Ref.No.CA/28/2024/NMA-MOC
October 4, 2024

TO ALL ARCHITECTS REGISTERED WITH THE COUNCIL OF ARCHITECTURE

Subject – Request for compliance to the provisions of the AMASR Act, 1958 while undertaking any project or developing real estate in **'Prohibited'** and **'Regulated Areas' – reg.**

Dear Sir/Madam,

As you may be aware, National Monuments Authority (NMA) under the Ministry of Culture, Govt. of India has been setup under the provisions of "The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act", 2010 (AMASR Act, 1958) which was enacted by the Parliament of India in March, 2010, to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects.

Several functions have been assigned to the NMA for the protection and preservation of monuments and sites through management of the **Prohibited** and **Regulated** area around the **Centrally Protected Monuments.** One amongst these responsibilities of NMA is also to consider grant of permissions to applicants for construction related activity in the **Prohibited** and **Regulated Area.**

As per Section 20A of the said Act, the **Prohibited Area** is beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred meters in all directions; while **Regulated Area** is defined in Section 20B of the Act and it is the area, beginning at the limit of **Prohibited Area** and extending to two hundred meters in all directions.

It has been brought to the notice of the Council by National Monuments Authority (NMA) that the architects, while developing real estate/undertaking projects in 'Prohibited' and 'Regulated Areas', often do not provide necessary guidance to their clients. Some common mistakes observed by NMA are as under:

a) Commencing construction work without taking prior permission of the Competent Authority of NMA.
b) Seeking ex-post facto permission of NMA after carrying out construction when no such provision exists in the Act.
c) Carrying out fresh construction in the Prohibited Area whereas only repair and renovation of existing building is permitted as per ibid Act.
d) Violating the conditions stipulated in the NOC given by the Competent Authority of the NMA.

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Architects, who shape the built environment and influence the future of our urban landscapes, hold a crucial responsibility not only in designing for the present but also in safeguarding the architectural heritage of the past. There is a greater need today for architects to play a proactive role in the preservation of ancient and historical monuments, archaeological sites, and other remains of national importance.

In light of the above, all architects registered with the Council are requested to strictly adhere to the provisions of the AMASR Act, 1958 when undertaking projects or developing real estate in 'Prohibited' and 'Regulated Areas.' Compliance with the AMASR Act, 1958 will not only facilitate the smooth execution of projects and prevent delays at later stages but also allow you to play a vital role in preserving the cultural heritage and safeguarding the legacy of our nation's rich history.

Thanking you,

Yours faithfully,

R.K.Oberoi
Registrar