

F.No. 15-283/NMA/HBL-2024
Government of India
Ministry of Culture
National Monuments Authority

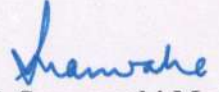
PUBLIC NOTICE

It is brought to the notice of public at large that the draft Heritage Bye-Laws of Centrally Protected Monument “**The Dome of Shah Nawaz Khan, Burhanpur, Madhya Pradesh**” has been prepared by the Competent Authority, as per Section 20(E) of Ancient Monuments and Archaeological Sites and Remains Act, 1958. In terms of Rule 18 (2) of National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011, the above proposed Heritage Bye-Laws are uploaded on the following websites for inviting objections or suggestions from the Public:

- a. National Monuments Authority www.nma.gov.in
- b. Archaeological Survey of India www.asi.nic.in
- c. Archaeological Survey of India, Bhopal Circle www.asibhopal.nic.in

2. Any person having any objections or suggestions may send the same in writing to Member Secretary, National Monuments Authority, 24, Tilak Marg, New Delhi- 110001 or mail at the email ID i.e. arch-section@nma.gov.in latest by **14th March, 2024**. The person making objections or suggestion should also give their name, address and mobile number.

3. In terms of Rule 18(3) of National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011, the Authority may decide on the objections or suggestions so received before the expiry of the period of 30 days i.e. **14th March, 2024**, in consultation with Competent Authority and other Stakeholders.


(Col. Savyasachi Marwaha)
Director, NMA
14-02-2024



सत्यमेव जयते
GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY



Draft Heritage Bye-Laws for The Dome of Shah Nawaz Khan, Burhanpur, Madhya Pradesh

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

In exercise of the powers conferred by section 20 E of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 read with Rule (22) of the Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-laws and Other Functions of the Competent Authority) Rule, 2011, the following draft Heritage Bye-laws for the Centrally Protected Monument “**The Dome of Shah Nawaz Khan, Burhanpur, Madhya Pradesh**”, prepared by Competent Authority in consultation with Indian National Trust for Art and Cultural Heritage (INTACH), New Delhi are hereby published as required by sub-rule (2) of Rule 18 of the National Monuments Authority (Conditions of Service of Chairman and Members of Authority and Conduct of Business) Rules, 2011, for inviting objections or suggestions from the public;

The objections/suggestions, received before the specified date have duly been considered by the National Monuments Authority in consultation with the Competent Authority.

Now, therefore, in exercise of the powers conferred by sub-section (5) of the Section 20 E of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 the National Monuments Authority, hereby makes the following bye-laws, namely:

CHAPTER I

Preliminary

1.1 Short title, extent and commencements:

- (i) These bye-laws may be called the National Monument Authority Heritage bye-laws, 2024 of Centrally Protected Monument - “The Dome of Shah Nawaz Khan, Burhanpur, Madhya Pradesh”.
- (ii) They shall extend to the entire prohibited and regulated area of the monuments.
- (iii) The provisions of these bye-laws shall have effect notwithstanding anything inconsistent therewith contained in any other bye-laws, whether made before or after the commencement of these bye-laws, or in any instrument having effect by virtue of any bye-laws. It shall not be obligatory to carry out amendments in these bye-laws to make them consistent with any other bye-laws.
- (iv) They shall come into force with effect from the date of their publication.

1.2 Definitions:

1. In these bye-laws, unless the context otherwise requires, the definitions as given in the Act or the rules made thereunder have been reproduced hereunder for the sake of convenience:-
 - (a) “ancient monument” means any structure, erection or monument, or any tumulus or place or interment, or any cave, rock sculpture, inscription or monolith, which is of historical, archaeological or artistic interest and which has been in existence for not less than one hundred years, and includes:-
 - (i) the remains of an ancient monument,
 - (ii) the site of an ancient monument,
 - (iii) such portion of land adjoining the site of an ancient monument as may be required for fencing or covering in or otherwise preserving such monument, and
 - (iv) the means of access to, and convenient inspection of an ancient monument;

- (b) “Archaeological site and remains” means any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance which have been in existence for not less than one hundred years, and includes:
- (i) such portion of land adjoining the area as may be required for fencing or covering in or otherwise preserving it, and
 - (ii) the means of access to, and convenient inspection of the area;
- (c) “Act” means the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);
- (d) “Archaeological officer” means an officer of the Department of Archaeology of the Government of India not lower in rank than Assistant Superintendent of Archaeology;
- (e) “Authority” means the National Monuments Authority constituted under Section 20 F of the Act;
- (f) “Competent authority” means an officer not below the rank of Director of archaeology or Commissioner of archaeology of the Central or State Government or equivalent rank, specified, by notification in the Official Gazette, as the competent authority by the Central Government to perform functions under this Act:

Provided that the Central Government may, by notification in the Official Gazette, specify different competent authorities for the purpose of section 20C, 20D and 20E;

- (g) “construction” means any erection of a structure or a building, including any addition or extension thereto either vertically or horizontally, but does not include any re-construction, repair and renovation of an existing structure or building, or, construction, 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, the construction or maintenance, extension, management for supply and distribution of electricity to the public or provision for similar facilities for public;
- (h) “Floor Area Ratio (FAR)” means the quotient obtained by dividing the total covered area (plinth area) on all floors by the area of the plot;

$$\text{FAR} = \text{Total covered area of all floors divided by plot area};$$

- (i) “Government” means the Government of India;
- (j) “maintain”, with its grammatical variations and cognate expressions, includes the fencing, covering in, repairing, restoring and cleansing of a protected monument, and the doing of any act which may be necessary for the purpose of preserving a protected monument or of securing convenient access thereto;
- (k) “owner” includes-
- (i) a joint owner invested with powers of management on behalf of himself and other joint owners and the successor-in-title of any such owner; and
 - (ii) any manager or trustee exercising powers of management and the successor-in-office of any such manager or trustee;
- (l) “prescribed” means prescribed by rules made under this Act;

- (m) “Prohibited area” means any area specified or declared to be a prohibited area under section 20A;
 - (n) “Protected area” means any archaeological site and remains which is declared to be of national importance by or under this Act;
 - (o) “Protected monument” means any ancient monument which is declared to be of national importance by or under this Act;
 - (p) “Regulated area” means any area specified or declared to be a regulated area under section 20B of this Act;
 - (q) “re-construction” means any erection of a structure or building to its pre-existing structure, having the same horizontal and vertical limits;
 - (r) “Repair and renovation” means alterations to a pre-existing structure or building, but shall not include construction or re-construction;
2. The words and expressions used herein and not defined shall have the same meaning as assigned in the Act or the rules made thereunder.

CHAPTER II

Background of the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958

2.1 Background of the Act:

The Heritage Bye-Laws are intended to guide physical, social and economic interventions within 300m in all directions of the Centrally Protected Monuments. The three hundred meters area has been divided into two parts (i) the **Prohibited Area**, the area beginning at the limit of the Protected Area or the Protected Monument and extending to a distance of one hundred meters in all directions and (ii) the **Regulated Area**, the area beginning at the limit of the Prohibited Area and extending to a distance of two hundred meters in all directions.

As per the provisions of the Act, no person shall undertake any construction or mining operation in the Protected Area and Prohibited Area while permission for repair and renovation of any building or structure, which existed in the Prohibited Area before 16 June, 1992, or which had been subsequently constructed with the approval of DG, ASI and; permission for construction, re-construction, repair or renovation of any building or structure in the Regulated Area, must be sought from the Competent Authority.

2.2 Provision of the Act related to Heritage Bye-laws:

Section 20E of AMASR Act, 1958 and Rule 22 of Ancient Monument and Archaeological Sites and Remains (Framing of Heritage Bye-Laws and other functions of the Competent Authority) Rules, 2011, specifies framing of Heritage Bye-Laws for Centrally Protected Monuments. The Rule provides parameters for the preparation of Heritage Bye-Laws. Rule 18 of National Monuments Authority (Conditions of Service of Chairman and Members of Authority and Conduct of Business) Rules, 2011, specifies the process of approval of Heritage Bye-laws by the Authority.

2.3 Rights and Responsibilities of the Applicant:

Section 20C of AMASR Act, 1958 specifies details of application for repair and renovation in the Prohibited Area, or construction or re-construction or repair or renovation in the Regulated Area as described below:

- a) Any person, who owns any building or structure, which existed in a Prohibited Area before 16th June, 1992, or, which had been subsequently constructed with the approval of the Director-General and desires to carry out any repair or renovation of such building or structure, may make an application to the Competent Authority for carrying out such repair and renovation as the case may be.
- b) Any person, who owns or possesses any building or structure or land in any Regulated Area, and desires to carry out any construction or re-construction or repair or renovation of such building or structure on such land, as the case may be, may make an application to the Competent Authority for carrying out construction or re-construction or repair or renovation as the case may be.
- c) It is the responsibility of the applicant to submit all relevant information and abide by the National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011.

CHAPTER III

Location and Setting of Centrally Protected Monument – The Dome of Shah Nawaz Khan at Burhanpur, Madhya Pradesh

3.1 Location and Setting of the Monument

Burhanpur city is the administrative headquarters of the Burhanpur District which lies in the southwestern part of the Indian state of Madhya Pradesh and shares border with Khandwa district in the north, Khargone district in the northwest and the state of Maharashtra in the east, west and south. Burhanpur city is located at 21.3°N and 76.23°E, with an average elevation of 232 meters (764 ft) above M.S.L. It lies in the Tapti river valley, nestled amidst Satpura mountain ranges.

Due to its strategic location along the Tapti river, Burhanpur was an important centre of trade, culture, and political power under various dynasties of the medieval period, including the Farooqis, Mughals, Marathas and Scindias. Witnessing the rise and fall of multiple dynasties, each leaving its architectural footprint, Burhanpur today features a plethora of historical monuments ranging from the fort, mosques, tombs, dargahs, mazaars, temples, gurudwaras, hammam, sarais and other public buildings. In addition, heavily adorned residences of Gujarati, Marathi and Rajasthani trading communities are also present in the old localities of the city. Significance of the built heritage of Burhanpur is also evident from the concentration of nine Centrally Protected Monuments within 1.2 km radius of the city centre. These are:

1. Dome of Shah Nawaz Khan
2. Dome of Adil Shah Faruki
3. Tomb of Nadir Shah
4. Tomb of Shah Shuja
5. Bibi Sahib's Masjid
6. Palace Situated in the Fort (Shahi Qila)
7. Hammam Khana, Chowk Mohalla
8. Churiwalon ki Masjid outside Itwara Gate
9. Ahukhana site and the compound wall and the pavilion and tank

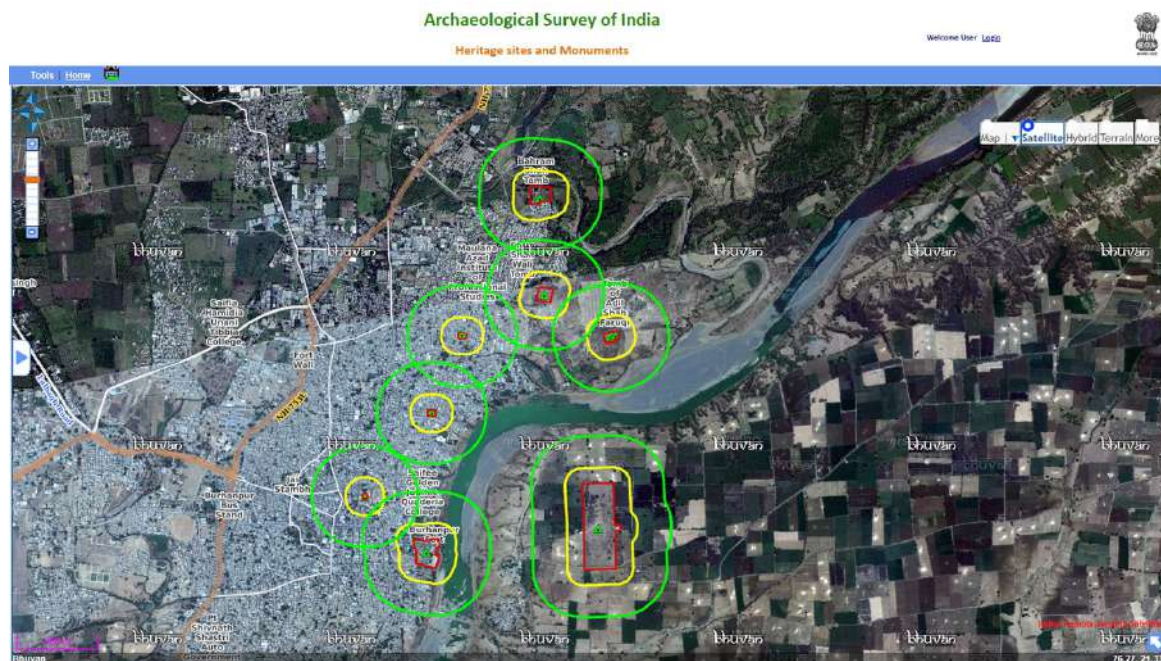


Figure 1 Map showing the location of Centrally Protected Monuments in Burhanpur (Source: Bhuvan)

Among the monuments built by the Mughal rulers in Burhanpur, the Dome of Shah Nawaz Khan or Pehalwan Shah ka Maqbara is the most notable. It is often compared to the Taj Mahal in Agra due to its setting on a high plateau along the Utawali river and architectural features like axial approach, frontal garden and minarets at four corners of the tomb. Generally referred as the Black Taj (due to the black stone used in its construction), it is one of the most popular tourist sites in Burhanpur.

The tomb was built in the memory of Shah Nawaz Khan (1585 – 1619) who was the eldest son of Abdul Rahim Khan-i-Khana and the grandson of Bairam Khan, the guardian and chief mentor of Mughal Emperor Akbar. Like his father and grandfather, Shah Nawaz Khan (born as Mirza Iraj) held an important position in the Mughal army in the early 17th century and actively participated in the Deccan conquest of the Mughals. For his bravery and significant contribution in Mughal victories in the Deccan, he was given the title of Shah Nawaz Khan by Jahangir in 1611. In 1619, owing to his addiction to alcohol, Shah Nawaz Khan died at an early age of 33 years in Burhanpur.

The monument is an example of a garden tomb which was originally enclosed by a boundary wall on all four sides. It has a main entrance gateway on the southern side and another small gateway on the northeastern side to access the river. The tomb is accessed from the southern gateway through a pathway laid in the center of the garden. Another monument, called Paandan Mahal, is located on the eastern side of the walled complex which probably was a part of the tomb complex but is now separated by a new boundary wall.

The tomb complex is situated on the northern side of Burhanpur city, outside the old city walls. It is located in the Teresa locality and comes under the gram panchayat of Emagird. It lies southeast of Transport Nagar and north of Azad Nagar. It is connected to the Khargone-Burhanpur Highway/Indore-Icchapur Highway through a network of secondary and tertiary roads which join the highway at Transport Nagar Chauraha (approximately 1km west of the monument). It is also connected to Azad Nagar through a local road leading northeast from the Hazrat Ayesha Chauraha.

The monument is built on a high plateau along the southern bank of the Utawali river which defines its northern boundary. It is surrounded by a graveyard on the western side, a slum and settlement of Azad Nagar on the southern side, and agricultural fields on the eastern side. On the northern side, across the Utawali river, agricultural fields and Vandevi Mandir are present. On the northwestern side, factories and warehouses are present in the Transport Nagar.

Originally, the monument was built outside the city boundary, in the untouched landscape surrounding the river, to provide a picturesque setting to it. It was also constructed on a higher ground to ensure its

visibility from all directions. Until recently, it was only surrounded by a graveyard, agricultural fields and patches of the undulating usar land (infertile land) and green areas. But today, the expanding settlement of the city is encroaching the surrounding area of the monument, disturbing its natural setting and obstructing its visibility. An example of this encroachment is the recent emergence of a slum in the southern part of the prohibited area which not only obstructs the monument's view but also disrupts its overall setting.

The Dome of Shah Nawaz Khan is located in close proximity of two other ASI protected monuments. One of them is Tomb of Shah Shuja or Kharbuja Gumbad (approximately 550 m towards south) which shares a part of the regulated area with that of the monument. The other is Tomb of Nadir Shah and Dome of Adil Shah Faruki (approximately 900m towards southeast). Several other heritage buildings are also located near the monument, including Dargah Hazrat Shah Bhikhari, Tota Maina ka Maqbara, Chup Shah Wali Tomb, Hazarat Shah Masjid, a Kundi and few other tombs and temples.

Some other points about the location of the monument are as follows:

- Geo coordinates of the Dome of Shah Nawaz Khan are 21.328315°N and 76.243217°E.
- Nearest Airports are Indore Airport in Madhya Pradesh (190km towards north) and Aurangabad Airport in Maharashtra (220 km southwest).
- Burhanpur lies on the Bombay-Calcutta and Bombay-Delhi main lines of Central Railways with the nearest railway station being Burhanpur Railway Station (6 km west of the monument).
- Burhanpur is located 341km from Bhopal, 310km from Bombay and 69km from Khandwa, well connected through three State Highways; namely, SH4 (to Raver), SH6 (to Amravati) and SH27 (Khandwa Ichchapur Highway).

Figure 2 Map showing the location and context of the monument

3.2 Protected boundary of the Monument

The protected boundary of the monument may be seen in the Survey Plan in Annexure I.

3.2.1 Notification Map/ Plan as per ASI records

It may be seen in Annexure II

3.3 History of the Monument

History of Burhanpur can be traced back to the proto-historic period based on the archaeological findings of pieces of red and black polished terracotta wares, grey ware and pieces of copper axes from Burhanpur, near the Tapti River.¹ However, there are no written records about its history until the early 15th century when it finds mention in the memoirs of various foreign travelers. It has also been mentioned as an ancient city called “Braghnapur” in various religious texts of the 17th and 18th century like *Jatakalandar* and *Tapi Mahatmya*. During the ancient period, the region was part of the kingdoms of various dynasties including Ishvakus, Haihayas, Pradyotas, Shaishunagas, Mauryas, Shungas, Satavahanas, Kardamakas, Abhiras, Vakatakas, Kalchuris, Chalukyas, Rashtrakutas and Paramaras.²

Burhanpur region was part of the Delhi sultanate under the Tughlaqs in the 14th century. In 1370s, Feroz Shah Tughlaq made Malik Raja, the *Iqtedar* of Thalner and Karonda *Parganas*, the *Sipah Salar* of the Khandesh province (which included Burhanpur region) due to the latter’s contribution in the expansion of the Tughlaq territories. However, with the declining power of Feroz Shah, Malik Raja declared himself an independent ruler of Khandesh in 1382 CE and established the Farooqi dynasty with its capital at Thalner. His successor, Malik Nasir Khan Farooqi (r. 1399 – 1437 CE) moved the capital from Thalner to Burhanpur in 1407 CE and thus, laid the foundation of Burhanpur as the capital of the Khandesh region.³

Burhanpur continued to flourish under the Farooqis for two centuries. However, with the increasing power of the Mughals in northern India in the mid-16th century, under the leadership of Akbar, hold of the Farooqis over Burhanpur steadily weakened. The penultimate Farooqi ruler, Miran Adil Shah IV (r. 1576-97, better known as Raja Ali Khan), accepted the suzerainty of Mughal Emperor Akbar to save Burhanpur from being attacked by both, the Mughals and the Deccan Sultans. Burhanpur, thereafter, was used as the base by the Mughal army for their subsequent campaigns in the Deccan region. The last Farooqi ruler, Bahadur Shah (r. 1597 – 1601), lost Burhanpur and Asirgarh to the Mughals due to his defiance of Mughal authority.

In 1600, Akbar attacked Asirgarh Fort and after a siege of 11 months, conquered it along with Burhanpur in February 1601. Meanwhile, in August 1600, the Ahmed Nagar Fort was also seized by the Mughal army, led by Prince Daniyal Mirza (1572 – 1605) who was the third son of Akbar. This led to the amalgamation of the Khandesh province, Berar, and the conquered parts of Ahmed Nagar into a newly established viceroyalty of Deccan, with Prince Daniyal appointed as its viceroy. Khandesh was also renamed as Dandesh in his honour. Further, Abdul Rahim Khan-i-Khana was sent to Burhanpur as the chief advisor of Prince Daniyal as the former was also his father-in-law. This marked the beginning of the governorship of Abdul Rahim Khan-i-Khana in Burhanpur who not only effectively administered the city for nearly two decades but also developed its infrastructure, including the construction of various

¹ District Gazetteers Department, “Madhya Pradesh District Gazetteers: East Nimar”, Bhopal, 1969, p.37.

² Suresh Mishra and Nandkishore Dewda, *Burhanpur: Unexplored History, Monuments and Society*, 2018 (Delhi: ABI Prints & Publishing Co.), p.VI.

³ District Gazetteers Department, “Madhya Pradesh District Gazetteers: East Nimar”, Bhopal, 1969, pp.50-53.

mosques, hammams, sarais, gardens and most importantly, a unique and highly efficient water supply system.

Abdul Rahim had three sons Iraj, Darab and Rahmandad, all of whom held important positions in the Mughal army in the early 17th century. The eldest son, Mirza Iraj (1585 – 1619), was the most notable among them. He actively took part in the Deccan conquest of the Mughals during the reign of Akbar and Jahangir.

Mirza Iraj was born in Ahmedabad, Gujarat in 1585. His mother, Mah Banu was the daughter of Jiji Anga, the chief wet nurse of Akbar. At a young age of 17, Iraj achieved a significant victory in a challenging battle against Malik Ambar who, after the fall of Ahmed Nagar Fort in 1600, continued to create troubles for the Mughal army in their quest to conquer the entire Nizam Shahi kingdom. A peace treaty was, thereafter, signed between the Mughals and Malik Ambar, however, the latter resumed attacks on the Mughal troops and territories after the demise of Akbar in 1605. Iraj fought another battle with Malik Ambar in 1616 and upon his remarkable victory in this battle, he was bestowed with the title of ‘Shah Nawaz Khan’ by Jahangir, along with the charge of Balaghat as a reward.⁴ His daughter was also married to Prince Khurram (later Mughal Emperor Shah Jahan) in the same year.⁵

Shah Nawaz Khan died at an early age of 33 years at Burhanpur due to excessive drinking. His father, Abdul Rahim constructed a tomb for him in Burhanpur, at the bank of Utawali river, which is known as the Dome of Shah Nawaz Khan.

3.4 Description of Monument (architectural features, elements, materials, etc.)

The tomb is built on a high plateau on the southern bank of the Utawali river. It is set within a rectangular complex which is oriented perpendicular to the river, in the north-south direction. The complex is accessed from the south through an unpaved road leading towards the main gateway. The gateway is a double-height single-storey structure, rectangular in plan and having a large pointed arched entrance in the centre, flanked by small pointed arch niches on either side. The thoroughfare of the gateway has a series of arches with chambers located on either side. The facades of the chambers have smaller arched niches. The gateway opens into the garden with a pathway in the center leading to the tomb on the north side.

The tomb is rectangular in plan, built on a medium height plinth. It is accessed by an arcaded veranda with three pointed arches supported on twin columns. Blind pointed arches are located on either side of the veranda, surrounding rectangular jaali windows on the facade. There are four octagonal minarets, each located on the corner of the building. The veranda is connected to rooms accessed by rectangular doors. The double height central hall consists of two graves, resembling the actual graves, located on a rectangular platform and built in stone. The internal façades jaali windows in the centre flanked by pointed arches with a band of niches running around them. The squinches and the spandrel of the arches are extensively ornamented with low-relief work in plaster. The actual graves are in the basement in a hidden room accessed by the staircase, located in the close proximity of the front façade. The basement is provided natural light and ventilation through *roshan daans* built on the plinth level of the tomb structure.

The room on the right side of the veranda is used as passageway to access the spiral staircase built within the minaret located on the southeast corner. The staircase leads to the terrace with a low height parapet connected to a sloping chhajja, supported on moulded brackets. The extended portion of the central hall has a pointed arch on each façade, set within a multifoliated arch. Similar blind arches are located on either side. There are rectangular bands of plasterwork done on the external facades, surrounding the

⁴ Shanti Sadiq Ali, *The African Dispersal in the Deccan: From Medieval to Modern Times*, 1996 (New Delhi: Orient Longman Limited), pp. 68-77.

⁵ Nizamuddin Urban Renewal Initiative, “Celebrating Abdul Rahim Khan-I-Khanan”, March 2017 <
<https://www.nizamuddinrenewal.org/conservation/rahims-tomb/images/celebrating-rahim-exhibition-march-2017.pdf>>

blind arches. Smaller minarets are located on each corner of the structure. The central hall is topped by a dome built on an octagonal drum. Smaller minarets, called *guldastas*, are built above the corner of the drum. The dome has an inverted flower motif followed by a finial.

The structure is built in lakhori bricks in lime mortar which is clad with local black basalt stone at the exterior on the ground floor and plastered on the rest of the surface. Due to the cladding, it is also called the Black Taj.

3.5 Current Status

3.5.1 Condition of the Monument- condition assessment

The maintenance and preservation of the Centrally Protected Monument and its protected areas is the exclusive domain of ASI. The photographs depicting the present condition of the monuments is appended in Annexure VI.

Partial loss of plaster is observed on the facades of the gateway and the upper portion of the tomb, exposing the brick masonry. This has further led to the weakening of masonry joints and broken bricks. Structural cracks are evident on the gateway. Repairs done in the past using cement are incompatible with the original materials. Chipping of stone on the external façade of the tomb is evident. The brackets that are supporting the chhajja are partially broken. Tourists and locals have also vandalized the walls of the structure resulting in the loss of the architectural details and paintings. Salt efflorescence is also visible on the stone cladding. Chipping of paint is also significant in the central hall where the frescos are done. Excessive growth of algae and moss can be seen on the terrace of the structure. Partially demolished elements and scaffolding members are scattered over the terrace floor.

3.5.2 Daily footfalls and occasional gathering numbers

On an average, 50-100 visitors visit the tombs daily, both local and regional.

CHAPTER IV

Existing zoning, if any, in the local area development plans

4.1 Existing zoning

No specific zoning has been done in the Burhanpur Development Plan 2031 to mark this area as a heritage zone. The monuments and the surrounding area is part of a larger Planning Unit Boundary (2) (see Annexure III) which is one of the nine investment units. Specific regulations pertaining to each investment units are unavailable.

In term of Land-use, the monument and its immediate surrounding area including Paandan Mahal and a part of the Kabristan, are designated for public and semi-public use. Western and southern parts of the prohibited area are proposed to be residential zones whereas the remaining prohibited area is reserved for agricultural land-use. Western, southwestern and southern parts of the regulated area are proposed to be commercial, public and semi-public and residential zones respectively. Rest of the regulated area (eastern and northern parts) is reserved for agricultural land-use. The Proposed Land-use Plan of Burhanpur Development Plan 2031 can be referred in Annexure III. Regulations concerning the 'Land Use Zone and Use Precinct' can be referred under 'Development Regulations' in the Burhanpur Development Plan 2031 (Attached in Annexure IV).

4.2 Existing Guidelines of the local bodies

The existing guidelines according to the Burhanpur Development Plan 2031 are attached in Annexure IV.

CHAPTER V

Information as per First Schedule, Rule 21(1)/ total station survey of the Prohibited and the Regulated Areas on the basis of boundaries defined in Archaeological Survey of India records.

5.1 Contour Plan/Survey Plan/Site Plan

Survey plan of the Dome of Shah Nawaz Khan, Burhanpur may be seen at **Annexure-I**.

5.2 Analysis of surveyed data

5.2.1 Prohibited Area/Regulated Area in sqm and their salient features:

Protected Area: 5576.786 sqm

Prohibited Area: 62930.918 sqm

Regulated Area: 319955.412 sqm

The prohibited area of the Dome of Shah Nawaz Khan mainly comprises of the graveyard on the western side, catchment area of the Utawali river on the northern side, Paandan Mahal, its garden and agricultural fields on the eastern side and slum on the southern side. Most of the prohibited area is open in nature, except on the southern side where a highly dense cluster of the slum dwellings is present.

The regulated area of the monument includes residences and power loom factories on the southern and southwestern side along with a school, mosque and few grocery shops. Residences along with a mosque, dargah and a kundi (well) is present on the western side. The northern and eastern sides of the regulated area are open in nature, mainly comprising of the river, its catchment area, greenery and agricultural fields.

5.2.2 Description of built-up area

The Dome of Shah Nawaz Khan is located outside the boundary of the walled city of Burhanpur in the north direction. The highly dense city is expanding due to urban pressures and thus, new residential settlements have come up recently in the prohibited and regulate area of the monument, on the southern side.

Approximately 860 buildings are present in the prohibited area and regulated area of the monument, out of which 87.8% are used for residential, 6.44% for industrial (mainly power loom factories), 1.26% for institutional, 1.03% for commercial and rest for religious, memorial, mixed-use and utilitarian purposes. About 200 slum dwellings are present on the southern side of the prohibited area along with a madarsa, mazaar and few grocery shops. These are poorly built houses with temporary tin-sheet roofs and unfinished facades.

The regulated area comprises of highly dense residential settlement on the southern side, a comparatively smaller residential settlement on the southwestern sides and few newly built residences on the south eastern side (See Annexure VII (b)). These houses are also poorly built but these are not temporary in nature and constructed with RCC columns and beams, unlike the slum houses in the prohibited area. Grocery shops, schools, power loom factories and mosques are also present in the regulated area. (See Annexure VII (b)).

5.2.3 Description of green/open spaces

The concentration of green/open spaces is more on the northwestern, northern, northeastern and eastern sides and less on the remaining sides (See Annexure VII (c)). This is due to the construction of densely packed houses on the southern sides, belonging to the low-income families migrating from the old city and nearby villages.

The open space in the prohibited area mainly comprises of the catchment area of the river in the north, graveyard and usar land in the west, and garden and agricultural land on the east. Most of the open space is used for recreational activities and grazing sheep, except for the agricultural land.

With the residential clusters in the regulated area, only few open spaces are left because their terrain is unsuitable for construction. On the northwestern side, usar land is present while agricultural fields are present on the northern and eastern sides of the regulated area. The Utawali river flows through the prohibited and regulated area of the monument, in the north, and vegetation including trees and shrub are present in its catchment area.

5.2.4 Area covered under circulation- roads, footpaths etc.

Residential settlement has come up haphazardly in the surrounding area without any proper approach roads, footpaths and other infrastructure. Streets in the residential area are laid in RCC while the rest of them are *kaccha* in nature.

5.2.5 Existing heights of buildings

Prohibited Area (See Annexure VII (d)): Average building height is G (3m) which is the maximum.

Regulated Area (See Annexure VII (d))

North: Average building height is G (3m) which is the maximum.

East: Average building height is G (3m) which is the maximum.

South: Average building height is G (3m). Maximum building height is G+2 (9m).

West: Average building height is G (3m). Maximum building height in G+1 (6m).

5.2.6 State protected monument(s) and listed Heritage Buildings by local Authorities, if available, within the Prohibited/Regulated Area

There are no State Protected Monuments in the prohibited or regulated area of the monument. However, Paandan Mahal which is said to house the graves of the family members of Shah Nawaz Khan, is present on the eastern side of the prohibited area, within the boundary wall constructed by ASI. An old retaining wall is present on the northern side of the monument, near the river. On the western side, in the Kabristan, several old graves are present along with remains of two Mughal-period tombs and a water supply system of colonial period. The well-known Dargah of Hazrat Shah Bhikhari is present on the regulated boundary on the southeastern side, beyond which a tomb is also present. On the southern side, a small old temple/samadhi is present within the regulated area. Chup Shah wali Tomb and ASI protected monument of Tomb of Shah Shuja are also present in this direction, beyond the regulated boundary. Remains of an old kundi (well) is present on the western side, within the regulated area. (See Annexure VII(e))

5.2.7 Public amenities

Public amenities like toilets, drinking water, parking, information counter, benches, etc. are not available within the protected boundary, prohibited area and regulated area of the monument.

5.2.8 Access to monument

The monument is connected to the Khargone-Burhanpur Highway/Indore-Icchapur Highway through a network of secondary and tertiary roads which join the highway at Transport Nagar Chauraha (approximately 1km west of the monument). It is also connected to Azad Nagar through a local road leading northeast from the Hazrat Ayesha Chauraha. Access to the monument is through a *kaccha* road from the south-western side.

5.2.9 Infrastructure services (water supply, storm water drainage, sewage, solid waste management, parking etc.):

MPEB transformer and electrical sub-station is present on the southern side, near the regulated boundary. Two overhead water tanks (OHT) are present on the southeastern and northwestern sides. Electrical wires and poles are present within the prohibited and regulated area. There are natural storm water drains which are open in nature.

5.2.10 Proposed zoning of the area as per guidelines of the Local Bodies

In the Burhanpur Development plan 2031 (refer Annexure III), the entire planning area of Burhanpur has been divided into 9 investment units to ensure their independent functionality, particularly concerning work centres, commercial activities, education, and healthcare facilities. The monuments and the surrounding area come under Planning Unit Boundary (2), however, specific regulations for each Planning Unit Boundary are unavailable.

CHAPTER VI

Architectural, Historical and Archaeological value of the Monument

6.1 Architectural, Historical and Archaeological value of the monument

Situated on the southern bank of the Utawali river in Teressa locality, the monument, Dome of Shah Nawaz Khan, is a historical landmark in the city of Burhanpur. It is one of the most visited monuments in the city, popularized by its alternate name, the Black Taj. Constructed between 1619-1623 the tomb is an excellent example of the early Mughal architecture in the region. It is a garden tomb which predates the iconic Taj Mahal in Agra and marks an important step in the development of a distinctive style that later reaches its zenith in the Taj Mahal. Thus, the monument has high architectural, historical and archaeological values.

The tomb was built in the memory of Shah Nawaz Khan (1585 – 1619) by his father, Abdul Rahim Khan-i-Khana, the famous poet and one of the *Navratna* in the court of Mughal Emperor Akbar. Shah Nawaz Khan was a brave soldier and an able commander in the army of Mughal Emperor Jahangir. He played an instrumental part in the Deccan conquest of the Mughals and won several important battles for which he was conferred the title of ‘Shah Nawaz Khan’ by Jahangir.

Shah Nawaz Khan, originally named Mirza Iraj, belonged to a distinguished noble family of the Mughal court which not only supported various Mughal emperors but also tutored and mentored them from their childhood. Iraj’s grandfather, Bairam Khan, played an instrumental role in Babur and Humayun’s conquest of ‘Hindustan’, and later became the regent and mentor of Akbar when the latter ascended the throne at the age of fourteen. Similarly, Abdul Rahim Khan-i-Khana was the chief tutor and mentor of Jahangir and Shahjahan and thereby significantly contributed to their upbringing and education. Thus, the family played a pivotal role in the journeys of the early Mughal emperors. The two noble families were further interconnected through several marital alliances and both, the sister and daughter of Shah Nawaz Khan were married to Mughal princes.

From an architectural perspective, the tomb is regarded as an early precursor of the Taj Mahal in Agra, owing to its well-proportioned design and picturesque setting along the river. Although comparatively much smaller in scale and simpler in detail, the monument retains a distinctive charm within its own limitations. Set behind a garden in a walled complex with an impressive gateway, the square-shaped tomb is enclosed by arcaded verandahs on all sides with rooms at the corners. It is further enclosed at the corners by proportionate octagonal turrets, topped with chhatris. The double-height tomb is surmounted by a large dome that rest on octagonal drum and squinches. The structure is built in lakhori bricks in lime mortar which is clad with local black basalt stone at the exterior on the ground floor and plastered on the rest of the surface. Due to the cladding, it is also called the Black Taj. The plastered surfaces of the tomb are decorated with floral and geometric patterns in low-relief work and highlighted in bright colors like green, maroon and dark blue. Stone chhajja supported on peacock shaped brackets and *guldastas* at the corners of the octagonal drum are other decorative features.

The setting of the tomb on a raised plateau along the Utawali river also contributes to its immense architectural significance and validates its comparison to the iconic Taj Mahal in Agra. Situated in this elevated position, the tomb offers breathtaking panoramic views of the adjacent landscape, including the river basin, lush greenery, agricultural fields.

6.2 Sensitivity of the monument (e.g. developmental pressure, urbanization, population pressure etc.)

In the past, the monument was surrounded by vacant usar land, characterised by its infertile soil and sloping terrain. The presence of such a vast vacant land subjected the monument to the urban development pressures and the growing demand for housing. In the last 10-15 years, the vacant land on the southern and southwestern side of the regulated area has been gradually encroached and built upon by the expanding population of the city and migrants from the nearby areas. The southern part of the prohibited area was also encroached upon recently, with nearly 200 slum dwellings constructed uptill the boundary wall of the monument.

The encroachment continues to persist till date, with new residential colonies emerging in the southeastern part of the regulated area. The land in this part was earlier used for agricultural activities but now it is being divided into small residential plots and sold to people of low-income group by the local panchayat. Although only few houses have been constructed in this part uptill now, these are poorly built houses with unfinished facades, only fulfilling the basic requirement of a shelter with minimum functionality.

Burhanpur is known for its power-loom factories and large-scale production of greige fabric. Most of old power-loom factories were earlier concentrated within the walled city, however, with the increasing demand of the greige fabric and shortage of available land within the walled city, new factories are being set up on the periphery of the old city. Thus, along with new houses, small power-loom factories have also been built in the southwestern part of the regulated area in the last two decades. Power-looms not only create noise and air pollution but also produce residual waste laid with harmful chemicals which is thrown or burnt near the river. This is posing a threat to both the environment and the monument.

Burhanpur is also famous for its rope-making industry which utilises similar raw materials as the textile industry. In the open areas around the monument, which are linear in shape, ropes are made by the locals. The waste generated during the process is dumped on site which also contributes to the environment pollution.

The northern side of the regulated area and prohibited area of the monument has not been subjected to the development pressures of the expanding old city till now due to the presence of the river and agricultural fields. However, a small portion of the regulated area, on the northeast side, comes under the industrial zone proposed in the Burhanpur Development Plan 2031. Since this industrial zone is only about 100 m away from the Utawali river, it will adversely impact the riverine eco-system which in turn may alter the setting of the monument.

6.3 Visibility from the Protected Monument or Area and visibility from Regulated Area

Due to location of the monument on an elevated ground from rest of the surrounding area, the views from the monument are pleasant in all directions. Vast expanse of agricultural fields along with lush greenery is visible from the northern side of the monument. Paandan Mahal and its garden against a backdrop of trees are visible from the eastern side. Trees present in the graveyard and along the western boundary wall of the monument, block the view of the haphazard construction on the western and southern side, when viewed from the monument. However, from the southern boundary and the entrance gateway, poorly-built houses with unfinished facades, temporary shelters and garbage dumps are visible. Thus, the views of the settlement on southern and southwestern sides are very unsightly.

The monument is partially visible from most parts of the prohibited area and from the streets in the regulated area. The view of the monument from the prohibited boundary on the southern side is blocked by the presence of the slum. In the absence of the same, the unobstructed view of the monument atop an elevated ground would have accentuated its grandeur.

Views of the monument from across the river are spectacular which validate the monument's comparison to the iconic Taj Mahal in Agra due to the picturesque setting of both the tombs on a high plateau alongside the river. These scenic views are critical as they contribute significantly to the monument's overall aesthetic and cultural value.

6.4 Land-use to be identified

Originally the monument was surrounded by vast expanse of usar land and agricultural fields, however, in the last two decades, the expanding settlement of the city has reached the southern boundary wall of the monument. In the absence of any specific development plan, these houses are being built in a haphazard manner, without obtaining necessary approval from ASI, NMA or the local authority (a pre-requisite to construct any building in the regulated area of a centrally protected monument).

In Burhanpur Development plan 2021, the land on the western side of the monument was reserved for afforestation, however, recognising the increasing urban pressure, its land use has been changed to residential in the Burhanpur Development plan 2031 (attached in Annexure III). This includes the prohibited area on the western and southern side of the monument. Only the eastern side of the prohibited and regulated area is now reserved for agricultural use, which is also being sold in small parcels by the private owners to the people who are in need of new houses. Thus, streets have been laid on this agricultural land to access the upcoming houses.

On the northern side of the monument, across the river, the land use of the existing agricultural land has also been changed to industrial land in Burhanpur Development plan 2031. A small part of this industrial zone comes under the regulated boundary of monument on the northeast side. Western boundary of this industrial zone also touches the river in some parts which is a hazard for the river and its environs. The land-use of the existing usar land on the western side of the monument, in the regulated area has also been changed to commercial.

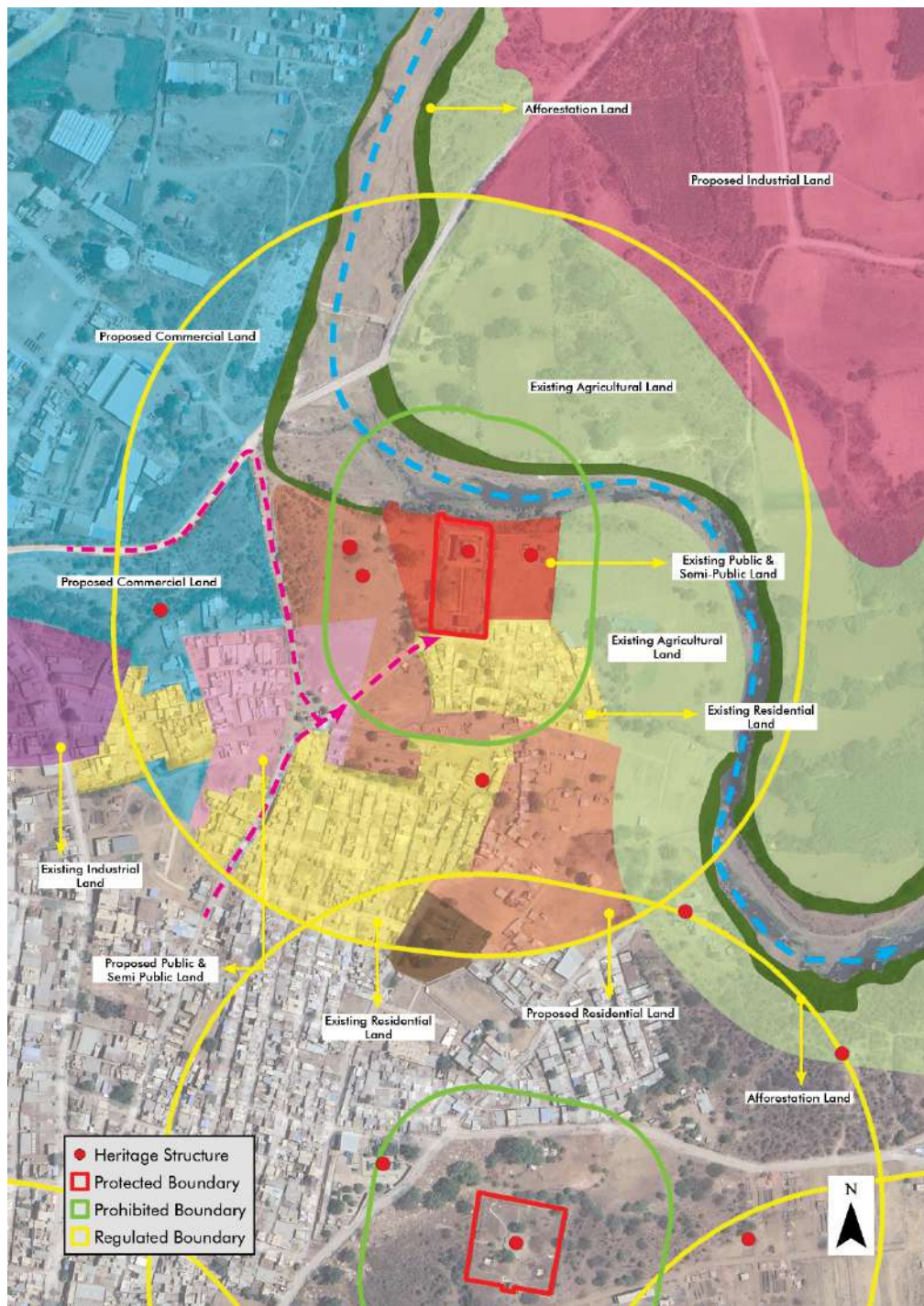


Figure 3 Proposed Land use plan as per Burhanpur Development Plan 2031

6.5 Archaeological heritage remains other than protected monument

An old retaining wall is present on the northern side of the monument, near the river. On the eastern side of the monument, Paandan Mahal is present which is said to house the graves of the family members of Shah Nawaz Khan. On the western side, in the Kabristan, several old graves are present along with remains of two Mughal-period tombs and a water supply system of the colonial period. The Dargah of Hazrat Shah Bhikhari is present on the regulated boundary on the southeastern side, beyond which a tomb is also present. On the southern side, a small old temple/samadhi is present within the regulated area. Chup Shah wali Tomb and ASI protected monument of Tomb of Shah Shuja are also present in this direction, beyond the regulated boundary. Remains of an old kundi (well) is present on the western side, within the regulated area.

6.6 Cultural landscapes

The monument along with the graveyard on its west and the Paandan Mahal on its east are seamlessly integrated into the natural landscape along the Utawali river. The monument was originally surrounded by agricultural field and usar land, however, the haphazard construction of slums near the monument has adversely impacted the original landscape.

6.7 Significant natural landscapes that form part of cultural landscape and also help in protecting monuments from environmental pollution

The location of the tomb along the southern bank of the Utawali river provided it with a pristine natural setting which remained unaffected by the air and noise pollution of the city in the past. However, in recent years, the expanding population of the city has encroached the southern and western sides of the monument which has entirely replaced the natural landscape and greenery on this side. Industrial activities like production of griege fabric and ropes are also causing harm to the natural environment as the waste generated during the production, laid with harmful chemicals, is dumped on the streets and in the open areas. It is also dumped and burnt near the river which causes environmental pollution. Power-looms also create noise and air pollution.

The surrounding natural landscape, characterised by its lush greenery and expansive agricultural fields, forms an integral part of the setting of the monument which not only enhances the views seen from the monument but also create a serene environment for the visitors to appreciate the monument.

6.8 Usage of open space and constructions

Prohibited Area:

The open space in the prohibited area mainly comprises of the catchment area of the river, graveyard, usar land, garden and agricultural land. Most of the open space is used for recreational activities and grazing sheeps, except for the agricultural land. River banks are also used for dumping waste and fishing.

Most of the buildings in the prohibited area are used for residential purpose with exceptions of a few small grocery shops. A madarsa and mazaar are also present.

Regulated Area:

The regulated area is mostly built on the southern and southwestern side. With the residential clusters, only few open spaces are left because their terrain is unsuitable for construction. Open spaces in the residential area are mostly used as community spaces, play areas and for making ropes. Open space near the river is also used for recreational activities. On the northwestern side, a large area is used as a dumping ground, near the river. On the northern and northeastern side, the open area is used for agricultural activities.

Built structures in the regulated area are mainly used for residential purpose. Grocery shops, schools, power loom factories and mosques are also present in the regulated area.

6.9 Traditional, historical and cultural activities

Historically, the area was primarily used for agricultural and burial activities. No traditional or cultural activities are carried out in the prohibited and regulated area except in the mosques.

6.10 Skyline as visible from the monument and from Regulated Areas

The skyline is mostly dominated by tall trees when viewed from the northern and eastern sides of the monument. From the western side, it is also dominated by trees but interrupted by electrical poles and few houses which are constructed on a nearby elevated ground. On the southern side, poorly-built houses with unfinished facades and tin-sheet roofs, electrical poles and a water tank disturb the skyline.

Tombs of Shah Nawaz Khan and Paandan Mahal dominate the skyline when viewed from the prohibited area and most of the regulated area, due to their placement on the elevated ground.

6.11 Traditional Architecture

Traditional architecture can only be seen in the Paandan Mahal, ruins of two old tombs in the graveyard and ruins of an old temple/samadhi in the regulated area. These structures exhibit typical features like multifoliated and pointed arches, stone brackets, chhajja and vaulted roofs.

6.12 Developmental plan, as available, by the local authorities

According to Burhanpur Development plan 2031, the monument and the surrounding area come under Planning Unit Boundary (2). The zoning plan and master plan are attached in Annexure III. However, specific regulations for the Planning Unit Boundary (2) are unavailable. Also, there is no specific development plan for the heritage zones in the city, however, in the Burhanpur Development plan 2031, under section 4.5.5, it is mentioned that the rules set by the Archaeology Department will be followed to protect, preserve and improve the special places with old buildings, history, and natural beauty in the Burhanpur Investment Region.

6.13 Permissible Building related parameters

Prohibited Area -

As per AMASR Act, no new construction shall be permissible within the 100m radius of the Centrally Protected Monument.

Repair and Renovation: Internal changes and adaptive reuse may be generally allowed; however, external changes shall be subject to scrutiny and permission from the National Monuments Authority. Changes may include retrofitting/renovation that may be permitted when the building is structurally weak or unsafe or when it has been affected by any natural calamity and renovation is absolutely necessary.

Original building vocabulary and layout along with built/open relationships are to be adhered to. General repair and upkeep of buildings will be permitted, subject to permission from the Competent Authority.

The repair and renovation in structures should be sympathetic and congruous with the heritage character of the surrounding areas. New cladding materials like Aluminium composite panels (ACP), High Pressure Laminates (HPL), tiling etc or glazing will not be permitted.

Reconstruction: Reconstruction is defined in Section 2(k) of AMASR Act, 1958. Permission for reconstruction in Regulated Area is accorded as per Section 20 C (2) of the AMASR Act, 1958 and Rule 6(IV) and Rule 7 of AMASR Rules, 2011. In case of damage due to natural calamities, the permission for reconstruction is accorded as per Rule 16 of the AMASR Rule, 2011. The new structure or building as a replacement to the older building in case of reconstruction shall follow the same horizontal and vertical limits as per the preexisting structure. The use of incongruous materials in the facade such as glazing, metal cladding, Aluminium Composite Panels (ACP), High Pressure Laminates (HPL), tiles, laminates, etc. is not permitted. The new structure should be sympathetic and congruous with the heritage character of the surrounding area.

Regulated Area –

All development control norms and building regulations specified in the Burhanpur Development plan 2031 shall be applicable, however, the height shall be restricted to 4.5m including mumty, parapet walls and water storage tanks.

(a) Height of the construction on the site

Height of all buildings in the regulated area will be restricted to 4.5 m including mumty, parapet walls, water storage tanks and any other projections.

(b) Floor Area

The average plot area of the existing houses in the regulated area is below 75 sqm. As per the development norms for the residential areas in Burhanpur Development Plan 2031, following are the permissible limits for Ground Coverage, FAR and setbacks:

5-सा-2

क्र.	मुखण्ड का आकार मीटर में	क्षेत्रफल (वर्ग मीटर में)	विकास का प्रकार	भू आच्छादन क्षेत्र प्रतिशत	सीमांत खुला क्षेत्र मीटर में				फर्शी क्षेत्र अनुपात	मुखण्ड के सामने मार्ग की न्यूनतम चौड़ाई (मी. में)	अधिकतम ऊँचाई (मी. में)	एक मुखण्ड पर अधिकतम स्वीकार्य ईकाईयों
					अग्र	पृष्ठ	आजू	बाजू				
1	2	3	4	5	6	7	8	9	10	11	12	13
1.	4.0×8.0	32	पंक्ति	60	3.0	0.0	0.0	0.0	1.50	6.0	9.0	2
2.	4.0×12.0	48	पंक्ति	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
3.	5.0×15.0	75	पंक्ति	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
4.	7.0×15.0	105	पंक्ति	50	3.0	1.5	0.0	0.0	1.50	7.5	9.0	2

In smaller plot sizes (upto 60 sqm area), with the given permissible limits, especially the front setback of 3m, it will not be feasible to create habitable spaces. Further, the permissible FAR cannot be completely utilized as the height of the buildings will be restricted to single floor to protect the view and skyline of the monument. Thus, it is recommended to allow more than 60% ground coverage for the plots upto 60 sqm area, provided all projections (chhajjas, roof projections, ramps, steps, staircases) are contained within the plot line. For bigger plots, the permissible limits shall be decided

by the local authority in accordance with the standard norms for accessibility, firefighting, etc. (as per UDPMFI guidelines) to ensure healthy living conditions. In all cases, the height should be restricted to 4.5m including mummy, parapet, water tank etc.

(c) Usage

- No construction shall be allowed within the prohibited boundary and in the northern, eastern, southeastern and western parts of the regulated area (refer the HBL Recommended Proposed Development Plan in annexure VII(g) to see the recommended no-construction zones).
- Western part of the graveyard which is beyond the prohibited boundary shall also remain open, with no construction allowed.
- Existing usar land within the designated residential zone, on the southwestern side, shall be left open. No new construction shall be allowed on this land (see HBL Recommended Proposed Development Plan in annexure VII(g)).
- Existing usar land on the western and northwestern side of the monument which is designated for commercial use in the Burhanpur Development plan 2031, shall remain an open space with no construction allowed in it (see HBL Recommended Proposed Development Plan in annexure VII(g)).
- Existing slum dwellings in the prohibited area (on the southern side) shall be relocated to a suitable land outside the regulated area of the monument, probably to the nearby Transport Nagar which is yet to be planned and developed.
- Considering the development pressure and recognising the designated land use in the Burhanpur Development plan 2031, the residential land use in the southern, southwestern and western parts of the regulated area shall be allowed, however, the extent of this land, within the regulated boundary, shall strictly follow the boundaries demarcated on the HBL Recommended Proposed Development Plan (see annexure VII(g)).
- Beyond the eastern boundary of the proposed residential land on the southern side of the monument (refer the HBL Recommended Proposed Development Plan in annexure VII(g)), the land shall strictly remain agricultural. Newly constructed or under-construction houses beyond the said limit should be suitably compensated and relocated to a suitable location outside the regulated boundary, probably to Transport Nagar. Street or any other infrastructural services laid for new colonies in the above-mentioned area should also be removed accordingly.
- New construction in the regulated area should only be used for residential purpose.
- The new residential colonies which are to be developed on the south eastern side of the regulated area, within the limit demarcated in the Burhanpur Development Plan 2031, should be properly planned along with street layouts, open spaces and parks (as per UDPMFI guidelines).
- There is no planned infrastructure for the residential zone which shall be properly planned and laid. Services like water supply, drainage and sewerage lines should be properly laid keeping in mind the natural topography of the land. Such drains and pipelines should be properly covered. No such services should pass through the prohibited area of the monument.
- The natural drain channel near the prohibited boundary on the southern side shall not be obstructed by any construction. Garbage disposal shall not be allowed in this drain. The drain shall be properly designed and covered with drain cover.
- No commercial activity other than the grocery (*kirana*) shops shall be allowed within the regulated area.
- No industrial activity shall be allowed within the prohibited and regulated area. Power loom factories and rope-making activities shall be moved outside the prohibited area and the

regulated area, preferably to the Transport Nagar which is planned to be developed in future.

- Change in land-use of the agricultural land demarcated in the Burhanpur Development plan 2031 shall not be allowed for any reason.
- It is strongly recommended to maintain the designated land use as per these bye-laws without permitting any change, irrespective of the circumstances. This will ensure a balance between preserving the natural setting of the monuments and addressing the developmental needs and pressures of the city.
- Burhanpur Development Plan 2031 shall incorporate the above inputs.
- Dumping shall not be permitted in the open spaces. A designated dumping ground shall be provided by the local government, outside the regulated boundary of the monument and away from the river and agricultural land.
- No cutting or filling shall be allowed on the existing open spaces within the residential zone to safeguard the natural terrain. Such spaces should be left open to maintain a built-open relationship.

(d) Façade design

- All building facades should be plastered and painted in earthy colors (white, grey, beige, brown etc.).
- Corrugated sheets shall not be used to make temporary rooms/shelters.
- Reinforcements shall not be left on the terrace for adding another floor in the future.
-

(e) Roof design

- Flat roof design is to be followed with low parapet walls along the edges.
- Structures using temporary materials such as tin sheets, aluminium, fibre glass, polycarbonate or similar materials shall not be permitted on the roof of the building.
- Water tanks shall be screened off using plastered masonry walls.

(f) Building material

- Consistency in materials and colors shall be maintained along all street facades.
- Modern materials like bricks, cement and RCC may be used.
- The facades should be plastered and painted. Tin sheets, aluminium cladding, glass bricks or any other synthetic materials shall not be used for external finish.

(g) Color

- Neutral and earthy colors should be used for all external facades and elements.

CHAPTER VII

Site Specific Recommendations

7.1 Site specific recommendations

Planning related recommendations

- It is recommended to change the land-use of the proposed residential zone which falls within the prohibited area of the monument to agricultural land-use. Change in the existing and proposed agricultural land-use should not be allowed under any circumstances
- It is strongly recommended to redelineate the southern boundary of the industrial zone in the Burhanpur Development Plan 2031 and move it 100m away from the regulated boundary of the monument to safeguard the Utawali river, its natural environs and the monument from pollution and developmental pressure in future.
- In future, large-scale projects such as roads, highways, railway line, tunnels, etc. should be subjected to Environmental Impact Assessment (EIA) and Heritage Impact Assessment (HIA).

Recommendation to safeguard the natural landscape around the monument which is an integral part of its setting

- The natural landscape around the monument shall be protected in all respects without any construction or cutting-filling of land.
- No cutting or filling shall be allowed in the prohibited and regulated boundary to safeguard the natural terrain of the land.
- The Utawali river and the flora and fauna of the river basin are an integral part of the setting of the monument. These shall be protected by preventing the river from drying or changing its course.
- Greenery around the monuments is to be protected and maintained. This includes the vegetation inside and outside the walled complex of the monuments.
- Felling of trees shall not be allowed. In case, a tree or branch thereof is in imminent danger of falling down injuring life, proper permission may be sought to cut down the said tree or branch.
- More trees shall be planted in the regulated area to maintain a good green cover to control the air and noise pollution.
- Industrial activities including power loom factories and rope-making activities shall be moved outside the prohibited boundary and regulated boundary of the monument. Such activities should also be prohibited near the river and it should be ensured that no residual waste from such industries is disposed in the river.
- Dumping or burning the waste near the river, and in the open spaces of the prohibited area and regulated area shall be completely prohibited.
- Activities like washing clothes, utensils, vehicles or bathing with soap in the river shall also be prohibited.

Recommendations to ensure visibility to and from the Monument

- To restore the original view of the monument from the low-lying area near the prohibited boundary, the slum shall be relocated far from the monument. All the infrastructure services catering to the slum including electrical poles, wires, water pipes, taps, etc. shall also be removed.
- A landscaped garden shall be developed on the vacated land, after the removal of the slum.
- Trees shall be planted along the southern edge of the landscaped garden (on the northern side of the natural drain), in the prohibited area, to create a buffer and obstruct the unpleasant views of the unfinished facades of the residences, when viewed from the entrance gateway of the monument.
- Existing trees within the protected boundary and the prohibited and regulated areas shall be preserved to maintain the existing visual barrier on the western and southern side.
- Only shrubs (no tall trees) shall be planted on the northern and eastern side, within the protected boundary, to maintain the spectacular views of the vast expanse of the agricultural fields and riverside flora.
- No new construction, whether temporary or permanent shall be allowed on the northern side of the prohibited and regulated area to preserve the view of and from the monument on this side.
- The existing houses within the regulated boundary shall have plastered facades, painted with earthy colours like grey, brown beige, etc.
- It is strongly recommended to restrict the height of upcoming industries and manufacturing units in the proposed industrial zone (after redelineation of the southern boundary to 100m outside the regulated area) to 12 meters, including all stairwells, towers and other ancillary structures, to safeguard the panoramic views from the monument in this direction. It is also recommended to plant trees along the southern periphery of the industrial zone to create a visual buffer.
- Defunct electrical poles shall be removed from the prohibited area, especially from the graveyard on the western side. Minimum number of electrical poles required for the illumination of the monument shall be retained in the prohibited area. These may also be relocated towards the northern side of the graveyard.
- No telecommunication towers shall be located in the prohibited and regulated areas.
- No high-tension pylons shall be located in the prohibited and regulated areas.
- No overhead water tanks shall be located in the prohibited and regulated areas. The overhead water tank in the southeastern part of the regulated area shall be relocated.

7.2_Other site specific recommendations

- It is recommended to provide proper access roads (metalled or concrete), parking and paved pathways (brick or cobble stone) to access the monument as per the structure map (refer HBL Recommended Proposed Development Plan in annexure VII(g)).
- It is recommended to provide portable toilets, water coolers and parking for the visitors in the open space present on the western side of the monument.
- In the event of recovery of any artifact or archaeological remains during the process of excavation for any reason including digging of foundations, laying of pipes, cables, etc., the same shall be immediately informed to the Archaeological Survey of India.
- The monument should be properly illuminated by ASI.
- Directional and information signages should be provided at suitable locations along the access road, pathways, and outside and inside the walled complex.

- LED or digital signs, plastic fibre glass or any other highly reflective synthetic material may not be used for signage in the heritage area. Banners may not be permitted, but for special events/fair etc. it shall not be put up for more than three days. No advertisements in the form of hoardings, bills within the heritage zone shall be permitted.
- Signages should be placed in such a way that they do not block the view of any heritage structure or monument and are oriented towards the pedestrian pathways.
- Hawkers and vendors shall not be allowed on the periphery of the monument.

Notification

Boundaries.

North.—By village lands of mauza Viloda.
East.—By village lands of mauza Waigaon Tukum.
South
 &
West. } By village lands of mauza Chandankheda.

Brief description.

The area is under B-I class forests already set aside for cultivation and is not worth retaining.

Reasons for disforestation.

To add to the culturable area of the malguzari village of Chandankheda.

The 31st January 1905.

No. 656.—Whereas it appears to the Chief Commissioner that the land described in the Schedule below is needed for a public purpose, namely, for the construction of a diversion to be used for traffic pending the opening of the Nerbudda Bridge by the Bengal-Nagpur Railway, it is hereby declared, under Section 6 of the Land Acquisition Act, I of 1894, that the said land is needed for the above-mentioned purpose:—

District.	Tahsil.	Village.	Approximate area of the land.
			Aeres.
Jubbulpore	Jubbulpore	Khirebui	4.85
		Jawatara	4.26
		Total	9.11

The plan of the land may be inspected at the office of the Deputy Commissioner at Jubbulpore.

No. 685.—In accordance with the provisions of Section 36 of the Central Provinces Court of Wards Act (XXIV of 1899), it is hereby notified for general information that the superintendence of the property of Daryao Singh, proprietor of the Chirewani estate in the Chhindwara District, has, with the sanction of the Chief Commissioner, been relinquished by the Court of Wards, with effect from the 1st January 1905.

The 1st February 1905.

No. 725.—In Notification No. 2177, dated the 18th April 1904, published at page 150 of Part III of the *Central Provinces Gazette*, dated the 23rd idem, against mauza Dhalpur (No. 345) for "1491.80" acres read "734.23" acres.

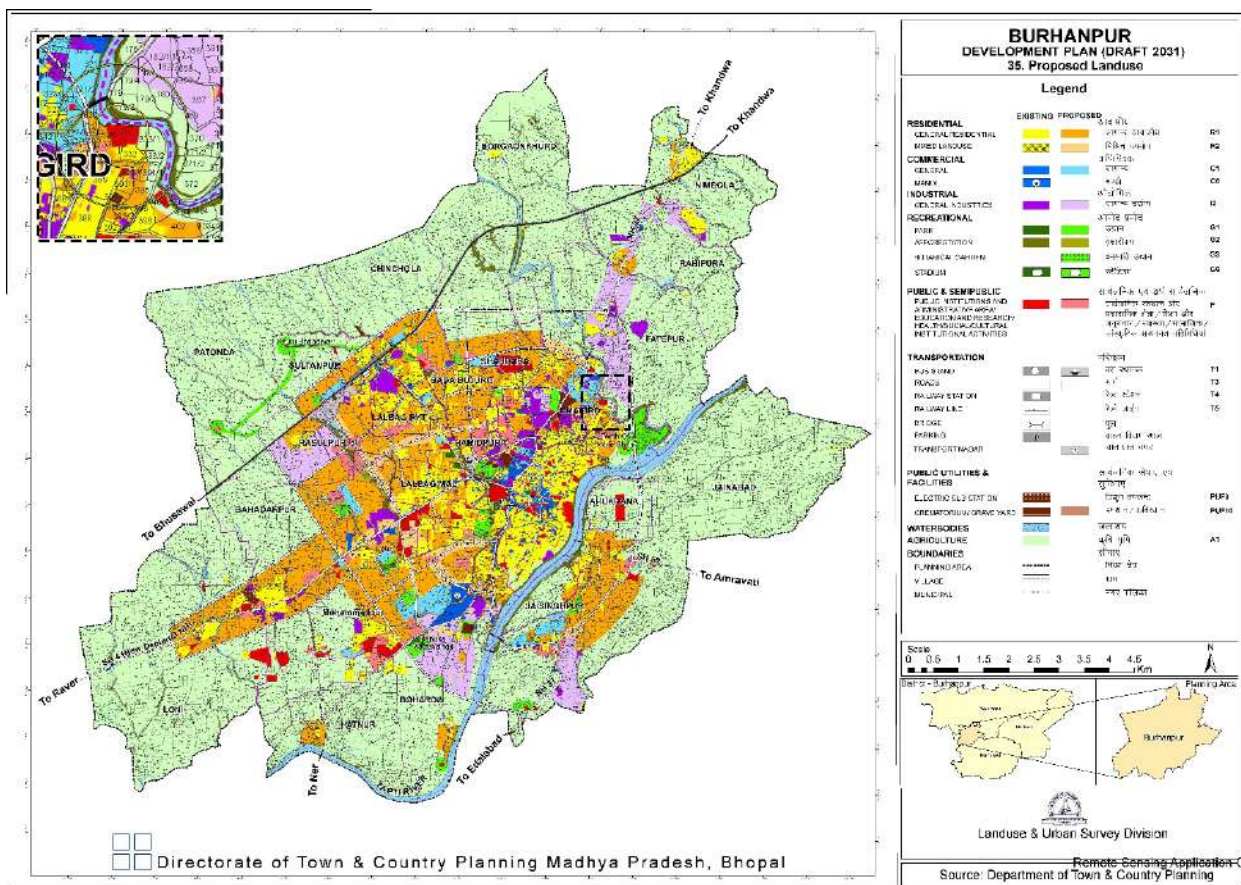
The 2nd February 1905.

No. 729.—Under Section 3, Sub-section (1), of the Ancient Monuments Preservation Act, VII of 1904, the Chief Commissioner is pleased to declare the dome of Adil Shah Faruki, situated in the outskirts of the town of Burhanpur, to be a protected monument within the meaning of the Act.

No. 730.—Under Section 3, Sub-section (1), of the Ancient Monuments Preservation Act, VII of 1904, the Chief Commissioner is pleased to declare the dome of Shah Nawaz Khan, situated in the outskirts of the town of Burhanpur, to be a protected monument within the meaning of the Act.

No. 735.—Notification No. 230, dated the 12th January 1904, regarding the acquisition of land for a murrum quarry on the 36th mile on the Nagpur-Katol Road in the Nagpur District, is hereby cancelled.

Burhanpur Development Plan 2031 (Proposed Land-use)



Local Building Bye- Laws

Development Regulations (Burhanpur Development Plan 2031)

5.1 Included

The purpose of these regulations is to improve the standard of living for the residents of Burhanpur. These regulations will govern the following activities:

Overall development within the investment region. Change in the nature of the land, which includes subdivision of the land and commercial use of the land. Integrated institutional development of group housing projects. Any type of building, including the height of the building. Development of land, construction/alteration, and demolition of buildings in areas that are outside the Municipal Corporation limits but within the investment area limits.

5.2 Jurisdiction

The regulations mentioned in this chapter will be applicable to the Burhanpur investment area constituted by the state government under Section 13(1) of the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973), and the regulations that are not mentioned in this chapter will be applicable as per the provisions contained in the Madhya Pradesh Land Development Rules, 1984.

The development plan proposals will be elaborated on in the regional plan. There is a possibility that the proposals related to the determination of circulation and use zones in the development plan will have to be modified in view of the mechanical requirements related to implementation. The decision of the state government regarding such modifications will be final and will be considered as part of the plan proposals.

The marked proposals on the development plan map are symbolic and represent both indicative and broad forms. These proposals are identified based on Section 17 of the Madhya Pradesh Urban and Gram Investment Act, 1973. For instance, residential areas shown on the development plan map encompass internal roads, open and green spaces, areas necessary for education and health facilities for residents, and land unsuitable for urban development, as defined under Section 17. The existing clusters of trees spread across the residential area are integrated as integral components for internal circulation, open spaces, essential education and health facilities for residents, and urban development. Due to this reason, these areas are not displayed on the development plan map. In the development plan map, any designated land for specific use shall retain its present buildings, current condition, and existing use, as approved by the competent authority.

The residents of slums are involved in various activities within urban centers, often engaged in service work. If slums are to be managed and developed at a particular location, in such a scenario, only areas designated for water collection from ponds and other water sources, recreational zones, and areas along proposed routes will be excluded. The remaining land will be subject to the management of slums within the designated land use zones.

The development plan map, included with the report, is a reduced-scale map generated by a machine. Therefore, the length, width, and area of the land should not be measured based on this map. The measurement of length, width, and area should be carried out using the survey map at a scale of 1:4000.

The method of preparing a zoning plan is like that of preparing a development plan. Depending on the nature of the development, separate zoning regulations or zoning ordinances might be necessary. However, until the published and effective zoning plan is established, development permissions will be granted based on the regulations described in this chapter. It is crucial to rapidly develop the zoned plan for the areas in the first phase as per the proposal of the development plan. The zoned plan will be prepared by the Municipal Corporation of Burhanpur. The ongoing process of continuously developing the zoning plan is highly essential.

The situation and boundaries provided in the zoning plan/detailed layout for each land use area will be considered in relation to the existing roads/vehicle routes, and other physical forms present on-site.

The layouts for which approval has been granted by the competent authority, i.e., The Deputy Director of Urban and Rural Investments, Khandwa, under the Madhya Pradesh Urban and Rural Investment Act, 1973, and whose validity is within the publication date of the development plan proposal, will be considered as conforming to the proposed land use in the development plan in that scenario.

Under unavoidable circumstances and in the interest of public welfare, the state government can consider development permissions for national, state, and local-level activities that confer collective benefits to urban populations.

Regarding the construction or activities related to substructure deemed necessary on any land use area, that conforms to appropriate substructure planning and design as per the site's requirements and have been approved by the competent authority, they shall be deemed acceptable.

In certain specific areas where building construction is restricted from a security perspective, decisions can be made after consulting the State Home Department. Restrictions on building height and the placement of windows and doors can be imposed. In situations where modifications are necessary for approval based on the presented map, the competent authority will incorporate all necessary modifications on the map and return it to the concerned party. The approval will be indicated only on the improved map.

5.1 Land Use Zone and Use Precinct

As shown in the table below, the Burhanpur Investment Area has been divided into nine use zones. Each use zone is further subdivided into various use precincts. Each use precinct will accommodate specific uses with or without conditions. Areas without a designated, approved plan will be subject to restrictions under the development plan/zoning plan, and land use/zoning proposals. The announced use zones are divided into 9 categories, primarily residential, commercial, industrial, public utility, public and semi-public, recreational and entertainment, transportation, and transit, agricultural, and water bodies.

Burhanpur Use Zone / Use Category

S.No	Use Categories	Land Use Zone
1	Residential	Incorporating Rural Residential Areas (R.D. Gramin Aawadi) into Residential Areas
2	Commercial	C-1 Urban Center
		C-2 Suburban Center
		C-3 General Commercial, Trade, and Business with Institutional Facilities
		C-4 Wholesale Trade, Market, Warehousing, Cold Storage
		C-5 Transport Nagar/Mechanic Nagar
3	Industrial	I-1 Light and Service Industries (including clusters of industries)
		I-2 Industrial Area and Major Industrial Institutions
		I-3 Polluting Industries
4	Public Use	U-1 Water (Treatment Plant, etc.)
		U-2 Solid Waste (Treatment Plant, etc.)
		U-3 Power (Powerhouse, Substation, etc.)
		U-4 Solid Waste (Sanitary Landfill, etc.)
		U-5 Fire Suppression Center

5	Public and Semi-Public	P.S.-1 Administrative Complex
		P.S.-2 Other Government Institutions
		P.S.-3 Educational and Research Center
		P.S.-4 Health
		P.S.-5 Central Recreational Ground
6	Recreation and Entertainment	R-1 Regional Park / Wildlife Sanctuary
		R-2 Botanical Garden, Urban Park
		R-3 Sports Complex / Stadium
		R-4 Urban Forest / Afforestation
		R-5 Picnic Spot
		R-6 Waterfront Development
7	Transport and Transportation	Airport Area
		Railway Terminal/Station
		Inter-State, Regional Bus Stand
		Regional Bus Terminal/Bus Stand
		Truck Terminal, Warehousing
		Roads
		Railway Line/Railway Siding/Yard/Operational Area

8	Agriculture	A-1 Forest
		A-2 Green/Agri area
		A-3 Rural area
9	Other water sources	W-1 Lakes and Ponds, W-2 Rivers
		W-3 Rural area (as per residential)

5.5.1 Subdivision of Land Use Zones within Land Use Areas

The purpose of this regulation is to provide guidance in preparing land use plans. These regulations incorporate standards for layout and amenities provision. Services related to such developments, like physical structures, water supply, sewage disposal, etc., will be in accordance with the sub-regulations of the municipal corporation.

Generally, the width-to-depth ratio of a plot should not exceed 1:3.

Building developers/architects need to consider land size, land type, floor area ratio, ground coverage, building height, and standard residential unit requirements for their building planning within the context of residential development. The guidelines for ground coverage and F.A.R.

1. are described in Table 4-SA-2. It's imperative that the plot size and the designated layout are fully developed for building permission. In cases of corporate development, development/building permissions can be granted simultaneously.

2.

3.

Approval for the proposed layout to accommodate more than four units in a single plot in a residential area will only be granted, if necessary, provisions such as water supply, sewage disposal, and parking facilities have been provided, and the required services and amenities are available before granting permission for building construction. For such developments, the minimum plot size required will be 288 square meters.

- In the current developed area, excluding low-density zones, after physical verification of the necessary services and amenities for single-family or joint-family units, permission may be granted to convert them into multi-unit land development.

क्र.	मूखण्ड का आकार मीटर में	क्षेत्रफल (वर्ग मीटर में)	विकास का प्रकार	भू आन्वयन क्षेत्र प्रतिशत	सीमांत खुला क्षेत्र मीटर में				फर्शी क्षेत्र अनुपात	मूखण्ड के सामने गार्ग की न्यूनतम चौड़ाई (मी. में)	अधिकतम ऊँचाई (मी. में)	एक मूखण्ड पर अधिकतम स्वीकार्य ईकाईयों
					अग्र	पृष्ठ	आजू	बाजू				
1	4.0×8.0	32	पंक्ति	60	3.0	0.0	0.0	0.0	1.50	6.0	9.0	2
2	4.0×12.0	48	पंक्ति	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
3	5.0×15.0	75	पंक्ति	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
4	7.0×15.0	105	पंक्ति	50	3.0	1.5	0.0	0.0	1.50	7.5	9.0	2
5	9.0×15.0	135	अर्ध पृथक्कृत	50	3.0	1.5	2.5	0.0	1.50	7.5	12.5	3
6	11.0×18.0	198	अर्ध पृथक्कृत	50	3.0	2.5	2.5	0.0	1.50	9.0	12.5	4
7	11.0×18.0	198	पृथक्कृत	42	3.0	2.5	2.5	1.5	1.50	9.0	12.5	4
8	12.0×18.0	216	पृथक्कृत	42	3.5	2.5	3.0	1.5	1.25	9.0	12.5	4
9	12.0×24.0	288	पृथक्कृत	40	4.5	2.5	3.5	1.5	1.25	9.0	12.5	4
10	15.0×24.0	360	पृथक्कृत	35	6.0	2.5	3.5	3.0	1.25	12.0	12.5	5
11	15.0×27.0	405	पृथक्कृत	33	7.5	3.0	3.5	3.0	1.25	12.0	12.5	5
12	18.0×30.0	540	पृथक्कृत	33	8.0	3.0	4.0	3.0	1.25	12.0	12.5	7
13	20.0×30.0	600	पृथक्कृत	33	9.0	3.0	4.0	3.0	1.25	12.0	12.5	7
14	25.0×30.0	750	पृथक्कृत	25	9.0	4.5	4.5	4.5	1.25	12.0	12.5	7

- In residential developments, land/building reservations will be made for the weaker sections/informal sectors of society according to the criteria and orders determined by the state government at various times.
- Special provisions as per Schedule-M of the Madhya Pradesh Land Development Rules, 1984(rule 94): An arrangement for low-income group housing should be prepared.

5.5.1 (1) Residential Land Development

In the context of residential development and building planning, the requirement for land size, land type, floor area ratio, land coverage, and land grading-related standards is essential. The criteria for these measurements are provided in the following table.

Burhanpur: Criteria for Residential Land Development

Tip:

1. The table mentioned above is proposed for the development of residential land for single families and joint families.
2. The land size mentioned in rows 9 to 14 of the table can be considered only for multi-unit land development in proposed residential areas.
3. Land parcels with irregular shapes and sizes that fall within the range mentioned in the table and lie within the range of the "Open Area Ratio," "Coverage," and "Floor Area Ratio" as described, can be considered for planning approval according to the provisions mentioned in the preceding categories.
4. In group housing projects, if the covered parking arrangement is provided in the acceptable basement coverage area, it should not be calculated as part of the floor area ratio.
5. The maximum building height will be determined according to the rules (42-K) specified in the Madhya Pradesh Land Development Rules, 1994.
6. Basements below the ground level are acceptable if they are equivalent to the approved basement coverage area and are used for parking purposes. Their calculation should not be included in the floor area ratio.
7. For land parcels between 250 square meters and 500 square meters, a maximum of one staff accommodation can be approved, and for land parcels above 500 square meters, a maximum of two staff accommodations can be approved. This should be explicitly mentioned while obtaining approval.
8. The maximum size for a single-staff accommodation unit is 20 square meters, including an 11-square-meter bedroom. Additionally, for accommodation with cooking facilities, bathrooms, and toilets, the specified requirements must be met.
9. For density calculations, a residential unit can accommodate 4.5 individuals, and a staff accommodation can accommodate 2.4 individuals.
10. For land parcels exceeding 288 square meters, one parking space should be provided for every 150 square meters of approved built-up area.
11. In cases of re-establishment of slums, land parcels with an area of less than 32 square meters can be accepted.

5.9 Commercial Zone

(A) Guidelines for Commercial Zone Redevelopment

The components within the Investment Unit Center for commercial zones will be as follows:

1. Footpath Shops
2. Commercial Offices
3. Service Centers
4. Facilities

बुरहानपुर : वाणिज्यिक भूखण्ड के विकास मापदण्ड

4-सा-3

क्र.	वर्ग	स्थिति	निर्मित क्षेत्र		फर्शी क्षेत्र अनुपात
			भूखण्डीय विकास (प्रतिशत में)	निगमित विकास (प्रतिशत में)	
1	2	3	4	5	6
1.	नगर केन्द्र	मध्य क्षेत्र	80	50	2.50
2.	निवेश इकाई केन्द्र	सभी निवेश इकाई केन्द्र स्तर के वाणिज्यिक क्षेत्र	80	50	2.00
3.	सामुदायिक केन्द्र	परिक्षेत्रिक योजना प्रस्तावों के अनुरूप	80	50	1.75
4.	स्थानीय दुकानें	तदैव	80	50	1.50
5.	सुविधाजनक दुकानें	तदैव	80	60	1:1.00

5. Cultural Complex
6. Hotels
7. Landscaping Component
8. Wholesale Trade (where provided)

In some cases, an integrated plan could be developed for all the above components. However, due to land development, sales, methodology, or certain redevelopment requirements, this solution may not always be possible. The development of facilities, hotels, and wholesale trade components might need to be identified separately. It's possible that other groups and components like footpath shops, offices, cultural complexes, and residential uses could be integrated in the same building site or area through land use and planning. The task of preparing an integrated plan that includes all components or total components should be left to the planner's discretion. The development of scenic areas within the city/sub-city should be achieved through district centers. The positioning of the city/sub-city residential area should be determined through pedestrian, accessibility, or route paths.

1. The percentage of land area of the plots will remain unaffected by sub-division.
2. For commercial development, the Floor Space Index (FSI) for commercial zones will be proportionate to the FSI designated for residential development in the same area. The designated FSI for commercial development will be in accordance with the established FSI for residential development in the area. Permission for organized market centers will be

granted only within designated commercial zones. For this purpose, a minimum area.

3. It is necessary for the area to be at least 500 square meters. The maximum built-up area allowed will be 50% of the permissible area, and the remaining portion of the land will be allocated for uses such as parking, pathways, gardens, etc.
4. For plots located along commercial roads that are less than 18 meters wide, the proposed width of the commercial use zone will be considered up to one and a half times the depth of the plot. For plots along roads wider than 18 meters, the proposed width of the commercial use zone will be considered up to twice the depth of the plot.
5. The regulations and guidelines outlined in Table 4-SA-3 will be applicable for planning and development. Provisions from Table 4-SA-4 and 4-SA-6 will be applicable for building construction, modifications, and approvals.

बुरहानपुर : वाणिज्यिक क्षेत्रों के भूखण्डीय विकास मापदण्ड

4-सा-4

क्र.	भूखण्ड का आकार (मीटर में)	क्षेत्र (वर्गमीटर में)	मार्ग की चौड़ाई (मीटर में)	सीमांत खुला क्षेत्र (मीटर में)			
				अग्र	पृष्ठ	आजू	बाजू
1	2	3	4	5	6	7	8
1.	6.0x9.0	54	12 से कम	3.0	0.0	0.0	0.0
2.	6.0x9.0	54	12 से अधिक	4.5	4.5	0.0	0.0
3.	9.0x15.0	135	12 से कम	3.0	1.5	2.5	0.0
4.	9.0x15.0	135	12 से अधिक	4.5	1.5	2.5	0.0
5.	12.0x18.0	216	12 से कम	3.0	1.5	2.5	2.5
6.	12.0x18.0	216	12 से अधिक	4.5	1.5	2.5	2.5
7.	15.0x24.0	360	12 से कम	3.0	3.0	3.0	3.0
8.	15.0x24.0	360	12 से अधिक	4.5	3.0	3.6	3.6

These criteria will be applicable to all commercial areas:

For areas with a land area of more than 1000 square meters and buildings up to a height of 12.5 meters, the minimum open area around all sides will not be less than 6.0 meters. For land parcels with an area of more than 500 square meters, the minimum open area in the front portion will be 6 meters and on all other sides will be 4.5 meters.

1.21 Regulation for Sensitive Areas

The control of development activities in sensitive areas will be based on the following regulations:

In controlled areas, tree planting and seating arrangements may be allowed. In restricted areas, historical/heritage monuments will be preserved and safeguarded. The preservation of these monuments will be encouraged. Permission for the flow of water in ponds will not be granted.

The use of petroleum-based fertilizers will be prohibited for agricultural activities in the catchment area of water sources to prevent water bodies from being encroached upon or disturbed by activities like aquatic vegetation and other activities that cause soil erosion. The relevant department should take necessary measures in this regard.

In controlled areas, with the permission of a qualified authority, activities like recreational

activities for tourists, expansion of attractions, and other activities will be accepted. Tasks related to the conservation of ponds and maintaining water quality will be accepted. In the areas near the ponds, when personal septic tanks, water supply lines, and drainage lines are constructed, they must be connected once they are completed.

No increase in the covered area or floor area ratio will be accepted in existing buildings coming under the regulated area or in the floor area ratio unless previously permitted by the qualified authority.

Tasks related to the expansion of the following categories of conservation in sensitive areas will be accepted:

- i) Buildings of archaeological and historical significance.
- ii) Buildings of civic and cultural importance.
- iii) Ancient architectural buildings, even if they are under private ownership.
- iv) Heritage buildings are discovered/found from time to time.

1.22 Regulation for Urban Heritage Areas

Proposals should be prepared by the competent authority after a detailed study for the conservation and improvement of monuments of heritage importance. Until such a study and proposal are ready for implementation, the heritage buildings selected and listed by the competent authority will be restricted by the following regulations.

1. Each heritage building's restricted area will extend to the adjoining 100 meters.
2. Their original character will be preserved through government-approved private or other institutions.
3. The demolition of selected and listed heritage buildings will not be allowed, even if they are under private ownership.
4. Constructions within the restricted area will not be governed by general size standards applicable in the city.
5. The height and architectural features of buildings within the restricted area should be like those of heritage buildings.
6. Paths, urban spaces, intersections, and courtyards, which are significant elements of the city, should be preserved, and efforts should be made to accommodate them through appropriate urban revitalization and complete development.
7. Landscaping and development will be accepted in the restricted area, incorporating integrated tree planting, access, circulation, and parking, subject to approval by the qualified authority.

अध्याय — 5

विकास नियमन 2031

5.1 प्रवृत्तशीलता

इन नियमनों का उद्देश्य निवेश क्षेत्र के नगरवासियों के जीवन स्तर को बेहतर बनाना है। यह नियमन निम्न गतिविधियों को नियंत्रित करेगा :-

- निवेश क्षेत्र के अंदर समस्त विकास।
- भूमि के स्वरूप में परिवर्तन जिसमें भूमि का उप विभाजन, संयुक्तिकरण, संविलियन, उपांतरण एवं भूमि का उपयोग सम्मिलित है।
- समूह आवासीय परियोजनाओं का सम्मिलित संस्थागत विकास।
- किसी भी प्रकार के भवन जिसमें भवन की ऊँचाई सम्मिलित हो।
- ऐसे क्षेत्र में, जो निवेश क्षेत्र सीमा के अंदर है, भूमि का विकास, भवनों का निर्माण/परिवर्तन एवं तोड़ना।

5.2 क्षेत्राधिकार

1. इस अध्याय में वर्णित विकास नियमन, राज्य शासन द्वारा मध्यप्रदेश नगर तथा ग्राम निवेश अधिनियम, 1973 (क्रमांक 23 सन् 1973) की धारा 13 के अंतर्गत गठित निवेश क्षेत्र पर लागू होंगे तथा जो नियमन इस अध्याय में वर्णित नहीं है, वे म.प्र. भूमि विकास नियम, 2012 में निहित प्रावधानों एवं शासन द्वारा नियमों में किये जाने वाले संशोधन के अनुरूप लागू होंगे।
2. इस अध्याय में वर्णित सक्षम प्राधिकारी से तात्पर्य है, संचालक, नगर तथा ग्राम निवेश या उनके द्वारा प्राधिकृत अधिकारी जो विकास योजना में विभिन्न उपयोगों के अंतर्गत स्वीकार्य गतिविधियों हेतु विकास अनुज्ञा देने हेतु सक्षम हैं।
3. विकास योजना प्रस्तावों का विस्तृतीकरण परिक्षेत्रिक योजना में किया जाता है। यह संभावना है कि विकास योजना में परिभ्रमण एवं उपयोग परिक्षेत्रों के निर्धारण संबंधी प्रस्तावों के क्रियान्वयन संबंधी यांत्रिकी आवश्यकताओं के परिप्रेक्ष्य में संशोधित करना पड़े। ऐसे संशोधनों के संबंध में सक्षम प्राधिकारी द्वारा निर्णय लिया जा सकेगा। यदि किसी विवाद/विरोधाभास की स्थिति निर्मित होती है, तो उस दशा में राज्य शासन का निर्णय अंतिम होगा, जो कि योजना प्रस्तावों का एकीकृत भाग माना जायेगा।

19. विकास योजना में दर्शित वर्तमान उपयोग स्थल पर विकसित एवं उक्त के राजस्व अभिलेख में दर्ज अनुसार ही मान्य होंगे। उससे लेकर स्थित भूमि पर संस्पर्शी भूमि उपयोग ही अधिमान्य होंगे।
20. विकास योजना में विभिन्न भूमि उपयोगों के विकास हेतु नियमन दिये गये हैं। नियमनों में यदि किसी प्रकार की विरोधाभास की स्थिति निर्मित होती है अथवा किसी व्याख्या की आवश्यकता होती है तो इस संबंध में राज्य शासन का निर्णय अंतिम एवं बंधनकारी होगा।
21. शासकीय विभागों द्वारा धारित भूमि एवं उससे संलग्न भूमि के भूमि उपयोग का निर्धारण एवं सत्यापन स्थल की स्थिति के अनुसार मान्य होगा तथा विकास योजना में मुद्रित मानचित्र के आकार से भिन्न होने पर, खसरो के आधार पर ही किया जायेगा।
22. नियमन में वर्णित गतिविधि के समानार्थी गतिविधि जिसका उल्लेख नियमनों में नहीं है, समानता के आधार पर मान्य किये जा सकेंगे।

5.3 परिभाषायें

- उपयोग परिक्षेत्र :-** मुख्य भू-उपयोग से संबंधित प्रस्तावित विशिष्ट नगरीय कार्यकलापों में से किसी एक कार्यकलाप का क्षेत्र।
- उपयोग परिसर :-** उपयोग परिसर से तात्पर्य ऐसा परिसर जो कि उपयोग परिक्षेत्र के उपविभाजन का एक भाग हो एवं जिसे कि अभिन्यास तैयार करते समय एक विशिष्ट मुख्य उपयोग या गतिविधि के लिए स्पष्ट किया गया हो।
- अभिन्यास :-** अभिन्यास से तात्पर्य उप विभाजित योजना से है, जिसमें उपयोग परिसर के सभी आकार एवं प्रकार इंगित हो।
- भूमि उपयोग मानचित्र :-** सभी उपयोग परिक्षेत्रों को दर्शाने वाला मानचित्र भूमि उपयोग मानचित्र कहलायेगा।
- परिक्षेत्रिक योजना :-** निवेश क्षेत्र के एक परिक्षेत्र की योजना जिसमें नियोजन के प्रावधानों का विस्तार, सामाजिक अघोसंरचना, उद्यान, खुले क्षेत्र एवं यातायात तंत्र संबंधी विस्तृत जानकारी प्रावधित हो।

4. वर्तमान भूमि उपयोग को अंगीकृत विकास योजना में दर्शाये अनुसार खसरा मानचित्र पर वास्तविक उपयोग अनुसार हस्तांतरित किया जावेगा।
5. आस-पास विद्यमान/निर्मित एवं धारा-30 में स्वीकृत मार्गों का समन्वय कर म.प्र. नगर तथा ग्राम निवेश अधिनियम, 1973 की धारा 27, 28 व 29 में प्राप्त प्रकरणों का निराकरण किया जावेगा। निवेश क्षेत्र में ऐसे निर्मित मार्ग, जो मौके पर विद्यमान हैं, परन्तु जिनके प्रस्ताव विकास योजना में उप-दर्शित नहीं है अथवा उप-दर्शित है, परन्तु चौड़ाई का उल्लेख नहीं है, ऐसे मार्गों की उनकी मौके पर उपलब्ध चौड़ाई अनुसार निरंतरता समन्वय के साथ सुनिश्चित की जावेगी।
6. विकास योजना मानचित्र में चिन्हित प्रस्ताव सांकेतिक एवं स्थूल स्वरूप के हैं। उदाहरणार्थ आवासीय परिक्षेत्र जो विकास योजना मानचित्र में दर्शाया गया है, उसमें आंतरिक मार्ग, खुले तथा हरित क्षेत्र, दुकानें, नागरिकों के लिए आवश्यक शिक्षा एवं स्वास्थ्य सुविधाओं हेतु क्षेत्र तथा नगरीय विकास हेतु अनुपयोगी भूमि वर्तमान वृक्ष समूहों द्वारा व्याप्त भूमि आवासीय क्षेत्र के अभिन्न अंग के रूप में सम्मिलित हैं। इस कारण उक्त क्षेत्र विकास योजना मानचित्र में नहीं दर्शाये गये हैं।
7. किसी भी उपयोग परिक्षेत्र में उपयोगिता अधोसंरचना से संबंधित निर्माण अथवा गतिविधि, जो स्थल पर आवश्यकता के अनुरूप उपयुक्त अधोसंरचना नियोजन एवं रूपांकन के अनुरूप तथा सक्षम अधिकारी द्वारा अनुमोदित हो, स्वीकार्य होगी।
8. संचालक द्वारा अनुमोदित अभिन्यास की समयावधि, यदि विकास योजना प्रकाशन की तिथि पर वैध है, तो उस दशा में स्वीकृत अभिन्यास का व्यापक भूमि उपयोग मान्य किया जावेगा।
9. अपरिहार्य परिस्थितियों तथा सार्वजनिक हित में, राज्य शासन नगर जनसंख्या को सामूहिक लाभ देने वाली राष्ट्रीय, राज्य अथवा नगर स्तर की गतिविधि हेतु विकास अनुज्ञा पर विचार कर सकती है, भले ही वह विकास योजना में उल्लेखित न हो।
10. ऐसे क्षेत्र जहां जन सुरक्षा की दृष्टि से प्रतिबंध लगाया जाना आवश्यक हो, उसके लिए आदेश जारी करने हेतु राज्य शासन सक्षम होगा।
11. विकास अनुज्ञा के लिए प्रस्तुत मानचित्र में अगर कोई सुधार आवश्यक हो तो सक्षम अधिकारी द्वारा मानचित्र सुधार कर पुनः प्रस्तुत करने हेतु आवेदक को वापिस किया जायेगा।
12. विभिन्न उपयोग परिसरों की पार्किंग की आवश्यकताएं, उसी उपयोग परिसर के अन्दर ही आवश्यक रूप से करना होगी। उक्त पार्किंग की व्यवस्था यदि समस्त

भूखण्डों को प्रगणित करते हुये एकीकृत अथवा समूह में अभिन्यास स्तर पर की गई हो तो परिसर के अंदर पृथक से पार्किंग की बाध्यता नहीं होगी।

13. नगर में निर्मित होने वाले प्लाय ओवर/स्काय वॉक के नीचे के स्थान को पार्किंग एवं अन्य जनहित उपयोगी गतिविधियों में उपयोग की अनुमति स्थल विशेष की आवश्यकताओं को दृष्टिगत रखते हुये दी जायेगी, परंतु ऐसी गतिविधि हेतु सक्षम अधिकारी से पूर्व अनुमति प्राप्त करना आवश्यक होगा।
14. विकास योजना में नदी/नालों के दोनों ओर दर्शाया गया हरित क्षेत्र सांकेतिक स्वरूप का है। नदी के दोनों किनारों पर उच्चतम जल स्तर से न्यूनतम 15 मीटर तक एवं नालों की स्थिति में मध्यप्रदेश भूमि विकास नियम 2012 के नियम 50 (ख) में निहित प्रावधानों के अनुसार खुला क्षेत्र रखना अनिवार्य होगा, इस भूमि पर मार्ग तथा सार्वजनिक सेवा एवं सुविधा का निर्माण स्वीकार्य होगा।
15. झुगियों में रहने वाले निवासी, नगरीय केन्द्र की विभिन्न गतिविधियों में सेवा कार्य से जुड़े होते हैं। यदि झुगी-झोपड़ी का किसी स्थान पर विस्थापन कर उसे विकसित किया जाना है, तो उस दशा में जल स्रोतों के क्षेत्र, आमोद-प्रमोद के क्षेत्र तथा प्रस्तावित मार्ग के क्षेत्र को छोड़कर शेष भूमि उपयोग परिक्षेत्रों में झुगी-झोपड़ी का विस्थापन ग्राह्य होगा।
16. विकास योजना मानचित्र जो पुस्तक के साथ संलग्न है, वह मशीन द्वारा छोटा /बड़ा किया गया मानचित्र है। इस कारण उक्त मानचित्र के आधार पर भूमि की न तो लंबाई-चौड़ाई नापी जाये, न ही इस मानचित्र के क्षेत्रफल को नापा जाये। लंबाई-चौड़ाई एवं क्षेत्रफल नापने तथा भू-उपयोग की जानकारी की कार्यवाही हेतु सर्वे मानचित्र जो 1:4000 की माप पर तैयार किया गया है, उसके आधार पर किया जाये। विकास योजना में दर्शित वर्तमान भूमि उपयोग, स्थल की वास्तविक स्थिति के अनुसार ही खसरा मानचित्र पर अंकित किए जाये तथा इस संबंध में स्थल निरीक्षण/अभिलेख का परीक्षण कर अंतिम निर्णय लिया जा सकेगा।
17. परिक्षेत्रिक योजना तैयार करने की पद्धति विकास योजना तैयार करने के ही समान है। विकास के स्वरूप के अनुसार अलग-अलग विकास नियमन-परिक्षेत्रिक नियमनों की आवश्यकता हो सकती है, किन्तु परिक्षेत्रिक योजना के प्रकाशित एवं प्रभावशील होने तक इस अध्याय में वर्णित नियमनों के आधार पर विकास अनुज्ञा दी जायेगी।
18. प्रत्येक उपयोग परिसर की परिक्षेत्रिक योजना/विस्तृत अभिन्यास में दी गई स्थिति एवं सीमायें, स्थल पर विद्यमान वर्तमान मार्ग/गाड़ी मार्ग एवं अन्य भौतिक स्वरूपों को संदर्भ माना जायेगा।

क्र.	भू-उपयोग परिक्षेत्र	भू-उपयोग उप-परिक्षेत्र	नाम पद्धति
		सड़कें	(टी 3)
		रेल्वे स्टेशन	(टी 4)
		रेल्वे लाईन	(टी 5)
		ट्रांसपोर्ट नगर	(टी 7)
8	सार्वजनिक उपयोगितायें और सुविधायें	जल शोधन संयंत्र जल-मल शोधन संयंत्र विद्युत सब स्टेशन ट्रेडिंग ग्राउण्ड ठोस अपशिष्ट निपटान संयंत्र / अपघटन संयंत्र कब्रिस्तान / श्मशान घाट	(पीयूएफ 1) (पीयूएफ 2) (पीयूएफ 3) (पीयूएफ 4) (पीयूएफ 9) (पीयूएफ 10)
9	जल क्षेत्र	नदियां	(डब्ल्यू 1)
		नाला / नहर	(डब्ल्यू 3)
10	कृषि	कृषि भूमि ग्राम आबादी विस्तार	(ए 1) (ए 2)

5.5 आवासीय

5.5.1 नवीन आवासीय क्षेत्र हेतु विकास नियमन

नवीन आवासीय क्षेत्र हेतु विकास नियमन म.प्र. भूमि विकास नियम, 2012 के मापदण्डों के अनुसार नियंत्रित होंगे।

टीप : -

1. इन नियमन का उद्देश्य परिक्षेत्रों के अभिन्यास तैयार करने में मार्गदर्शन देना है। इन नियमों में परिभ्रमण संरचना एवं सुविधाओं के प्रावधानों के मानक सम्मिलित है। ऐसे अभिन्यासों से जुड़े सेवा प्रावधान जैसे भौतिक संरचनायें, जल प्रदाय, जल-मल निकास आदि संबंधित नियमों के अनुरूप होंगे।
2. सामान्यतः भूखण्ड की चौड़ाई एवं गहराई का अनुपात 1:1.5 से 1:3 होना चाहिए, किन्तु स्थल की स्थिति के अनुसार सक्षम प्राधिकारी द्वारा इसके अतिरिक्त अनुपात का निर्णय लिया जायेगा।
3. भवन निर्माता / वास्तुविदों को अपने भवन नियोजन हेतु आवासीय विकास के संदर्भ में भूखण्ड आकार, भूखण्ड प्रकार, फर्शी क्षेत्रानुपात, भू-तल आच्छादन, भवन की ऊँचाई तथा स्वीकार्य आवासीय इकाईयों के मानकों की आवश्यकता होती है। नीचे

अन्य परिभाषायें व नियमन म.प्र. भूमि विकास नियम, 2012 में निहित प्रावधानों के अनुरूप लागू होंगे।

5.4 भूमि उपयोग परिक्षेत्र

निवेश क्षेत्र को निम्नलिखित तालिका में दर्शाये अनुसार उपयोग परिक्षेत्रों में विभक्त किया गया है। प्रत्येक उपयोग परिक्षेत्र आगे विभिन्न उपयोग परिसरों के रूप में उपविभाजित किये गये हैं। प्रत्येक उपयोग परिसर में विशिष्ट उपयोग, गतिविधियों की शर्तों या बिना शर्तों के स्वीकार्य होगी। ऐसे क्षेत्र जिसका कि निर्धारित अभिन्यास स्वीकृत नहीं है, का नियंत्रण विकास योजना/परिक्षेत्रिक योजना के भू-उपयोग/प्रस्तावों के अधीन निर्धारित होगा। निर्धारित मुख्य भू-उपयोगों के अनुरूप ही उपयोग परिक्षेत्र रहेंगे यथा आवासीय, वाणिज्यिक, औद्योगिक, आमोद-प्रमोद, सार्वजनिक एवं अर्धसार्वजनिक, विशेष प्रयोजन, यातायात एवं परिवहन, सार्वजनिक उपयोगिता एवं सेवाएं, जलाशय एवं कृषि। उपयोग परिक्षेत्रों का विभाजन एवं उपयोग श्रेणियों का विवरण सारणी में दिया गया है।

बुरहानपुर : उपयोग परिक्षेत्र

5-सा-1

क्र.	भू-उपयोग परिक्षेत्र	भू-उपयोग उप-परिक्षेत्र	नाम पद्धति
1	2	3	4
1	आवासीय	आवासीय	(आर 1)
		मिश्रित	(आर 2)
2	वाणिज्यिक	सामान्य	(सी 1)
		मण्डी	(सी 6)
		वगीकृत बाजार	(सी 7)
3	औद्योगिक	सामान्य उद्योग	(आई 2)
4	मनोरंजन	उद्यान	(जी 1)
		वनस्पतिशास्त्र उद्यान	(जी 3)
		प्राकृतिक क्षेत्रों या भू-दृश्य क्षेत्रों का संरक्षण या वृक्षारोपण	(जी 4)
		स्टेडियम	(जी 6)
5	सार्वजनिक एवं अर्धसार्वजनिक	सार्वजनिक संस्थान और प्रशासनिक क्षेत्रों/शिक्षा और अनुसंधान/स्वास्थ्य/सामाजिक/सांस्कृतिक संस्थागत गतिविधियां	(पी)
7	परिवहन	बस स्टैण्ड/बस डिपो	(टी 1)

दी गई सारणी में आवासीय क्षेत्रों के आच्छादन तथा सीमान्त खुला क्षेत्र वर्णित है एवं सारणी में दर्शाये भूखण्ड स्वीकृत अभिन्यास का माग होना आवश्यक है।

4. म.प्र. नगर पालिका (कॉलोनाईजर् का रजिस्ट्रीकरण, निर्बंधन एवं शर्तें) नियम, 1998 एवं मध्यप्रदेश ग्राम पंचायत (कॉलोनियों का विकास) नियम, 2014 के प्रावधानों के अनुरूप अल्प आय वर्ग एवं कमजोर आय वर्ग हेतु प्रावधान किये जावेंगे।
5. म.प्र. भूमि विकास नियम, 2012 के नियम 99 (परिशिष्ट-अ) में निहित प्रावधानों के अनुरूप विशेषतः अल्प आय वर्ग का अभिन्यास तैयार किया जाना चाहिये।
6. पहुँच मार्ग की चौड़ाई 12 मीटर से अधिक होने पर मिश्रित उपयोग हेतु अनुमति दी जा सकेगी। ऐसे मिश्रित उपयोग भवन के पुनर्निर्माण में भी अनुज्ञात किये जा सकेगे।

बुरहानपुर : आवासीय भूखण्डों के विकास मापदण्ड

5-सा-2

क्र.	भूखण्ड का आकार मीटर में	क्षेत्रफल (वर्ग मीटर में)	विकास का प्रकार	भू आच्छादन क्षेत्र प्रतिशत	सीमान्त खुला क्षेत्र मीटर में				फर्शी क्षेत्र अनुपात	भूखण्ड के सामने मार्ग की न्यूनतम चौड़ाई (मी. में)	अधिकतम ऊँचाई (मी. में)	एक भूखण्ड पर अधिकतम स्वीकार्य ईकाईयाँ
					अग्र	पृष्ठ	आजू	बाजू				
1.	4.0×8.0	32	पक्कि	80	3.0	0.0	0.0	0.0	1.50	6.0	9.0	2
2.	4.0×12.0	48	पक्कि	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
3.	5.0×15.0	75	पक्कि	60	3.0	1.5	0.0	0.0	1.50	6.0	9.0	2
4.	7.0×16.0	105	पक्कि	50	3.0	1.5	0.0	0.0	1.50	7.5	9.0	2
5.	9.0×15.0	135	अर्ध पृथक्कृत	50	3.0	1.5	2.5	0.0	1.50	7.5	12.5	3
6.	11.0×18.0	198	अर्ध पृथक्कृत	50	3.0	2.5	2.5	0.0	1.50	9.0	12.5	4
7.	11.0×18.0	198	पृथक्कृत	42	3.0	2.5	2.5	1.5	1.50	9.0	12.5	4
8.	12.0×18.0	216	पृथक्कृत	42	3.5	2.5	3.0	1.5	1.25	9.0	12.5	4
9.	12.0×24.0	288	पृथक्कृत	40	4.5	2.5	3.5	1.5	1.25	9.0	12.5	4
10.	15.0×24.0	360	पृथक्कृत	35	6.0	2.5	3.5	3.0	1.25	12.0	12.5	5
11.	15.0×27.0	405	पृथक्कृत	33	7.5	3.0	3.5	3.0	1.25	12.0	12.5	5
12.	18.0×30.0	540	पृथक्कृत	33	8.0	3.0	4.0	3.0	1.25	12.0	12.5	7
13.	20.0×30.0	600	पृथक्कृत	33	9.0	3.0	4.0	3.0	1.25	12.0	12.5	7
14.	25.0×30.0	750	पृथक्कृत	25	9.0	4.5	4.5	4.5	1.25	12.0	12.5	7

नोट :-

1. उपरोक्त तालिका सांकेतिक स्वरूप की है जिसे मार्गदर्शिका के रूप में उपयोग किया जा सकेगा।

2. मिश्रित उपयोग सहित सार्वजनिक एवं अर्धसार्वजनिक भूखण्ड जिसमें न्यूनतम भूखण्ड क्षेत्रफल की अर्हता पूर्ण होती है, हेतु भी उपरोक्त मापदण्ड लागू होंगे। (आवासीय इकाई छोड़कर)
3. सारणी के अनुक्रमांक 9 से 14 में दर्शाये भूखण्ड आकार को केवल प्रस्तावित आवासीय क्षेत्रों में बहु इकाई भूखण्डीय विकास के रूप में मान्य किया जा सकता है।
4. ऐसे भूखण्ड जिनका क्षेत्र सारणी में दर्शायी श्रेणियों के मध्य के आकार के हो, को इसके पूर्व की श्रेणी के एम.ओ.एस. आच्छादन, एफ.ए.आर. के अनुसार अथवा नियोजन अनुज्ञा में वर्णित अनुसार स्वीकृति दी जानी चाहिए। ऐसे आच्छादित क्षेत्र अथवा एम.ओ.एस.;डब्ल्यू में निर्धारित करते समय यदि कतिपय भिन्नता आती है तो आच्छादित क्षेत्र अथवा एम.ओ.एस. में से किसी एक को निश्चित कर स्वीकृति दी जायेगी। किन्तु ऐसे प्रकरणों में भवन रेखा निर्धारित कर ही स्वीकृति दी जायेगी।
5. भवन की अधिकतम ऊँचाई 12.50 मीटर से अधिक नहीं होनी चाहिये। ऐसी अवस्था में जब भूतल, आच्छादित पार्किंग के लिए उपयोग में लाया गया हो तो भवन की अधिकतम ऊँचाई 15 मीटर होगी।
6. उपरोक्त सारणी के कॉलम 12 में अंकित अधिकतम भवन की ऊँचाई में कुर्सी (Plinth) की ऊँचाई सम्मिलित नहीं है।
7. घनत्व गणना हेतु एक आवासीय इकाई में 4.8 व्यक्ति तथा कर्मचारी आवास में 2.4 व्यक्ति का रहवास माना जावेगा।
8. वाहन विराम स्थल की गणना म.प्र. भूमि विकास नियम, 2012 के अनुसार की जायेगी।
9. झुगियों की पुनर्स्थापना की दशा में 32 वर्गमीटर से कम क्षेत्रफल के भूखण्ड स्वीकार्य होंगे।
10. अनुक्रमांक 9 से 14 के भूखण्डों के समक्ष 12 मीटर से कम चौड़ा मार्ग होने पर केवल 4 आवासीय इकाइयां मान्य होंगी।
11. आवासीय भवन का निर्माण 2.4 मीटर ऊँचाई के स्टिल्ट पर, स्वीकार्य ग्राउण्ड कवरेज की सीमा तक किया जाता है, तो स्टिल्ट फ्लोर की ऊँचाई तथा ऐसे निर्मित क्षेत्र की गणना, भवन ऊँचाई तथा एफ.ए.आर. में नहीं की जाएगी। स्टिल्ट पार्किंग हेतु भूखण्ड के आकार/क्षेत्रफल का बंधन नहीं होगा।

5.6 बहुविध बहुमंजिली इकाई निर्माण

मध्यप्रदेश भूमि विकास नियम, 2012 के नियम 42 के मापदण्ड अनुसार नियंत्रित होंगे।

पर्यावरणीय दुष्प्रभाव भी पड़ना संभावित है। प्रस्तावित नियमन से इन प्रभावों का प्रबंधन एवं नियंत्रण संभव होगा।

5.8.3 मिश्रित उपयोग की सामान्य शर्तें

- मिश्रित उपयोग हेतु विकास नियंत्रण के उपयोग परिक्षेत्र में लागू मापदण्ड (एफ.ए. आर.ग्राउण्ड कवरेज इत्यादि), मिश्रित उपयोग के लिए भी लागू रहेंगे।
- मिश्रित उपयोग के यह नियमन पूर्व से विकसित क्षेत्र एवं नवीन प्रस्तावित क्षेत्रों में लागू होंगे, तथा पार्किंग हेतु परिसर उपयोग परिसर के अनुसार मान्य होंगे।
- 12.0 मीटर एवं अधिक चौड़े मार्ग पर ही गैर-आवासीय गतिविधियां जैसे, वाणिज्यिक तथा सार्वजनिक एवं अर्धसार्वजनिक गतिविधियां मान्य की जा सकेंगी।

5.9 वाणिज्यिक

(अ) वाणिज्यिक क्षेत्रों के लिए रूपांकन मार्गदर्शिका

निवेश इकाई केन्द्र में निम्न घटक होंगे :-

फुटकर दुकानें

वाणिज्यिक कार्यालय

सेवा केन्द्र सुविधायें

संस्कृति परिसर

होटल

भू-दृश्यीकरण घटक

थोक व्यापार (जहाँ उपलब्ध कराया गया हो)

कुछ परिस्थिति में उपरोक्त सभी घटकों के लिए एकीकृत योजना बनाना संभव हो सकता है। अन्य परिस्थितियों में भूमि विकास एवं उसके बिकने, कार्यविधि अथवा कतिपय रूपांकन संबंधी आवश्यकताओं के कारण इस समाधान की संभावना नहीं हो सकती है। सुविधाओं, होटलों तथा थोक व्यापार के घटकों के विकास को अलग से अंकित किये जाने की आवश्यकता हो सकती है। संभवतः अन्य समूह तथा फुटकर, कार्यालय, संस्कृति परिसर तथा आवासीय उपयोग को भू-दृश्य एवं परिभ्रमण के माध्यम से उसी भवन स्थल या क्षेत्र में ज्यादा सरलता से एकीकृत किया जा सकता है। सभी घटकों को या कुल घटकों को शामिल करते हुए एकीकृत योजना तैयार करने का कार्य रूपांकनकार के ऊपर छोड़ देना

उचित होगा। नगर/उपनगर के भाग के रूप में भू-दृश्यीकरण क्षेत्रों को जिला केन्द्रों के माध्यम से सुखद पर्यावरण विकसित करना चाहिए। नगर/उपनगर के आवासीय क्षेत्र का पदचारी, पहुंच या उपमार्गों द्वारा निर्धारित होना चाहिए।

बुरहानपुर : वाणिज्यिक भूखण्ड के विकास मापदण्ड

5-सा-3

क्र	वर्ग	स्थिति	निर्मित क्षेत्र		फर्शी क्षेत्र अनुपात
			भूखण्डीय विकास (प्रतिशत में)	निगमित विकास (प्रतिशत में)	
1	2	3	4	5	6
1.	नगर केन्द्र	मध्य क्षेत्र	80	50	2.50
2.	निवेश इकाई केन्द्र	सभी निवेश इकाई केन्द्र स्तर के वाणिज्यिक क्षेत्र	80	50	2.00
3.	सानुदायिक केन्द्र	परिक्षेत्रिक योजना प्रस्तावों के अनुरूप	80	50	1.75
4.	स्थानीय दुकानें	तदैव	80	50	1.50
5.	सुविधाजनक दुकानें	तदैव	80	60	1:1.00

टीप -

- परिसरों का प्रतिशत भूमि उप-विभाजन से असंबद्ध होगा।
- वाणिज्यिक विकास हेतु फर्शी क्षेत्रानुपात उस क्षेत्र में आवासीय विकास हेतु निर्धारित फर्शी क्षेत्र अनुपात अनुरूप अनुज्ञेय होगा।
- संगठित बाजार केन्द्रों को अनुज्ञा केवल उपदर्शित वाणिज्यिक केन्द्रों में दी जावेगी। इस हेतु न्यूनतम क्षेत्र 500 वर्गमीटर होना आवश्यक है। अधिकतम निर्मित क्षेत्र 50 प्रतिशत अनुज्ञेय होगा तथा भूखण्ड का शेष भाग वाहन विराम, मार्ग, उद्यान आदि उपयोग अंतर्गत रहेगा।
- 18 मीटर से कम चौड़े वाणिज्यिक मार्ग पर स्थित भूखण्ड में वाणिज्यिक उपयोग मार्ग की प्रस्तावित चौड़ाई का डेढ़ गुना गहराई तक तथा 18 मीटर एवं उससे अधिक चौड़े मार्ग पर स्थित भूखण्डों में वाणिज्यिक उपयोग मार्ग की प्रस्तावित चौड़ाई का दो गुना गहराई तक मान्य होगा।

5. नियोजन एवं विकास के लिए सारणी 5-सा-3 के प्रावधान लागू होंगे। भवन निर्माण, अभिन्यास अनुमोदन आदि के लिए सारणी 5-सा-4 एवं 5-सा-5 के प्रावधान लागू होंगे।

बुरहानपुर : वाणिज्यिक क्षेत्रों के विकास मापदण्ड

5-सा-4

क्र.	भूखण्ड का आकार (मीटर में)	क्षेत्र (वर्गमीटर में)	मार्ग की चौड़ाई (मीटर में)	भवन रेखा (मीटर में मार्ग के मध्य से)	अग्र कॉरिडोर	भू-आच्छादन	FAR
1.	6.0 X 9.0	54	12 से अधिक	9.0	3.0	80	1.5
2.	9.0 X 15.0	135	12 से अधिक	9.0	3.0	80	1.5
3.	9.0 X 15.0	135	12 से अधिक	9.0	3.0	80	1.5
4.	12.0 X 18.0	216	12 से अधिक	9.0	3.0	60	1.5
5.	12.0 X 18.0	216	12 से अधिक	9.0	3.0	60	1.5
6.	18.0 X 30.0	540	12 से अधिक	9.0	3.0	60	1.5
7.	30.0 X 33.0	990 से अधिक	12 से अधिक	9.0	3.0	40	1.5

टीप :-

- 18 मीटर तथा उससे अधिक चौड़े मार्गों के लिए मार्ग की चौड़ाई के आधार निम्नानुसार एफ.ए.आर. देय होगा।
 - 18 मीटर तक 1.75
 - 24 मीटर से अधिक 2.0
- यह मापदण्ड सभी वाणिज्यिक क्षेत्रों में लागू होंगे। सारणी में दर्शाये गये क्षेत्रफल से कम होने की स्थिति में उसके पूर्व सरल क्रमांको के मानक लागू होंगे।
- वाहन विराम स्थल की गणना म.प्र. भूमि विकास नियम, 2012 के अनुसार की जायेगी।
- भवन रेखा मार्गों की चौड़ाई निम्नानुसार निर्धारित की जा सकेगी।

मार्ग चौड़ाई
12.0 मीटर
18.0 मीटर
24.0 मीटर

भवन रेखा (मार्ग मध्य से)
09 मीटर
13.5 मीटर
15.0 मीटर

बुरहानपुर : वाणिज्यिक विकास हेतु अभिन्यास के मानक

5-सा-5

क्र.	वर्ग	कुल क्षेत्र का प्रतिशत
1	2	3
1.	भूखण्डों का क्षेत्र	अधिकतम 50 प्रतिशत
2.	परिभ्रमण एवं वाहन विराम स्थल का क्षेत्र	अधिकतम 40 प्रतिशत
3.	खुले स्थानों को सम्मिलित कर सुविधाओं का क्षेत्र	न्यूनतम 10 प्रतिशत (8 : 2)
4.	मार्गों की चौड़ाई - बाजार से गुजरने वाले मुख्य सीधे मार्ग की न्यूनतम चौड़ाई - दुकानों के सामने ट्रकों के खड़े एवं मुड़ने के लिए न्यूनतम चौड़ाई - दुकानों के सामने पादचारी की न्यूनतम चौड़ाई	12 मीटर 18 मीटर 6 मीटर
5.	दुकानों के आकार	मार्ग सर्वेक्षण एवं प्रोजेक्शन के आधार पर
6.	विराम स्थल	म.प्र. भूमि विकास नियम, 2012 के अनुसार

(ब) वाणिज्यिक क्षेत्र

वर्तमान वाणिज्यिक निर्मित क्षेत्रों में वाणिज्यिक उपयोग हेतु 100 वर्गमीटर तक के विकसित भूखण्डों के भूतल का अधिकतम 80 प्रतिशत निर्मित क्षेत्र स्वीकार्य होगा। ऊपर के तलों का निर्मित क्षेत्र एवं अन्य मापदण्ड परिसर के व्यवसाय के आधार पर नियंत्रित होंगे। विभिन्न वाणिज्यिक स्थलों पर फर्शी क्षेत्रानुपात निम्नानुसार स्वीकार्य होंगे :-

मध्य क्षेत्र	2.00
आंतरिक वृत्तीय मार्ग (मध्य क्षेत्र)	2.00
आंतरिक एवं बाहरी (18 मीटर एवं अधिक चौड़े वृत्तीय मार्गों के मध्य स्थित) वाणिज्यिक मार्ग	2.50
18 मीटर से कम चौड़े	1.75
बाहरी वृत्तीय मार्ग वाणिज्यिक क्षेत्र	2.50

5.19.5 मल्टीप्लेक्स

मल्टीप्लेक्स हेतु म.प्र. भूमि विकास नियम, 2012 के नियम 95 के प्रावधान लागू होंगे। जो आवासीय, वाणिज्यिक, औद्योगिक एवं मिश्रित भूमि उपयोग में मान्य होंगे एवं फर्शी क्षेत्रानुपात उस भू-उपयोग के अनुरूप होगा जिसमें उक्त गतिविधि मान्य की गई हो।

5.19.6 मैरिज गाडन

म.प्र. भूमि विकास नियम, 2012 के अनुसार मान्य होंगे।

5.20 उद्यान

- समस्त प्रकार के आमोद-प्रमोद क्षेत्र अंतर्गत प्रस्तावित उद्यान में 05 प्रतिशत आनुशांगिक गतिविधियां स्वीकार्य होगी।
- स्टेडियम के निर्माण हेतु मापदण्ड खेल विभाग के अनुसार होंगे।

5.21 संवेदनशील क्षेत्रों हेतु नियमन

संवेदनशील क्षेत्र में विकास की गतिविधियां निम्नानुसार प्रावधानित हैं :-

1. नाले, शाखा नहर एवं अन्य जल स्रोतों के किनारे छोड़ा जाने वाला कम-से-कम क्षेत्र मध्यप्रदेश भूमि विकास नियम, 2012 के नियमों के अनुसार होगा।
2. नहर की स्थिति सिंचाई विभाग द्वारा अधिग्रहण की गई भूमियों में कम से कम 3.0-3.0 मीटर दोनों ओर का क्षेत्र खुला रखा जाएगा।
3. प्रदूषित जल/मल किसी भी स्थिति में नदी में प्रवाहित नहीं किया जावेगा।
4. किनारे क्षेत्रों में अपने भवनों के व्यक्तिगत सेप्टिक टैंक को ग्रिडल मल लाईन, जब उसका निर्माण हो जाए से जोड़ना होगा।
5. निवेश क्षेत्र में आने वाले निर्मित भवनों के आच्छादित क्षेत्र में या एफ.ए.आर. में पूर्व की स्वीकृति के अतिरिक्त वृद्धि स्वीकार्य नहीं होगी।
6. नदियों की सुरक्षा एवं जल गुणवत्ता के सुधार एवं संरक्षण हेतु किये जाने वाले कार्य स्वीकार्य होंगे।
7. संवेदनशील क्षेत्रों में निम्न श्रेणी के रख-रखाव के विस्तार संबंधी कार्य स्वीकार्य होंगे।
8. ऐतिहासिक महत्व के क्षेत्र :-
 - नागरिक एवं सांस्कृतिक महत्व के भवन।
 - प्राचीन वास्तुकला भवन यदि निजी अधिपत्य में हो, तो भी।
 - समय-समय पर उत्खनित/खोजे गए विरासतीय भवन।

5.22 नगरीय विरासत वाले क्षेत्रों हेतु नियमन

सक्षम प्राधिकारी द्वारा शीघ्रता से विरासत महत्व के स्मृति चिन्हों के संरक्षण एवं सुधार हेतु विस्तृत अध्ययन कर प्रस्ताव तैयार किये जाने चाहिए। जब तक इस प्रकार का अध्ययन एवं प्रस्ताव क्रियान्वयन हेतु तैयार नहीं होते हैं, तब तक सक्षम प्राधिकारी द्वारा चयनित एवं सूचीबद्ध विरासत भवन निम्नानुसार नियमनों द्वारा प्रतिबंधित होंगे।

- प्रत्येक विरासत भवन का प्रतिबंधित क्षेत्र उसके समीपवर्ती 100 मीटर क्षेत्र में व्याप्त होगा।
- शासन द्वारा स्वीकृत निजी या अन्य किसी संस्था के माध्यम से इनका मूल स्वरूपीकरण स्वीकार्य होगा। चयनित एवं सूचीबद्ध विरासत भवनों को गिराने की अनुमति नहीं होगी। चाहे वे निजी आधिपत्य में हो क्यों न हों।
- प्रतिबंधित क्षेत्र के अंतर्गत आने वाली संरचना नगर में प्रभावशील सामान्य मापदण्ड से संचालित नहीं होंगे।
- प्रतिबंधित क्षेत्र में स्थित भवनों की ऊँचाई एवं रूपांकन विरासत भवनों के वास्तुकला के समान होना चाहिए। मार्ग, नगरीय स्थल, चौराहे, कोर्टयार्ड जो कि नगर के प्रमुख तत्व हैं, को संरक्षित रखा जाना चाहिए एवं किसी नगरीय नवीनीकरण एवं पूर्ण विकास के माध्यम से यथास्थिति दिए जाने का प्रयास किया जाना चाहिए।
- प्रतिबंधित क्षेत्र में भू-दृश्यीकरण विकास स्वीकार्य होगा, जिसमें परिवेश से मिला-जुला वृक्षारोपण, पहुँच, परिभ्रमण एवं भवन के चारों ओर पार्किंग स्वीकार्य होगी जो कि सक्षम प्राधिकारी द्वारा यथोचित रूपांकन अनुसार स्वीकृत की जावेगी।

5.23 नगरीय रूपांकन एवं वास्तुकला नियंत्रण नियमन

उन सभी अंकित नगरीय रूपांकन एवं वास्तुविद नियंत्रण क्षेत्रों का नियमन शासन द्वारा गठित तकनीकी समिति द्वारा निर्धारित किया जावेगा। नियमन में नगरीय रूपांकन के बिन्दु सम्मिलित होंगे। इसका उद्देश्य नगर की पहचान एवं उसकी स्थानीय विशेषता को उभारना है।

5.24 उपयोग परिसर में स्वीकृत/स्वीकार्य गतिविधियां

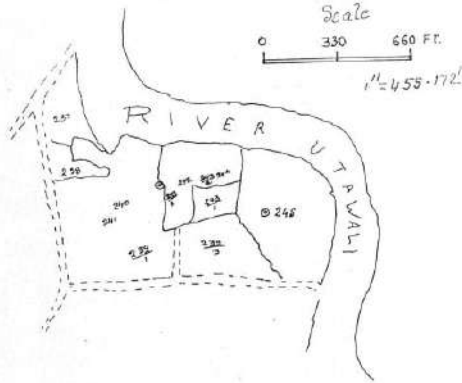
5-सा-10

क्र.	उपयोग	स्वीकृत उपयोग परिसर
1	2	3
1.	आवासीय	
	आवासीय	आवासीय भूखण्डीय विकास, अपार्टमेंट हाउसिंग/फ्लेट्स, अतिथि गृह/रेस्ट हाउस, रात्रि विश्राम गृह, धर्मशाला मैरिज हाल/बारात

Archival Map

PLAN OF SHAH NAWAJ KHAN TOMB

Cadastral Survey Map

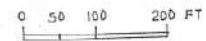


SURNAME	NAME OF HOLDING	NO. OF ACRES	CLASSIFICATION	REMARKS
BURHANPUR	TOMB OF SHAH NAWAJ KHAN	19	ACRES	Dept. of Archaeology
		70	"	"
		72	"	"
		125	"	"
		1078	ACRES	"
		7.09	ACRES	Govt.
		1.00	ACRES	"
		2.00	ACRES	"
		5.10	ACRES	PRIVATE
		18.29	ACRES	

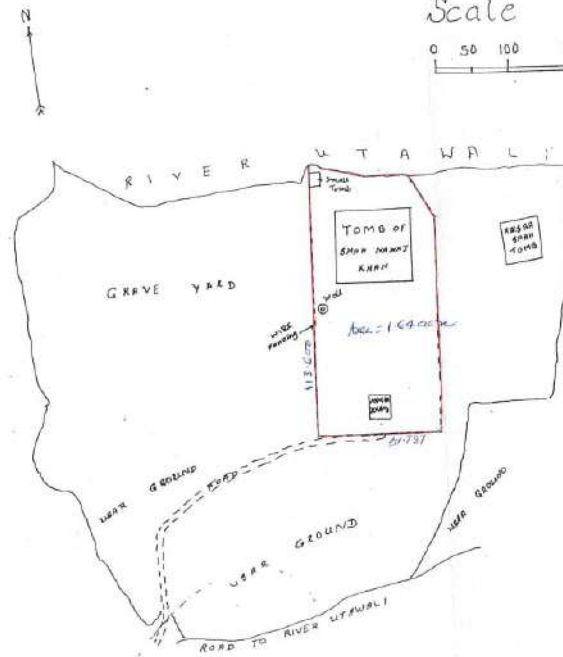
SUREYED & DRAWN BY
M.L. AGRAWAL

M. L. Agrawal
Dy. SUPERINTENDING ARCHAEOLOGIST

Scale



1:37.93
1 cm = 167.06 m



M. L. Agrawal
SUPERINTENDING ARCHAEOLOGIST
ARCHAEOLOGICAL SURVEY OF INDIA
BHOPAL, CIRCLE BHOPAL

Site Pictures



Figure 1 - View of Shah Nawaz Khan Dome and Paandan Mahal from southern side.



Figure 2 - Aerial view of Shah Nawaz Khan Dome and Paandan Mahal from nearby water tank.



Figure 3 - Rope weaving activity.



Figure 4 - View of settlements on southern side of monument.



Figure 5 - Condition of the existing slum in the prohibited zone.



Figure 6 - Improper waste management.



Figure 7 - View from the south-eastern side of regulated area with monument in the left side.



Figure 8 - View of water catchment area from the terrace of Shah Nawaz Khan Dome.



Figure 9 - View of the settlement from entrance gateway.



Figure 10 - View of entrance gate for Shah Nawaz Khan Dome.



Figure 11 - View of Shah Nawaz Khan Dome from entrance.



Figure 12 - Entrance gate in dilapidated condition.



Figure 13 - Exterior view of Shaha Nawaz Khan Dome.



Figure 14- Grave of Shah Nawaz Khan.

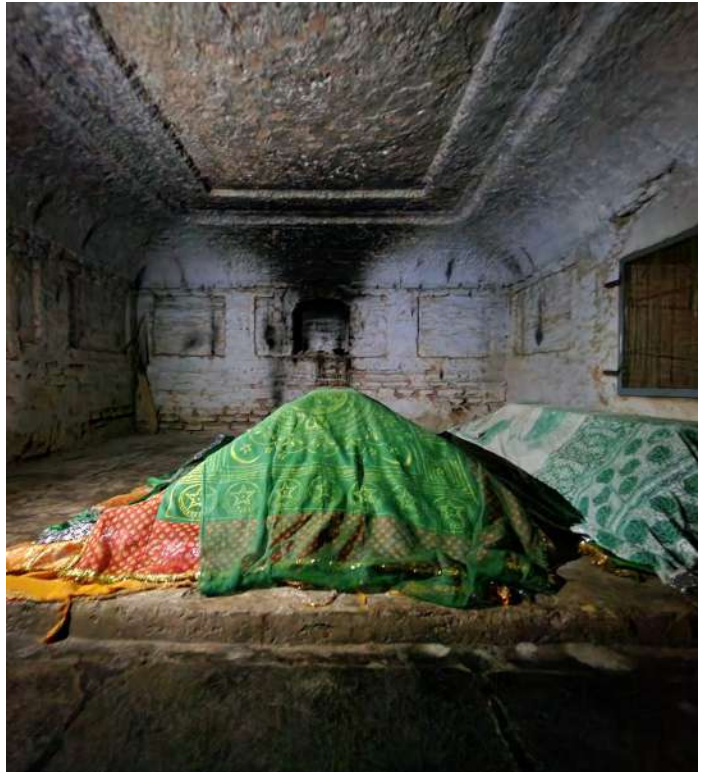


Figure 15 - Main grave of Shah Nawaz in basement



Figure 16 - View from corridor looking towards Paandan Mahal.



Figure 17 - Chattri at the corners.

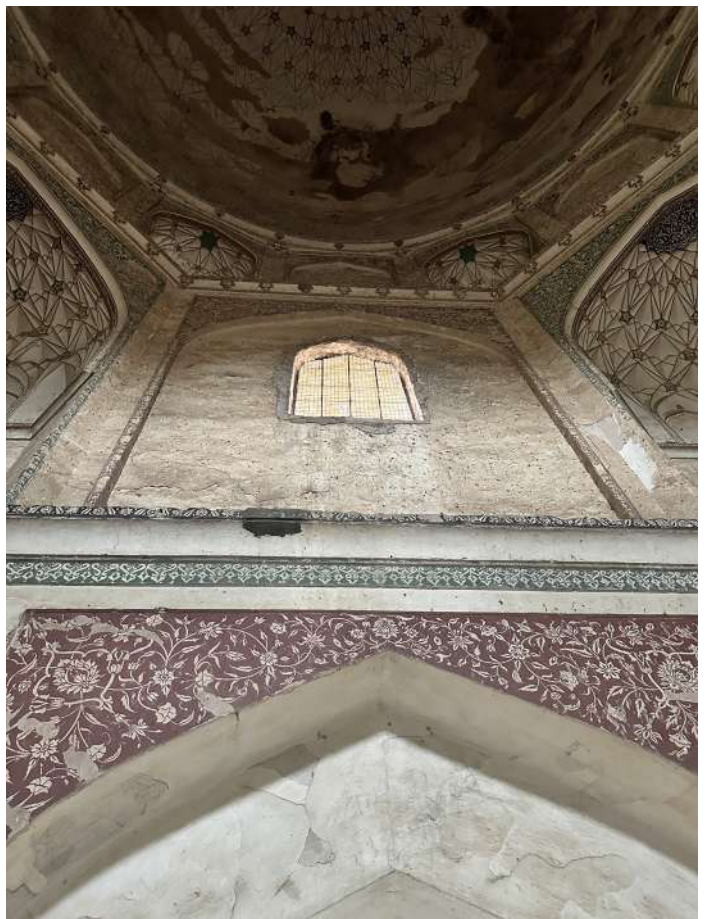


Figure 18 - Ornamented arch.

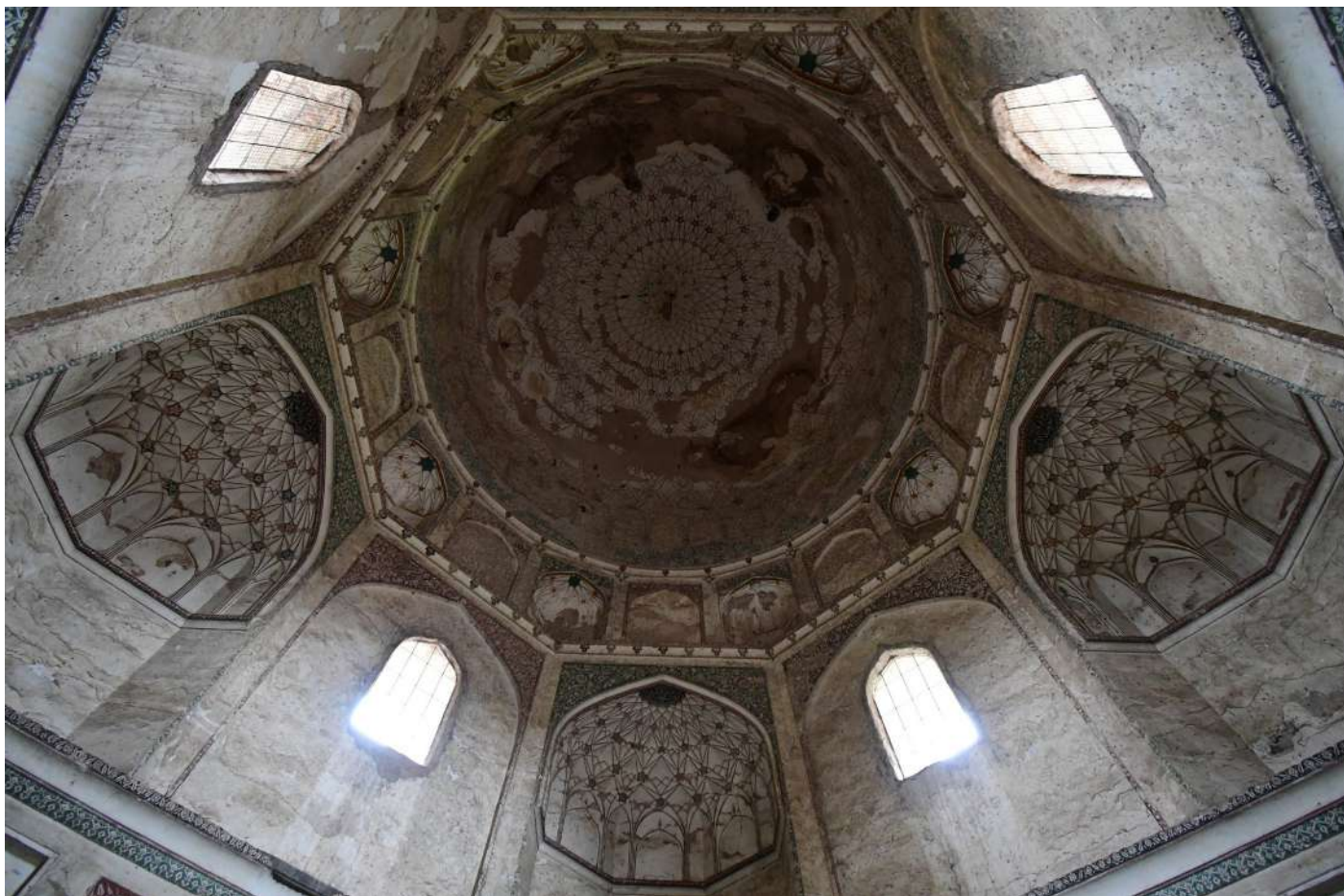


Figure 19 - Internal roof structure of Shah Nawaz Khan Dome with painting.



Figure 20- View of Paandan Mahal.



Figure 21 - Grave of family members in and around Paandan Mahal.

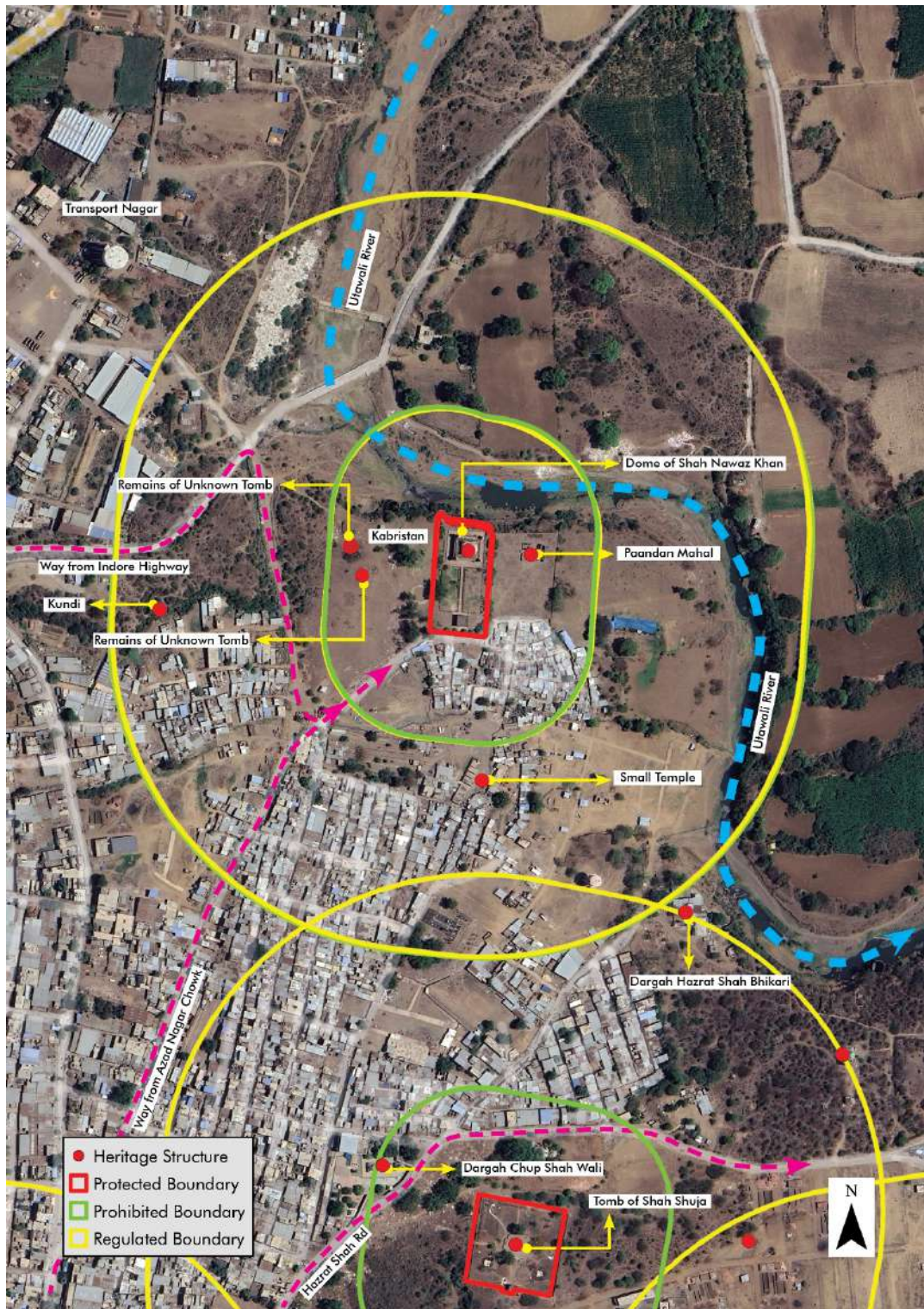


Figure 22 - A ruined structure near the tomb.

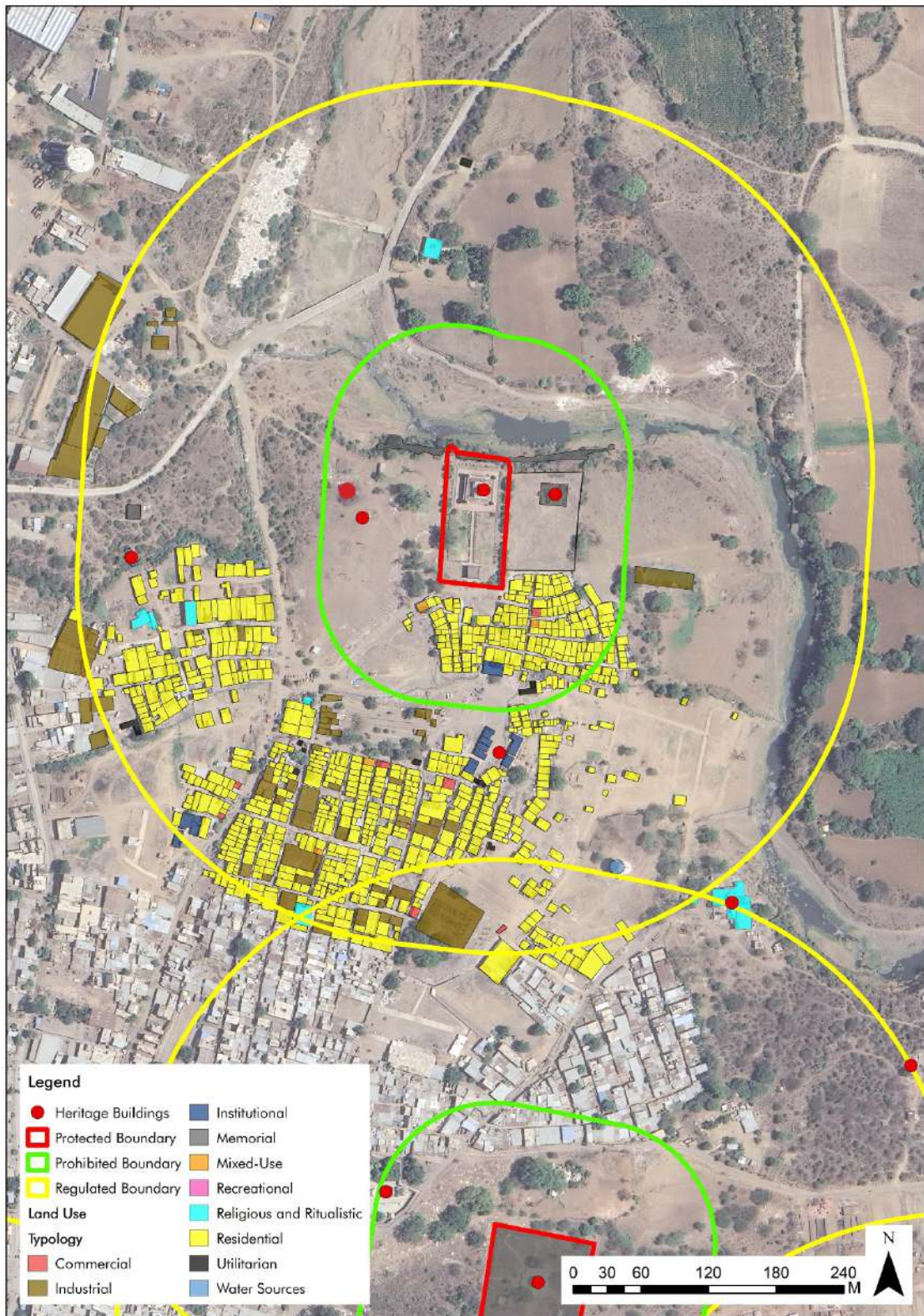


Figure 23 - A ruined temple near the tomb

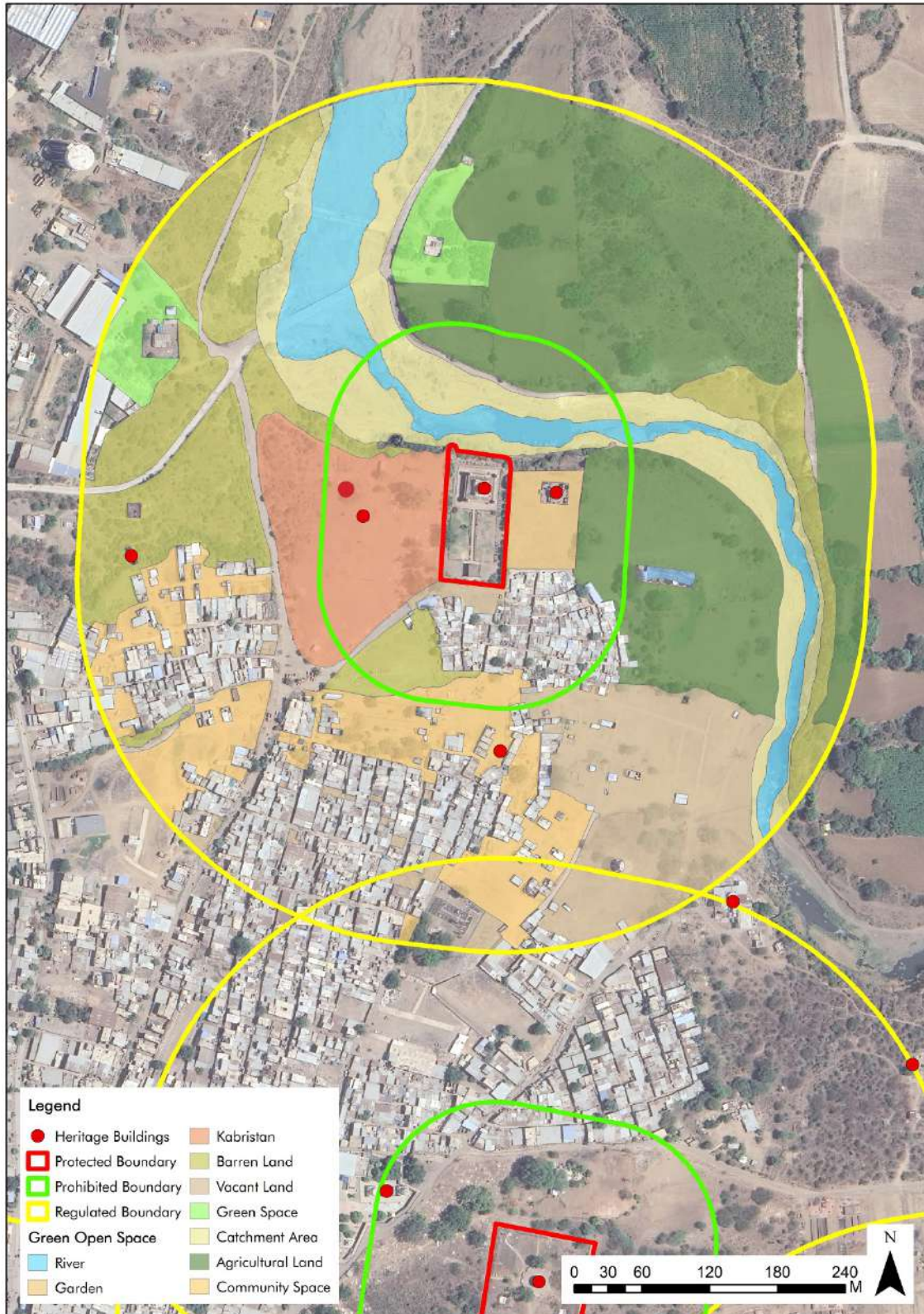
Location Setting of the Monument



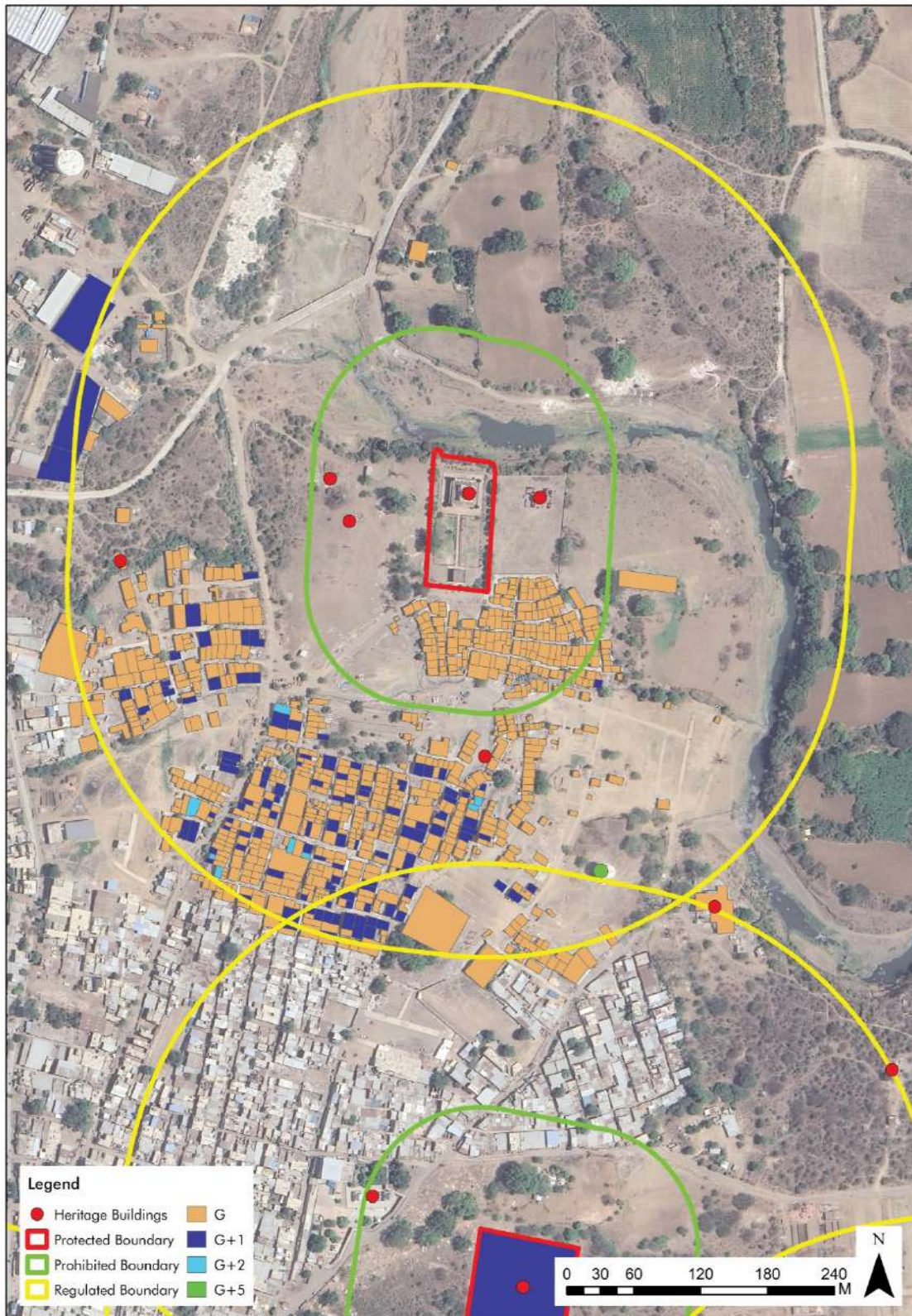
Land Use Plan (As per the Current Situation)



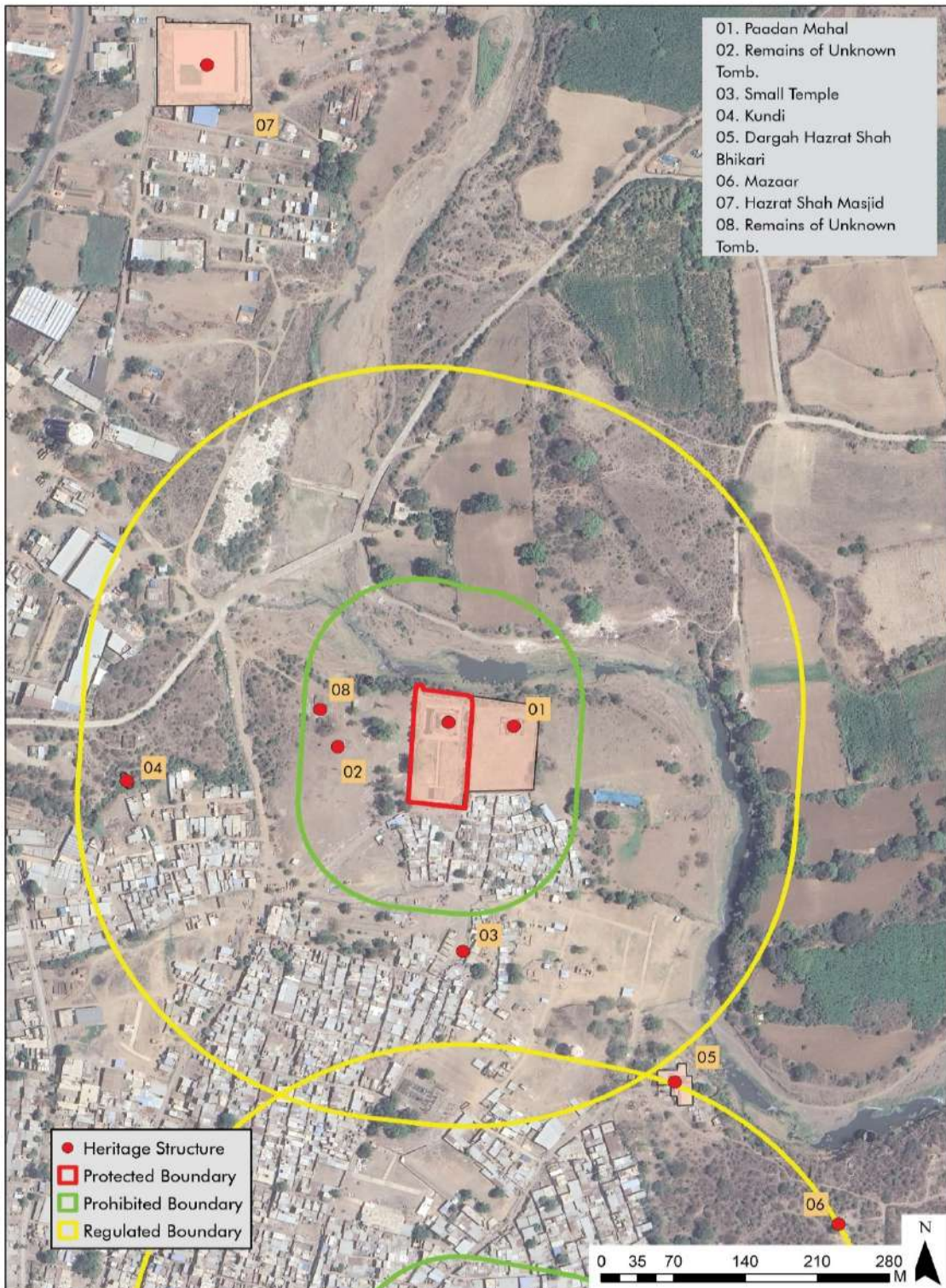
Green Open Space (As per the Current Situation)













Building Height (As per the Current Situation)

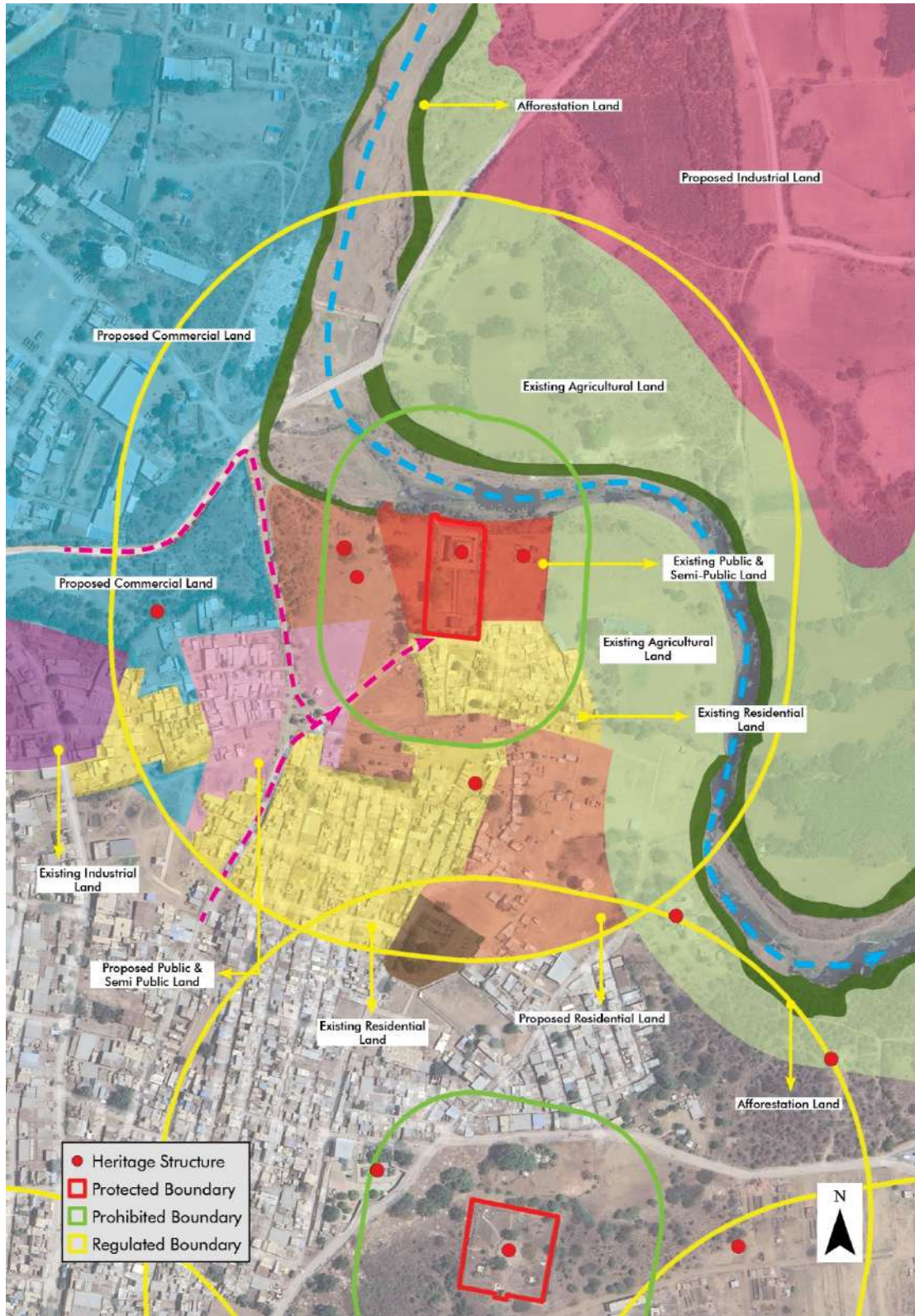


Heritage Map

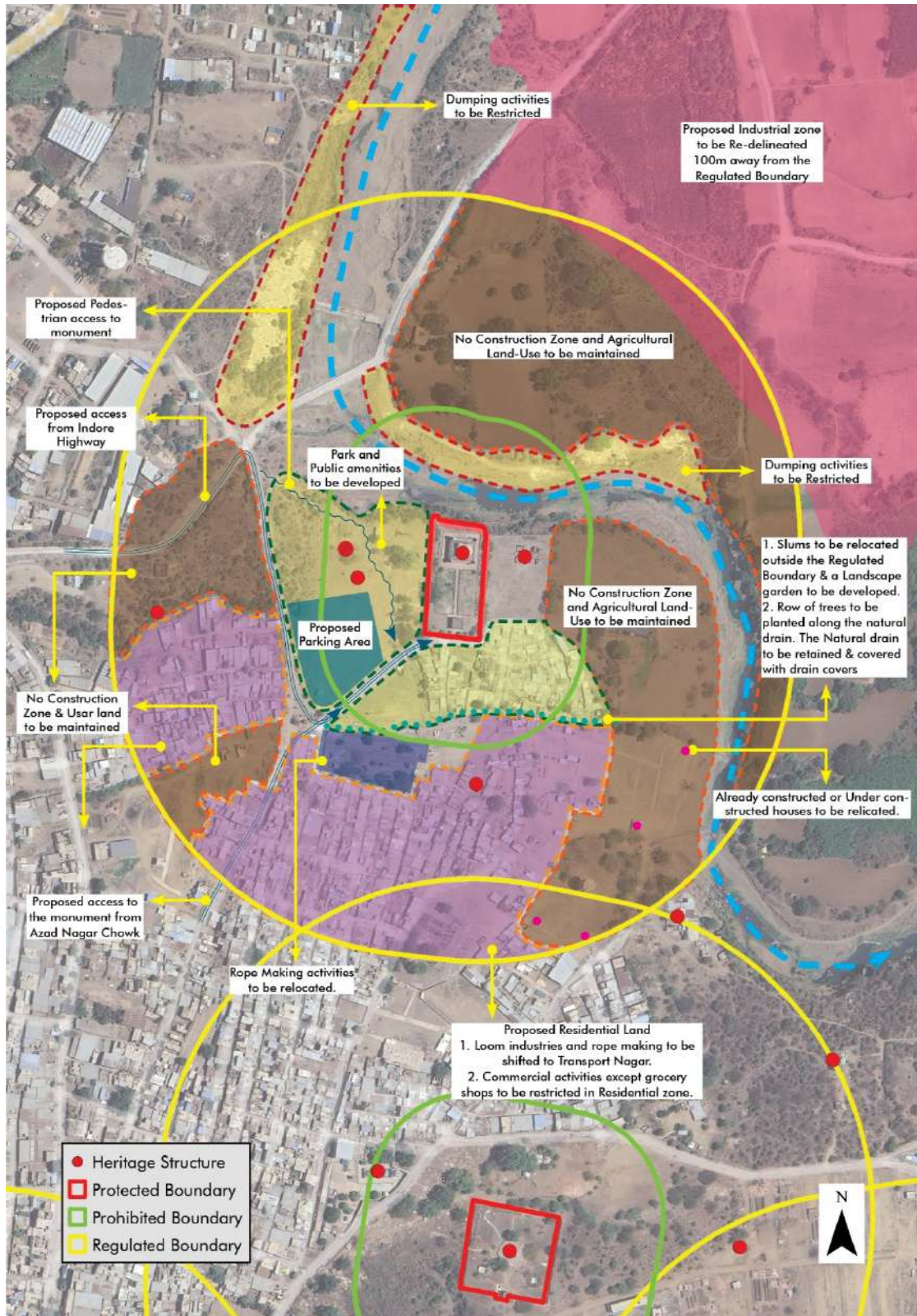


Sr. No.	Name	Description	Photos	
1	Paan Dan Mahal	Paandan Mahal, a ruinous monument is situated in the eastern side of the close proximity of Dome of Shah Nawaz Khan. The built structure features a paandan-like shape, therefore got its name. It is in a poor condition with broken graves and brick walls, remnants of beautiful niches, and peeled surfaces.		
2	Remains of Unknown Tomb	The tomb is located on the western side of the Dome of Shah Nawaz Khan. There are no historical records about the tomb but looking at the architectural style it can be assumed that this structure belonged to a Mughal period. Currently, the structure only has a wall with a pointed arched opening along with broken octagonal drum.		
3	Small Temple	The small temple is situated in the south side of Dome of Shah Nawaz Khan which is presently in a abandoned state with broken walls. It is composed of a square plan and a noteworthy structure due to its location and architectural form.		
4	Kundi	The Kundi is one of the significant elements of the Qanat systyem that has been constructred during Mughal period situated on the western part of Shah Nawaz Khan tomb. Such underground wells, sourcing water from places like Kundi Bhandar, exemplify an integral part of the historic water system.		
5	Dargah Hazrat Shah Bhikari	The Dargah of the renowned Sufi saint Hazrat Shah Bhikari is situated on a hill outside of the Itwara darwaja, north of the city of Burhanpur. It was constructed after his death in 1503 CE. It is comprised of a white stone chabutara, a prayer house, encompassed by a wooden rail. A prayer house is located to the north of the maqbara.		
6	Mazaar	The Mazaar is located on the southern side of the Hazrat Shah Bhikari. Although there are no historical records about the mazaar, the architectural features of this structure resemble to the Mughal period. Presently, the structure only has a wall with a pointed arched opening supporting a large dome.		

Existing Land-Use Plan of Development Plan 2031



HBL Recommended Proposed Development Plan



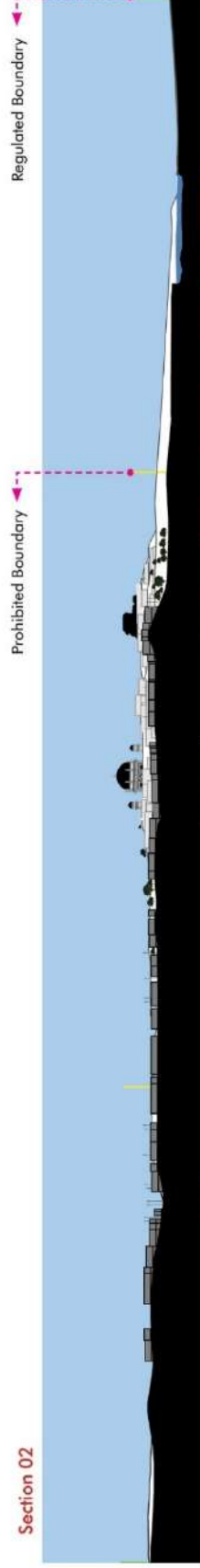
Site Section's



Section 01



Section 02



Access to Monument from Azad Nagar Chowk

Tomb of Shah Nawaz Khan

Paan Daan Mahal

Agricultural Land

Ulawali River