F. No. 1-A/NMA/NOC-2014
Government of India
Ministry of Culture
National Monuments Authority

The approved minutes of 133rd meeting held on 29th February, 2016 is hereby forwarded for perusal and comments, if any.

(Navneet Soni)
Member Secretary
15.03.2016

Government of India
Ministry of Culture
National Monuments Authority
24, Tilak Marg, New Delhi 110001

MINUTES OF THE 133rd MEETING OF NMA

Venue - Conference Hall, NMA Hqrs, 24, Tilak Marg,New Delhi 110001
Time & Date - 10:30 A.M on 29.02.2016

A meeting was convened to discuss the following agendas was held at 10.30 AM on 29th February 2016 in the Conference Room of NMA Hqrs.

1. Discussions on the parameters for large scale projects and on the parameters for Impact Assessments
2. Discussion on the Heritage Byelaws submitted by ASI for Delhi and Mumbai monuments,
3. Approval of the Heritage Bye-laws of Baoli Ghaus Ali Khan, Farrukhnagar, Haryana.

The following officers/invitees attended the meeting:-

1. Sh. M. Saleem Beg, Whole Time Member and Chairperson (I/C), NMA,
2. Ms. Shalini Mahajan, Part Time Member, NMA,
3. Sh. Navneet Soni, Member Secretary, NMA
4. Ms. Meera I. Dass, Former Whole Time Member, NMA
5. Prof. A. G.K. Menon, INTACH, Delhi
6. Prof. S. P. Shorey, Urban Planner, Hyderabad
7. Sh. Janhvij Sharma, Director (Conservation), ASI
8. Sh. T. J. Alone, Director (Monuments), ASI
9. Sh. T.R. Sharma, R.D. (North), ASI
10. Dr. M. Mahadeviah, R. D. (West), ASI

I

Agenda No. 1 - Discussions on the parameters for large scale projects and on the parameters for Impact Assessments.

In the context of large scale projects, laid down in AMASR Act 1958 (as amended in 2010), NMA has prepared a list of cases (as per Annexure I) on the basis of the total built up area of the NOC cases from different states. This list, circulated in the meeting, reveals that 93.45% cases received by NMA in the years 2014 and 2015 have a built area of less than 2000 m. After due deliberations amongst the participants, it was decided to divide the cases in two different categories, as under;

i) The NOC cases having total built up area (existing + proposed) from 2000 sq. m to 5000 sq. m, shall provide additional information on the Schedule-II format.

ii) The NOC cases having total built up area (existing + proposed) above 5000 sq. m, shall provide the Archaeological Impact Assessment for the proposed site as per the format to be prepared by NMA. The assessment shall be carried out by an institution/ a body by associating experts from the discipline of archaeology and heritage conservation.

The cases falling under agenda item 1, (i) and (ii) above shall be outside the purview of 'Automated System of Decision' notified under Ministry of Culture, F. No 1/3/2015-M (ASI), dated 5.2.2016. The cases falling in these two categories are in line with order no F. No 1/3/2015-M (ASI), dated 5.2.2016 at sl. no. 18.

iii) In the context of parameters for Archaeological Impact Assessments, it was also decided that the NOC cases pertaining to World Heritage Monuments/sites and those included in tentative list of World Heritage Monuments/Sites and Archaeological sites, will be outside the 'Automated System of Decision'. In respect of World Heritage Sites, the Site Management Plans or guidelines available with ASI shall be consulted before issuing NOC. For the monuments and archaeological sites included in World Heritage Site Tentative list, comments of ASI shall be obtained on desirability of allowing construction and also the archaeological potential of sites before consideration of issuance of NOC by NMA.

The approved format of Archaeological Impact Assessment Report was also discussed in the meeting and was approved after some changes (approved format at Annexure-II).

II

Agenda No. 2- Discussion on Heritage Bye-laws submitted by ASI for Delhi and Mumbai.

The agenda was discussed in afternoon session in the presence of M. Saleem Beg, Whole Time Member and Chairperson (I/C), NMA, and Ms. Shalini Mahajan, Part Time Member, NMA. The concerned C.As viz. Dr. M. Mahadeviah, R.D. (Western Region), ASI and Sri T. R. Sharma, R.D. (Northern Region), ASI were also present.

NMA has received following Heritage bye-laws from Director General, ASI on 17-02- 2016 and 18-02-2016;

1. Thirty Six Heritage bye-laws (covering 58 monuments, listed as Annexure III) for Delhi monuments vide F. No. 1/1/2016-M to 1/4/2016-M and

2. Six Heritage bye-laws for Mumbai monuments vide F. No. 1/7/2016-M. (list annexed as Annexure IV)

The participants were informed that the Heritage Byelaws for the following monuments have already been approved / processed by NMA:

1. Sher Shah Gate and Khairul Manazil Mosque (Two monuments) – Prepared by INTACH.

These bye-laws were placed on website of NMA on 26 November 2012 after its approval as required under approv procedure. As the minutes of the Authority when the bye-laws were approved before placing them on Website could not be accessed, a fresh renewed approval was granted in 128th meeting of NMA held on 27-11-2015.

2. Heritage bye-laws of Humayun's Tomb Sub-circle (Twenty Eight monuments, annexed as Annexure V) – Prepared by AKTC have already been discussed in NMA meetings and are awaiting the authentication of the map of heritage zone of Humayuns Tomb and Nizamuddin by ASI.

The following observations were made by members;

i. The members are of the opinion that detailed site plan/survey of each monument is the pre-requisite for preparation of Heritage bye-laws as prescribed in the Act at section 20 E (3) - "The central government, by rule, specify the manner of preparation of detailed site plans in respect of each protected area or protected monument or prohibited area or regulated area, the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws". Under Section 20E (4), the bye-laws have to be prepared by engaging experts and consultants. The services of Conservation Architects are to be utilized by the respective C.As. for addressing the matters as stated in 20 E (2) – "the heritage bye-laws shall in addition to such matters as may be prescribed, include matters relating to heritage control such as elevation, facades, drainage systems, roads and service infrastructures" besided the provisions of Schedule II. Detail procedure for the preparation of Site plan has been stated in Rule 21 of AMASR Rules 2011 where fourteen parameters for preparation of Site Plan are described as First Schedule (annexed as Annexure VI). Similarly, the process for drafting heritage bye-laws has been elaborated in Rule 22 of AMASR Rules 2011 which lays down fourteen parameters for preparation of heritage bye-laws as Second Schedule (annexed as Annexure VII).

   The documents presented in the meeting by respective C.As. do not have survey/ analysis/zoning or any other information on prohibited area and regulated area, the prerequisite for drafting Heritage bye-laws as per AMASR Act 2010.

ii. In respect of heritage bye-laws of Kanheri Caves, Mumbai presented to NMA, it has been mentioned by C.A., that its prohibited and regulated area are also the forest area protected under the Forest Act. Therefore, there are no construction activities in this area. This bye-law was, therefore, accepted subject to condition that no activities including public projects, public utility projects and public infrastructure project shall be undertaken in the prohibited area. In the regulated area, proposals for such activities, if admissible under Forest Act, shall be forwarded to NMA for seeking prior NOC.

iii. To explain the relevance of site survey analysis, a sample survey was also explained to C.As. This survey was done by ASI for their own monuments during year 2012-13 for Thrissur Circle.

   The bye-laws except s. no. (ii) above were, therefore, not approved.

Agenda No. 3 – Consideration was deferred.

Annexure -1

S.No	CA	Below 2000sqmt	2001 to 5000 sqmt	Above 5000 sqmt
1	Assam	13	1	0
2	Himachal Pradesh	12	Nil	Nil
3	Kolkata	13	1	2
4	Bihar	3	1	Nil
5	Raipur	1	Nil	Nil
6	J&K Srinagar	1	Nil	Nil
7	Uttarakhand	19	1	Nil
8	Punjab	81	1	Nil
9	Agra	10	3	3
10	Haryana	21	0	1
11	Goa	10	Nil	Nil
12	Varanasi	10	Nil	Nil
13	Madhya Pradesh	17	1	Nil
14	Lucknow	1	2	4
15	Rajasthan	1	Nil	Nil
16	Delhi	276	25	4
17	Kerala	238	2	Nil
18	Andhra Pradesh	30	Nil	Nil
19	Odisha	11	5	2
20	karnataka	310	3	1
21	Pondichery	3	Nil	Nil
22	Gujarat	92	7	4
23	Maharastra	176	8	18
24	Chennai	122	2	1
	Total	**1471**	**63**	**40**

Annexure II

ARCHAEOLOGICAL IMPACT ASSESSMENT REPORT

Project proponents are required to provide full information and wherever necessary include explanatory notes in the Archaeological Impact Assessment (AIA)Report and submit alongwith the information as per Schedule II of the AMASRA.

Content Outline of AIA Report

Section I

I. Executive Summary
II. Contents
III. Introduction
- The name of the centrally protected monument/site
- Its geographical coordinates
- Date of notification
- Date of AIA report, name of the organization or entities responsible for preparing AIA report and for whom

IV. Assessment Methodology
V. Monument's history and description of heritage assets and attributes
- physical characteristics, elements, intangible associations etc.
- value (use grading scale and justify it – very high/high/medium/low)including scientific knowledge
- condition / state of preservation

VI. Project Details and Description of changes/development proposed
VII. Assessment and Evaluation of overall impact of the proposed changes/development (as per points in Section II)
VIII. Mitigation measures proposedto minimize and manage the effect of the impacts
- Determine the scale and severity of impact (use grading scale and justify it– no change/negligible impact/minor change/moderate change/major change)
- propose mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize impacts as a result of the activities of the project

IX. Summary and Conclusions
X. Bibliographyand Acknowledgements

Section II

I. IMPACT on BUILT HERITAGE

1.1 Is the proposed project consistent/non-consistent with the monument and its surroundings and will it significantly alter the existing land-use? (Proposed land-use must conform to the approved Master Plan/Development Plan of the area. Change of land-use if any and the statutory approval for it from the competent authority to be submitted).

1.2 What are the likely impacts on the monument, its surroundings and on existing facilities because of the proposed activity? (Such as open spaces, community facilities, intangible associations, disturbance to the local environment etc.)

1.3 Will there be any significant effect on archaeology due to project excavations and on erosion, subsidence and instability of soil in the area?

1.4 Are there any other anthropological or archaeological sites or artefacts nearby? State, if any other significant heritage features in the vicinity of the proposed site have been considered.

1.5 Attach Maps of (i) monument and the proposed site (ii) surrounding heritage features of the proposed site (within 300 meters of the monument) (iii) the site (indicating levels andcontours) to appropriate scales (1:500).

2. IMPACT on NATURAL HERITAGE

2.1 Does the proposal involve alteration of existing natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site).

2.2 Will the natural features (rivers, nalas, canals, forests, low lying areas, wetlands etc.) or any existing subterranean water channels get altered due to proposal?

2.3 What would be the impact on the monument due to the proposed project on the water runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

2.4 How will the storm water from within the site be managed? (State the provisions made to avoid flooding of the area, details of the drainage facilities provided alongwith a site layout indicating contour levels).

2.5 Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the existing trees and vegetation affected by the project).

2.6 Will the Construction require extensive pumping of ground water? (wherever needed Ground Water Authority clearance should be obtained)

3. IMPACT on INTANGIBLE HERITAGE

3.1. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values and intangible heritage of the monument/area?

4. VISUAL IMPACT

4.1 Will the proposed construction in any way result in the obstruction of views of the monument and the historic landscape? Illustrate through drawings. Also highlight the view corridors from and to the monument.

4.2 Will there be shadow on the monument due to the height of the proposed construction? Illustrate through shadow analysis.

4.3 Are there any local considerations of urban form and urban design on building facades, features etc. influencing the design criteria?

5. OTHER DIRECT AND INDIRECT IMPACTS

5.1 What is the impact on the monument due to the generation of dust, smoke, odorous fumes or other hazardous gasesduring the period of construction and due to construction?

5.2 Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure around the monument and surrounding area and measures proposed for improvement including the traffic management at the entry and exit to the project site.

5.3 Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.4 Will there be significant increase in traffic noise and vibrations?

5.5 What will be the impact of DG sets and other construction equipment on noise levels and vibration in and around the monument?

5.6 Etc.

Annexure III

List of Heritage Bye-laws submitted by ASI for the Monuments of Delhi

1.	Khirkee Mosque and Satpula	(2 monuments)
2.	Pir Ghaib and Old Baoli	(2 monuments)
3.	Qutub Archaeological Area	(1 monument)
4.	Humayun's Tomb Zone	(7 monuments)
5.	Red Fort and Salimgarh Fort	(2 monuments)
6.	Bijay Mandal Zone	(3 monuments)
7.	Green Park Monuments	(3 monuments)
8.	Qudasia Garden and Mosque	(1 monument)
9.	Mubarakpur Kotla monuments	(6 monuments)
10.	Lodhi Garden monuments	(3 monuments)
11.	Sher Shah Gate &Khairul Manazil Mosque	(2 monuments)
12.	Qila Rai Pithora	(1 monument)
13.	Adilabad Fort (Tughlaqabad)	(1 monument)
14.	Muhammadiwali Mosque	(1 monument)
15.	Jafar Mahal	(1monument)
16.	Kashmiri Gate	(1monument)
17.	Roshanara Bagh	(2 monuments)
18.	Lal Gumbad, Chirag Delhi	(1 monument)
19.	Military Telegraph Memorial	(1 monument)
20.	Makhdumi Mosque	(1 monument)
21.	Thanewala Gumbad	(1 monument)
22.	Mandhi Mosque, Ladho Sarai	(1 monument)
23.	Tomb of Ghiasuddin Khan, Tughluqabad	(1 monument)
24.	Teen Burji, Muhammadpur	(1 monument)
25.	Safdarjung's Tomb	(1 monument)
26.	Tripolia Gateways	(1 monument)
27.	Khan-e-khana's Tomb	(1 monument)
28.	Kos Minar, Zoo	(1 monument)
29.	Uggrasen ki Baoli	(1 monument)
30.	Rajpur Cemetery	(1 monument)
31.	Bahlol Lodi's Tomb, Chirag Delhi	(1 monument)
32.	Moth ki Mosjid	(1 monument)
33.	Nili Masjid	(1 monument)
34.	Gandhak ki Baoli	(1 monument)
35.	Purana Qila	(1monument)
36.	Tohfewala Gumbad	(1 monument)
	Total	**58 Monuments**

Annexure IV

List of Heritage Bye-laws submitted by ASI for the monuments of Mumbai

1. Jogeshwari Caves at Andheri, Mumbai suburban district,
2. Caves at Mandapeshwar, Mumbai suburban district,
3. The Portuguese Monastery over the caves and the large watch tower on the adjoining hill at Mandapeshwar, Mumbai suburban district,
4. Buddhist Caves at Kondavite, Andheri, Mumbai suburban district,
5. Buddhist Caves at Kanheri, Borivali, Mumbai suburban district,
6. Sion Fort, Mumbai Urban district.

Total 6 Monuments

Annexure - V

List of Monuments included in Bye-laws of Humayun's Tomb Sub-circle.

1. Humayun's Tomb
2. Arab Sarai
3. The Gateway of Arab Sarai facing north towards Purana Qila
4. The Gateway of Arab Sarai facing east towards Humayun's Tomb
5. Remaining Gateways of Arab Sarai and of Abadi- Bagh- Bu Halima
6. The Afsarwala Mosque situated outside the west gate of Humayun's Tomb
7. Tomb of Afsarwala
8. Nila Gumbad outside of south corner of Humayun's Tomb
9. The Tomb of Isa Khan
10. Tomb of Nizamuddin Auliya
11. Chausanth Khambha and Tomb of Mirza Aziz-ka-Kokaltash
12. Barakhambah, outside north entrance to Shrine
13. Grave of Jahanara Begum
14. Grave of Muhammed Shah
15. Grave of Mirza Jehangir
16. Tomb of Ataga Khan
17. Tomb of Amir Khusro
18. Baoli at Ghiaspur
19. Mazar of Mirza Ghalib
20. Unknown Tomb, Ghiaspur
21. Sabz Burj
22. Tomb of Mirza Muhammad, Chhote Batasha
23. Tomb of Mirza Muhammad, Bade Batasha
24. Sundarwala Burj
25. Sundarwala Mahal
26. Lakkarwala Gumbad (Tomb)
27. Tomb of Khan-i-Khana
28. Tomb with three domes

Annexure VI

THE FIRST SCHEDULE
[see rule 21 (1)]

Parameters for Preparation of Site Plan

While preparing a site plan for the protected area, the prohibited and regulated areas, the following parameters shall be adhered to and incorporated.

(a) **Protected Area, protected monument, prohibited area or regulated area**

Parameters:

(i) Contouring (1 metre interval) is preferably. However, it can vary depending on the nature of landscape. If it is hilly terrain with cliffs, then contour intervals can be increased. If the landscape is plain, then it can be reduced to 0.5 metre;
(ii) Fixing of Bench mark and survey points on the ground and map;
(iii) Protected area needs to be mapped in such a manner that property and feature within the area can easily be identified. Therefore the area shall be required to be grided both on map and ground. Grids can be of 50 x 50 metres;
(iv) Mapping of structures on plan;
(v) Other features like tank, embankment, mud fortification, remnants of ancient structures etc should be shown;
(vi) Roads and pathways;
(vii) Garden area;
(vii) Trees (with an inventory – tree type, girth and height);
(ix) Telephone Lines
(x) Sewerage Lines
(xi) Water supply lines, etc.
(xii) Contouring / Relative heights of certain areas
(xiii) Ground Penetrating Radar survey determining the buried archaeological remains.
(xiv) Any other feature that is required to be incorporated in consultation with the competent authority;

Annexure VII

THE SECOND SCHEDULE
[See rule 22]

Parameters for Heritage Bye-laws :

The heritage bye-laws shall be framed on the basis of the site plan prepared for each of the prohibited and regulated areas of protected monuments and the following parameters, namely –

(i) Architectural, historical and archaeological value of the monument;
(ii) Sensitivity of the monument (e.g. developmental pressure, urbanization, population pressure, etc);
(iii) Visibility from the protected monument or area and visibility from regulated area;
(iv) Land-use to be identified;
(v) Archaeological heritage remains other than protected monument(s);
(vi) Cultural landscapes;
(vii) Significant natural landscapes that forms part of cultural landscape and also helps in protecting the monument from environmental pollution;
(viii) Usage of open space and constructions;
(ix) Traditional, historical and cultural activities;
(x) Skyline as visible from the monument and from regulated areas;
(xi) Vernacular architecture;
(xii) Developmental plan as available by the local authorities;
(xiii) Building related parameters-
  (a) Height of the construction;
  (b) Floor area;
  (c) Usage;
  (d) Façade design;
  (e) Roof design;
  (f) Building material;
  (g) Colour;
(xiv) Visitors facilities and amenities.

[F. No. 1/8/2010-M (Pt.-III R]
GAUTAM SENGUPTA, Director General

Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.