No. 27-03/NMA-2025/Court (C.No.426)
Government of India
Ministry of Culture
National Monuments Authority
*****

24, Tilak Marg New Delhi- 110001
Dated: 09.07.2025

OFFICE MEMORANDUM

Subject: Unauthorized Grant of Permission to construction activities by the Local Bodies/ Municipal Corporation, in close proximity to protected monuments without prior permission from designated Competent Authority of the States/ UTs - Violation of Article 49 of the Constitution and AMASR Act, 1958.

In the wake of recent directions issued by the Hon'ble High Court of Karnataka in Writ Petition No. 9010 of 2025 filed by Shri Denis Crasta Vs. Union of India & Others vide order dated 02.06.2025, emphasizing the constitutional mandate enshrined under **Article 49 of the Constitution of India**, which obligates the State to protect monuments, places and objects of national importance from disfigurement, destruction, removal, disposal, or export, and in accordance with the provisions of the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958 (as amended in 2010) and the rules framed thereunder, the following directives are hereby issued for strict compliance by all the Local Bodies / Municipal Corporations entrusted with the regulation of construction activities:

i. No construction or developmental activity shall be permitted within the Prohibited Area (100 meters) or the Regulated Area (200 meters) of any Centrally Protected Monument without obtaining prior permission from the designated Competent Authority of the concerned State/UT, as mandated under the AMASR Act, 1958 and Rules thereunder.

ii. Prior to grant of any permission to construction activities, they must verify whether the proposed construction site falls within the Prohibited Area (100 meters) or the Regulated Area (200 meters) of any Centrally Protected Monument(s).

iii. In such cases, the exact distance of the proposed site from the Centrally Protected Monument(s) must be verified and confirmed with the office of the Archaeological Survey of India (ASI) of concerned Circles, before proceeding with any form of sanction or approval.

iv. If the proposed construction site is found to be located within the Prohibited or Regulated Area of a Centrally Protected Monument, the Local Body / Municipal Corporation/ Development Authority shall not grant any construction permission. The applicant shall be mandatorily directed to apply under Section 20C of the AMASR Act, 1958 (as amended in 2010) for seeking Request for Grant of Permission (RGP) from the office of Competent Authority designated for the respective State/UT.

v. The Local Body / Municipal Corporation shall process the application only after issuance of a valid NOC / Grant of Permission by the Competent Authority, as per the AMASR Act, 1958 (as amended in 2010) and Rules framed thereunder.

2. All concerned authorities under the jurisdiction of the respective Competent Authority are directed to ensure the widest possible dissemination of this Office Memorandum and ensure its strict and uniform compliance without any deviation.

(Bhaskar Verma)
Member Secretary
Tele: 011-23072837

To
All Competent Authorities.

Copy for information to:
1. DG, ASI
2. SA, ASI, All Circles.
3. Guard File.