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सदस्य सचिव
BHASKAR VERMA
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सत्यमेव जयते

भारत सरकार
संस्कृति मंत्रालय
राष्ट्रीय संस्मारक प्राधिकरण
Government of India
Ministry of Culture
National Monuments Authority

D.O. No. 27-03/NMA-2025/Court (C.No.426) **Dated: 11.07.2025**

I am writing to draw your kind attention to the directions issued by the Hon'ble High Court of Karnataka in W.P. No. 9010 of 2025 (Shri Denis Crasta vs. Union of India & Others) dated 02.06.2025 in the matter of grant of unauthorized permission by the Civic Corporation for construction in the vicinity of a Centrally Protected Monument without mandatory prior permission of the designated Competent Authority under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (as amended in 2010).

2. The Hon'ble Court while emphasizing the State's constitutional obligation under Article 49 to protect monuments of national importance from spoliation, disfigurement, destruction etc, has directed the State Government's Urban Development Department to issue a circular to restraint the concerned officers in the local civic Authorities from granting construction permissions in and around Centrally Protected Monuments without the prior permission of the designated Competent Authority. The circular should also specify that any violation of this directive would render the responsible officers personally liable for departmental enquiry.

3. In light of the above, it should be ensured that no unauthorized construction or development activity is permitted within the Prohibited (100 meters) or Regulated (200 meters) areas of any Centrally Protected Monument without prior permission from the designated Competent Authority. Before considering any application for grant of construction permission, the distance of the proposed site construction from the boundary of the protected monument should be accurately verified and confirmation obtained from the concerned ASI Circle, and the applicant be directed to apply under Section 20C of the AMASR Act, 1958 (as amended in 2010), wherever applicable. If the site of construction falls within the Prohibited or Regulated areas, no approval or sanction should be granted unless a valid NOC or permission has been issued by the designated Competent Authority.

4. It is, therefore, requested to issue necessary instructions to all concerned departments to ensure that all Local Bodies/ Municipal Corporations/ Urban Development Authorities under your jurisdiction strictly comply with this legal mandate.

Yours sincerely,

(Bhaskar Verma)

To

All Principal Secretaries of States / UTs.
Department of Urban Development