F.No. 15-244/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 "**A large temple dedicated to the Sun Temple, Katarmal, Almora**" 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**

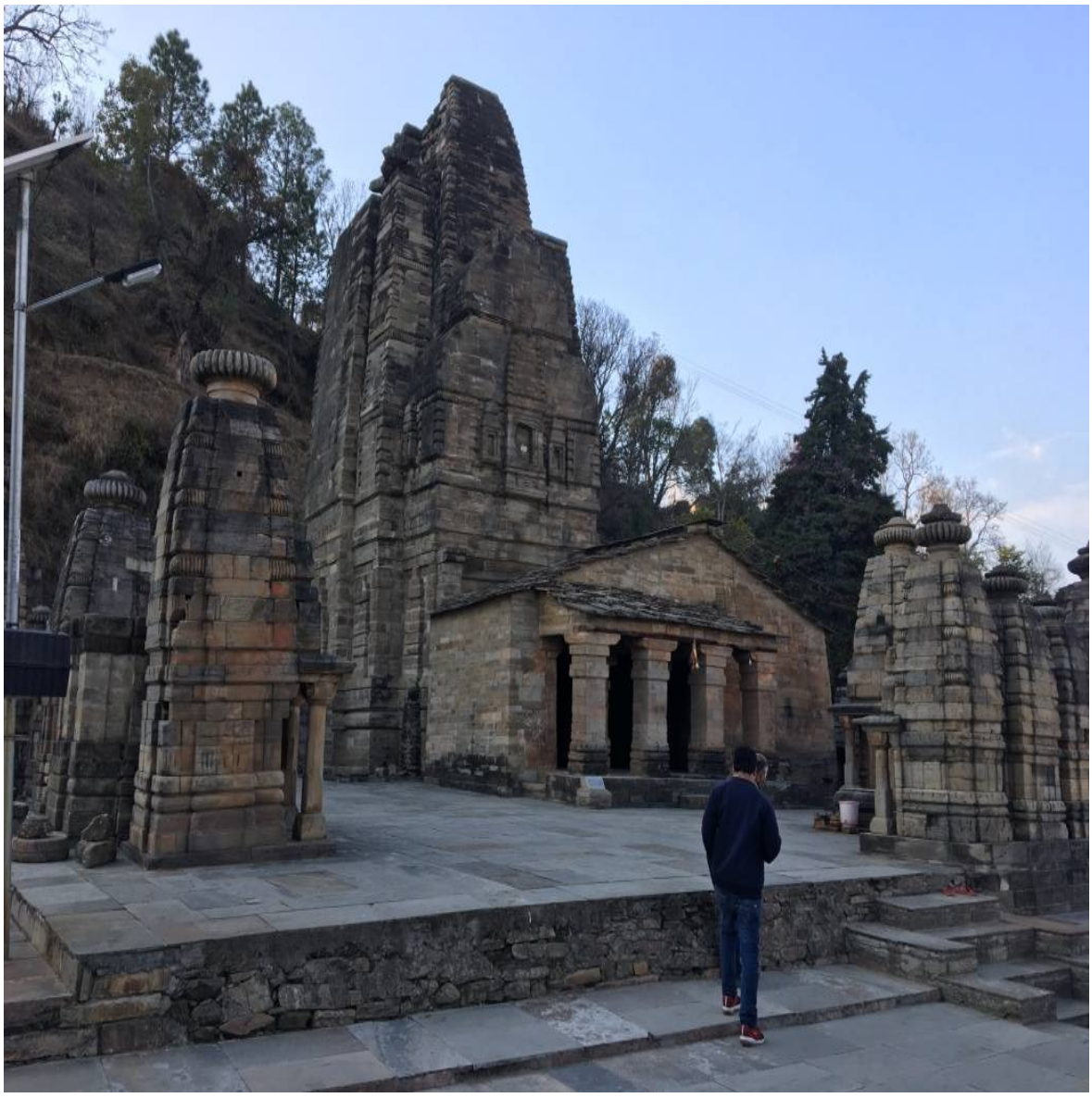
iii. Archaeological Survey of India, Dehradun Circle **www.asidehraduncircle.in**

2. Any person having any objections or suggestions 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 by 20th July, 2023. The person making objections or suggestion should also give their name, address and mobile number.

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. 20th July, 2023 in consultation with Competent Authority and other Stakeholders.

(Col. Savyasachi Marwaha)
Director, NMA
23rd June, 2023

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY



Draft Heritage Bye-laws for A large temple dedicated to the Sun Temple, Katarmal village, Almora, Tehsil

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 **"A large temple dedicated to the Sun Temple, Katarmal village, Almora, Tehsi**l", prepared by the Competent Authority and in consultation with the Indian National Trust for Culture, are hereby published 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;

The objections/suggestions received before the specified date have duly been considered by the National Monuments Authority in consultation with the Competent Authority.

Now, therefore, in exercise of the powers conferred by clause (5) of the section 20 (E) of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 the National Monuments Authority, hereby make the following bye-laws namely:-

Draft Heritage Bye-Laws

CHAPTER I

PRELIMINARY

1.0 Short title, extent and commencements: -

(i) These bye-laws may be called the National Monument Authority Heritage bye-laws 2019 of Centrally Protected Monument **"A large temple dedicated to the Sun Temple, Katarmal village, Almora, Tehsil"**

(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.

1.1 Definitions: -

(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 Rule 22 of Ancient Monument and Archaeological Sites and Remains (Framing of Heritage Bye-Laws and other function of the Competent Authority) Rules 2011, 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:- Section 20C, AMASR Act, , 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 Monument – Sun Temple, Katarmal, Almora

3.0 Location and Setting of the Monuments:-

- The Sun Temple, Katarmal, Almora is located at **Lat. 29^0 37'56" N; Long. 79^0 36'53" E** GPS Coordinates.
- It is located in the village Katarmal of tehsil and District Headquarter Almora, Uttarakhand. It is situated in the lower Himalayan range at an altitude of 1386 m.

Fig 1, Google map showing location of Centrally Protected Monument-A large temple dedicated to Sun, Katarmal, Almora, Uttarakhand'

3.1 Protected boundary of the Monument:

The protected boundaries of the Centrally Protected Monument- Sun Temple, Katarmal, Almora may be seen at **Annexure-I.**

3.1.1 Notification Map/ Plan as per ASI records:

The copy of the Gazette Notification may be seen at **Annexure-II.**

3.2 History of the Monument/Site:

The Sun Temple, Katarmal, Almora is an imposing structure located on a hill slope.

It is locally known as "**Bara Aditya**" or the great Sun God. Katarmal Sun Temple was built by the Katyuri king Katarmalla in between 9th to 13th century. This Temple is considered as the second most important sun temple in India after Konark Sun Temple (Orissa). The main deity of the well-designed temple is the old Sun God known as Burhadita or Vraddhaditya. The primary shrine is surrounded by 45 smaller shrines. Besides the statue of Vraddhaditya, the main temple structure also includes statues of other deities.

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

The main temple is surrounded by a paved enclosure. There are 45 subsidiary shrines around the main temple. The main shrine-facing east consists of a garbhagriha and a mandapa. The sanctum has a curvilinear elevation while the mandapa is covered with a gabled roof and apparently is a later addition. The sanctum is tri-ratha on plan though the projections are not pronounced. The entrance of the sanctum chamber was provided with beautifully carved wooden door-leaves, which have been shifted to the National Museum, New Delhi for better preservation. Stylistically, the temple can be dated to 9th-13th century.

3.4 CURRENT STATUS

3.4.1 Condition of the Monument- condition assessment:

The shikhara of the main shrine has collapsed and remains are seen scattered in the complex. The damaged top of the shikhara is causing the seepage inside the Garbha-griha. All the temples in the complex are made of stones which are weathering with the course of time. Number of temples has exposed masonry joints causing loose and dislodged stones. A thick layer of shoot is deposited inside the main shrine due to continuous burning of *Diyas* (lamps).

3.4.2 Daily footfalls and occasional gathering numbers:

The average footfall of these monuments around 100 to 150 visitors per day.

CHAPTER IV

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

4.0 Existing zoning:

There is no proposed zoning by the local authority in this region. However, the guidelines given in **Uttarakhand Building Bye-Laws and Regulations-2011** are being followed.

4.1 Existing Guidelines of "Uttarakhand Building Bye laws and Regulations-2011"

It may be seen at **Annexure-III.**

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.

5.0 Contour Plan of Sun Temple, Katarmal, Almora:

Survey Map of Sun Temple, Katarmal, Almora may be seen at Annexure-IV.

5.1 Analysis of surveyed data:

5.1.1 Prohibited Area and Regulated Area details:

- Total Protected Area of the monuments is 585 sq. m.
- Total Prohibited Area of the monuments is 5000 sq. m.
- Total Regulated Area of the monuments is 325000 sq. m.

5.1.2 Description of built up area

Prohibited Area

- **North**- Houses, temples, roads and pathways are located in this direction.
- **South**- Toilet block, roads and pathways are located in this direction.
- **East**- There is no built-up area in this direction,only a road exists.
- **West**- Gangnath Temple (dedicated to local god), KMVN Tourist Guest House, houses and pathways are loacted in this direction.

Regulated Area

- **North**- Houses, temples and pathways are loacted in this direction.
- **South**- Houses and roads are loacted in this direction.
- **East-** Houses, roads and a culvert are loacted in this direction.
- **West**- Houses, waters tanks and a vacant land with a boundary wall are loacted in this direction.

5.1.3 Description of green/open spaces

Prohibited Area

- **North**- Agricultural land and open spaces with vegetation exists in this drection.
- **South**- Open area with scattered vegetation on slopy terrain exists in this direction.
- **East**- Agricultural land and open spaces on slopy terrain exists in this direction.
- **West**- Hilly terrain with vegetation exists in this direction.

Regulated Area

- **North**- Agricultural land and open area are located in this direction.
- **South**- Open area with slopy terrain exits in this direction.
- **East**- Agricultural land,open area and slopy terrain exists in this direction.
- **West**- Undulated terrain with scattered terrain exists in this direction.

5.1.4 Area covered under circulation- roads, footpaths etc.

The access road to the monument is well connected through roads with other Kumaon cities. However, the motorable road ends approximately one kilometer before the monument and one has to trek/walk through a pathway for the remaining distance.

5.1.5 Heights of buildings (Zone wise)

- **North:** Maximum height is 06 m.
- **South:** Maximum height is 03 m.
- **East**: Maximum height is 03 m.
- **West**: Maximum height is 09 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 protected monument present in the Prohibited and Regulated Areas of the monument.

5.1.7 Public amenities:

Illumination, drinking water, toilet and signages are available at site.

S. No.	Public Amenities at Katarmal, Temple	Availability
1.	Illumination	Yes
2.	Light and Sound show	No
3.	Toilet	Yes
4.	Interpretation centre	No
5.	Cafeteria	No
6.	Drinking Water	Yes
7.	Souvenir Shop	No
8.	Audio Visual Centre	No

9.	Ramp	No
10.	Signage	Yes
11.	Braille	No
12.	Wi-fi	No

5.1.8 Access to monuments:

- The nearest airport is Pant Nagar Airport at a distance of 132.5km.
- The nearest railway station is Kathgodam Railway Station at a distance of 98.5km.
- The nearest bus terminals are at Kosi and Almora.

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

Water supply facility is available at site.

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

There is no proposed zoning by the local authority in this region. However, the guidelines given in **Uttarakhand Building Bye-Laws and Regulations-2011** are being followed

CHAPTER VI

Architectural, historical and archaeological value of the monuments.

6.0 Architectural, historical and archaeological value:

The Himalaya during the 9th-13th Century A.D. Intricate carvings can be found on pillars, walls, doors and panels. Paintings and beautiful sculptures made of stone and metal showcase the level of artistry achieved by the artists of that time. Once a 10th century idol was stolen from the temple premises, since then the wooden doors and panels, with fine carvings, were removed and shifted to National Museum in Delhi. From the temple complex, one can have a wonderful 180-degree view of the valley.

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

The eastern, southern and western sides of the Centrally Protected Monument are devoid of any major construction activities. However, several houses and major construction activities are being carried out in northern direction of monument causing development pressure.

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

The monument, being on a hilly terrain is visible from the eastern and southern directions of the Regulated Area and these directions asre also visible form the Protected Area of the monument. The view of the monument towards the western direction of the Regulated Area is restricted as it extends in a slopy terrain and vise a versa. The view of the Protected Monument from the Regulated Area in the northern direction is restricted due to residential constructions.

6.3 Land-use to be identified:

Agricultural land, Forest land, Grazing grounds and Residential Area exist in the surrounding area of the monument.

6.4 Archaeological heritage remains other than protected monuments:

Remains of a small shrine are present outside the western boundary wall of the monument in prohibited area.

6.5 Cultural landscapes:

A small temple dedicated to local deity Gangnath is present in western side of the monument.

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

Not available.

6.7 Usage of open space and constructions:

The existing open spaces should be maintained and appropriately landscaped to enhance the significance of the protected monuments. No new construction should be permitted within the Prohibited Zone, especially construction should not be allowed in the northern side prohibited area where some open spaces are present and are very prone to constructional activities. In northern side regulated area construction may be allowed in open spaces. In eastern & southernside prohibited and regulated area, large open areas are present which need to be maintained and should be utilised for only agricultural activities. In southern side hilly terrain is present in prohibited area while sloppy land is present int in regulated area. These areas are covered with trees and grasses. Kumayun Mandal Vikas Nigam has constructed a Guest house at the limit of prohibited area which falls on the top of hill. No new construction should be allowed in this direction in prohibited area however construction may be allowed in western side regulated areaas these were not visible from the monument and will not hamper view of the monument (subjectto the Rules of Forest Department Or any other agencies).

6.8 Traditional, historical and cultural activities:

No such activities perform.

6.9 Skyline as visible from the monuments and from Regulated Areas:

The skyline from protected temples is clear in northern and eastern and southern direction while presence of hilly terrain obstruct the view in western direction. From northern side regulated areamulti-storeyed buildings obstruct the view at some places. Since western side regulated area extends towards the sloppy terrain, the skyline is not clear from this side as hill obstruct the view. Again, skyline from eastern and southern side is clear from the protected monument and regulated area.

6.10 Vernacular Architecture:

There are no prevalent features of vernacular architecture existing in the surrounding of the monument.

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

The guidelines given in Uttarakhand Building Bye-Laws and Regulations-2011. Refer Annexure

6.12 Building related parameters:

(a) Height of the construction on the site (inclusive all):

The height of all buildings in the Regulated Area of the monument will be restricted to 9 mtr.

(b) Floor area:

FAR will be as per local building bye-laws.

(c) Usage:-

As per local building bye-laws with no change in land-use.

(d) Façade design:-

The façade design should match the ambience of the monument.

(e) Roof design:-

Sloping roof design in the area is to be followed

(f) Building material: -

- Consistency in materials and color along all street façades.
- Modern materials such as aluminum cladding, glass bricks, and any other synthetic tiles or materials will not be permitted for exterior finishes.
- Traditional materials such as brick, cement plaster and stone should be used.

(g) Colour: -

The exterior colour must be used of a neutral tone in harmony with the monuments.

6.13 Visitor facilities and amenities:

Visitor facilities and amenities such as interpretation centre, cafeteria, audio visual centre, ramp, wi-fi and braille should be available at site.

Table 2: Public Amenities at Katarmak, temple, Almora, Uttarakhand

S. No.	Public Amenities at Katarmal temple, Almora	Availability
1.	Illumination	Yes
2.	Light and Sound show	No
3.	Toilet	Yes
4.	Interpretation centre	No
5.	Cafeteria	No
6.	Drinking Water	Yes
7.	Souvenir Shop	No
8.	Audio Visual Centre	No
9.	Ramp	No
10.	Signage	Yes
11.	Braille	No
12.	Wi-fi	No

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 fiber 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.

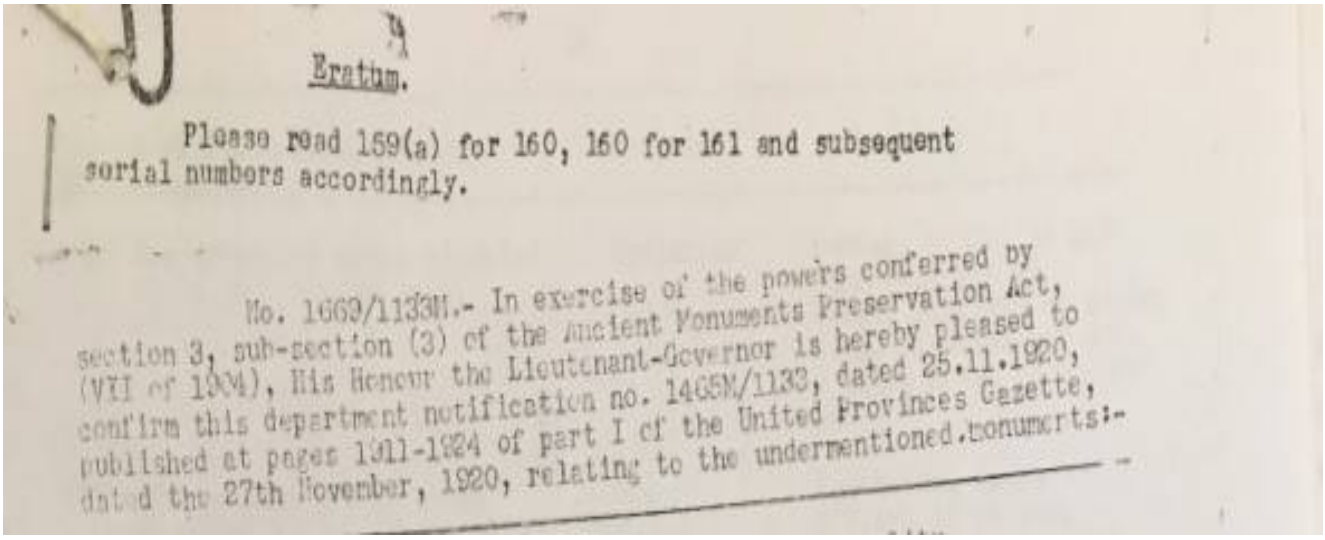
ANNEXURES

ANNEXURE - I

Protected Boundary of Sun Temple, Katarmal, Almora

ANNEXURE - II

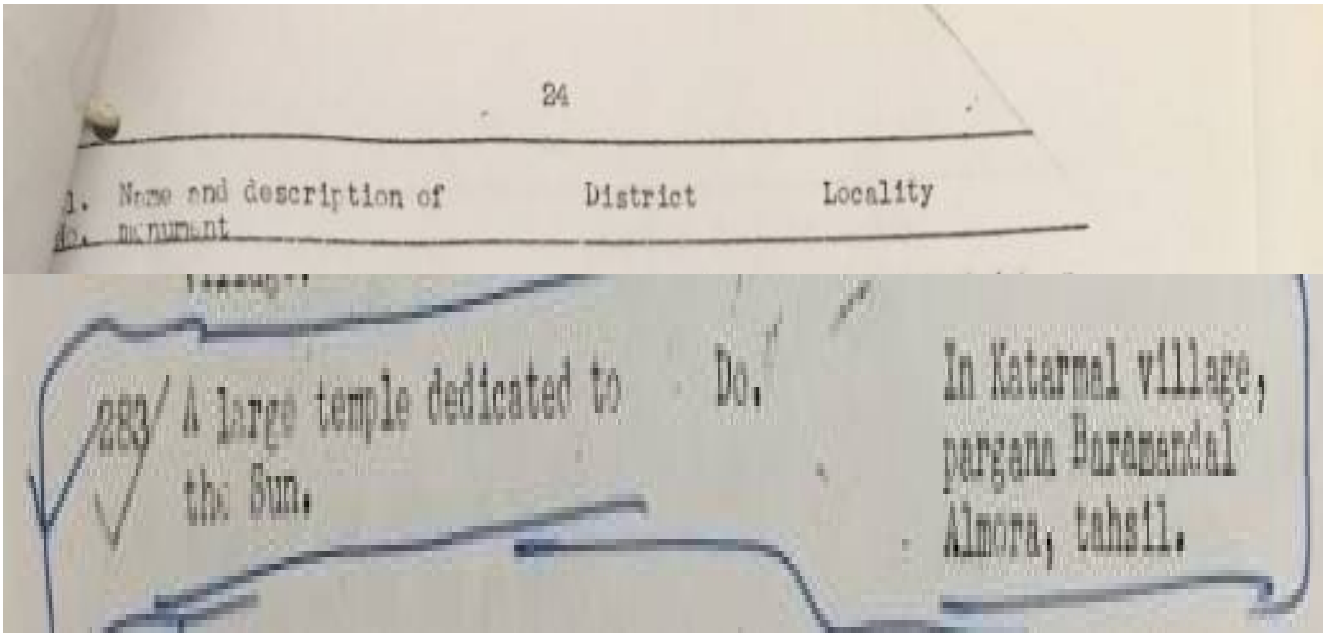
Gazette Notification of Sun Temple, Katarmal, Almora



Erratum.

Please read 159(a) for 160, 160 for 161 and subsequent serial numbers accordingly.

No. 1669/1133M.- In exercise of the powers conferred by section 3, sub-section (3) of the Ancient Monuments Preservation Act, (VII of 1904), His Honour the Lieutenant-Governor is hereby pleased to confirm this department notification no. 1465M/1133, dated 25.11.1920, published at pages 1911-1924 of part I of the United Provinces Gazette, dated the 27th November, 1920, relating to the undermentioned monuments:-



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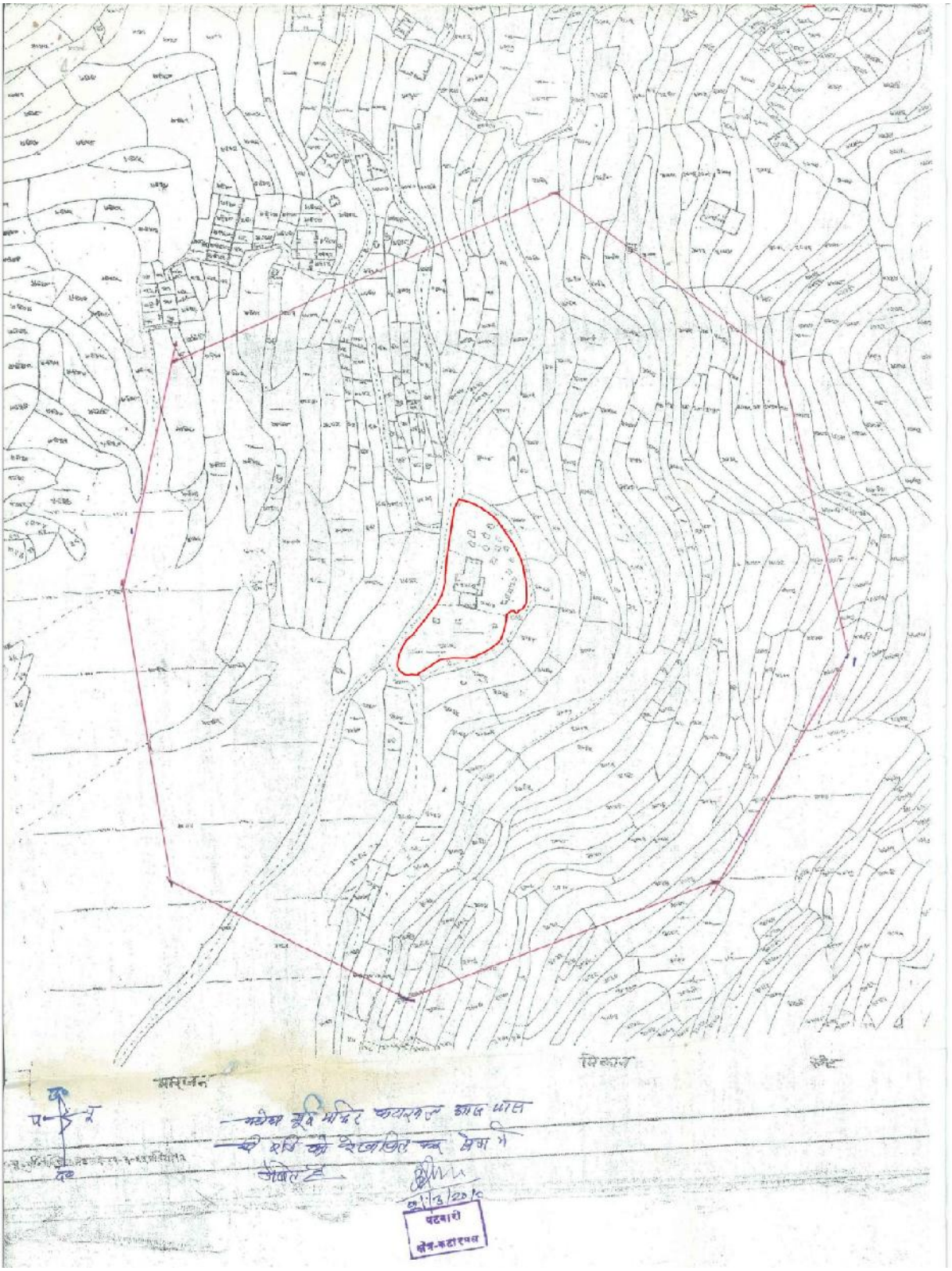
No.	Name and description of monument	District	Locality
283	A large temple dedicated to the Sun.	Do.	In Katarmal village, pargana Baramandal Almora, tahsil.

Revenue Map of Sun Temple, Katarmal, Almora



ANNEXURE – III

LOCAL BODIES GUIDELINES

EXISTING GUIDELINES AS PER UTTARAKHAND BYE-LAWS

I. Height of building

The height of building shall be computed from plinth level only. For this purpose, minimum 0.45 meters plinth level shall be permissible. In case of plinth level being more than 0.45 meters, the computation of height shall be computed from 0.45 meters from the natural ground level whereas in case of construction of basement, the height shall be calculated from 1.20 meters above the ground level. The building heights permissible for various areas of the State are as:

i. In Plain Areas: The maximum permissible height of a building shall be the lowest amongst the prescribed height of a building under the following three restrictions.

a) 1.5 times of the total of width of road, in front of plot / building plus front setback. In case of the building located on two or more roads, the width shall be determined according to the above for wider road.

b) The maximum height of the building shall be as allowed by the F.A.R. of the concerned building.

c) Height of building permitted w.r.t the existing width of the approach road as tabulated below:

Table 1: Maximum height of the building

Existing width of:- public road/ road of sanctioned layout plan/ authorized road, in front of plot / building	Maximum height of buildings (meters)	Maximum number of floors
Less than 9.0 meters	9.0	Max 3 floors
More than and equal to 9.0 meters and less than 12.0 meters	12.0	Max 4 floors
More than and equal to 12.0meter and less than 18.0 meters	24.0	Max 8 floors
More than and equal to 18.0 meters	30.0	Max 10 floors

Note: In case of group housings (flatted / plotted), if the approach is through private passage of width not less than 9.0 meters and length not more than 100meter from the public road of minimum width 12.0 meter, such projects shall be considered to be located on the existing public road and the maximum height of the building shall be as allowed on the public road.

In case of stilt being used for parking and other necessary services, namely, generator room, H.V.A.C etc., the height of stilt shall not be counted in the total height of the building.

ii. In Hill Areas: The maximum permissible height [including stilts] of a building shall be the lowest amongst the prescribed height of a building under the following three restrictions:

a) 1.5 times of the total of width of road in front of plot / building plus front setback or up to 6.00 meters eaves level, whichever is more. In case the building is located on two or more roads, the width shall be determined according to the above for wider road.

b) The maximum height of the building shall be 12.0 meters or four floors.

c) The maximum height of the building shall be as allowed by the F.A.R. of the concerned building.

iii. Other provisions regarding the height

a) For buildings within the landing and the take-off zones of aircraft in the vicinity of aerodrome / airport (up to 20 km from airport boundary), the maximum height of the building shall be regulated by the regulations for the construction of buildings in the vicinity of aerodromes by the competent Aerodrome / Airport Authority.

b) Any building situated towards Doon Valley or ravine, from Gandhi Chowk to Clarence House on Mall Road in Mussoorie, the top level / summit of such buildings shall be 3.0 meters below the road level.

c) The Maximum height of the buildings permissible in Mussoorie shall be 11.0 meters or height of ground plus three floors (including stilts), whichever is less. This permission shall be subject to the prescribed procedure and to the directions given from time to time by the ministry of Forest and Environment, Government of India.

d) Within Nainital Municipal Area, only double storey single residential construction shall be allowed whose maximum height permissible shall be 7.5 meters up to ridge level of sloping roof and the slope of roof shall be in 1:3 ratios. This permission shall be as per directions given the Hon'ble Supreme Court and as per procedure prescribed in this respect. The compliance of provisions given in Annexure-5 within Nainital Municipal Limits shall be mandatory.

e) For Char Dham towns, the maximum height of building permissible shall be 6.50 meters up to eaves level and maximum two floors (including stilts). All the buildings shall have sloping roofs except the cases in which road level terrace parking is proposed.

f) In hill areas the height shall be permissible subject to the condition that view of prominent sites like lakes, snow bound hills etc. is not obstructed. In case of plots

situated on Master Plan roads / National Highways / State Highways, the terrace floor / ridge / summit of the building shall not be above 1.20 meters high from the road level on valley side. It shall be ensured on such roads that at a distance of 4.5 meters from the vehicle road, only single storey building shall be permitted. The permission for more floors shall be given only when the distance of building is 4.5 meters from the edge of the road plus the height of proposed extra floor. In such matters permission may be granted at competent level for the height up to the permissible level on the basis of merits and demerits of the site.

g) Relaxation in Height: In case of sloping roofs in addition to permissible height, an extra height of 1.5 meters shall be permissible. Architectural features, parapet wall, roof top water tank, antenna, chimney (up to 1.5 meters height) lift machine room (up to 4.20 meters height) mummty up to 2.40 meters have been exempted. The height of chimneys of industrial units has been exempted from this calculation. These types of constructions / features shall cover maximum 20% of the terrace area exceeding which, such extra construction shall be non-compoundable and shall be only demolished. All the relaxations given in height shall be deemed to be seized.

h) In all buildings an increase of maximum 10 percent in height may be allowed above the permissible height as per regulations, provided that the number of floors is as per regulations and other requirements are fulfilled.

i) For hotels, hospitals and other such specialized buildings where HVAC and other ducts are required, such cases shall be permitted to construct a service floor (maximum height including beams 1.8 meters) which shall not be counted towards the height of the building. More than one service floor shall be counted in the height of the building.

II. Exterior open spaces / setbacks

i. Setbacks

a) For Plots abutting the major roads having right of way (authorized or master plan R.O.W) equal to or more than 18.0 meters the following front setbacks OR the setbacks prescribed for different buildings in 1.2.1 (b), (whichever is higher), shall be provided:

Table 2: Building Line

S. No.	Right of Way (in meters)	Front Setback (in meters)
1	18.0	3.0
2	24.0	4.0
3	45.0	6.0
4	50.0	7.0

b) For buildings of 12.0 to 15.0-meter height, provision of minimum 5.0 meters open space / setbacks shall be made around the building and thereafter for every 3.00 meters height or part of it, additional setback of 1.00 or the setback prescribed below, whichever is more is required to be provided. Setbacks for building up to 12.00 meters. height shall be as under:

i. Residential

Table 3: Minimum required setbacks for Residential Buildings

Plot Area (in sq. meter)	Minimum Required Setback (meter)							
	Plains				Hill Areas			
	Front	Back	Side-1	Side-2	Front	Back	Side-1	Side-2
30-45	1.2	-	-	-	1.2	-	-	-
Above 45 up to 75	1.5	-	-	-	1.5	-	-	-
Above 75 up to 150	2.0	1.5	-	-	1.5	1.2	-	-
Above 150 up to 300	3.0	2.0	-	-	2.0	1.5	-	-
Above 300 up to 500	4.5	3.0	1.5	-	3.0	2.0	1.5	-
Above 500 up to 750	5.5	3.5	3.0	2.0	4.0	2.5	2.5	2.0
Above 750 up to	6.5	4.0	3.5	3.0	5.0	3.5	3.5	3.0

1000								
Above 1000	7.5	4.0	4.0	4.0	6.0	4.0	4.0	4.0
Group/ Affordable Housing	8.5	5.0	5.0	5.0	7.0	4.5	4.5	3.0

Note:

- Minimum 1.2 meter open to sky space is required to be provided from the retaining wall.
- In corner plots, Front setback of the plot shall be provided for relatively wider road and the setback towards the other side shall be half of the front setback or equal to side setback whichever is lower. In case, in a corner plot both the roads are equal, the front setback shall be as per design of the building and the side setback shall be towards the other road. For road widths above 7.5 meter, the setbacks shall be as per clause1.2.2 after leaving the splay area.
- In the plots having roads in front and in back, in case of being wider / equal, the front setback shall be towards the side from where the approach is being taken and the setback of other side shall be half of the front or equal to setback in the back, whichever more.
- In case the road ends in a part of the plot, front setback shall be given towards the road.
- Construction shall be permissible in the 40 percent area of rear setback of maximum 7.0 meter. Height but in a corner plot the above shall not be permissible on road side. However in the corner plots having a dead end up to the length of the said plot, the said coverage shall be permissible on road side, .The said coverage may consist of garage (maximum area 25 sq. meter) servant room with toilet (maximum area 25 sq. meter) / kitchen / store shall be permissible and shall be counted in F.A.R. and ground coverage. The minimum width of driveway for approach to garage should be 2.40 meter.
- In matters of single residential building stilt floor shall be permissible only in semi-detached building (open from minimum two sides, namely open from front and back with setback) but in such building no construction shall be allowed on 40 percent portion of the rear side setback.
- In case there is any other private passage in addition to the main road, minimum 1.00-meter setback towards the private passage or rear / back-side setback, whichever is more is required to be provided along with prescribed front setback. In case a dead setback is permissible, and owner wants to provide setback voluntarily then its minimum width shall be 1.20 meter.
- Multiple units shall compulsorily be built as detached building. In the setbacks described in the above table, setbacks shall be provided for multiple units with an increase of 1.00 meter in each setback
- In matters of single residential buildings, if the F.A.R. could not be obtained due to setback provided for the plot. The setback of a lower level plot area category shall be effective.

ii. Commercial/ Office

Table 4: Minimum required setbacks for Commercial / Office Buildings

Commercial/ Office Plot Area (in sq. meter)	Minimum Required Setback (meter)							
	Plains				**Hill Areas**			
	Front	**Back**	**Side-1**	**Side-2**	**Front**	**Back**	**Side-1**	**Side-2**
Up to 200	4.5	-	-	-	3.0	-	-	-
Up to 400	6.0	2.0	3.0	-	4.0	-	-	-
Up to 600	7.5	3.0	3.0	-	5.0	2.0	2.0	-
Up to 1000	8.0	3.0	4.0	1.5	6.0	3.0	3.0	1.5
Up to 1500	9.0	4.0	4.5	3.0	7.0	4.0	3.5	3.0
Up to 3000	10.0	5.0	4.5	4.5	8.0	5.0	4.5	4.5
Above 3000	12.0	6.0	6.0	6.0	9.0	6.0	6.0	6.0
Mall / Multiplex	**Front**	**Back**	**Side-1**	**Side-2**	**Front**	**Back**	**Side-1**	**Side-2**
Up to 4000	14.0	6.0	6.0	6.0	10.0	6.0	6.0	6.0
Above 4001 up to 15000	16.0	7.0	7.0	7.0	12.0	6.0	6.0	6.0
Above 15001 up to 50000	18.0	8.0	8.0	8.0	14.0	6.0	6.0	6.0
Above 50000	20.0	9.0	9.0	9.0	18.0	6.0	6.0	6.0

Note:

- Construction towards the retaining wall of the plot shall be permissible after leaving 1.2-meter open space.

- For commercial construction no shops shall be opened on the road in the side / rear setback of the building. In case any opening / shops are opened towards the sides or towards the back, the setback equal to front is to be required to be provided.

- In case of the plot located on more than one road (plots in which side / back setback is not required) the front setback shall be towards the wider road and minimum 3.0-meter setback is to be provided towards the other road.

iii. Educational Institutes / Medical / Community facilities / Assembly buildings

Table 5: Minimum required setbacks for Educational Institutes / Medical / Community facilities / Assembly buildings

Plot Area (in sq. meter)	Minimum Required Setback (meter)							
	Plains				Hill Areas			
	Front	Back	Side-1	Side-2	Front	Back	Side-1	Side-2
Up to 1000	6.0	4.5	3.6	3.6	4.5	3.6	3.6	3.6
1001 to 3000	7.5	4.5	4.5	4.5	5.0	4.5	4.5	3.6
3001 to 8000	9.0	6.0	4.5	4.5	7.5	5.0	4.5	4.5
8001 to 15000	12.0	6.0	6.0	6.0	9.0	6.0	6.0	6.0
15001 to 35000	15.0	6.0	6.0	6.0	12.0	6.0	6.0	6.0
Above 35000	18.0	6.0	6.0	6.0	15.0	6.0	6.0	6.0

Note: In newly proposed schools (except nursery schools), 6.0-meter width of front setback shall be left towards roadside for visitor parking. Boundary wall shall be constructed after leaving the above**-mentioned** space.

iv. Industrial Buildings

Table 6: Minimum required setbacks for Institutional Buildings

Plot Area (in sq. meter)	Minimum Required Setback (meter)							
	Plains				Hill Areas			
	Front	Back	Side-1	Side-2	Front	Back	Side-1	Side-2
Up to 300	3.0	2.0	2.5	-	3.0	2.0	1.5	-
301 to 600	4.0	3.0	3.5	-	3.5	3.0	3.0	-
601 to 1200	5.0	3.0	3.5	2.0	4.0	3.0	3.0	2.0
1201 to 2400	7.5	5.5	4.5	3.0	6.0	4.0	4.0	3.0
2401 to 5000	9.0	6.5	5.5	5.0	7.5	5.5	5.0	5.0

5001 to 10000	12.0	7.5	6.5	6.5	9.0	6.5	6.0	6.0
10001 to 30000	18.0	9.0	7.5	7.5	12.0	7.5	6.5	6.5
30000 to 6.0 hectares	20.0	12.0	9.0	9.0	18.0	9.0	7.5	7.5
Above 6.0 hectares	25.0	15.0	12.0	12.0	20.0	12.0	9.0	9.0

v. Splay at road junctions, including 'Y' junctions

Splay required at road junctions is given in the Table below. The area of splay would be deemed to form part of the road junction.

Table 7: Splay required at road junctions

S.No.	Road Width (in meters)	Splay/ offset (in meters)
1	Above 7.5 up to 12	3.0 x 3.0
2	Above 12 up to 24	4.5 x 4.5
3	Above 24	6 x 6

The setbacks overlooking the splay shall be as per the front setback of wider road. The area of the splay shall form part of the right of way.

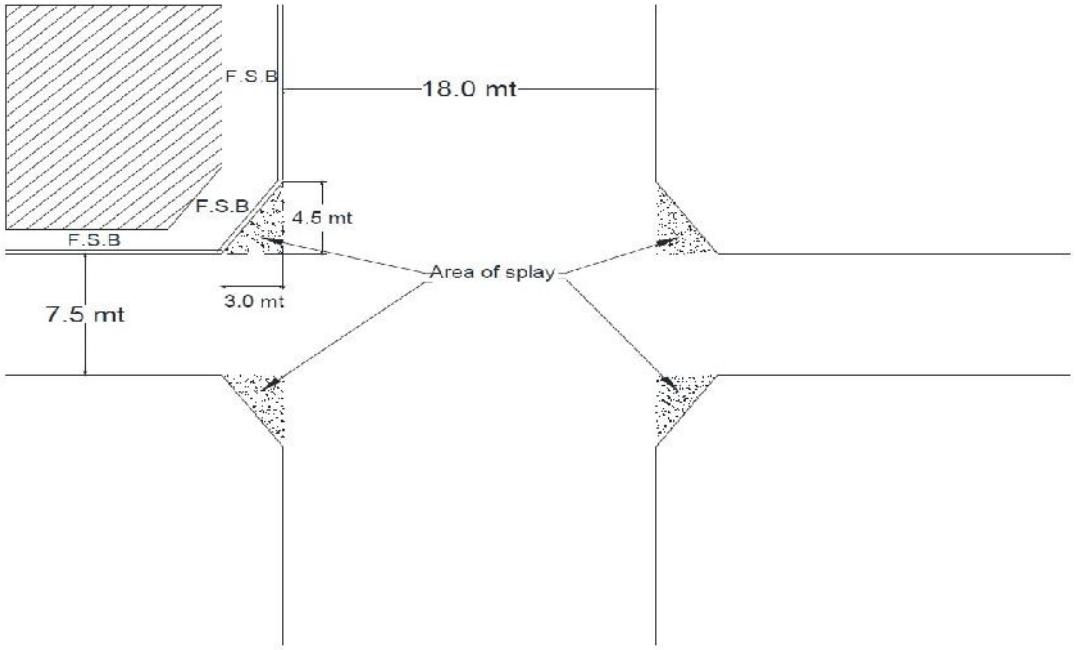


Fig 2: Splay at road junctions

vi. Distance between two blocks

- On the basis of the height of tallest block, the distance required between two blocks shall be as:
  - i. Distance between two blocks with 10.0 meter height = 3.0 meter
  - ii. Distance between two blocks with 12.0 meter height = 4.0 meter
  - iii. Distance between two blocks above12.0 meter height = Additional 1.0 meter for every 3.0 meter increase in height.

vii. Relaxation in Setbacks

Following relaxation may be allowed in setbacks for the buildings:

i. Balcony, roof / overhang of maximum 1.8 meter width may be constructed in set- back / open space in a plot. The increased part beyond 1.80 meter shall be counted in F.A.R. This construction shall not be more than one-third of the width of setback.

ii. A canopy or canopies each not exceeding 4.50 meter in length and 2.40 meter in width, in the form of cantilever or cantilevers, over the main entrance/entrances, providing a minimum clear height of 2.2 meter below the canopy.

iii. An arbour / pergola of maximum 6.0 sq. meter area having minimum 40 percent open space and minimum 2.2 meter height shall be permissible.

iv. Construction of ramp within setback for approach to maximum one subsequent floor of ground floor and basement shall be permissible by keeping the required area obstruction free and for easy approach of fire tender for fire safety. Such constructions shall be permitted after leaving 3.6 meter and 6.0 meter unobstructed pathway from low rise and high rise buildings respectively.

v. In hill areas, owing to the undulating topography of the site the construction within 50 percent width of each setback shall be permissible with the restriction that there shall be no increase in prescribed ground coverage and F.A.R.

vi. Internal path shall be permissible within the setback area.

vii. Maximum 33% area of the total setback area can be utilized for parks / organized green spaces provided the area required for easy manoeuvring and movement of fire tender for fire safety is kept free of any kind of obstruction which shall be permitted after leaving 3.6 meter and 6.0 meter unobstructed pathway from low rise and high rise buildings respectively.

viii. In all matters except single residential and multiple units, no parking shall be permissible in setback area. In group housing projects parking shall be permitted after leaving 3.6 meter and 6.0 meter unobstructed pathway from lowrise and high rise buildings respectively in 25 percent area of the total setback.

III. Ground Coverage and F.A.R.

a) Norms of F.A.R and ground coverage for different land / building usage shall be as under this clause.

b) In the projects where FAR proposed is more than 1.5, the type of construction shall be as per clause 9.0 of Part-3 of NBC and shall be so certified on the plans by the Engineer / Architect.

c) In all types of projects where proposed F.A.R is more than 1.8 the project shall be certified as green building.

d) Maximum F.A.R, which may be permitted, may be 3.0 which shall be in the form of Purchasable F.A.R (inclusive of basic F.A.R) as per the clause number 1.7.

i. Residential

Table 8: F.A.R. and Ground Coverage for Residential Building

S. No.	Use Group (Plot area in Sq. m)	Plain Area		Hill Area	
		Maximum ground Coverage (%)	Permissible F.A.R*	Maximum ground Coverage (%)	Permissible F.A.R
A	Plotted				
1	Up to 75	75	1.80	80	1.80
2	>75 up to 150	70	1.80	75	1.80
3	>150 up to 250	65	1.70	70	1.60
4	>250 up to 350	60	1.60	65	1.50
5	>350 up to 450	55	1.50	60	1.40
6	>450 up to 550	50	1.40	55	1.30
7	>550 up to 750	50	1.30	50	1.20
8	>750 up to 1000	45	1.20	50	1.10
9	Above 1000	40	1.10	45	1.00
B	Multiple units	50	2.00	55	1.65
C	Group Housing	35	2.10	40	1.40
D	EWS Housing	50	2.00	50	2.00
E	Affordable Housing	50	2.40	50	2.00

*Subject to maximum F.A.R. 3.0 with shall be in the form of purchasable F.A.R. as per the provision of Ground Coverage and F.A.R.

ii. Commercial/ Office Use

Table 91: F.A.R. and Ground Coverage for Commercial / Office Building

S. No.	Use Group (Plot area in Sq. m)	Plain Area		Hill Area	
		Maximum ground Coverage (%)	Permissible F.A.R*	Maximum ground Coverage	Permissible F.A.R

					(%)	
A	Commercial Area/ Office					
1	Up to 100					
	Up to 200		65	1.80	70	1.30
	Up to 500		50	1.70	65	1.50
	Up to 1000		55	1.80	60	1.70
	Up to 2500		45	2.00	50	1.90
	Above 2500		40	2.20	45	2.10
2	Storage/ Cold Storage		55	1.80	60	1.50
3	Mall/ Multiplex		40	2.50	40	2.20
4	Integrated Office Complex		30	2.00	40	1.50
5	Hotel	Up to 5000*	40	2.00	45	1.80
		Above 5000*	35	2.10	40	1.60
6	Resorts		25	0.75	30	0.90
7	Eco Resorts		20	0.25	20	0.25
8	Motel		25	0.50	30	0.60
9	Amusement Park		15	0.25	20	0.25
10	Hostel/ Guest House/ Lodging House		40	1.60	45	1.35
11	Baraat Ghar/ Wedding Hall		33.30	1.00	35	0.80

Note:

• *For hotels up to 5000 sq. meters maximum 10 percent of F.A.R and for hotels above 5000 sq. meters, maximum 20 percent of F.A.R. can be provided for hospitality related commercial activities.

• An atrium may be constructed in shopping mall and it shall be computed in ground coverage and in F.A.R. on one floor only. Construction of permanent nature shall not be allowed under atrium.

• Under integrated office complex, Research centre / Campus- maximum 5 percent of F.A.R. for residences of working employees may be allowed (included in permissible F.A.R.).

• Maximum 10 % of FAR may be utilized in Commercial office for Bank extension, Post office, Canteen, Chemist, Retail, shops of stationery etc. (included in permissible F.A.R).

iii. Educational, Medical, Institutional/ Community Facilities

Table 10: F.A.R. and Ground Coverage for Educational, Medical, Institutional / Community Facilities

S. No.	Use Group (Plot area in Sq. m)		Plain Area		Hill Area	
			Maximum ground Coverage (%)	Permissible F.A.R*	Maximum ground Coverage (%)	Permissible F.A.R
1	**Educational**					
	I	Primary & Nursery School	35	1.00	40	1.00
	II	Secondary School	40	1.60	45	1.60

	III	High school/ Intermediate	40	1.60	45	1.60
	IV	Graduate / post-Graduate / I.T.I / Polytechnic / MBBS / Engineering / other Professional/ technical research institutes	45	2.10	55	1.90
	V	University Campus	33.50	1.50	35	1.10
	VI	Schools / institutes related to physically handicapped persons	50	1.00	50	1.00
2	**Medical**					
	I	Laboratory / Clinics	60	1.80	65	1.80
	II	Maternity Homes and Child Care centre / Nursing Homes / Dispensary	50	1.50	55	1.50
	III	Hospitals up to 50 beds	40	1.50	45	1.40
	IV	More than 50-200 beds Hospital	35	2.00	40	1.60
	V	City / zonal / regional level hospital more than 200 beds	30	2.50	40	1.60
	VI	Veterinary hospital	35	1.50	40	1.00
	VII	Other related building use/ activity	50	1.50	55	1.50
3	**Institutional / Community facility auditorium**					
	I	Religious / Ashram / Dharamshala premises	45	2.00	50	2.00
	II	Other meeting halls	45	1.80	50	1.80
	III	Habitat centre	30	1.50	35	1.50

Note: Maximum 15 percent of F.A.R of the hospitals may be used as residences of working employees (included in permissible F.A.R.)

iv. Industrial

Table 2: F.A.R and Ground Coverage for Industrial Buildings

Plot area (in Sq. m)	Plain Area			Hill Area		
	Maximum ground Coverage (%)	Permissible F.A.R*		Maximum ground Coverage (%)	Permissible F.A.R	
		Under Municipal Limits	Out of Municipal Limits		Under Municipal Limits	Out of Municipal Limits
Up to 300	60	1.20	1.50	65	1.30	1.30
301-600	55	1.30	1.60	60	1.50	1.50
601-1200	55	1.50	1.60	60	1.60	1.60
1201-2400	55	1.60	1.60	60	1.60	1.60
2401-5000	50	1.60	1.60	55	1.60	1.60
5001-10000	50	1.60	1.60	55	1.60	1.60
10001-30000	45	1.60	1.60	50	1.60	1.60
30001 to 6.0 hectare	45	1.60	1.60	45	1.60	1.60
Above 6.0 hectare	40	1.60	1.60	40	1.60	1.60
Flatted	30	1.20	1.20	30	1.00	1.00

IV. Heritage Structures / Geo Heritage Sites

i. In case of Sites located within the distance up to 100m from protected monuments as notified Under Archaeological Monuments and Ancient Sites and Remains Act 1955 and as amended as well as such sites / streets / area earmarked in Master Plans / Zonal Plans, no construction shall be allowed.

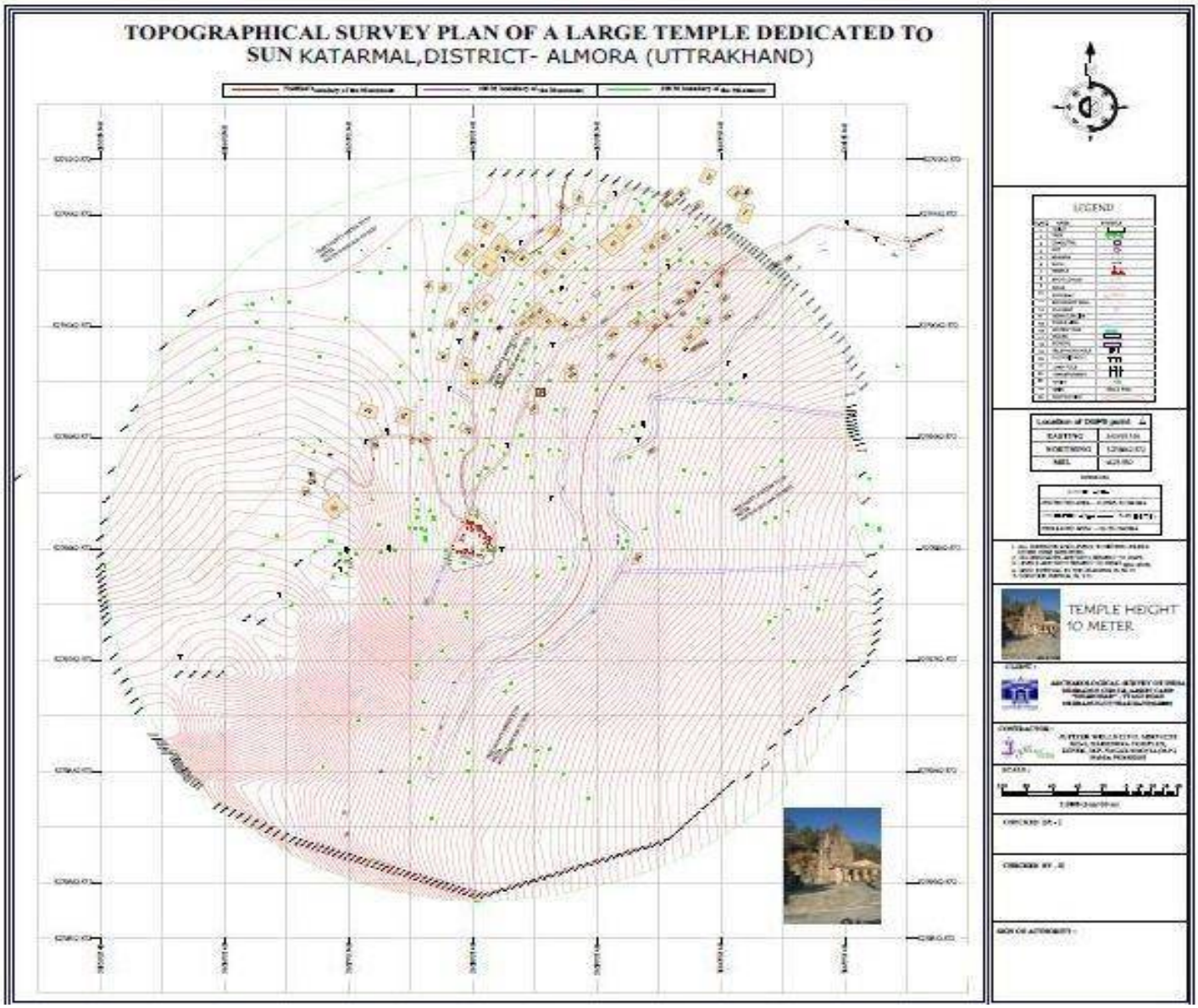
ii. For the Sites located within distance of above 100m and up to 200m from the protected monuments, the construction is allowed only after obtaining prior permission from the National Monument Authority in case of listed buildings under the AMASR Act.

iii. For the Sites located within the vicinity of any Heritage Structure / Geo Heritage Sites notified as per the respective law, the prior clearance from the concerned authority shall be obtained.

iv. For the development / redevelopment of any notified Heritage Structure / Geo Heritage Sites the stipulations as prescribed by the respective authority shall be followed.

ANNEXURE - IV

Survey Plan of Sun Temple, Katarmal, Almora



Total Station Survey plan of Katarmal temple, Almora, Uttarakhand

ANNEXURE V

Images of the Monument and the surrounding area

Figure 1: Image of the temple complex

Figure 2: Front view of the temple complex

Figure 3: Structure inside the temple complex

Figure 4: Structure inside the the temple complex

Figure 5: General View of southern Direction

Figure 6: Road Side View

Figure 7: General View of Northern Direction

Figure 8: General View of West Direction

Figure 9: General View of Southern Direction

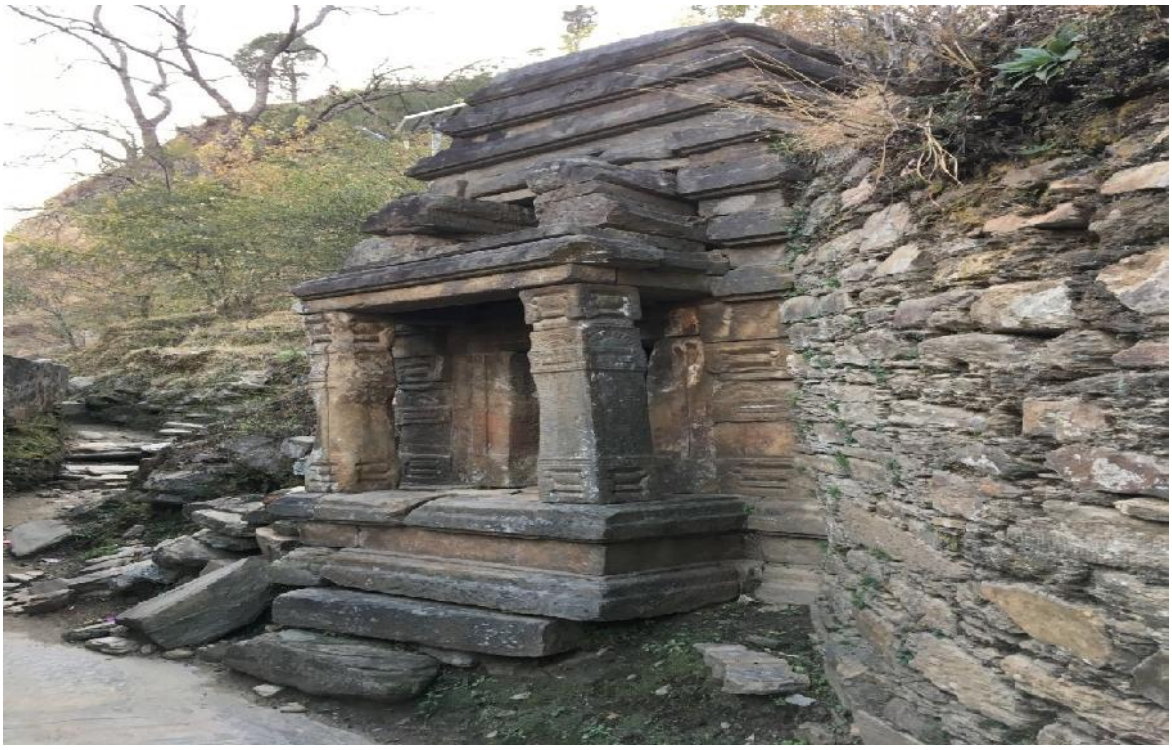


Figure 10: Other historical Structures

Figure 1: Condition of the monument

Figure 2: Condition of the monument