F.No. 15-238/NMA/HBL-2023
Government of India
Ministry of Culture
National Monuments Authority

PUBLIC NOTICE

It is brought to the notice of public at large that the draft Heritage Bye-Laws of Centrally Protected Monument **"An Ancient mound on the Benares Ghazipur Road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh"** have been prepared by the Competent Authority, as per Section 20(E) of Ancient Monuments and Archaeological Sites and Remains Act, 1958. In terms of Rule 18 (2) of National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011, the above proposed Heritage Bye-Laws are uploaded on the following websites for inviting objections or suggestions from the Public:

i. National Monuments Authority **www.nma.gov.in**
ii. Archaeological Survey of India **www.asi.nic.in**
iii. Archaeological Survey of India, Sarnath Circle **www.asisarnathcircle.org**

2. Any person having any objections or suggestion may send the same in writing to Member Secretary, National Monuments Authority, 24, Tilak Marg, New Delhi- 110001 or mail at the email ID **ms-nma@nic.in** and **arch-section@nma.gov.in** latest 9th July, 2023. The person making objections or suggestion should also give their name and address.

3. In terms of Rule 18(3) of National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011, the Authority may decide on the objections or suggestions so received before the expiry of the period of 30 days i.e. 9th July, 2023, in consultation with Competent Authority and other Stakeholders.

(Col. Savyasachi Marwah)
Director, NMA
9th June, 2023

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

Draft Heritage Bye-laws An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh

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 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 Centrally Protected Monument **"An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh "**prepared by the Competent Authority, 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 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.

Draft Heritage Bye-Laws

CHAPTER I

PRELIMINARY

1.0Short title, extent and commencements:-

(i) These bye-laws may be called the National Monuments Authority bye-laws 2021 of Centrally Protected Monument **"An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh".**

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(ii) They shall extend to the entire prohibited and regulated area of the monuments.

(iii) They shall come into force with effect from the date of their publication.

1.1Definitions:-

(1) In these bye-laws, unless the context otherwise requires, -

(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);

(d) "archaeological officer" means and 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 or 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) "floor area ratio (FAR)" means the quotient obtained by dividing the total covered area (plinth area) on all floors by the area of the plot;
FAR = Total covered area of all floors divided by plot area;

(i) "Government" means The Government of India;

(j) "maintain", with its grammatical variations and cognate expressions, includes the fencing, covering in, repairing, restoring and cleansing of 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;

(k) "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;

(l) "preservation" means maintaining the fabric of a place in its existing and retarding deterioration.

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

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

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

(p) "regulated area" means any area specified or declared to be a regulated area under section 20B;

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

(r) "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.

CHAPTER II

Background of the Ancient Monuments and Archaeological sites and remains (AMASR) Act, 1958

2.0 Background of the Act:-The Heritage Bye-Laws are intended to guide physical, social and economic interventions within 300m in all directions of the Centrally Protected Monuments. The 300m 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 one hundred 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 two hundred 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.

2.1 Provision of the Act related to Heritage Bye-laws: - The AMASR Act, 1958, Section 20E and Ancient Monument and Archaeological Sites and Remains (Framing of Heritage Bye-Laws and other function of the Competent Authority) Rules 2011, Rule 22, specifies framing of Heritage Bye-Laws for Centrally Protected Monuments. The Rule provides parameters for the preparation of Heritage Bye-Laws. The National Monuments Authority (Conditions of Service of Chairman and Members of Authority and Conduct of Business) Rules, 2011, Rule 18 specifies the process of approval of Heritage Bye-laws by the Authority.

2.2 Rights and Responsibilities of Applicant:-The AMASR Act, Section 20C, 1958, 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, 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: An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh.

3.0 Location and Setting of the Monument:

An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh.

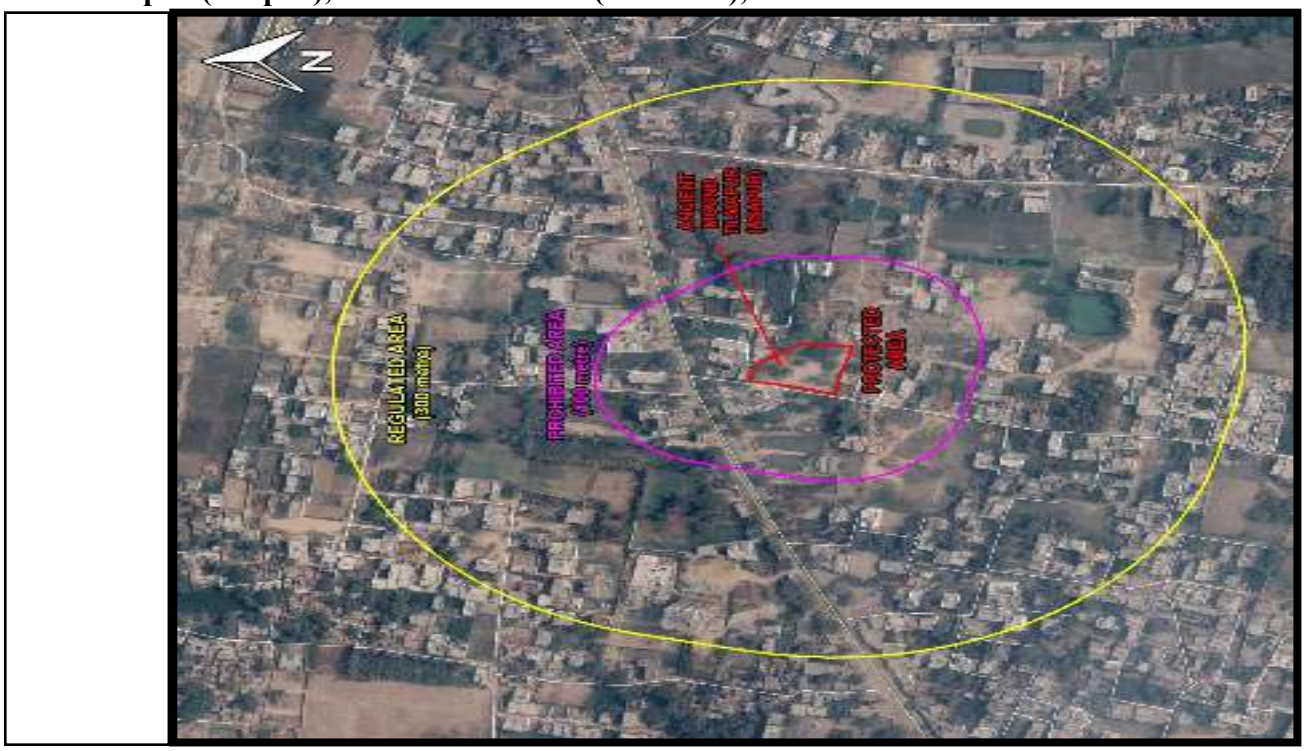


Figure 1, Google map showing location of An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh.

3.1 Protected boundary of the Monument:

The Protected boundaries of the Centrally Protected Monuments-"Budhist Stupa", Tajpur Deur, District- East Champaran, Bihar, may be seen at Annexure-I

3.1.1 Notification Map/ Plan as per ASI records:

It may be seen at Annexure II

3.2 History of the Monument:

On the basis of the potsherds scattered all over the mound, the monument can be related to following four periods: Late N.B.P., Sunga, Kusana and Gupta.

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

Basically, the monument is a small archaeological mound lying at a short distance from the Varanasi – Gorakhpur road [NH-29], inside the Tilamapur village. Moreover, some potsherds can be seen over this earthen mound which relates it to the ancient periods of Late N.B.P. to Gupta. Apart from this, a small "Majjar" is also present inside the protected boundary of monument, but it is not stated protected.

3.4 Current Status:

3.4.1Condition of the Monument- condition assessment:

Since, the monument is a natural earthen mound, as such no scope for preservation and restoration can be defined.

3.4.2Daily footfalls and occasional gathering numbers:

Per week about 15-20 people from of the local town usually visit the monument.

CHAPTER IV

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

4.0 Existing zoning:

In the **"Varanasi Maha Yojana 2031"**, prepared by **Varanasi Sambhagiya Niyojan Khand** and **Nagar Evam Gram Niyojan Vibhaag, Uttar Pradesh, Varanasi** for Varanasi city, "Tilamapur" village is also shown. Therefore according to it the monumental site is marked as **"Water Work"** zone, a sub section of **"Public Utilities".** Futher, in the same **"Varanasi Mahayojana – 2031"**, the various heritage monuments and sites of Varanasi city are categorised under the**"Heritage Monuments/Archaeological Site"** zone.

Whereas specifically for Tilamapur village, as such no image of local development plan is yet available in public domain.

4.1 Existing Guidelines of the local bodies:

It may be seen at Annexure III.

CHAPTER V

Information as per First Schedule, Rule 21(1)/ total station survey of theProhibited and the Regulated Areas on the basis of boundaries defined in Archaeological Survey of India records.

5.0 Contour Plan of:

Survey plan Annexure IV

5.1 Analysis of surveyed data:

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

Protected Area (approx.)	:	2941.7 Sqm (0.70 Acres).
Prohibited area (approx.)	:	56107.4 Sqm (13.8 Acres).
Regulated area (approx.)	:	300294.7 Sqm (74.20 Acres).

Salient features:

Height of the Monument: 0.6 M

The monument is surrounded by many present day modern structures existing throughout the prohibited and regulated areas. Whereas, some open spaces in form of unconstructed plots, small agricultural land, lawns, play-ground, low-land filled with water and ponds are also present enveloped by these modern buildings. Further, the built up area is mostly residential and commercial. Apart, many public structures including schools, hospitals, public toilets, drinking water fountains, marriage gardens, petrol pump and apartments along with other miscellaneous structures are also present in both prohibited and regulated areas. Additionally, many small city roads including a national highway are also present in surroundings, providing good connectivity within circumventing area and with other parts of the city.

5.1.2 Description of built up area:

ProhibitedArea:

North: Residences, shops and some tin-shade structures are present in this direction. Moreover, some shops, residences and tin-shade structures arealso present in north-west direction.
South: Residences and tin-shade structures are present in this direction. Apart from this, residences and tin-shades structures are also present in the south-west direction.
East: Residences and tin-shade structures are present in this direction. Further, some residences are also present in the north-east direction.
West: Residences, a marriage garden and some tin-shade structures are present in this direction. Moreover, some residences, shops and tin-shade structures are also present in the south-west direction.

RegulatedArea:

North: Residences, shops and tin-shade structures are present in this direction. Some residences, shops, a petrol-pump, public toilet and drinking water fountain are also present in the north-west direction.

South: Residences, some miscellaneous structures along with tin-shade structures are present in this direction. Some residences and tin-shade structures are also present in the south-east direction.

East: Residences, tin-shade structures, shops, a school and a high tension electric line tower are present in this direction. Further, some residences

5.1.3 Description of green/open spaces:

Prohibited area:

North: Small unconstructed patches of land covered with trees are present in this direction. Further, some unconstructed plots enclosed within boundary walls are also in north-east direction.
South: Open unconstructed plots from which some are even enclosed with boundary walls are present in this direction. Similar plots are also presentin the south-west direction.
East: Open unconstructed plots with some parts occupied for agriculture purposes are present in this direction. Moreover, some open unconstructed plots having boundary walls are also present in the south- east direction.
West: Open unconstructed plots enclosed by boundary walls along with an openlawn lying at the premises of a marriage garden are present in this direction. Moreover, small open land is also present in the north-west direction.

Regulated area:

North: Two small patches of low land which often gets filled with water and openunconstructed land with some parts used for agricultural purposes is present in this direction. Apart from this, open plots covered with tress and also utilised for cultivation purposes are also present in the north-east direction.

South: Open plots having small trees along with a small water pond is present inthis direction. Whereas, some unconstructed plots and an open ground are also present in the south-west direction.

East: Good amount of open land, some agricultural patches, two lawns and a playground are present in this direction. A water pond, some agricultural plots and an open unconstructed land is also present in the south-east direction.

West: Open unconstructed land, some open plots along with a lawn and a pavedparking area are present in this direction. Additionally, open agricultural lands and some open plots enclosed within boundary walls are also present in the north-west direction

5.1.4 Area covered under circulation- roads, footpaths etc.:

Many narrow city roads/streets both metalled and non-metalled are presentscattered all around the prohibited and regulated area of the monument. Further, Varanasi – Gorakhpur Highway [NH-29] also passes from the north & north-west direction of the prohibited area, and from the west and north-east direction of the regulated area.

5.1.5 Heights of buildings (Zone wise):

100m – 200m from prohibited limit: (first regulated area)

North & North-East: The maximum height is 13.5 m.
South & South-West: The maximum height is 12.0 m.
East & South-East: The maximum height is 8.5 m.
West & North-West: The maximum height is 19.6 m.

200m - 300m from first regulated limit: (Second regulated area)

North & North-East: The maximum height is 12.5 m.
South & South-West: The maximum height is 15.0 m.
East & South-East: The maximum height is 13.0 m.
West & North-West: The maximum height is 39.15 m.

5.1.6 State protected monuments and listed Heritage Buildings by local Authorities, if available, within the Prohibited/Regulated Area:

There is no state protected monument or any other local body protectedmonument present in the prohibited and regulated area of the ASI monument.

5.1.7 Public amenities:

No public amenities are available at the monument.

5.1.8 Access to monument:

The monument up to its entry point is accessed by a metalled street present in thewest and north-west direction lying adjacent to the protected boundary. The samestreet extends up to 40m in the north direction and gets connected with Varanasi – Gorakhpur Highway [NH-29].

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

No infrastructural services and facilities are available at the monument.

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

Varanasi Sambhagiya Niyojan Khand and **Nagar Evam Gram Niyojan Vibhaag, Uttar Pradesh,Varanasi** for Varanasi city, "Tilamapur" village is also shown. Therefore according to it the monumental site is marked as **"Water Work"** zone, a sub section of**"Public Utilities".**

CHAPTER VI

Architectural, historical and archaeological value of the monument

6.0 Architectural, historical and archaeological value:

On the basis of the potsherds scattered all over the mound, the monument can berelated to Late N.B.P., Sunga, Kusana and Gupta periods which defines for its immense historical value. Similarly, due to these same potsherds which can be seen dissipated all around at the top of the monument, there might be possibilitiesfor presence of unexcavated structures lying buried at the lower layers of this earthen mound, which defines for its archaeological significance.

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

At present the monument is enveloped by many modern structures present scattered all around the prohibited and regulated areas. Especially in the north- east, north-west, south, south-west and south-east directions of regulated area, comparatively more construction and settlement is occurred. Apart from this, many open spaces in form of unconstructed plots, agricultural land, open land with trees also exists in between of these modern buildings. Since, the town area is developing with time, these existing patches of open spaces seems to be soon occupied by modern settlement activities making them more sensitive and prone towards development and construction activities.

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

Since, the monument is a low heighted earthen mound, as such it is only visible from the east, west and south-west direction of the prohibited area, due to open area. Else, from remaining directions, it stands completely hidden behind modern structures.

6.3 Land-use to be identified:

The land use is mostly residential and commercial. Additionally, many public buildings including schools, hospitals, public toilets, drinking water fountains, marriage gardens, petrol pump and apartments along with other miscellaneous structures are also present in both prohibited and regulated areas. Further, in the north, south and south-east direction of the regulated area, small patches of low land also exists which often seems to get filled with water.

6.4 Archaeological heritage remains other than protected monument:

No archaeological heritage remains and sites are present in the both the prohibitedand the regulated area.

6.5 Cultural landscapes:

Due to the present day modern structures, the cultural landscapes of the monument are almost disturbed. Except, open patches of land present in form of play-ground, lawns, unconstructed plots, small agricultural land, low-land area filled with water and etc. present in the surroundings, adds a natural setting to themonument.

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

The open land having trees present in the north, north-west, east, south-east, and south-west directions of the regulated area along with small patches of cultivation lands safe guards the monument from construction activities and environmental pollution.

6.7 Usage of open space and constructions:

Most of the open spaces exists in form of unconstructed land having trees or agricultural land. While, some open spaces are also present as unconstructed plots surrounded by modern buildings. Further, in the east direction of regulated area, the open land is used as play-ground. Additionally, the open spaces in the west direction of both the prohibited and regulated areas is also used in form of lawn/garden. Else, the constructed structures are mostly used for residential and commercial purposes. While, many public buildings such as hospital, school, petrol-pump, toilets etc. are also present in the surroundings.

6.8 Traditional, historical and cultural activities:

As such no traditional, historical and cultural activities are followed till date at the monument's premises except, people from local area visit a small "Majjar" present inside our protected boundary.

6.9 Skyline as visible

Since, the monument is a low heighted earthen mound, as such it not visible in theskyline, when compared with the surrounding area.

6.10 Vernacular Architecture:

No vernacular architecture has been in prevalence around the monument.

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

It may be seen at **Annexure-IV**

6.12 Building related parameters:

(a) Present height of the construction on the site:

Direction	Present Height in first regulated area in Meters	Recommend edHeight in first regulated area in Meters	Present Height in second regulated area in Meters	Recommended Height in second regulated area
North & North-East	13.50	15.00	12.50	18.00
South & South-West	12.00	15.00	15.00	18.00
East & South-East	8.50	15.00	13.00	18.00
West & North-west	19.60	15.00	39.15	18.00

Note:

1. The above mentioned height of the building excludes the height of parapet wall, mumty andwater tank which should not be more then 2.5m.

2. Apart from this National Monument Authority may take its final decision.

(b) Floor Area:- 12 Sqm. to 3910.70 Sqm.

(c) Usage: - The land occupied by modern buildings is mostly under residential and commercial use. Additionally, some public structures and miscellaneous structures are also present in both the prohibited and regulated areas. While, open land is also used for agricultural purposes. Further, the open areas are also present in form of playground and lawns which are used for recreational purposes. Else in future, the development ought not influence or aggravate the authenticity of our monument.

(d)Façade design:-

Presently, the exteriors of the existing buildings and structures are mostly workedin current day style, likewise having modern facades. Therefore, the façade of future constructions should match the ambience of the monument to maintain its sanctity. And, during positioning of the building, it should be placed in such manner that it doesn't obscure the view of the protected monument, when viewedfrom the surroundings

(e) Roof design:

At present, flat roof styles with parapets and modern style chajjas are mostly used in the existing buildings and structures. Further in future, similar pattern/styles can be allowed without affecting the authenticity of our monument.

(f) Building material:

Modern construction material such as Cement, bricks and so on are used in the existing buildings which are the locally available materials. Else in future, the materials preferred for the future construction, should go along the aesthetics ofthe monument.

(g) Colour:

Variety of colours are used for finishing and designing of existing buildings. Else, in the future, construction should go in hand with the visual aesthetics of the monument. Moreover, colours/textures having muddy/earthen shades can be used on façade so that they should not contrast the monument visually.

6.13 Visitors facilities and amenities:

No visitor facilities and amenities are available at the monument.

CHAPTER VII

Site Specific Recommendations

7.1 Site Specific Recommendations:

a) Setbacks:

- The front building edge shall strictly follow the existing street line. The minimum open space requirements need to be achieved with setbacks or internal courtyards and terraces.

b) Projections:

- No steps and plinths shall be permitted into the right of way at ground level beyond the obstruction free' path of the street. The streets shall be provided with the obstruction free' path dimensions measuring from the present building edge line.

c) Signages:

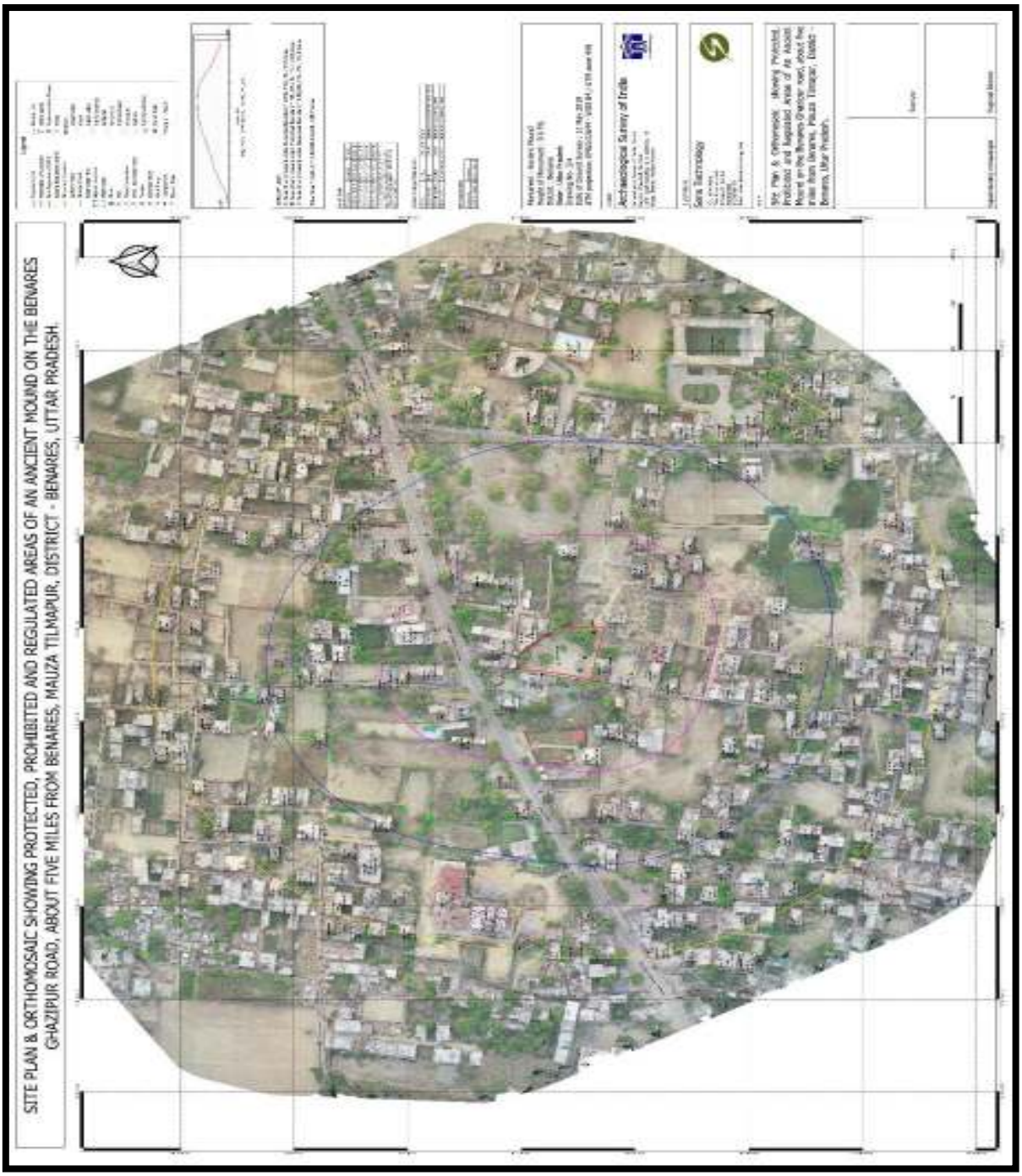
- LED or digital signs, plastic fibre glass or any other highly reflective synthetic material may not be used for signage in the heritage area. Banners may not be permitted, but for special events/fair etc. it may not be put up for more than three days. No advertisements in the form of hoardings, bills within the heritage zone will be permitted.
- Signages should be placed in such a way that they do not block the view of any heritage structure or monument and are oriented towards a pedestrian.
- Hawkers and vendors may not be allowed on the periphery of the monument.

7.2 Other recommendations:

- Extensive public awareness programme may be conducted.
- Provisions for differently able persons shall be provided as per prescribed standards.
- The area shall be declared as Plastic and Polythene free zone.
- National Disaster Management Guidelines for Cultural Heritage Sites and Precincts may be referred at https://ndma.gov.in/images/guidelines/Guidelines-Cultural-Heritage.pdf

ANNEXURE I

Protected boundaries of the Centrally Protected Monument " An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh



ANNEXURE II

Notification map as per ASI records-definition of Protection Boundaries

Original Notification

Public Works Department, United Provinces,
Buildings and Roads Branch.

No.5012 M. / 51-1923 dated Lucknow December 2, 1926.

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 3 of the Ancient Monuments Preservation Act, 1904 (No.VII OF 1904), the Governor in Council has been pleased to confirm this departmen notification No. 4468-M/51 1923, dated October 23, 1926, published on page 1045 of part I of the United Provinces Gazette, dated October 30, 1926, declaring the following monument as protected under the said Act :-

N ame and description of monument.	District:	Locality:
An Ancient mound on the Benares Ghazipur road, about five miles from Benares.	Benares.	Mauza Tilmapur.

By order,

Sd/- P.H.Tillard,
Secretary.

'MK'

Typed copy of Original Notification

Public Works Department, United
Provinces,Building and Roads Branch.

dated Lucknow December 2, 1926.

No. 5012 M.

51-1923

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section of the Ancient Monuments Preservation Act, 1904 (No. VII OF 1904), the Governor in Council has been pleased to confirm this department notification No. 4468-M/51 1923, dated October 23, 1926, published on page 1045 of Part I of the United Provinces Gazette, dated October 30, 1926, declaring the following monument as protected under the said Act:-

Name and description of monument.	District:	Locality:
An Ancient mound on the Benares Ghazipur road, about five miles fromBenares.	**Benares.**	**Mauza Tilmapur.**

By order,

Sd/- P.H. Tillard,
Secretary.

ANNEXURE III

Existing Guidelines of the local bodies / Status of:

The principles and guidelines of the state government that would be applicable for different sorts of development and construction works are referenced in **"Development Authority Building Construction and Development sub method – 2008; Revised 2016** (clause 1.1.1, 1.1.2 and 1.2.1), which is defined under the "**Uttar Pradesh municipal planning and development act - 1973".**

Permissible Ground Coverage, FAR/FSI and Heights with the regulatedarea for new construction, Set Backs.

Provisions for construction indicated in **"Development Authority Building Construction and Development sub method – 2008; Revised 2016** (clause 1.1.1, 1.1.2 and 1.2.1) defined under the "**Uttar Pradesh municipal planning anddevelopment act - 1973",** are as follows:

Setbacks for residential buildings (Sub section – 3.4.1) with maximum allowed height is 12.5m (with stilt floor) and 10.5 m (without stilt floor):

Table 1

Specification	Plot Area (Sq. Mt.)	Front Margin	Rear Margin	Side1 Margin	Side2 Margin
Row Housing	Up to 50	1.0	-	-	-
	50 to 100	1.5	1.5	-	-
	100 to 150	2.0	2.0	-	-
	150 to 300	3.0	3.0	-	-
Semi Detached	300 to 500	4.5	4.5	3.0	-
Detached	500 to 1000	6.0	6.0	3.0	1.5
	1000 to 1500	9.0	6.0	4.5	3.0
	1500 to 2000	9.0	6.0	6.0	6.0

Setbacks for Commercial/ Official buildings (Sub-section - 3.4.2 (I)), withheight upto 15m:

Table 2

Area of land in Sqm.	Set Back (In Meters)			
	Front	Rear	Side1	side2
Up to 200	3.0	3.0	-	-
201 - 500	4.5	3.0	3.0	3.0
More than 501	6.0	3.0	3.0	3.0

Setbacks for Institutional/Community facilities except Educational Institutions (Sub-section - 3.4.2 (II)), with height upto 12.5m:

Table 3

Area of land in Sqm.	Set Back (In Meters)			
	Front	Rear	Side1	side2
Up to 200	3.0	3.0	-	-
201 - 500	6.0	3.0	3.0	-
501 - 2000	9.0	3.0	3.0	3.0
2001 - 4000	9.0	4.0	3.0	3.0
4001 – 30000	9.0	6.0	4.5	4.5
More than 30000	15.0	9.0	9.0	9.0

Setbacks for Educational Institutions (Sub-section - 3.4.3), with maximumallowed height 10.5 m:

Table 4

Area of land in Sqm.	Set Back (In Meters)			
	Front	Rear	Side1	side2
Up to 500	6.0	3.0	3.0	-
500 – 2000	9.0	3.0	3.0	3.0
2001 - 4000	9.0	4.0	3.0	3.0
4001 – 30000	9.0	6.0	4.5	4.5
More than 30000	15.0	9.0	9.0	9.0

Setbacks for building having height more than 12.5m (Sub-section –3.4.5):

Table 5

Height of Building (m)	Setback left around the Building (m)
12.5 to 15	5.0
15 to 18	6.0
18 to 21	7.0
21 to 24	8.0
24 to 27	9.0
27 to 30	10.0
30 to 35	11.0
35 to 40	12.0
40 to 45	13.0
45 to 50	14.0
50 to 55	15.0
Above 55	16.0

⇒ Ground Coverage and FAR / FSI for various types of land use (Sub-section – 3.5.1):

Table 6

Sr. No.	Land Use	Ground Coverage in %	F.A.R.
1.	**Plotted residential**		

A	Constructed/ Developed Area		
	Upto 100 Sqm	75	2.00
	101-300 Sqm	65	1.75
	301-500 Sqm	55	1.50
	501-2000 Sqm	45	1.25
B	New /Undeveloped area		
	Upto 100 Sqm	75	2.00
	101-300 Sqm	65	1.75
	301-500 Sqm	55	1.50
	501-2000 Sqm	45	1.25
2.	**Commercial**		
A	Constructed/ Developed Area:		
	• City Centre/ Central Business District	45	2.00
	• Sub-City Centre/ Sub-Central Business District	50	1.75
	• Other Commercial zones	60	1.50
B	New /Undeveloped area		
	• City Centre/ Central Business District	40	3.00
	• Sub-City Centre/ Sub-Central Business District	45	2.50
	• Other Commercial zones	50	1.75
3.	**Official**		
	• Constructed Area	50	1.50
	• Developed Area	45	2.00
	• New/ Underdeveloped area	40	2.50
4.	**Educational**		
A	Constructed / Developing area		
	• Primary or Nursery school	35	1.00
	• High school / Intermediate / Higher institutes	30	1.00
B	New / Undeveloped area		
	• Nursery school/ Primary school	40	1.20
	• High school / Intermediate	35	1.20
	• Degree college	35	1.50
	• Technical / Management institute	35	2.00

5.	**Community and Institutional facilities**		
A	Constructed / Developed area	40	1.50
B	New / Underdeveloped area		
	• Community hall, marriage hall & Religious building	40	1.50
	• Other Institutes	30	2.00
6.	**Hotel**		
	• Constructed / Developed area	40	2.00
	• New / Underdeveloped area	40	2.50
7.	**Hospital**		
A	Constructed / Developed area		
	Clinic/ Dispensary	35	1.50
	50 bedded Nursing home	35	1.50
	Hospital having more than 50 beds	35	1.50
B	New / Underdeveloped area		
	Clinic/ Dispensary	40	1.50
	50 bedded Nursing home	35	1.50
	50-100 bedded hospitals	30	2.00
	Hospitals having more than 100beds	30	2.50
8.	**Open area**		
	• Constructed / Developed area	2.5	0.025
	• New / underdeveloped area	2.5	0.025

⇒ **Specifications for Basement Construction (Sub-section – 3.9.1, 3.9.2 &3.9.3):**

- Basement shall not be used for residential purpose. And no toilet and kitchen are allowed to be constructed in basement.
- The basement is permissible below the inner courtyard and shaft.
- The construction of basement will be done only after evaluation of the structure. The neighbouring property should be 2m away from the propertywhere basement has to be constructed.
- The height between the floor and the beam bottom should be from 2.1m – 4.5m.

For different type of buildings the construction of basement should be accordingly:

Table 7

Sr. No.	Land area (in Sqm)	Type of Land-use	Provision for Basement
1.	Upto 100	Residential/ other non - commercial	Not Permissible
		Official and commercial	50 percent of ground coverage
2.	100 to 500	Residential	Same as ground coverage
		Non - Residential	Same as ground coverage

3.	500 to 1000	Residential	One basement till building's envelope line
		Non - Residential	Two basements till building's envelope line
3.	Above 1000	Residential/ Group Housing, Commercial, Official, Community facilities and other multi storied buildings	Double basements are allowed for 1000-2000 Sqm. area of land
			Four basements are allowed in 2000-10000 Sqm. area of land.
			No restrictions of basements for land having more than 10000 Sqm area.
		Industrial	Two basements till building's envelope line

Specifications for Parking Facility (Sub-section – 3.10.1 & 3.10.3) :

A. The circulation area required for common car parking:

Table 8

Type of Parking Area	Circulation Area (sqm)
Parking in open area	23
Covered parking	28
Parking in basement	32
Mechanised Parking	16
Two wheelers including bicycles	2

B. The standard of parking arrangements for residential are as follows:

Table 9

Type of Uses	Land area (in Sqm)	Car Parking for each residential unit
Plotted Residential	101 to 200	1.00
	201 to 300	2.00
	Above 300	1.00
Group housing	Less than 50	2.00 sqm area per Plot
	50 to 100	1.0 / Plot
	100 to 150	1.25 / Plot
	Above 150	1.50 / Plot

Heritage byelaws/ regulations/ guidelines if any available with local Bodies.

In the "**Development authority building construction and development sub method - 2008; Revised 2016, sub section – 3.1.9 (I) & (II)**, there is a demonstration about the ASI's act relevant for the monuments and heritage sites declared protected by the ASI. It is elaborates that, no construction and development is permitted in a periphery of 100m (prohibited area) from the protected boundary of the archaeological monument/sites. And, beyond that, up to 300m (regulated area), the approbation for construction / development would be obtained from the Department of ASI as per the rules of the Ancient Monument and Archaeological Site and Remains Act, 1958.

Open spaces.

Standard deference to arrangement of open spaces during construction are briefed in the "**Development authority building construction and developmentsub method – 2008; Revised 2016", sub section – 2.2.1 & 2.2.3,** which are mentioned below:

1. **Residential land-use**: 15 percent of layout plan is left as open space as Tot-Lot, park and play ground.

2. **Non Residential land-use:** 10 percent of layout plan is left as open spaceas Tot-Lot, park and play ground.

3. **Landscape Plan:**
   a. The trees will be planted at distance of 10m on one side along the roadwhen the road width is 9m or less than 12m.
   b. The trees will be planted on both side along the road when road width ismore than 12m.
   c. The area of the road left after divider, footpath etc. will be used to planttrees.

4. In commercial planning the 20 percent of open space will be reserved for greenery and 50 trees will be planted per hectare.

5. In the areas like institutional area, public amenities, playground, 20 percent of open area is reserved for greenery where 25 trees are planted per hectare.

Mobility with the Prohibited and Regulated area –Road Surfacing Pedestrian Ways, non –motorised Transport etc.

Specifically for mobility in the prohibited and regulated areas of the monument, assuch no provisions are made under any of the current state government acts andguidelines. While, on the streets subsisting close to the monument, mostly slow moving motorized and non-motorized conveyances including two wheelers, bicycle, tempos, car jeeps, taxi, vans, auto rickshaws, mini bus, truck, meta door,tractor and trolley, tongas, thelas and etc., can be seen consistently.

Further, in **"Varanasi Maha Yojana 2031"**, prepared by **Varanasi Sambhagiya Niyojan Khand** and **Nagar Evam Gram Niyojan Vibhaag, Uttar Pradesh, Varanasi** for Varanasi city, width of the "Varanasi – Gorakhpur highway [NH-29]"is proposed as 30m.

Apart from this, other Road/ Street Development parameters specified under the "Development authority building construction and development sub method **– 2008; Revised 2016", sub section – 2.3.1 & 2.3.2:**

- For Residential:

Table 10

Sr. No.	Length Of Road in Mts.	Width of Road in Mts.
1.	Upto 200 Mts.	9
2.	201 - 400	12
3.	401 - 600	18
4.	601 - 1000	24
5.	Above 1000	30

- Width of Loop Street should not be less than 9 Mts length not more than 400Mts.
- Width of Road with open land or open area on one side can be 7.5 Mts and itshould not be more than 200 Mts in length.
- In case of bulk sale of lands with area upto 50 Acres, the width of access roadshould not be less than 24 Mts, and not less than 30Mts with area more than50 Acre.

- For Commercial/Official/ Industrial :

Table 11

Sr. No.	Length Of Road in Mts.	Width of Road in Mts.
1.	Upto 200 Mts.	12
2.	201 - 400	18
3.	401 – 1000	24
4.	Above 1000	30

Streetscapes, Facades and New construction

Streetscapes and Facades:

There are no specific Bye-Laws and Guidelines available for the Streetscapes andFacades within the Prohibited and Regulated area.

New constructions:

Rules and regulations applicable for various types of new construction anddevelopment work throughout the Tilamapur village, are already specified in preceding sections, with respect to the existing local development authorities. Further, no guidelines and provisions are framed in yet pertinent to streetscapes and facades within the Prohibited and Regulated areas of the ASI protected monument

Annexure – III

Provide information as per First Schedule (Rule 21 (1))/ Total Station Survey of the Prohibited and Regulated area on the basis of boundaries defined in ASIrecords.

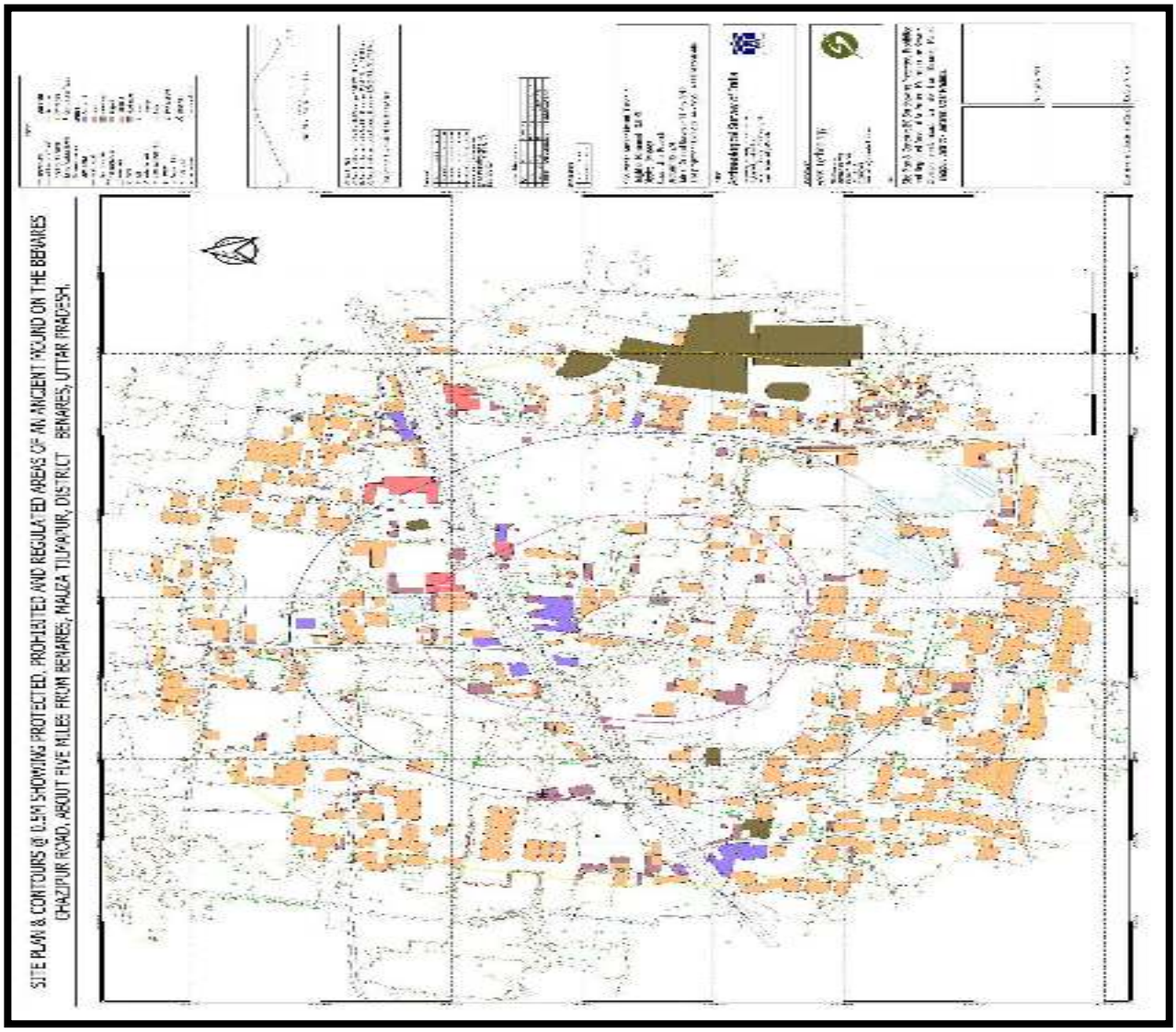


Figure 5, Site plan with contours showing Protected, Prohibited and Regulated boundaries for An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh

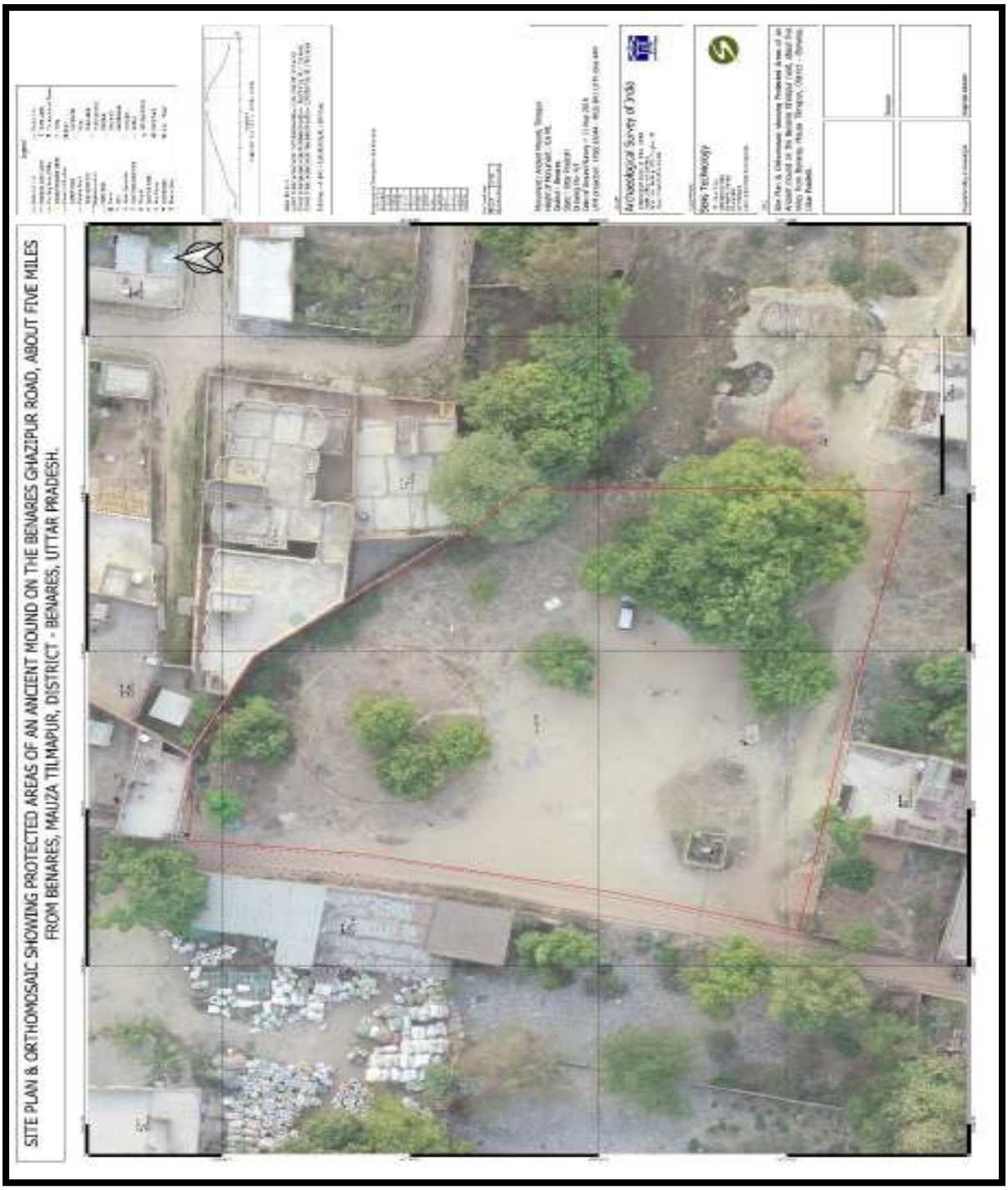


Figure 6, Site plan with Orthomosaic showing Protected Area of An Ancient mound on the Benares Ghazipur road, about five miles from Benares, Mauza Tilmapur (Asapur), District – Benares (Varanasi), Uttar Pradesh

Development plan as available by the local authorities.

Figure 7, City Development Plan of Varanasi

(Source: https://vdavns.com/varanas-master-plan-2031-ZR.aspx)

Plate 1, Views of the mound.