फा.ई.15-325/एनएमए/एचबीएल-2024

संस्कृति मंत्रालय

राष्ट्रीय संस्मारक प्राधिकरण

सार्वजनिक नोटिस

जनसाधारण के ध्यान में यह लाया जाता है कि सक्षम प्राधिकारी द्वारा संरक्षित संस्मारक - **A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil - Garur, District - Bageshwar), Uttarakhand** का धरोहर उप-विधि का मसौदा प्राचीन संस्मारक तथा पुरातात्विक स्थल और अवशेष अधिनियम, 1958 की धारा 20(ड़) के अनुसार तैयार कर लिया गया है। राष्ट्रीय संस्मारक प्राधिकरण (प्राधिकरण के अध्यक्ष और सदस्यों की सेवा की शर्तें और कार्य संचालन) नियम, 2011 के नियम 18(2) के अनुसार, उपरोक्त प्रस्तावित धरोहर उप-विधि जनसाधारण से आक्षेप या सुझाव आमंत्रित करने के लिए निम्नलिखित वेबसाइटों पर अपलोड किए गए हैं:

क. राष्ट्रीय संस्मारक प्राधिकरण **www.nma.gov.in**

ख. भारतीय पुरातत्व सर्वेक्षण **www.asi.nic.in**

ग. भारतीय पुरातत्व सर्वेक्षण, देहरादून सर्कल **www.asidehraduncircle.in**

2. किसी भी व्यक्ति को कोई आक्षेप या सुझाव हो तो वह सदस्य सचिव, राष्ट्रीय संस्मारक प्राधिकरण, 24, तिलक मार्ग, नई दिल्ली-110001 को लिखित में या ईमेल आईडी अर्थात् **arch-section@nma.gov.in** पर **6th फ़रवरी, 2025** तक भेज सकता है। आक्षेप या सुझाव देने वाले व्यक्ति को अपना नाम, पता और मोबाइल नंबर भी देना होगा।

3. प्राधिकरण, राष्ट्रीय संस्मारक प्राधिकरण (प्राधिकरण के अध्यक्ष एवं सदस्यों की सेवा की शर्तें तथा कार्य संचालन) नियम, 2011 के नियम 18(3) के अनुसार सक्षम प्राधिकारी एवं अन्य हितधारकों के परामर्श से 30 दिन अर्थात् **6th फ़रवरी, 2025** की अवधि समाप्त होने से पूर्व प्राप्त आपत्तियों अथवा सुझावों पर निर्णय लेगा।

सव्यसाची मारवाहा

(कर्नल सव्यसाची मारवाहा)

निदेशक, एनएमए

06.01.2025

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

Draft Heritage Bye-Laws for A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand

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, as amended, 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 Protected Monument **"A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand"**, prepared by Amity School of Architecture and Planning, Amity University, Lucknow UP, as required by Rule 18, sub-rule (2) 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;

Objections or suggestions, if any, may be sent to the Member Secretary, National Monuments Authority (Ministry of Culture), 24 Tilak Marg, New Delhi-110001 or email at arch-section@nma.gov.in within thirty days of publication of the notification;

The objections or suggestions which may be received from any person with respect to the said draft bye-laws before the expiry of the period, so specified, shall be considered by the National Monuments Authority.

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 Protected Monument - **"A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand."**.

(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), as amended;

(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) "Government" means the Government of India;

(i) "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;

(j) "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;

(k) "prescribed" means prescribed by rules made under this Act;

(l) "Prohibited area" means any area specified or declared to be a prohibited area under section 20A;

(m) "Protected area" means any archaeological site and remains which is declared to be of national importance by or under this Act;

(n) "Protected Monument" means any ancient monument which is declared to be of national importance by or under this Act;

(o) "Regulated area" means any area specified or declared to be a regulated area under section 20B of this Act;

(p) "re-construction" means any erection of a structure or building to its pre-existing structure, having the same horizontal and vertical limits;

(q) "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, as amended

2.1 Background of the Act:

The Heritage Bye-Laws are intended to guide physical, social and economic interventions within 300 meters in all directions of the Protected Monuments. The 300 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 100 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 200 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, as amended, 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 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, as amended, 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 Monuments/ Sites/ Group of Monuments

3.1 Location and Setting of the Monument:

The Protected Monument, 'A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines', is known for its ancient temples located in the Eastern part of the Baijnath town on the banks of the river Gomti in the Bageshwar district of the Kumaon division in Uttarakhand.

The geographical coordinates for this monument are N- 29°54'25.51" E- 79°36'55.01".

Bageshwar district is located in the eastern Kumaon area of Uttarakhand, bordered to the west and northwest by Chamoli District, to the northeast and east by Pithoragarh District, and to the south by Almora District. It is known for its scenic environment and ancient temples such as Baghnath Temple and Baijnath Temple.

Baijnath is a small yet historic town that served as the capital of the former Katyuri kingdom.The name of the city is derived from Baijnath or Vaidyanath, which is a cluster of 17 temples significant for their historical and religious importance. The Protected Monument is not only dedicated to Lord Shiva but is also considered a vital pilgrimage destination, offering breathtaking views of the Himalayas.

The protected area can be accessed via the Garur-Bageshwar road or the Almora-Baijnath or Vaidyanath, Katyu-Karanprayag road from the West. The visitors can reach the temple from the river Gomti by climbing stone steps. Baijnath or Vaidyanath is situated at the junction of the Gawaldam and Almora-Baijnath or Vaidyanath, Katyu-Karanprayag road. It is well-connected to various locations, including Kausani (19 km away), Bageshwar (21 km), Almora (70 km), Haldwani (158 km), Nainital (133 km), and the capital city, Dehradun (300 km). The Kumaon Darshan service of the Uttarakhand Transport Corporation offers easy access to the site. The nearest railway station is Kathgodam, located 150 km away, and the nearest airport is Pantnagar Airport, which is 185 km from the monument. Bus and taxi services are available to help reach the town.

Figure 1: Satellite Image Showing Location and Setting of "A Group of Ancient Temples Consisting of a Main Shrine of Shiva and Seventeen Subsidiary Shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil And District Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand

3.2 Protected boundary of the Monument:

The Protected Area of the Protected Monument – A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand may be seen in **Annexure-III**.

3.2.1 Notification Map/ Plan as per ASI records:

The Gazette Notification of a Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand may be seen in **Annexure-II**.

3.3 History of the Monument:

Baijnath, historically known as Karttikayapura, is believed to have been the former capital of the Katyuries, an early ruling dynasty of the central Himalayan region. They relocated their capital from Joshimath (in Chamoli district) to Baijnath or Vaidyanath, Katyu.[1]

[1] Handa, O.C. (2002). History of Uttaranchal. New Delhi: Indus Pub. Company.

The main attraction of a group of ancient temples consisting of the shrine of Shiva and seventeen subsidiary shrines, Baijnath, or Vaidyanath, is the primary temple dedicated to Shiva. It follows a Pancharatha plan, featuring a sanctum with a projected portico. The temple's plinth has five base moldings, but the upper part lacks any significant ornamentation. The original shikhara (tower) is lost, and the current one is a later addition, a clerestoried tin shed supported by a wooden frame.[2]

This group of temples is popularly known as Baijnath (Vaidyanath) consisting of the Shrine of Lord Shiv and 17 subsidiary shrines called as Kedareswar, Lakshmi-Narayan and Brahmini Devi, etc., built in Nagara Style (curvilinear spire). These temples can be dated between the 9th and 12th centuries C.E. based on their architectural characteristics.[3]

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

The Baijnath Temple Complex is a group of 18 Hindu temples located in the town of Baijnath in Uttarakhand, India. Situated in the Bageshwar district along the banks of the Gomati River.

Except for the main temple, almost all of the temples in this cluster are single-chambered mulaprasada constructions, with a few having pavilion-style mandaps with pillars on the corners to support the terraced roof. Some temples from later periods have a square plan. All of these are unichambered, massive constructions.

The main shrine within the complex is dedicated to Vaidyanath Shiva, represented in the form of a lingam. The depiction of Parvati, carved from grey chloride schist, is a remarkable piece of art. Another significant sculptural feature is a life-size image of Kal Bhairava in a seated position outside the Vaidyanath Temple. The temple is of great importance in Hindu mythology, as it is believed that Lord Shiva and Parvati were married at the confluence of the Gomati River and the Garur Ganga.

The temple was built on a panch-rath plan. The lower half of the jangha consists of at least five courses of cushion mouldings with severe undercuts. The existing upper half of the jangha is plain. It was likely a single-chambered mulaprasada temple.[4]

3.5 Current Status:

3.5.1 Condition of the Monument-condition assessment:

The maintenance and preservation of the Protected Monument is the exclusive domain of the Archaeological Survey of India. The photographs depicting the present condition of the Monument are appended in **Annexure-VI**.

[2] Imperial Gazetteer of India: Provincial Series of United Province of Agra and Oudh
[3] Cultural Notice Board of the Monument
[4] Art and Architecture of Uttarakhand by OC Handa

3.5.2 Daily footfalls and occasional gathering numbers:

The average footfall in peak season is 500 visitors per day, and in the off season, it is 100 visitors per day. There is a slight surge observed on festivals such as Mahashivratri, Nandaashtmi, and Naag Panchami.

CHAPTER IV

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

4.1 Existing zoning:

The Mahayojana 1995-2011: Bageshwar, Uttarakhand is in the implementation stage; Bageshwar Mahayojana 2031- Proposed Land use prepared by Kumaon Sambhagiye Niyojan Khand, Haldwani and Nagar Awam Gram Niyojan Vibhag, Uttarakhand. The Protected Monument is marked as Religious while Prohibited and Regulated areas as forest and residential.

Refer Annexure-V

4.2 Existing Guidelines of the local bodies:

The local body guidelines of Bhawan Nirman and Vikas Upvidhi, Uttarakhand by Aawas Vibhag Uttarakhand Shasan, 2011.

Refer 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 Survey plan of A group of ancient temples consisting of a main shrine of shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, tehsil and district Almora (presently in tehsil – Garur, district – Bageshwar), Uttarakhand:

Survey Plan of A Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand may be seen in **Annexure-I**.

5.2 Analysis of surveyed data:

5.2.1 Prohibited Area and Regulated Area details and their salient features:

The prohibited area and regulated area for Protected monument are listed below:

Protected Area: 2133.55 sqm. (0.527 Acres) approximately

Prohibited Area: 54451.82 sqm. (13.45 Acres) approximately

Regulated Area: 347047.94 sqm. (85.755 Acres) approximately

Salient Features:

Baijnath, a small yet historic hamlet nestled deep within the Garur valley, was formerly the capital of the Katyuri dynasty. The remnants of the era are present in the form of Baijnath temples along the banks of the Gomti River.

The Protected Monument is surrounded by low-density settlement. The Prohibited and Regulated areas majorly reflect the natural elements such as the Gomti River, agricultural fields, and green and open areas. It offers magnificent scenic views and a pleasant climate.

5.2.2 Description of built-up area:

Prohibited Area:

a) North: Low-density residential and commercial buildings are present, along with green areas. No built up is present in north-east direction. In north-west direction, sparse residential and a few commercial buildings are present, namely The Himalayan café, Unique Baker's and café, and Devki Bhojnalaya.
b) South: No built up is present in south and south-west direction. Low-density residential settlements are present in south-east direction.

c) East: Government hospitals are present as institutional buildings.
d) West: Institutional buildings are present namely government hospital, Mohan Singh Mehta Samudayik Swasthya Kendra, Janta pharmacy.

Regulated Area:

a) North: Low-density residential and commercial buildings are present. In north-east direction, sparse residential and a few commercial buildings are present which include Baijnath lake view hotel and KMVN tourist rest house. In north-west direction, dense residential settlement is present.
b) South: Low- density residential and a few commercial buildings are present including SBI District Court Dharamshala, Neelkanth hotel and restaurant. In south-east direction, low-density residential setting is present. In south-west direction, low-dense residential and commercial settlement is present along with a Mosque.
c) East: Low- density residential settlements are present.
d) West: Low- density residential and commercial buildings are present.

5.2.3 Description of green/open spaces:

In the Prohibited and Regulated areas, there is a variety of green and open spaces of various sizes that cover most of the land around the Protected area. Majorly, the agricultural field covers the land in several directions of the Protected area. The area is dominated by the Gomti River, which occupies a large area. The agricultural open spaces, along with the plotted unbuilt land area, can be seen.

Prohibited Area:

a) North: Large green and open spaces are present.
b)South: Agriculture field is observed is present in large scale. Gomti river is present.
c) East: Agriculture field and green areas are present. Gomti river is present.
d)West: Few parts of agriculture field are present. Gomti river is present.

Regulated Area:

a) North: Some open spaces, green areas and parts of agriculture field are present. Baijnath parking authorised by government is seen.
b) South: Majorly open areas are seen which also includes Baijnath taxi stand.
c) East: Large agriculture field is present. Gomti river is present.
d) West: Majorly open areas along with agriculture field is present. Gomti riveris present.

5.2.4 Areas covered under circulation- roads, footpaths etc.:

The Protected Area is surrounded by a water body, agricultural fields, green and open areas, along with building settings. The various road networks allow access to the settlements in Prohibited and Regulated areas. The Garur-Bageshwar road,

or the Almora-Baijnath-Karanprayag road, allows access to the Protected area from the West direction. This road covers the North, South and West directions. It is branched with several other roads and streets and creates linkage between the other surroundings. In the South direction, this road travels towards Kaushani or Garur and in the North-East direction, it goes towards Gawaldam. The Garur-Bageshwar road develops a junction in the NorthEast direction, with Baijnath-Bageshwar road and Gawaldam-Bageshwar road. The Baijnath-Bageshwar road travels towards Bageshwar. The town is well connected by roads and streets, creating a defined road network around the Protected area.

5.2.5 Heights of buildings (Area wise):

Prohibited Area:

a) North: The building height ranges G and G+1
b) South: No building is observed.
c) East: The building height ranges G and G+1
e) West: The building height ranges G and G+1
f) North-East: No building is observed.
g) South-East: The building height ranges G and G+1
h) North-West: The building height ranges G and G+1
i) South-West: No building is observed.

Regulated Area:

a) North: The building height ranges G and G+1
b) South: The building height ranges G and G+1
c) East: The building height ranges G and G+1
d) West: The building height ranges G+1
e) North-East: The building height ranges G+1
f) South-East: The building height ranges G and G+1
g) North-West: The building height ranges G and G+1
h) South-West: The building height ranges G and G+1

The maximum height of the building is 7 m.

5.2.6 State Protected Monuments and listed Heritage Buildings by local Authorities, if available, within the Prohibited/Regulated Area:

There are no State Protected Monuments or other listed Heritage Buildings by local Authorities reported as yet within the Prohibited and Regulated Areas of the Protected Monument.

5.2.7 Public amenities

The public amenities, including a drinking water facility with a water cooler and seating areas, are present inside the Protected area. The signages are placed at the

entrance. A public toilet is located in Prohibited area near the Protected area. The ramp facility for differently abled people is present in the Protected area.

5.2.8 Access to monument:

The Protected area can be accessed through the Garur-Bageshwar road or the Almora-Baijnath-Karanprayag road, which is in the West direction of the Protected area. The road goes towards Kaushani or Garur in the South direction and towards Gawaldam in the North-East direction. The temple allows access from an East direction. It can be reached from the riverside through pathways and a flight of steps constructed with stone.

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

Parking areas are present in Prohibited area along with signages. There are dustbins placed within the Protected areas. Solar lights are installed within the Protected area.

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

The Mahayojana 1995-2011: Bageshwar, Uttarakhand is in the implementation stage; Bageshwar Mahayojana 2031- Proposed Land use prepared by Kumaon Sambhagiye Niyojan Khand, Haldwani and Nagar Awam Gram Niyojan Vibhag, Uttarakhand. The Protected Monument is marked as Religious while Prohibited and Regulated areas as forest and residential.

Refer Annexure-V

CHAPTER VI

Architectural, historical, and archaeological value of the monument

6.1 Architectural, historical, and archaeological value:

Historical Value:

A group of ancient temples, featuring a main shrine dedicated to Shiva and seventeen subsidiary shrines, is located in Baijnath or Vaidyanath within the Katyur Valley. The Protected Monument likely flourished as a significant religious and cultural center during the rule of the Katyuris.

The cluster includes 18 standing temples and a few others in varying levels of ruination. After plundering and destroying temples in Champawat, Dwarahat, and surrounding areas, it appears that the plunderers had reached their limit in the Himalayas. They pillaged and ruined temples extensively, while just a handful were demolished in Baijnath. The central temple of Vaidyanath has suffered the most from robbery and desecration, leaving none of the remaining temples in their original state. [5]

These temples have been rebuilt and realigned; thus, they are no longer in their original shape. These temples were likely built by the Katyuri monarchs of ancient Kartikeypura between the 9th and 12th centuries C.E., as evidenced by their architectural elements. [6]

Architectural Value:

The Baijnath (Vaidyanath) temple complex includes the main shrine of Lord Shiv and 17 minor shrines, such as Kedareswar, Lakshmi-Narayan, and Brahmini Devi, all built in the Nagara style (curvilinear spires). The main temple, Pancharatha, has a projecting portico and a spire that has previously collapsed. The group's major feature is a grey schist standing statue of Parvati surrounded by 26 miniature images. [7]

The temple's survival over centuries, despite the passage of time and the changing political landscape, is a testament to its architectural strength and cultural significance. It stands as a symbol of the rich heritage and artistic traditions of the region. The architectural significance of Baijnath or Vaidyanath Temple, extends beyond its local context.

Archaeological value:

A group of ancient temples consisting of a main shrine of Shiva and seventeen subsidiary shrines, Baijnath, or Vaidyanath, Katyu, Pargana Danpur, Tehsil, and district Almora (presently in Tehsil-Garur, District-Bageshwar), Uttarakhand. This site is protected under the Archaeological Survey of India and has been the focus of various studies and

[5] Art and Architecture of Uttarakhand by OC Handa
[6] Cultural Notice Board of the Monument
[7] Cultural Notice Board of the Monument

conservation efforts. These initiatives have revealed valuable insights into the temple's construction, history, and architectural style.

Located in the heart of the Katyuri region, the temple holds significant archaeological importance. The Katyuris were a powerful dynasty that ruled parts of present-day Uttarakhand and Himachal Pradesh, and their support for art, culture, and religion is clearly reflected in the temple's architecture.

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

The Protected Monument is surrounded by sparsely populated settlements and natural elements like a river and dense vegetation. The pressure of development and population is gradually developing due to infrastructure projects to facilitate visitors. Also, close proximity and access to the Gomti River pose the threat of occasional flooding and security of visitors.

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

(i) Visibility of Protected Monument from Prohibited and Regulated Area:

The Protected Monument is clearly visible from Prohibited and Regulated areas from all directions. The presence of Gomti River in the South, East, and West along with agricultural fields to the North, East, and South-West direction ensures clear visibility of the Protected Monument.

(ii) Visibility from Protected Monument of Prohibited and Regulated Area:

The visibility from the Protected Monument is also clear from all direction which shows Gomti river, agriculture fields and low-density settlements in Prohibited and Regulated areas.

Refer **Annexure-VI**

6.4 Land-use to be identified:

The Mahayojana 1995-2011: Bageshwar, Uttarakhand is in the implementation stage; Bageshwar Mahayojana 2031- Proposed Land use prepared by Kumaon Sambhagiye Niyojan Khand, Haldwani and Nagar Awam Gram Niyojan Vibhag, Uttarakhand. The Protected Monument is marked as Religious while Prohibited and Regulated areas as forest and residential.

Refer Annexure-V

6.5 Archaeological heritage remains other than Protected Monument:

There are no known or reported Archaeological Heritage remains in the Prohibited and Regulated Area of the Protected Monument to date.

6.6 Cultural landscapes:

The city's landscape is dotted with the natural elements of the Gomti River and agricultural fields, along with some traditional-style buildings. Religious activities, such as the Mahashivratri, Nandaashtmi, and Naag Panchami festivals, enriching the cultural landscape, can be seen within and beyond the Protected, Prohibited and Regulated area of the Protected Monument.

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

The Protected monument resides in a natural landscape that enhances its cultural significance. Situated on the banks of the Gomti River, the temple promotes both tangible and intangible cultural activities and rituals. The majestic peaks surrounding the temple provide fresh mountain air and breathtaking views. The terrain, vegetation, and agricultural areas to the North, East, and South-West of the Prohibited and Regulated area of the Protected Monument contribute to the overall natural setting and influence the microclimate, as well as the flora and fauna of the area.

6.8 Usage of open space and constructions:

The North, East and South West direction hold large open spaces and green areas that are used as agricultural fields in Prohibited and Regulated areas. In Regulated area, the open space in North direction is used for the Baijnath parking area, and in South direction, open areas are used as the Baijnath taxi stand.

6.9 Traditional, historical, and cultural activities:

The festival of Mahashivratri is celebrated with much enthusiasm at Baijnath Temple. Pilgrims and devotees visit the Protected monument during this auspicious occasion to seek the blessings of Lord Shiva. A large crowd gathers, and a fair is also organized. Naag Panchami is also one of the festivals celebrated within the Prohibited and Regulated area of Protected Monument. The annual festival of "Nandaashtmi" is celebrated during Bhadrapad Ashtami, or Radha Ashtami, during the month of September.

6.10 Skyline as visible from the monument and from Regulated Areas:

The skyline visible from the monument includes the Gomti River to the South, East, and West, as well as agricultural fields to the North, East, and South-West along with a scenic view of dense vegetation and mountain ranges. Several buildings can also be seen in the area.

Refer Annexure- VI

6.11 Traditional Architecture:

The residences and market shops feature few traces of traditional Kumaoni residential architectural style. They are designed for insulation and warmth, especially during the cold winters. The buildings were locally constructed by skilled members of the community using conventional materials such as stone, timber, and slates. Some buildings exhibit the use of stone masonry, and construction techniques like sloped roofs are also commonly seen.

Refer Annexure-VI

6.12 Developmental plan, as available, by the local authorities:

The Mahayojana 1995-2011: Bageshwar, Uttarakhand is in the implementation stage; Bageshwar Mahayojana 2031- Proposed Land use prepared by Kumaon Sambhagiye Niyojan Khand, Haldwani and Nagar Awam Gram Niyojan Vibhag, Uttarakhand. The Protected Monument is marked as Religious while Prohibited and Regulated areas as forest and residential.

Refer Annexure-V

6.13 Building related parameters:

6.13.1 Repair and Renovation:

Internal changes and adaptive reuse may be generally allowed, however, external changes shall be subject to scrutiny/NOC 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 NOC 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 ACP, HPL, laminates, tiling etc or glazing will not be permitted.

6.13.2 Reconstruction:

Reconstruction is defined in Section 2(k) of AMASR Act, 1958, as amended, Permission for reconstruction in Regulated Area is accorded as per Section 20 C(2) of the AMASR Act, 1958, as amended, and Rule 6(IV) and Rule 7 of AMASR Rules, 2011. In case of natural calamities, the permission for reconstruction is accorded as per Rule 16 of the AMASR Rule, 2011.Reconstruction of building or structure damaged due to natural calamity shall be permissible only to the extent it is damaged. 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 pre-existing structure. The use of incongruous materials in the façade 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.

6.13.3 New Construction:

6.13.3.A Prohibited Area:

As per Section 20A(4) of AMASR Act, 1958, no new construction including carrying out any public work or project essential to the public or other construction, shall be permitted within the Prohibited Area of the protected monument.

6.13.3.B Regulated Area:

1. **Height of the construction on the site:** The maximum height limit for new construction or additions/alteration to existing buildings shall not exceed **7.5 meters** (including mumty, parapet, water storage tank, machine room, generator room, HVAC unit, solar panel, rainwater harvesting system, penthouse structures of terrace garden etc.) or any other services on the roof.

2. **Usage:** Construction may be allowed for residential and mixed use with shops on ground floor and residential in the upper floors.

3. **Façade Design:** The facade design of new construction must be minimalistic in nature, so that, is does not overpower the monument. The tile cladding or use of aluminum composite panels on the exterior facade should be discouraged. The plumbing and electrical services shall not be on the exterior of the building and use of glazing in façade should be avoided.

4. **Roof Design:** The traditional pitch roof design with roof tiles may be followed.

5. **Building Material:** Modern building materials may be used for construction. However, masonry and stone finishes to be used for external façade.

6. **Colour:** The exterior colour should be of a neutral tone used in harmony with the monument such as buff sandstone colour, beige and other earth colours.

7. **Other Regulations:** Proposal for construction of any large-scale public infrastructure project foot-over bridges, multi-level parking or any such project shall be subject to a detailed Heritage Impact Assessment report.

6.14 Visitors' facilities and amenities:

Visitor facilities and amenities such as illumination, clean and functioning toilets, provision of clean drinking water, shade and benches for seating and proper signages and information boards should be considered in the vicinity of the Protected Monument as per feasibility

CHAPTER VII

Site Specific Recommendations

7.1 Site specific Recommendations

(i) The appropriate measures may be implemented to prevent additions or alterations to the existing boundary of the Protected Monument. This should involve a thorough review process by the relevant authorities to ensure that actions taken regarding these historically significant buildings are in harmony with their original design and purpose.

(ii) The protective measures may be provided along the riverside for rituals, bathing, and other activities to ensure the safety of visitors.

(iii) Improve infrastructure, including roads, sidewalks, parking, and public transportation, surrounding areas to enhance accessibility and promote tourism while ensuring that these enhancements are sympathetic to the monument's historical character.

(iv) A comprehensive waste management plan may be implemented.

7.2 Other Recommendations

(i) Extensive public awareness programme may be conducted.

(ii) Provisions for differently abled persons shall be provided as per prescribed standards.

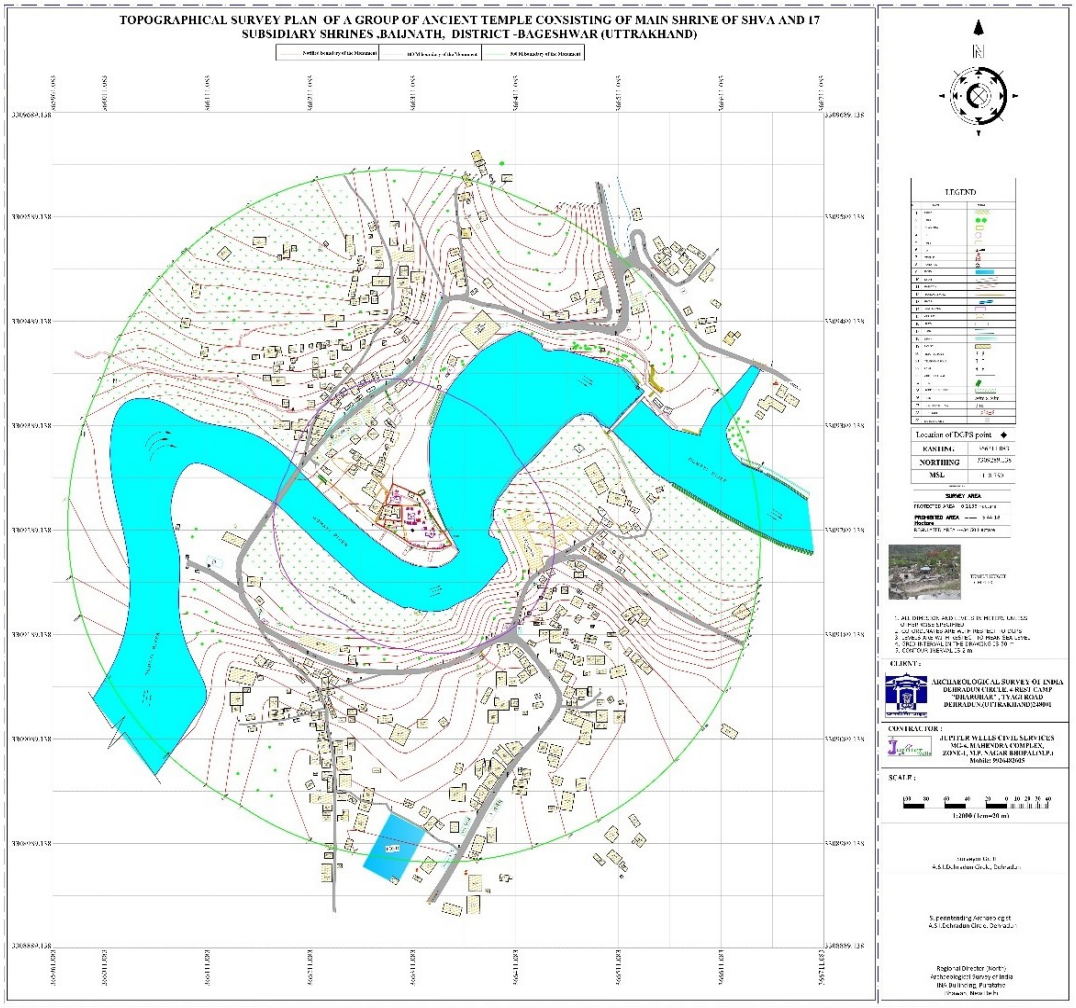
(iii) The area shall be declared as Plastic and Polythene free zone.

(iv) National Disaster Management Guidelines for Cultural Heritage Sites and Precincts may be referred at https://ndma.gov.in/images/guidelines/Guidelines-Cultural-Heritage.pdf

ANNEXURES

ANNEXURE -I

Site Plan Showing Protected, Prohibited and Regulated Area of a Group of Ancient Temples consisting of a Main Shrine of Shiva and seventeen subsidiary shrines, Baijnath or Vaidyanath, Katyu, Pargana Danpur, Tehsil and district Almora (Presently in Tehsil – Garur, District – Bageshwar), Uttarakhand



ANNEXURE-II

Notification Plan as per ASI records-definition

Mr. A. G. Brown, Temporary Electrical and Mechanical Engineer, on return from leave, joined his duties on the forenoon of November 1, 1930, and resumed charge of the 1st Sub-division, North Area Hydro-Electric division, Ganges Canal, on the afternoon of the same date vice Mr. N. N. Chakravarti, Temporary Electrical Engineer, relieved.

August 12, 1931.

No. 7595-I.E.A./1-B—433-E.—Mr. N. N. Chakravarti, Temporary Electrical Engineer, on transfer, assumed charge of the 1st sub-division, South Area Hydro-Electric division, Ganges Canal, on the afternoon of July 31, 1931, vice Mr. A. R. Keen, Temporary Electrical and Mechanical Engineer, granted leave preparatory to the termination of his appointment in the Irrigation department.

Dated Lucknow, August 12, 1931.

No. 7598/I.E.A. of 1931.—Mr. Raja Ram, Assistant Engineer, Public Works department, Irrigation branch, United Provinces, is granted leave on average pay for five days in extension of the leave granted to him in notification no. 4575-I.E.A., dated April 22, 1931.

By order,
W. ROCHE,
Joint Secretary to Government, United Provinces.

BUILDINGS AND ROADS BRANCH.
CORRIGENDUM.

Dated Lucknow, August 8, 1931.

No. 571-MS./89-MS.-1931.—Substitute the following for the particulars shown against serial no. 280 of the list of monuments the protection of which was confirmed in this department notification no. 1669-M./1133-M., dated December 27, 1920:—

Serial no.	Name and description of monuments.	District.	Locality.
280	A group of ancient temples consisting of main shrine of Shiva and seventeen subsidiary shrines	Almora	Baijnath or Vaidyanath, Katyu, pargana Danpur, tahsil and district Almora.
	Old Ranchula Fort, excluding the large Hindu temple sacred to Kali inside it.	Almora	Ranchula Hat, M. Katyur, pargana Danpur, tahsil and district Almora.
	Three temples of the Indo-Aryan Sikhra type known as Lakshmi Narayan Rakhshas Deval and Satya Narayan.	Almora	Taili Hat, M. Katyur, pargana Danpur, tahsil and district Almora.

By order,
G. M. HARPER,
Secretary to Government, United Provinces.

Dated Lucknow, August 7, 1931.

No. 1833-E/253-1931.—Mr. F. A. Cloy, Assistant Engineer, on return from leave, was attached to the Agra division with headquarters at Agra, from the forenoon of July 16, 1931.

Dated Lucknow, August 8, 1931.

No. 429-C.E./38-II/1931.—Babu Ajodhya Prasad Vaish, Supervisor attached to the Government House, Naini Tal, is promoted to the Sub-Engineer grade, with effect from April 1, 1931.

Dated Lucknow, August 12, 1931.

No. 1869-E/128-1931.—Thakur Madhab Singh Bisht, Assistant Engineer, on return from leave, was attached to the Kumaun division with headquarters at Naini Tal, from the forenoon of July 25, 1931.

By order,
L. CANTIN,
Chief Engineer.

Notifications of the Appropriation of Land for Public Purposes.

EDUCATION DEPARTMENT.

July 31, 1931.

No. 181/XV—1076-1931.—The land designated below being required for a public purpose, notice is hereby given under section 4, sub-section (1) of Act I of 1894 (the Land Acquisition Act), as amended by Act XXXVIII of 1923:—

District.	Pargana.	Mauza.	Approximate area.
Almora ..	Baramandal.	Municipal Bahar Almora town.	3 roods 20 poles.

For what purpose required.—For an agricultural farm to be attached to the Government Normal School, Almora.

Remarks.—The land plan may be inspected at the office of the Deputy Commissioner of Almora.

2. Under section 5A (1) of the Act, any person interested in the land may, within thirty days of the issue of this notice, submit his objection to the acquisition of the land to the Deputy Commissioner of Almora.

August 12, 1931.

No. 284/XV—1063-1931.—With reference to this department notification no. 1106/XV—1063-1931, dated June 1, 1931, the land designated below being required for a public purpose, declaration is made accordingly:—

District.	Pargana.	Mauza.	Approximate area.
Jhansi ..	Jhansi ..	Jhansi ..	522·78 sq. yards

For what purpose required.—For the construction of a school building for compulsory education.

Remarks.—The land plan may be inspected at the office of the Collector of Jhansi.

2. This declaration is made under section 6, Act I of 1894 (the Land Acquisition Act), as amended by Act XXXVIII of 1923, and, under section 7 of that Act, the Collector of Jhansi is hereby directed to take order for the acquisition of the land specified above.

Typed Copy of Notification

UNITED PROVINCES GAZETTE, AUGUST 15, 1931

BUILDING AND ROADS BRANCH CORRIGENDUM.
Dated Lucknow, August 8, 1931.

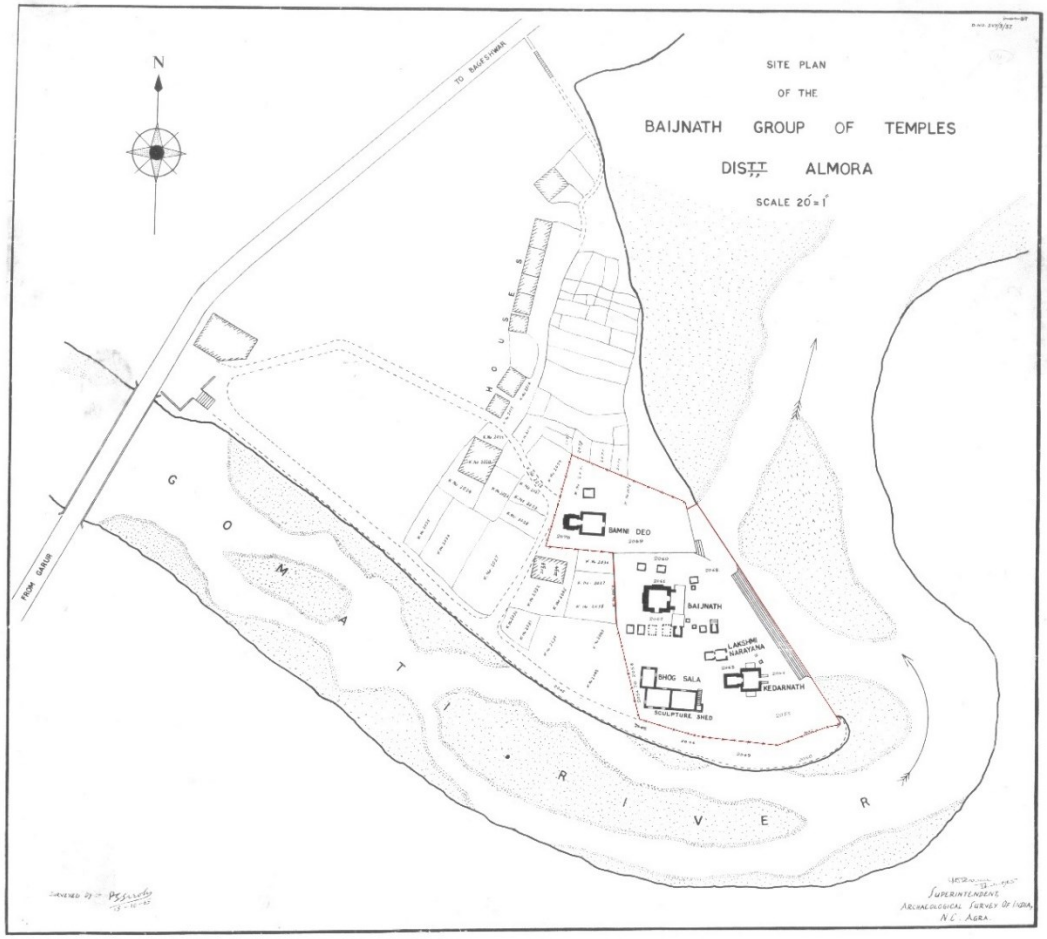
No. 571-MS./89-MS-1931-Shbstitute the following for the particulars shown against serial no 280 of the list of monuments the protection of which was confirmed in this department notification no. 1669-M/1188-M. dated December 27, 1920:-

Serial No.	Name and Description of Monument	District	Locality
180	A group of ancient temples consisting of main shrine of shiva and seventeen subsidiary shrines.	Almora	Baijnath or Vaidyanath, Katyu, Pargans Danpur, Tahsil and District Almora.

By order, C.M. HARPER,
Secretary to Government,
United Provinces.

ANNEXURE-III

The Archival Image showing existing Protected Boundary of the Monument



ANNEXURE-IV

Local bodies guidelines

Bhawan Nirman and Vikas Upvidhi, Uttarakhand by Aawas Vibhag Uttarakhand Shasan ,

CHAPTER -V

GENERAL BUILDING REQUIREMENTS

भवन निर्माण हेतु अन्य अपेक्षायें

5.1 HEIGHT OF THE BUILDING (भवन की ऊँचाई) :

(I) भवनों की अधिकतम ऊँचाई निम्नलिखित प्रतिबन्धों के अन्तर्गत निर्धारित ऊँचाईयों में से न्यूनतम ऊँचाई अनुमन्य होगी:–

(i) भूखण्ड/ भवन के सम्मुख स्थित मार्ग की चौड़ाई तथा अग्र सेट बैक के योग के 1.5 गुणा अथवा पर्वतीय क्षेत्रों में ईब्ज लेबल तक 6.00 मीटर में से जो भी अधिक हो, की ऊँचाई मान्य होगी। एक से अधिक मार्ग पर भवन के अवस्थित होने की दशा में इस हेतु अधिक चौड़े मार्ग से उक्तानुसार चौड़ाई निर्धारित की जायेगी।

(ii) मैदानी क्षेत्रों में

क्रम	Housing Scheme		भूखण्ड/ भवन के सम्मुख स्थित मार्ग की न्यूनतम विद्यमान/ अधिकृत चौड़ाई (मीटर)	**भवनों की अधिकतम ऊँचाई (मीटर)	अधिकतम् तलों की संख्या
	Residential *				
1	**Residential***	**Multiple Units***	9.0	9.0	3
		Group* Housing	9.0*	12.0*	4
			10.0*	16.0*	5
			11.0*	20.0*	6
			12.0*	24.0*	8
2	**Affordable Housing ***		9.0*	12.0*	4
			10.0*	16.0*	5
			11.*	20.0*	6
			12.0*	24.0*	8
3	**EWS & Rehabilitation Housing Scheme (Flatted Units Size 25-35 sqm) ***		9.0*	12.0*	4
			10.0*	16.0*	5
			11.0*	20.0*	6
			12.0*	24.0*	8
Commercial*					
	Commercial / office spaces Single commercial Unit/ Single commercial office (minimum area 25sqm)	**< 50-100 ***	9*	6*	2
		> 100-200*	9*	9**	3
		> 200-2000*	12*	24**	8
		≥ 2000*	15*	24**	8
		> 2500*	18*	30**	10
	Mall with multiplex *		18*	30**	10

	Serviced apartments*		15*	24**	8
	Wedding points*		18*	9*	3
	Hotels*	**5 stars deluxe rating hotels**	15*	24**	8
		5 stars rating hotels	15*	24**	8
		4 stars rating hotels	15*	24**	8
		Others Hotel	12*	24**	8
	Motel*		18*	1*	
	Resorts*		18*	9*	3
	Eco resorts*		18*	6*	2
	Guest house*		15*	7*	2
	Hostel*	**Hostel Up to 50 Beds**	15*	12*	4
		Hostel Up to 50- 100 Beds	15*	16*	5

मैदानी क्षेत्रों में अन्य भवनो हेतु

भूखण्ड/ भवन के सम्मुख स्थित मार्ग की न्यूनतम विद्यमान/ अधिकृत चौड़ाई	भवनों की अधिकतम ऊँचाई (मीटर)	अधिकतम् तलों की संख्या
9.0 मीटर से कम	9.0	अधिकतम् तीन तल
9.0 मीटर व अधिक तथा 12.0 मीटर से कम	12.0	अधिकतम चार तल
12.0 मीटर व अधिक तथा 18.0 मीटर से कम	24.0	अधिकतम आठ तल
18.0 मीटर व इससे अधिक	30.0	अधिकतम दस तल

पर्वतीय क्षेत्रों में [10]

पर्वतीय क्षेत्रों में भवनों की अधिकतम ऊँचाई 12.0 मीटर एव भूतल व अधिकतम् ऊपरी तीन तल।

क्रम	Category Residential	भूखण्ड/ भवन के सम्मुख स्थित मार्ग की न्यूनतम विद्यमान/ अधिकृत चौड़ाई	भवनों की अधिकतम ऊँचाई (मीटर)	अधिकतम् तलों की संख्या
	Residential Group Housing	6.0	12.0	4
	Affordable Housing	6.0	12.0	4

* समस्त संशोधन शासनादेश संख्या–39 दिनांक 05–02–2019 द्वारा संशोधन।

** समस्त संशोधन शा0देश संख्या–1037, दिनांक 26.08.2019 द्वारा।

10 – शासनादेश संख्या–39 दिनांक 05–02–2019 द्वारा संशोधन।

	EWS/ Rehabilitation Housing Scheme (Flatted Units size 25-35 Sqm)		6.0	12.0	4
	Commercial / office spaces Single commercial Unit/ Single commercial office (minimum area 25sqm)	> 25-100	2 (Pedestrian Path)	6	2
		> 100-200	4.5	6	2
		> 200-2000	6	12	4
		≥ 2000	7.5	12	4
		> 2500	7.5	Less Than 15	
	Mall with single Screen		6	**Less Than** 15	
	Mall with multiplex		7.5	**Less Than** 15	
	Serviced apartments		6	12	4
	Wedding points		6	6	2
	Hotels	5 stars deluxe rating hotels	7.5	**Less Than** 15	
		5 stars rating hotels	6	12	4
		4 stars rating hotels	6	12	4
		Others Hotel	6	9	3
	Motel		7.5	**Less Than** 15	
	Resorts		7.5	9	3
	Eco resorts		4.5	3	1
	Guest house		4.5	5	1
	Hostel	Hostel Up to 50 Beds	6	9	3
		Hostel Up to 50- 100 Beds	6	12	4

*1– मसूरी क्षेत्र, नैनीताल नगर पालिका क्षेत्र, बदरीनाथ धाम, केदारनाथ धाम, गंगोत्री धम तथ यमनोत्री धाम के क्षेत्र को छोड़ते हुये अन्य विकास क्षेत्रों में निर्माण एवं विकास उपविधि/विनियम, 2011 (संशोधन 2015) में भवनों के विभिन्न श्रेणियों हेतु संलग्न तालिका के अनुसार भूखण्ड /भवन के सम्मुख स्थित मार्ग की न्यूनतम विद्यमान /अधिकृत चौड़ाई व भवनों की ऊँचाई संलग्न तालिका अनुसार किया जाना प्राविधानित है।

*2- सभी प्रकार की परियोजनाओं में जिसमें प्रस्तावित **FAR** 1.8 मी0 से अधिक है , में यदि ग्रीन बिल्डिंग प्रमाणीकरण होता है तो प्रोत्साहन के रूप में अधिकतम 0.5 **FAR** देय होगा। इसके अतिरिक्त शेष प्रस्तावित **FAR** कय योग्य होगा। यद्यपि क्षतिपूर्ति **FAR** उक्त प्रस्तावित समस्त प्रकार से अतिरिक्त देय होगा।

* शा0देश संख्या–39, दिनांक 05.02.2019 द्वारा संशोधित।

*3– सामूहिक आवास, बहुमंजिली आवास तथा मिश्रित परियोजनाओं में 12 मी0 से अधिक मार्ग चौड़ाई होने पर प्रत्येक 1 मी0 मार्ग चौड़ाई की वृद्धि पर भवन की ऊँचाई में समानुपातिक रूप से 1.0 मी0 की वृद्धि अनुमन्य होगी, जो कि जिला स्तरीय विकास प्राधिकरण/स्थानीय विकास प्राधिकरण द्वारा निर्धारित **High-Rise Buildings Zone** " हेतु निर्धारित ऊँचाई से अधिक नहीं होगी।

*4– भवन की ऊँचाई 30 मी0 से अधिक होने की स्थिति में आई0आई0टी0 के स्ट्रक्चरल इंजीनियरिंग विभाग एवं भूकम्प इंजीनियरिंग विभाग तथा राष्ट्रीय भूगर्भीय संस्थान से परीक्षण करा अनापत्ति प्रमाण पत्र प्राप्त किया जाना आवश्यक होगा। उक्त हेतु जिला स्तरीय विकास प्राधिकरण/स्थानीय विकास प्राधिकरण द्वारा आवेदक के व्यय पर अनापत्ति प्रमाण पत्र प्राप्त किय जायेगा।

* अभियुक्ति/टिप्पणी– प्रत्येक स्थानीय विकास प्राधिकरण, अपने विकास क्षेत्र में ऐसे क्षेत्रों का निर्धारण करेंगें जिसको **High Rise Buildings Zone** घोषित किया जा सके तथा विकास प्राधिकरण बोर्ड से अनुमोदन के पश्चात मास्टर प्लान में ऐसे क्षेत्र को चिन्हित किया जायेगा।

** टिप्पणीः–ग्रुप हाउसिंग के प्रकरणों में भू–खण्ड अन्तर्गत ऐसे निजी पहुँच, जो 12.0 मीटर अथवा इससे अधिक चौड़े सार्वजनिक मार्ग से सम्बद्ध हो तथा जिनकी चौड़ाई न्यूनतम 9.0 मीटर तथा उक्त निजी मार्ग से किसी अन्य भू–खण्ड को पहुँच ना हो, द्वारा उपलब्ध होने की स्थिति में भूखण्ड सार्वनजिक मार्ग से पहुँच उपलब्ध होना माना जायेगा

(i) संबंधित भवन उपयोग हेतु निर्धारित एफ0ए0आर0 की सीमा तक ।

NOTE:- For buildings within the landing and take off zones of air craft in the vicinity of aerodrome/ airport, the maximum height of the building shall be regulated by the rules for the construction of buildings in the vicinity of aerodromes by the competent Aerodrome/ airport Authority.

(II) ऊँचाई संबंधी अन्य प्रावधान :

(i) मसूरी के माल रोड पर गॉधी चौक से क्लेयरेन्स हाऊस तक दूनघाटी या खड्ड की ओर स्थित किसी भी भवन का शिखर मार्ग तल से 03 मीटर नीचे तक ही अनुमन्य होगा।

(ii) मसूरी क्षेत्र में भवनों की अधिकतम ऊँचाई 11.0 मीटर या भूतल व ऊपरी तीन तल सम्मिलित में से जो भी कम हो, अनुमन्य होगा। यह अनुमन्यता मसूरी क्षेत्र मेंवन व पर्यावरण मंत्रालय, भारत सरकार द्वारा समय–समय पर दिये गये निर्देश व निहित प्रकिया के अनुसार होगा।

चार धाम के नगरों में भवनों की अधिकतम ऊँचाई (**stilt** सम्मिलित) 6.50 मी0 एवं दो तल होगी। ऐसे प्रकरण, जिनमें टैरेस पार्किंग का प्राविधान हो, को छोड़कर अन्य प्रकरणों में ऊपरी छत अनिवार्य रूप से ढालदार होगी।[11]

(iii) नैनीताल नगर पालिका क्षेत्रान्तर्गत मात्र दो मंजिले एकल आवासीय निर्माण की अनुमन्यता ढ़ालदार छत की दशा में रिज लेवल तक अधिकतम 7.50 मी0 अनुमन्य होगी तथा ढ़ालदार छत की ढ़ाल 1 : 3 होगी। यह अनुमन्यता माननीय उच्चतम न्यायालय द्वारा दिये गये निर्देश व निहित प्रकिया के अनुसार होगा। नैनीताल नगर पालिका क्षेत्रानतर्गत परिशिष्ट–1 में वर्णित प्राविधानों का अनुपालन आवश्यकीय होगा।

(iv) चारधाम तीर्थ स्थल यथा बद्रीनाथ, केदारनाथ, गंगोत्री व यमुनोत्री में रिज लेवल तक अधिकतम 6.50 मीटर या भूतल एवं ऊपरी एक तल, इनमें से जिसकी भी ऊँचाई कम हो, अनुमन्य होगी।

(III) भवनों की ऊँचाई प्लिन्थ लेवल से ही आंकलित की जायेगी। इस हेतु भूतल से न्यूनतम प्लिन्थ लेवल 0.45 मीटर ही अनुमन्य होगा। प्लिन्थ 0.45 मीटर से अधिक होने की स्थिति में ऊँचाई का आंकलन भूमि तल से 0.45 मीटर की ऊँचाई के उपरान्त से किया जायेगा। जबकि बेसमेन्ट निर्माण की स्थिति में ऊँचाई की गणना भूमि तल से 1.20 मीटर की ऊँचाई के उपरान्त से किया जायेगा। स्टिल्ट का पार्किंग तथा आवश्यक

* समस्त संशोधन शा0देश संख्या–39, दिनांक 05.02.2019 द्वारा । ** शा0देश संख्या–2013, दिनांक 08.12.2015 द्वारा संशोधित।

11. शा0देश संख्या–1798, दिनांक 08.12.2016 द्वारा संशोधित। ।

सेवाओं यथा जनरेटर कक्ष, HVAC आदि हेतु प्रयुक्त होने की स्थिति में भवन की ऊँचाई की गणना में स्टिल्ट की ऊँचाई सम्मिलत नहीं होगी। पर्वतीय क्षेत्रों में ऊँचाई का आंकलन संबंधित टेरेस में स्थित भवन ब्लॉक के प्लिंथ से आंकलित होगी।

(IV) * पर्वतीय क्षेत्रों में अनुमन्य अधिकतम ऊँचाई इस प्रतिबन्ध के साथ अनुमन्य होगी कि प्रस्तावित ऊँचाई से प्रमुख स्थलों यथा–झील, पर्वत श्रृंखलाओं, घाटी आदि का दृश्यावलोकन बाधित न हो। मुख्य महायोजना मार्गों/राष्ट्रीय राजमार्गों / प्रान्तीय मार्गों/ जनपदीय मार्गो (**MDR/ODR**) पर स्थित भूखण्ड की दशा में भवन का शिखर तल (**ridge of sloping roof / terrace**) किसी भी दशा में सड़क सतह से 1.20 मी0 से अधिक ऊँचा नहीं होगा तथा ऐसे मार्गों में यह व्यवस्था सुनिश्चित की जायेगी की भवन उक्त वाहनीय सड़क से 4.50 मी0 की दूरी पर होने पर सड़क सतह से अधिकतम एक मंजिला (ढालदार छत सहित अधिकातम 4.5 मी0) एवं भवन के अग्रेतर तल की अनुमन्यता तभी अनुमन्य होगी जहाँ सड़क के किनारे से भवन की दूरी 4.50 मी0 तथा प्रस्तावित अतिरिक्त तल की ऊँचाई के बराबर दूरी उपलब्ध हो।

(V) ऊँचाई में छूट :–

(अ) ढ़ालदार छत की स्थिति में नियमानुसार अनुमन्य ऊँचाई के अतिरिक्त अधिकतम 1.5 मीटर का रिज लेवल अनुमन्य होगा।

(ब) वास्तुकलात्मक फीचर, पैरापिट वॉल, रूफ– टॉप वाटर टैंक, डिस्क एण्टिना, चिमनी (अधिकतम 1.5 मीटर ऊँचाई तक) एयर कन्डीशनिंग एक्यूपमेन्ट, लिफ्ट–मशीन रूम भवन में लिफ्ट होने पर (अधिकतम 4.20 मीटर ऊँचाई तक) ममटी 2.40 मीटर तक को मुक्त रखा गया है। औद्योगिक इकाईयों की चिमनियों की ऊँचाई को एतद्संबंधी गणना से मुक्त रखा गया है।

(स) उक्त समस्त निर्माण के अन्तर्गत आच्छादन छत के 20 प्रतिशत क्षेत्रफल के अन्दर ही अनुमन्य होगा। इससे अधिक का आच्छादन पूर्णतः अशमनीय होगा अर्थात ऐसा निर्माण केवल ध्वस्त होगा तथा ऊँचाई में वर्णित सभी छूट सम्बन्धी प्राविधान स्वतः ही समाप्त हो जायेंगे।

**(द) भवन से सम्बन्धित पाईप्स, सर्विस डक्ट्स, इत्यादि के उपयोग हेतु होटल तथ अस्पताल एवं तत्सम्बन्धी व्यवसायिक कियाकलापों के बहुमंजिले भवनों में अधिकतम 1.80 मीटर (बीम सहित) की ऊँचाई की "सर्विस मंजिल अनुमन्य होगी, जिसकी गणना एफ0ए0आर0 व ऊँचाई में नहीं की जायेगी। एक से अधिक "सर्विस मंजिल की गणना ऊँचाई में की जायेगी।

**(VI) **समस्त भवनों में नियमानुसार अनुमन्य ऊँचाई से अधिकतम 10 प्रतिशत ऊँचाई में वृद्धि अनुमन्य की जा सकेगी बशर्ते तलों की संख्या नियमानुसार अनुमन्य के अनुसार ही हो व अन्य अपेक्षाओं को पूर्ण करता हो ।

5.2 EXTERIOR OPEN SPACES/SET-BACKS

(I) SET-BACKS (सेट बैक)

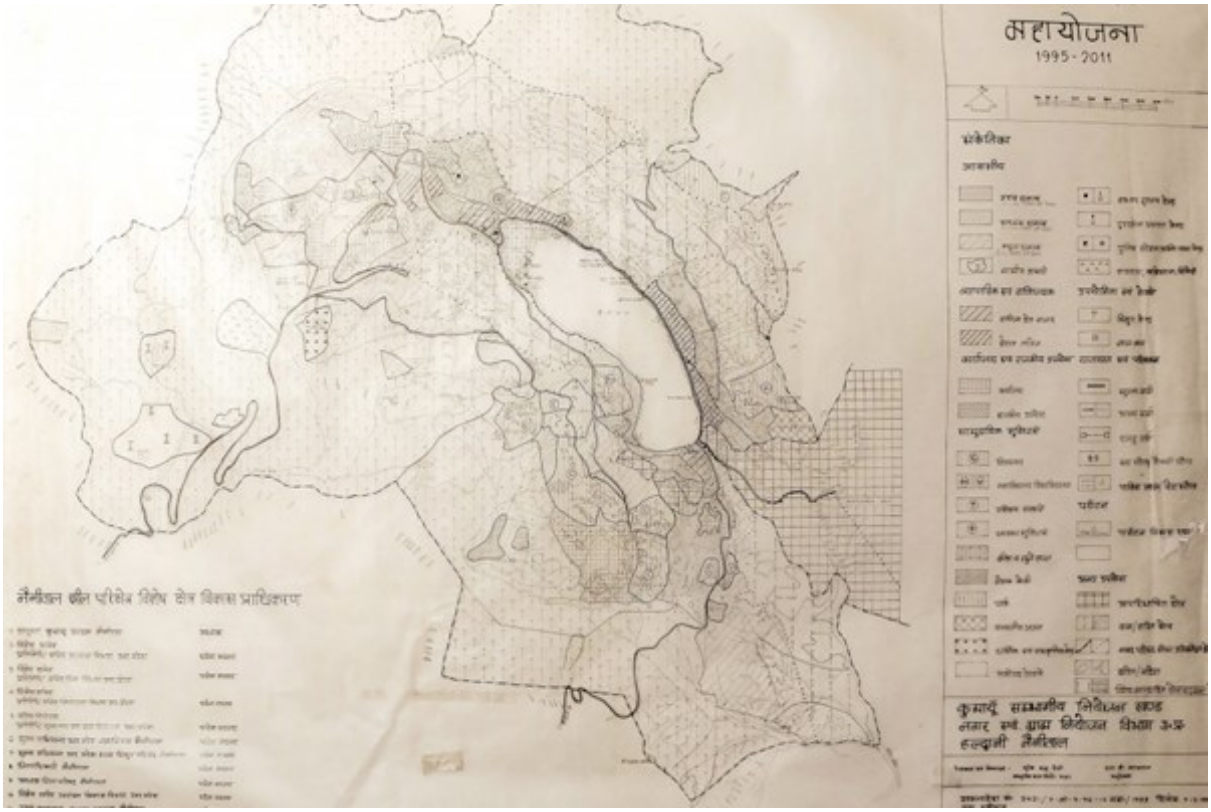
12.0 मीटर से 15.0 मीटर तक ऊंचे भवनों के चारों ओर न्यूनतम 5.0 मीटर तत्पश्चात प्रत्येक 3.0 मीटर भवन ऊँचाई अथवा उसके अंश पर सेट बैक में 1.0 मीटर अतिरिक्त अथवा निम्नानुसार निर्धारित सेट बैक में से जो भी अधिक हो, का प्राविधान आवश्यक होगा।

12.0 मीटर तक ऊंचे भवनों हेतु सेट बैक निम्नानुसार होंगे।

*शा0देश संख्या–2013, दिनांक 08.12.2015 द्वारा संशोधन। ** शा0देश संख्या–1798, दिनांक 08.12.2016 द्वारा संशोधन।

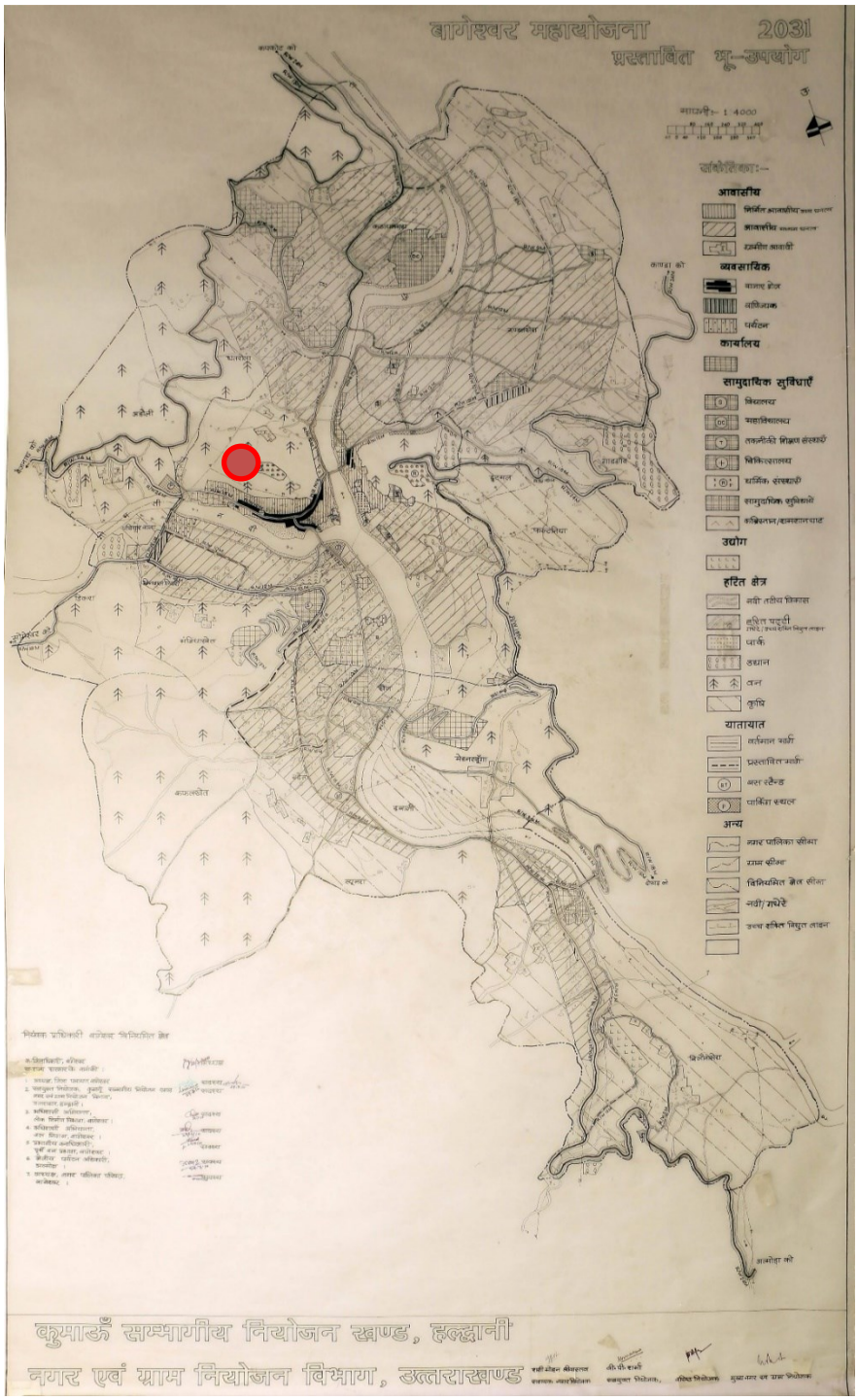
ANNEXURE -V

Mahayojna 1995-2011: Bageshwar



Bageshwar Mahayojana 1995-2011

Bageshwar Mahayojana 2031- Proposed Land use



Bageshwar Mahayojana 2031- Proposed Land use. The Protected Monument is marked as religious while Prohibited and Regulated areas are marked as forest and residential.

ANNEXURE -VI

The Baijnath or Vaidyanath, Katyu Temple and its surroundings

Image 1: Baijnath or Vaidyanath, Katyu Temple with exterior view form South direction

Image 2: Baijnath or Vaidyanath, Katyu temple from East direction

Image 3: The Brahmani Devi Temple with exterior view form North direction

Image 4: The Shiv Parvati Temple with exterior view form East direction

Architectural Features:

Image 5: Tall curvilinear shikhara of the temples

Image 6: Use of stone in construction

Image 7: Intricate carvings and sculptures, depicting various Hindu deities and mythological scenes

Image 8: Flight of stone steps, believed to have been constructed by a Katyuri queen

Image 9: Wooden truss at ceiling

PROHIBITED AREAS:

Image 10: Prohibited area view in South direction

Image 11: Prohibited area view in North direction

REGULATED AREAS:

Image 12: Regulated areas view in North direction

Image 13: Parking area in North direction

Image 14: Pond in South direction

Visibility of Protected Monument from Prohibited and Regulated Areas:

Image 15: Visibility of Protected Monument from North direction

Image 16: Visibility of Protected Monument from South direction

Image 17: Visibility of Protected Monument from East direction

Image 18: Visibility of Protected Monument from West direction

Image 19: Visibility from Protected Monument in East direction

Image 20: Visibility from Protected Monument in NorthWest direction

Traditional Architecture:

Image 21&22: Traditional architecture