) ASI tries to maintain the natural ambience to suit the setting of the monument.
- (iv) Elevation drawings have not been submitted.

The applicant in his representation to DG, ASI has furnished following clarifications on the objections raised by SA, Jaipur Circle.

- (i) He has already approached the Collector for change in land-use plan. The land use change proposal is pending with the Collector for want of NOC from the ASI.
- (ii) The main Fort is about 3.5 km away from the site of construction. Although the distance between the site of construction and the Fort wall is about 150 m. There is a level difference of 50 m between the Fort wall and the site of construction. The applicant proposes to undertake dense plantation on his plot.
- (iii) Elevation drawing is submitted.

SA, Jaipur Circle gave a power point presentation on the proposal and explained the details. He also informed that since the land use has not been changed so far the site is not fit for new construction. Otherwise, there is nothing adverse to comment on the proposal. The members of the Committee felt that modern construction in a natural setting which is duly forested shall be an eyesore and would disturb the heritage ambience because one of the main gates of the Fort is falling in the straight alignment of the plot where the construction has been proposed. They had also observed that the applicant has not yet been able to produce documents showing land use change from agricultural to commercial / hotel use. They felt that the ASI may not agree with the proposal.

**12. Development and beautification works by the RTDC at the Old Temples near Chandrabhaga at Jhalrapatan in Jhalawar District.(F.No.27/4/2008-M)**

The proposal is for construction works for development and beautification of Ghats adjacent to Old Temples near Chandrabhaga river at Jhalrapatan, Distt. Jhalawar, submitted by Rajasthan Tourism Development Corporation (RTDC). The following are the main components of the proposal, all falling in the prohibited area of the protected monument.

- (i) Construction of Ladies Changing Room:

The proposed construction will be 10.5 m x 7.30 m in size and as per elevation drawing the height will be about 4 m. This new construction resting on Ghat floor will be at a distance of about 20 m from the protected area.

- (ii) Providing and fixing Karoli Stones on Steps and Platform

The proposal is for providing and fixing Karoli stones on steps and platform near the Shiv temple.

- (iii) Providing Shoe Racks and Distbins

Shoe racks and dustbins are proposed to be provided on Ghats.

(iv) Repair to the Steps and fixing Karoli stones

Repair to the steps and fixing Karoli stones on steps and platform have also been proposed. This addition shall be done on the surface of existing Ghats. Since the Ghats are not in straight line parallel to the river side of the protected area, the distance between the protected area and proposed work varies from point to point. However, the minimum distance is 8.2 m.

(v) Repair to Old Ghats on the opposite bank of the river with Karoli stones

There are old Ghats on the opposite side of the river which are in dilapidated condition. It is proposed to repair these Ghats with Karoli stone flooring. As per drawing submitted, it is about 60 m away from the protected limit.

(vi) Widening of steps near Hanuman Temple

Widening of steps near Hanuman temple has also been proposed.

(vii) Replacing Existing Tin Shed in front of Hanuman Temple with RCC

This shed was constructed sometimes back with modern bricks. The river side wall of this structure is cracked. It is proposed to replace the existing tin roof with RCC flat roof. Further, the river side wall is also proposed to be modified.

(viii) Renovation of Existing Ladies Toilet

A small ladies toilet exists at the site. It is proposed to renovate the existing toilet. The proposed toilet will be a new structure at a site which will be about 3.40 m in height above the Ghat floor. This will be a new construction in the prohibited area at a distance of 11.9 m from the monument.

(ix) Providing M.S. Pipe Railings all around the Baoli

M.S. Pipe Railings all around the Baoli and in front of the platform has been proposed for the safety of tourists.

(xi) Providing Iron Chain along Ghats

For the safety and security of tourists / visitors during taking bath in the river, fixing of iron chains all along the length of Ghats near water level has been proposed.

(xii) Providing and fixing of Karoli Stone Flooring on Platform around Baoli

There is a proposal to provide and fix Karoli stone flooring on platform around the Baoli. Rajasthan Tourism Development Corporation officials have informed that stone flooring shall be provided along the periphery of Baoli and in the area around. This will check the water percolation into the soil and will help to enhance the structural stability of the monument.

(xiii) Construction of Gents and ladies Toilets

As per the proposal, there will be two toilets one for the ladies and another for gents (7.30 m x 4.60 m and 8.70 m x 4.60 m). As per the elevation drawing the proposed toilets shall be 4 m in height which is equal to the height of the monument. Further, it will be constructed at

the same ground level with respect to the monument. The distance from protected area is about 50 m towards east in one direction only. Both the structures are proposed in the prohibited area of the monuments.

(xiv) Illumination on Ghats

Ghat illumination has also to be done by RTDC. The location of electric poles have been shown in Site Plan No.2.

The above proposal was placed before the Committee in its 16<sup>th</sup> EAC meeting held on 24.7.2008 and 17<sup>th</sup> EAC meeting held on 8<sup>th</sup> September, 2008. The Committee members observed that the Govt. of Rajasthan / RTDC authorities may be requested to make a power-point presentation before the Committee in its next meeting since the items of work proposed under the project are sensitive and a go ahead cannot be given without examining the proposal in detail.

The conservation architect engaged by RTDC gave a detailed power-point presentation explaining the items of work proposed in the vicinity of the monument. The members of the Committee felt that the proposal of RTDC is basically to upgrade the premises of the monument and provide basic amenities to the large number of pilgrims who visit the place. They desired that the ASI may grant permission to the RTDC to go head with the proposal. It was, however, suggested that the RTDC may be asked to construct the toilets at the farthest end and down stream rather than having one on the east and the other one on the west, the two ends of the ghat. It was also desired that the RTDC should ensure that the sullage and waste water do not go into the river. Perhaps, RTDC should look for construction of soak pits for disposal of sullage and waste water. It was also observed that care should be taken while designing the railings so that it blends with the existing heritage ambience.

**13. Permission to undertake mining Operation near Chittaurgarh Fort by M/s Birla Cement Works. (F.No.24/143/2008-M)**

M/S Birla Cement Works Corporation Ltd., Chanderia Unit, Chittaurgarh has submitted an application for mining licence near village, Ordi, Taluka/District Chittaurgarh which has been forwarded to DG, ASI by SA, Jaipur Circle with the Application Form VII, copy of topo-sheet in which the area of proposed mining is shown, letters from Department of Mines, Government of Rajasthan and a few photographs.

He has informed that Chittaurgarh Fort is a centrally protected monument and as per the application the proposed area of mining operation is about 2.3 kms away from Chittaurgarh Fort. He has further informed that a Public Interest Litigation (D.B. Civil Write petition 1316 of 1999) was filed by Thakur Umed Singh Rathore Vs State of Rajasthan and others including ASI in the High Court of Jodhpur. In the petition, it was brought before the Hon'ble Court that the mining and blasting operations within the periphery of 10 kilometers of Chittaurgarh Fort are likely to cause damage to the historical monument, cultural heritage of the country and environmental deterioration. A prayer was made for closure of the mines.

As per the directives of Hon'ble Court a study on impact of mining / blasting operations was conducted through the Geological Survey of India and Indian Bureau of Mines on the request of ASI in the year 2003. The GSI in the report (2003) suggested that the mining operation should not be carried out in the vicinity of hill slope. The report of IBM (2003) concluded with a remark that 'there are no adverse effects to Chittaurgarh Fort due to blasting operations in the existing quarries and mines located surrounding the Fort area'.

In the concluding Sixth report of IBM, it has been stated that 'Bherda and Manpura stone quarries are located at a distance of 2.3 and 1.5 kilometers away from the Fort site and there will not be any adverse effect of blasting due to these small stone quarries to the Fort.

SA, Jaipur Circle has, however, submitted that due to proposed mining operation/blasting noise pollution (though it may be insignificant), dust pollution and destruction of environment and landscape around the hill on which the Fort is located are factors ASI is concerned with.

SA, Jaipur Circle furnished the details to the Expert Advisory Committee members and informed that the applicants have not submitted any document relating to study on the adverse effect of the dust likely to be produced due to prospecting/mining. The members recommended that the ASI may ask the applicants to get an environment impact assessment done to study the likely adverse effect on the monument due to the activities proposed through a specialized agency. They, however, also opined that the draft terms of reference should be forwarded to the ASI by the applicants for approval and making necessary suggestions, if required. They also suggested that the applicant may be asked to approach the State Environment Advisory Committee.

**14. Permission for repairs of House in protected area at Jaisalmer Durg, Jaisalmer in favour of Shri S.K. Janga S/o Sh. Dalpat Singh Janga. (F.No.24/169/2008-M)**

SA, Jaipur Circle has forwarded an application received from Shri Surendra Kumar Janga for undertaking repairs to the house located within Jaisalmer Fort which is a protected monument. The existing house is located at a distance of 15 m from the Fort Wall. He has furnished plan of the Fort showing the location of the house and photographs of the house to be repaired. Since the proposal relates to repairs of a house in protected area the case has been referred to DG, ASI for a decision.

SA, Jaipur Circle informed that the details sought from the applicant have not been received and hence it is not possible to make a presentation on the proposal. The members of the Committee desired that the proposal should be presented before the Committee only after the details have been received by ASI.

**15. Permission for installation of tower at prohibited area of Arthuna Temple in favour of Shri Lalji S/o Shri Akheraj Patel, Lokia, Arthuna, Distt. Banswara, Rajasthan. (F.No.24/133/2008-M)**

The request of Shri Lalji S/o Shri Akhe Raj, Lokia, Arthuna, Distt. Banswara for erection of a 40-40 m high tower at a distance of 175 m from Hanumangarhi Complex, Arthuna has been forwarded to DG, ASI since as per the delegation of powers SA is not authorized to grant permission for construction/erection beyond 15 m height in the first regulated area. The site of erection falls in the first 100 m of the regulated area of the monument.

SA, Jaipur Circle informed that the details sought from the applicant have not been received and hence it is not possible to make a presentation on the proposal. The members of the Committee desired that the proposal should be presented before the Committee only after the details have been received by ASI.

**16. Permission of NOC near Chittaurgarh Durg for construction of water tank by Public Health Engineering Department, Chittaurgarh (Rajasthan). (F.No.24/165/2008-M)**

The proposal relates to construction of an overhead water tank within Chittaurgarh Fort close to Padmini Palace, which has been submitted by PHED of Govt. of Rajasthan. The land is

owned by PHED. The height of the proposed tank is 5.7 m and its diameter 9 m. SA has stated that the construction so close to Padmini Palace shall cause adverse effect on the monument. He has suggested some other location for the construction of the water tank. He has informed that the water tank is a real necessity for the inhabitants of the Fort since the existing arrangement is not sufficient for the increased requirement and as such has recommended the proposal of course with change in the site.

SA, Jaipur Circle informed that the details sought from the applicant have not been received and hence it is not possible to make a presentation on the proposal. The members of the Committee desired that the proposal should be presented before the Committee only after the details have been received by ASI.

## **DELHI CIRCLE**

### **17. Permission for construction / development in the prohibited / regulated areas of monuments submitted by DDA. (F.No.24/166/2008-M)**

- (i) Erection of temporary labourers hutments in the prohibited area of Siri Fort wall –

DDA has proposed to erect temporary labourers huts, site office and storage space within 100 m of the protected Siri Fort wall for the construction of competition venue for Badminton and Squash at Siri Fort Complex, since there is no other space available for such facilities. It has been informed that the temporary structures shall be removed immediately after the completion of the project i.e. March, 2010.

- (ii) Refurbishment of Administrative-cum-Squash Building, Siri Fort Sports Complex, New Delhi.

DDA has submitted a proposal for refurbishment of the existing building, which is directly related to Commonwealth Games - 2010. The existing building is 9 m high. The activities proposed are in the prohibited area of Siri Fort Wall which include the following –

- (a) Refurbishment of administrative-cum-squash building maintaining the existing height.
- (b) Providing of tensile roof with steel columns which will be 12 m high from the ground level.

SA, Delhi Circle informed that the distances of the administrative building and Squash Court from the Siri Fort Wall are 16 m and 23 m respectively.

DDA authorities gave a power-point presentation before the Expert Advisory Committee members and presented the details supported with drawings.

In respect of refurbishment of the Administrative-cum-Squash building maintaining the existing height, the member felt that the ASI may grant approval subject to the condition that the DDA shall not undertake any horizontal or vertical expansion of the existing structure and shall remain confined to only refurbishment. It was also recommended that the ASI may also grant permission for providing a tensile roof over steel columns having maximum height of 12 m considering that the proposal is only for covering the gap between the ‘U’ shaped existing building which is 9 m high. It was, however, suggested that the DDA should be asked not to go for any digging operation.

- (iii) Basement for Covered Badminton and Squash Courts

The matter relating to construction of basement at the covered Badminton and Squash courts for which ASI has raised objection was also presented by the DDA officers before the Expert Advisory Committee. The members felt that the DDA has already undertaken construction of basement and the situation is now fait accompli. They, however, felt that in case there was any confusion in respect of basement the DDA should have sought clarification from the ASI rather than going ahead with the construction taking the plea that while granting permission, the ASI had not made any reference to the basement and it automatically meant that it has the approval of the ASI. Besides, the members also felt that DDA should have engaged an archaeologist to supervise the excavation operation for the basement to retrieve material of archaeological value, if any, during excavation. Despite above observations which the members wanted ASI to convey to the DDA recommended that ASI may accept the situation as fait accompli as an exceptional case in the interest of the Commonwealth Games – 2010 and regularize the basement, which has already been completed.

- (iv) Refurbishment of existing boundary wall of the Siri Fort Sport Complex and erection of watch towers.

DDA has informed that the proposal has two components –

- (a) Refurbishment of existing boundary wall raising the existing height from 1 m to 2.8 m and fixing 1.5 m high M.S. railing / grill.
- (b) Erection of Watch Towers at an interval of 100 m all along the boundary wall of the Sports Complex. The towers shall be 6 m high with a shelter on top having a height of 2.5 m. The construction shall be done in M.S. iron angle and would be of temporary nature which shall be removed after the Games are over.

SA, Delhi Circle has informed that the above stated construction activities are proposed to be taken up in the prohibited area of Siri Fort Wall, a centrally protected monument.

The members of the Committee observed that increasing the height of the wall next to the Siri Fort Wall would look very bad aesthetically. They also took note that the ASI has already taken a decision to expose the buried remains of the Siri Fort Wall and restore it as per conservation principles. The members observed that the ASI may inform DDA authorities to convey to the Ministry of Home Affairs that they may look for some other alternative to provide security arrangement rather than insisting on construction of security wall along the Siri Fort Wall topped by M.S. grill, which would be totally unaesthetic. In respect of watch towers, the members recommended that ASI may allow placing the ready-built watch towers for keeping a watch near the Games venue from security angle during Commonwealth Games – 2010 subject to the condition that these watch towers would be removed from the site immediately after the Games and no digging etc. shall be undertaken by the DDA at the site. They also recommended that DDA should be informed that extra precautions must be taken not to cause any damage to the trees in the area.

The cases listed in the agenda relating to Agra Circle, Mumbai Circle, Chandigarh Circle and Delhi Circle (except those submitted by DDA) could not be discussed in the meeting due to shortage of time.

The meeting ended with vote of thanks to the chair.

