F.No. 15-239/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 "**Tomb of Janab Aliya, District – Lucknow, 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**

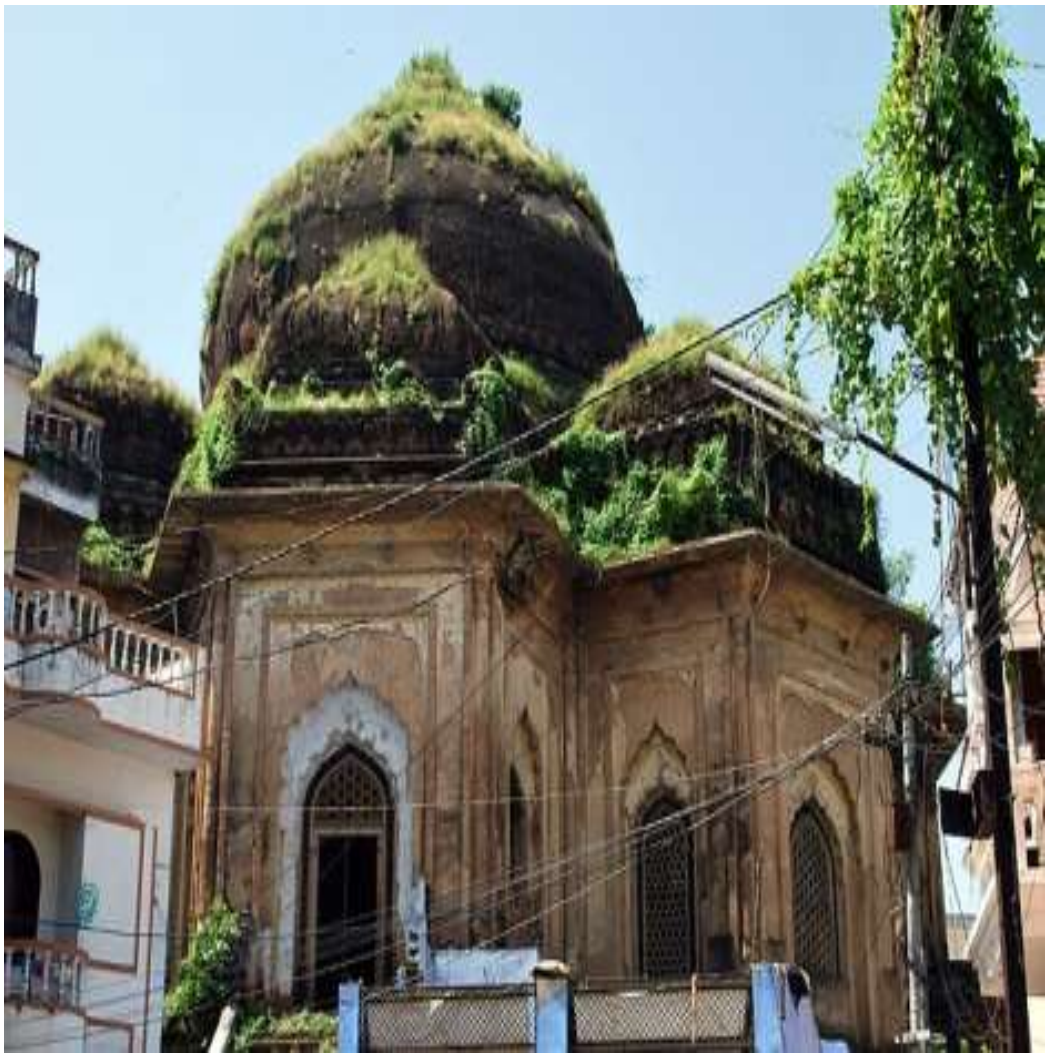
iii. Archaeological Survey of India, Lucknow Circle **www.asilucknowcircle.nic.in**

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 9th 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. 9th July, 2023 in consultation with Competent Authority and other Stakeholders.

(Col. Savyasachi Marwaha)
Director, NMA
9th July, 2023

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY



Draft Heritage Bye-laws for Tomb of Janab Aliya at Lucknow, District – Lucknow, 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 **"Tomb of Janab Aliya at Lucknow, District – Lucknow, 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;

The Objections or 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 Archeological Sites and Remains Act, 1958 the National Monuments Authority, hereby make the following bye-laws namely:-

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 **"Tomb of Janab Aliya at Lucknow, District – Lucknow, Uttar Pradesh"**

(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. 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

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 Monuments/ Sites/ Group of Monuments:- The Tomb of Janab Aliya at lucknow District- Lucknow, Uttar Pradesh

3.0 Location and Setting of the Monument:

ISRO's Geoportal (Bhuvan) Coordinates: (80.93, 26.85) Site Coordinates: (26°51'11.50"N: 80°55'26.08"E)

Tomb of Janab Aliya is located in the Maulviganj (Wazirganj) locality of Lucknow city, at Uttar Pradesh. Present in the east direction of Golaganj area, the monument designated as per the notification - "Tomb of Janab Aliya at Lucknow", is also locally known as – "Maqbara Alia". The most proximate railway station from the monument is "Lucknow Junction" situated at a distance of 4.1kms (via Station road, Moti Lal Nehru Marg,

Cantonment road, Dr. R K Tandon road, Jagat Narayan Marg, Gwynne road and Haider Mirza road). Also, the nearest airport from the monument is – "Chaudhary Charan Singh International Airport", located in Lucknow city and which is 11.4kms away (via Kanpur road, Station road, Pan Dariba Marg, Subhash Marg, Ganesh Ganj marg, Gangaprasad Marg, Gwynne road and Haider Mirza road).

Tomb of Janab Aliya at Lucknow, District – Lucknow, Uttar Pradesh.

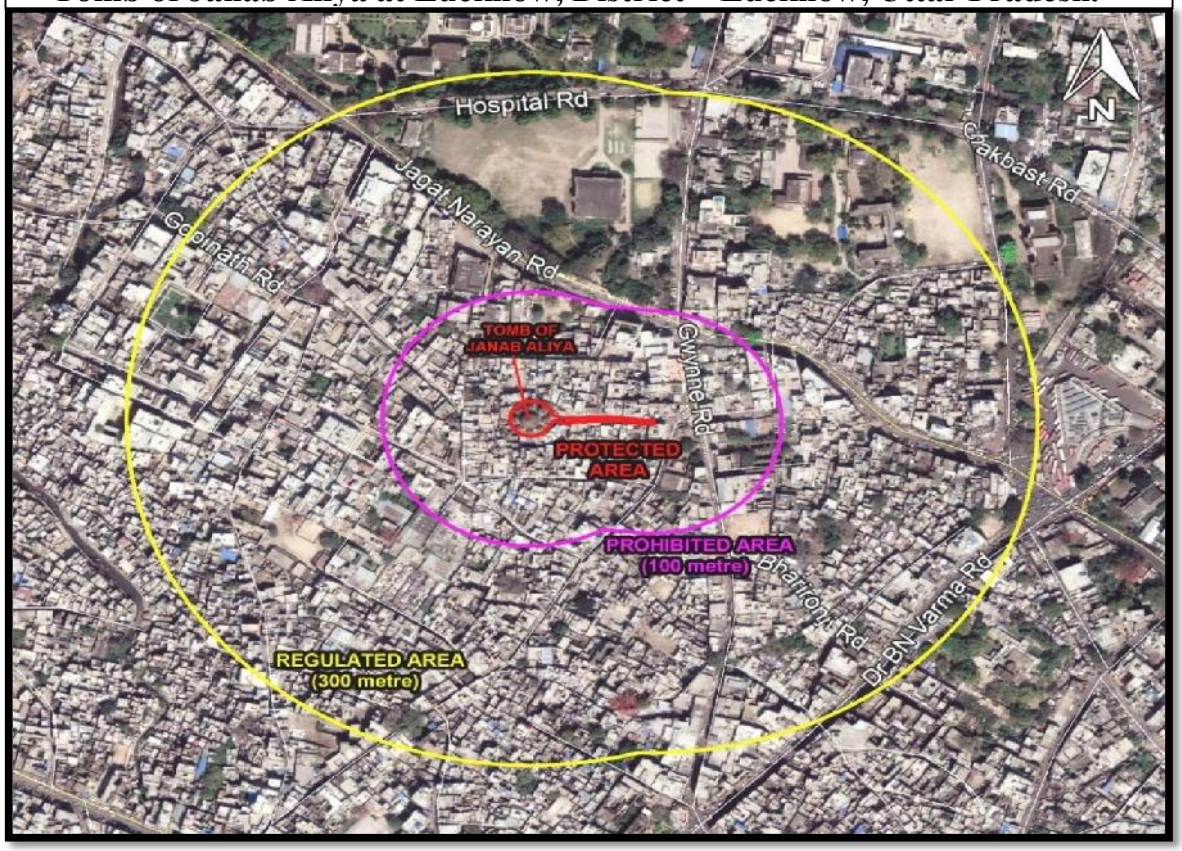


Figure 1, Google map showing location of Tomb of Janab Aliya at Lucknow, District – Lucknow, Uttar Pradesh.

3.1 Protected boundary of the Monument:

It 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:

Tomb of Janab Aliya was built by "Nawab Saadat Ali Khan (AD 1798-1814)", over the grave of his mother. She was a Hindu wife of "Nawab Shuja-ud-daula", who hailed from 'Raikbar' Thakur family of "Baudi riyasat (near Bahraich)". Her real name was "Chattar Kunwar" who was honoured with the title of Janab-e-Aliya by the Nawab.

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

It is an octagonal structure built of "Lakhauri" bricks, lime plastered, decorated with plaster mouldings along with beautifully carved stone screen Jali. The central chamber of the tomb is erected on a lofty platform and has a rectangular verandaprojecting on all sides, approached by a flight of steps. While the Begum is buried in an underground chamber just below the marked space on the pavement whichruns north-south. The central chamber is covered with a big dome, topped by an inverted lotus, lighted through multi foil arched openings while the surrounding bays used for circumambulation draw light through beautifully carved stone Jali work.

3.4 Current Status:

3.4.1 Condition of the Monument- condition assessment:

Monument is surrounded heavily by modern construction and general routine conservation works are required at the monument on the roof, ceiling, walls, floors and exterior walls of the structure.

3.4.2 Daily footfalls and occasional

The foot fall at the monument is very less, about 4-5 visitors per week.

CHAPTER IV

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

4.0Existing zoning:

According to "**Lucknow Maha Yojana – 2031"**, prepared by "Sambhagiya Niyojan Khand, Lucknow, Nagar evam Gram Niyojan Vibhaag, Uttar Pradesh and Lucknow Development Authority, Lucknow", the monumental site of our monument is marked as - "**Constructed/Developed Area**", a sub section under **"Residential"** zone. While some other monuments of the city are also marked as "**Places of Historical and Cultural Importance**". But, specifically for the protected monuments of ASI, as such no dedicated zoning is characterized/proposed in any of the local/state government acts and guidelines.

Further, in the same "**Lucknow Maha Yojana – 2031"**, **sub section – 8.11.9 (2),**

three heritage zones are defined, named as:

(i) Husianabad Complex
(ii) Kaiserbagh Complex
(iii) La- Martinier Complex

And, accordingly a map is also affixed in support, titled as "**Lucknow Maha Yojana – 2031 Heritage Zones"** (Fig No. – 8.8, Pg. – 72), under which the area of Lucknow city, coming under

these zones is shown. Therefore, as per this map, our monument - Tomb of Janab Aliya, comes under the **"Kaiserbagh Complex"** zone.

A part from this, "**Lucknow Municipal Corporation"** has also prepared a **"Revised City Development Plan, Lucknow City – 2040 Vol. 1; Year: January 2015",** in which under **sub section – 3.5,** Lucknow city is divided into 6-zones and, the site on which the monument is located comes under **"Zone – 1".**

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 the Prohibited 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.) : 1100.74495 Sqm (0.272 Acres).
Prohibited area (approx.) : 56660.03677 Sqm (14.001 Acres).
Regulated area (approx.) : 317010.498 Sqm (78.335 Acres).

Salient features:

Tomb of Janab Aliya stands encompassed by a substantial present day structures and buildings existing in its both the prohibited and regulated areas. The land use is mostly residential and commercial, apart many public/religious structures including schools, college, office of local governing bodies, hospital, clinics, bank, ATMs, temples mosques, Madarsa, printing press, gymnasium, marriage garden and etc., are also present in the surroundings. Additionally, a paper manufacturing industry and another ASI protected monument - "Kalan-ki-Lat and adjoining Cemetery" is also present in the regulated area. Further, open spaces in form of parking, playgrounds and unconstructed patches of land are also present scattered all over the surroundings. Moreover, many city roads are also running throughout the prohibited and regulated areas, providing good connectivity in the circumventing area and with other parts of the city.

5.1.2 Description of built up area:

Prohibited Area:

North: Residences, shops, commercial complex, apartments, mosques and a Madarsa are present in this direction. Further, some shops, residences, ATM and a hand pump are also present in the north-east direction.

South: Residences, shops, clinic and a mosque are present in this direction. Further, some residences and "Mumtaj Mahal ka Hatha" are also present in the south-west direction.

East: Residences, shops, hospital, mosque, gate are present in this direction. Apart, some residences, shops, commercial complex and a mosque are also present in the south-east direction.

West: Residences, shops, apartments and mosques are present in this direction. Moreover, some residences and shops are also present in the north-westdirection.

Regulated area:

North: Residences, shops, medical shop, college, cinema hall, mosque, women'shospital, commercial complex and a bank are present in this direction. Whereas, some residences, apartment, shops, a primary school and a college are also present in the north-east direction.

South: Residences, shops, schools, clinic, another ASI protected monument – "Kalan-ki-Lat and adjoining Cemetery", mosques, a Majjar, commercial market and commercial complexes are present in this direction. Moreover,

in the south-west direction, Residences, shops, a printing press and a mosque are also present.

East: Residences, shops, college, commercial complexes, apartments, ATM, temple, mosques and a Dargah are present in this direction. Further, some residences, shops and a temple are also present in the south-east direction.

West: Residences, shops, paper industry, apartments, study centre, schools, clinics, gymnasium, Jan-Sampark Karyala, mosques and a Majjar are present in this direction. Moreover, residences, shops schools, commercial complex, marriage centre and a mosque are also present in the north-west direction.

5.1.3 Description of green/open spaces:

Prohibited Area:

North: Small patches of open unconstructed land are present is this direction.

South: Open unconstructed patches/plots of land are present in this direction.

East: An open land lying near a masjid and an open parking is present in this direction. Further, open unconstructed patches/plots of land are present in south-east direction.

West: An open plot is present in this direction.

Regulated area:

North: Open ground lying at the premises of a college is present in this direction.

Further, open area existing at the premises of a school is also present in the north-east direction.

South: Rare patches of open unconstructed land with some existing in form of open ground and lying in between of the existing buildings are present in this direction. Another small open plot is also present in the south-west direction.

East: An open playground lying at the premises of a school, an open parking area and some other small unconstructed land enveloped by modern structures are present in this direction. Apart, another patch of open unconstructed land is also present in the south-east direction.

West: Open ground lying at the premises of paper industry, a public park and some other small unconstructed land surrounded by modern structures are present in this direction. Apart, another patch of open unconstructedland is also present in the north-west direction.

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

Throughout the prohibited and regulated limits of our monument, there are numerous streets and roads present scattered all around, providing good connectivity within the circumventing area. Additionally, some major city roads such as – Jagat Narayan road, Dr. Ram Lal Chakravarti road, Layman Prasad road, Gopinath road, Gwynne road, Haider Mirza road and Book Market road also pass from both the prohibited and regulated areas, thus providing good connectivity with other parts of Lucknow city. Moreover, some famous city squares such as – Mulvi Ganj Chauraha, Char Batti Chauraha, Barud Khan square and Balampur Hospital Chauraha, are also present providing intersection points to the various city roads. Further, inside the protected boundary, a narrow metalled streetleads to the tomb from the main gateway.

5.1.5 Heights of buildings (Zone wise)

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

North & North-east: The maximum height is 18.0 m.
South & South-west: The maximum height is 12.0 m.
East & South-east: The maximum height is 22.0 m.
West & North-west: The maximum height is 17.0 m.

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

North & North-east: The maximum height is 10.0 m.
South & South-west: The maximum height is 14.0 m.
East & South-east: The maximum height is 17.0 m.
West & North-west: The maximum height is 24.0 m.

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

There are no state protected monument(s) or any other local body protected monument(s) present in the prohibited and regulated area of this ASI monument.

5.1.7 Public amenities:

Protection Notice Board (PNB) is only available at the monument.

5.1.8 Access to monument:

The gateway present in the east direction of the protected boundary is approached by a metalled road known as – Haider Mirza road. This same roads extends in theeast direction upto a walking distance of 23m, and gets connected to the famous Gwynne road, at the Maulviganj Chauraha.

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

No Infrastructure services are available at the monument.

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

As per the **"Revised City Development Plan, Lucknow City – 2040 Vol. 1; Year: January 2015",** prepared by "**Lucknow Municipal Corporation",** the monument is placed in "**Zone – 1".**

Apart, according to the "**Lucknow Maha Yojana – 2031"**, prepared by "Sambhagiya Niyojan Khand, Lucknow, Nagar evam Gram Niyojan Vibhaag, Uttar Pradesh and Lucknow Development Authority, Lucknow", the monumental area is marked as – "**Constructed/Developed Area**", a sub section under **"Residential"** zone.

Further, in the same "**Lucknow Maha Yojana – 2031"**, **sub section – 8.11.9(2),** three heritage zones are defined, named as:

(i) Husianabad Complex
(ii) Kaiserbagh Complex
(iii) La- Martinier Complex

And, our monument, comes under the **"Kaiserbagh Complex"** zone.

CHAPTER VI

Architectural, historical and archaeological value of the monument

6.0 Architectural, historical and archaeological value:

The Tomb of Janab Aliya at Lucknow has an immense historical value as it standsin memory of Janab-e-Aliya (Chattar Kunwar) - wife of Nawab Shuja-ud-daula, who hailed from 'Raikbar'

Thakur family of "Baudi riyasat (near Bahraich)". Also, the existing domes, multi-foiled arches, jail screens, plaster mouldings along with other exquisite design patterns, dictates the typical impressive artwork done by the workers and craftsmen of ancient era, adding an immense architectural and archaeological value to the monument.

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

The monument forms a part of a thick developed zone and stands encompassed by many substantial present day structures existing in its both the prohibited and regulated areas. Except in the north and north-east directions, there are comparatively more open spaces present, lying under the premises of local a school and college. Additionally, some other small open unconstructed patches of land are also lying throughout the prohibited and regulated areas, of which some are used in form of parking and public parks. But, since, the city is expanding, these patches are morelikely to be occupied by future settlements, thus, have become more sensitive towards the process of urbanization and development activities.

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

Only the main gateway of our monument is visible from the "Maulviganj Chauraha"present in the east direction of the prohibited area. Else, from the remaining directions of both the prohibited and regulated areas, the visibility is totally lost because of current day structures and the monument stands concealed behind the modern construction.

6.3 Land-use to be identified:

The major land use near the monument is residential and commercial, whereas many public and religious structures including schools, institutes, offices/department of local governing bodies and marriage gardens are also present dissipated all around the prohibited and regulated areas. Further, land in the west direction of the prohibited area is likewise occupied by a paper manufacturing industry.

6.4 Archaeological heritage remains other than protected monument:

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

6.5 Cultural landscapes:

In the surrounding of the monument, no cultural landscapes are left as most of theland is occupied by modern construction occurred due to local settlement. Further,the open spaces in the north and north-east direction, lying under the premises ofa local school and college, add a natural setting to our monument.

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

As such no significant natural landscapes that forms part of cultural landscape or helps in protecting the monument from environment pollution are present near themonument. In-fact the

natural setting especially near the protected boundary of the monument is completely lost due to modern structures.

6.7 Usage of open space and constructions:

In the prohibited area, the open spaces are present in form of unconstructed patchof land or plots, whereas in the east direction an open area is used in form of parking. Further in the regulated area, the open land present in the north and north-east directions, lying at the premises of a local school and college, are used in form of ground for public recreational activities. Additionally, another open spacelying in the west direction of the same is also used as of Public Park. Apart, the constructed structures existing through put the prohibited and regulated areas of the monument, are mostly used for residential and commercial purposes. Moreover, some many public and religious buildings 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 and neither in the prohibited and the regulated areas of the monument.

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

In comparison with the surrounding area, the upper structure of our monument isclearly visible in the skyline from all directions, due to its raised height. Further, from the east direction of the prohibited area and from west direction of the regulated area, its visibility in the skyline is partially disturbed, as some modern buildings having height more than monument are also present in the respective directions.

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 V**

6.12 Building related parameters:

(a) Height of the construction on the site: -

Direction	Present Height in first regulated area in Meters	Recommended Height in first regulated area in Meters	Present Height in second regulated area in Meters	Recommended Height in second regulated area in Meters
North & North-east	18.00	14.00	10.00	14.00

South & South-west	12.00	14.00	14.00	14.00
East & South-east	22.00	14.00	17.00	14.00
West & North-west	17.00	14.00	24.00	14.00

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:- 30 Sqm. to 2200 Sqm.

(c) Usage:-Land use for the most part is residential and commercial, apart some public/government and religious structures alongside, schools and office of localgoverning authorities are also present in both the prohibited and regulated areas of the monument. Further, the open spaces are utilised for parking and public recreational/sports activities. 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 in future, the construction should not affect the aesthetics of the monument. And, one can alsoprefer to design the elevation using multi-foil arched openings, jail screens and plaster mouldings.

(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 permitted and if someone needs to plan his construction in ancient styles, he may be allowed for building using dome roof design patterns.

(f) Building material:

Present day building materials such as Cement, bricks, stones and so on are utilized in the existing structures. Else in future, the materials favoured for development should go along the aesthetics of the monument.

(g) Colour:

Variety of hues are utilised for the finishing and designing of existing structures.Further in future, shades/textures having buff, brown, pale brown and dark brown colours can be used

for finishing so that, they should not contrast the monumentvisually.

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

d) 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.

e) 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.

f) 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.

ANNEXURES

ANNEXURE-I

Protected boundary of Tomb of Janab Aliya at Lucknow, District – Lucknow, Uttar Pradesh.

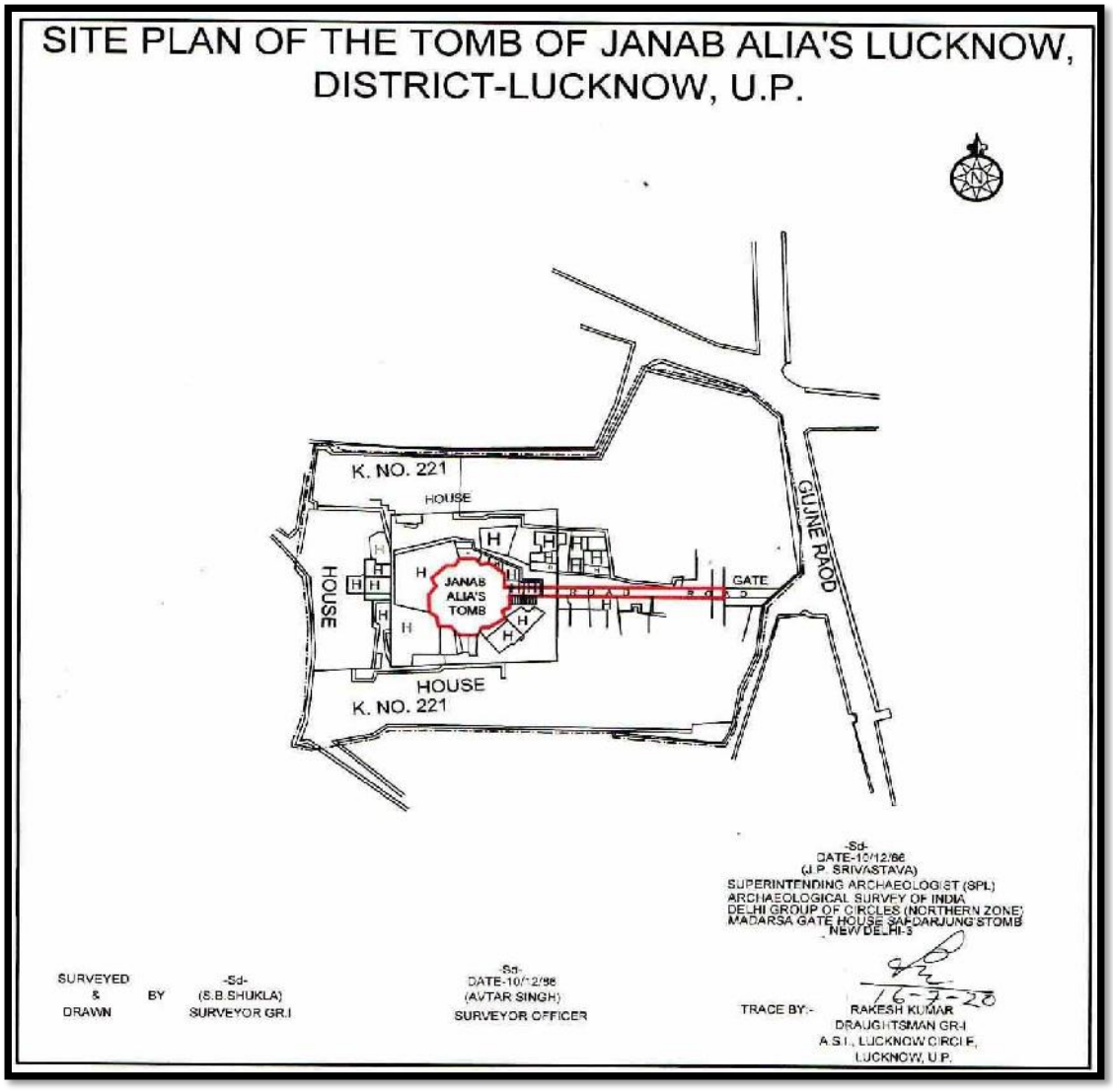


Figure 2, Site Plan showing protected boundaries for Tomb of Janab Aliya at Lucknow,District – Lucknow, Uttar Pradesh.

ANNEXURE-II

Notification map as per ASI records-definition of Protection Boundaries

Original Notification

UNITED PROVINCES.

PUBLIC WORKS DEPARTMENT.
BUILDINGS AND ROADS BRANCH.

Dated Allahabad, the 26th September, 1921.

No. 2755-M-/367-76.- In exercise of the powers conferred by sub-section (3) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), His Excellency the Governor in Council is pleased to confirm this department notification no. 1226-M/367-76, dated the 2nd/13th October 1920, published at page 1694 of Part I of the United Provinces Gazette, dated the 16th October, 1920, declaring the tomb of Janab Aliya at Lucknow a protected monument under the said Act.

By order,

H. M. WILLMOTT,

Secretary to Government, United Provinces.

Typed copy of Original Notification

UNITED PROVINCES.
PUBLIC WORKS
DEPARTMENT.

BUILDINGS AND ROADS BRANCH.

Dated Allahabad, the 26th September, 1921.

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By order,

H.M. WILLMOTT,
Secretary to Government, United Provinces.

ANNEXURE-III

The rules and guidelines for construction will be applicable according to the following sets of regulations defined by the specified local bodies:

A. **Lucknow Maha Yojana – 2031**, prepared by "Sambhagiya Niyojan Khand, Lucknow, Nagar evam Gram Niyojan Vibhaag, Uttar Pradesh and Lucknow Development Authority, Lucknow".
B. **Lucknow Development Authority (LDA)**, the local development body formed under the "Uttar Pradesh Urban Planning & Development Act 1973".
C. **Development Authority Building Construction and Development sub method – 2008; Revised - 2016** (clause 1.1.1, 1.1.2 and 1.2.1) defined underthe "Uttar Pradesh municipal planning and development act - 1973".

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

The standards for construction defined by "**Lucknow Development Authority (LDA)"** are as follows:

Setbacks for residential buildings having height upto 10m (Sub section -5):

Table 1

Size of Plot (Sq. Mt.)	Front Margin	Rear Margin	Side1 Margin	Side2 Margin
Up to 30	1.0	-	-	-
31 to 69	1.5	1.5	-	-
70 to 124	1.5	2.5	-	-
125 to 250	3.0	3.5	1.5	-
251 to 450	4.5	3.5	3.0	1.8
451 to 600	6.0	4.5	3.0	1.8
Above 600	6.0	6.0	3.0	3.0

- For plots having area less than 125sq.m, no construction will be allowed inthe front setback.
- Construction in setbacks is strictly prohibited.
- For buildings having height less than 6m, 40% relaxation is allowed in rearret back.

Setbacks for building having height more than 10m (Sub section - 5):

Table 2

Height of Building (m)	Setback left around the Building (m)
10	3.0
15	5.0
18	6.0
21	7.0
24	8.0

27	9.0
30	10.0

Ground Coverage and FAR / FSI for various types of land use:
Table 3

Sr. No.	Land Use	Ground Coverage in %	F.A.R.
1.	**Commercial**		
	Commercial/Residential	40	1.50
	Convenient shops	50	1.75
	Street Markets	40	1.20
	Sectoral Marketing Centre	40	1.20
	Sub-City Centre	35	1.50
	City Centre	25	3.00
	Central Business District	30	2.00
	Wholesale/ Trade Centre	60	1.00
	Warehouses	60	1.50
2.	**Official**		
	G1 area as marked on map	30	2.00
	G2 area as marked on map	40	1.00
	G3 area as marked on map	40	1.20
3.	**Educational**		
	Primary/ Nursery Schools	40	0.80
	High school / Intermediate institutes	35	1.00
	Universities/ Technical institutes	30	1.20
4.	**Community and Institutional facilities**	33	1.50
5.	**Assembly Hall**	35	0.80

Specifications for Basement Construction:

- For commercial area, construction of basement (having area up to the ground coverage) is allowed, which will be used only for parking and storage purposes. Also, its area will not be counted in F.A.R.
- For commercial/ official buildings, double basement is allowed with following restrictions:
  - 80% of the basement area will be used for parking purpose, and remaining 20% will be used for services. Also, this area will not be counted in F.A.R.
  - Semi-basement (lower ground floor) will be used only for storage purposes and or for wholesale/retail shops. This, area will not be countedin F.A.R.
  - Basement is not allowed to be used for any other purposes.
  - The maximum height from beam to floor should be 2.4m and from ceiling to floor should be 2.5m.
- Apart from the group housing, in the residential areas, 50 percent of the ground coverage will be permissible for basement and its area will be counted in F.A.R.

Further, provisions and regulations for construction specified 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 and development act - 1973",** are as under:

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 4

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)), with height upto 15m:

Table 5

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 exceptEducational Institutions (Sub-section - 3.4.2 (II)), with height upto 12.5m:

Table 6

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 maximum allowed height 10.5 m:**

Table 7

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 8

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 9

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 kitchenare

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 10

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 envelope line till building's
		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 allowedfor 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 basementsenvelope line till building's

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

A. The circulation area required for common car parking:

Table 11

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 12

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 Bye-laws/ 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 notice about the ASI's act pertinent for the monuments and heritage sites declared protected by the ASI. Under this, it is expressed 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 approval for construction / development would be obtained from the Department of ASI as per the rules of the Ancient Monument and Archaeological Sites and Remains Act – 1958.

Further, in the **"Lucknow Maha Yojana – 2031"; sub section – 8.11.9 (1) & (2),**it is stated that, the relevant provisions of the Government of India will be applicable on ASI protected sites/monuments. While for remaining monuments (other than of ASI), some provisions are mentioned which are specified as:

Architectural Control:

Construction near the monuments, historical buildings, and along the main roads will need approval in context with their architectural/artistic perspectives.

Planning Control:

a) For Heritage Zones: There are three heritage zones specified in the "Lucknow Maha Yojana – 2031":
   (i) Husianabad Complex
   (ii) Kaiserbagh Complex
   (iii) La- Martinier Complex

   And, rules applicable in these zones are as follows:
   - No construction will be allowed under the distance of 50 meters from the premises of the monument/Heritage building.
   - From 50 meters to 150 meters, construction of only one storey residential buildings (maximum height 3.8m) will be permitted.

- And, from 150 meters to 250 meters, construction of only two storied buildings (maximum height 7.6m) will be permitted.

b) Apart from above stated three heritage zones, rules applicable for other important buildings and monuments located in the other developed areas of the city are as follows:
   - No construction will be allowed under the distance of 15 meters from the premises of the monument/Heritage building.
   - From 15 meters to 50 meters, construction of only one storey residential buildings (maximum height 3.8m) will be permitted.
   - And, from 50 meters to 100 meters, construction of only two storied buildings (maximum height 7.6m) will be permitted.

Open spaces.

Standard with respect to provision of open spaces during construction are briefedin the "**Development authority building construction and development sub 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 percentof 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 in any of the current state government acts and guidelines. Whereas, inside the city, road traffic for the most part includes two wheelers, bicycle, tempos, car jeeps, taxi, vans, auto rickshaws, mini bus, truck, meta door, tractor and trolley, tongas, thelas and etc. Additionally, on the roads subsisting near the monument, mostly slow moving motorized and non-motorizedconveyances can be seen throughout the year.

Further, the 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 13

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 14

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

The general guidelines pertinent for variants of development work, in the different land zones subsisting throughout the Lucknow city has been already mentioned in above sections and further, there are no guidelines framed in yet, pertaining tostreetscapes and facades within the Prohibited and Regulated area of the ASI monuments.

ANNEXURE-IV

Provide information as per First Schedule (Rule 21 (1))/ Total Station Surveyof the Prohibited and Regulated area on the basis of boundaries defined in ASI records.
Date of Preparation: 06/07/2018

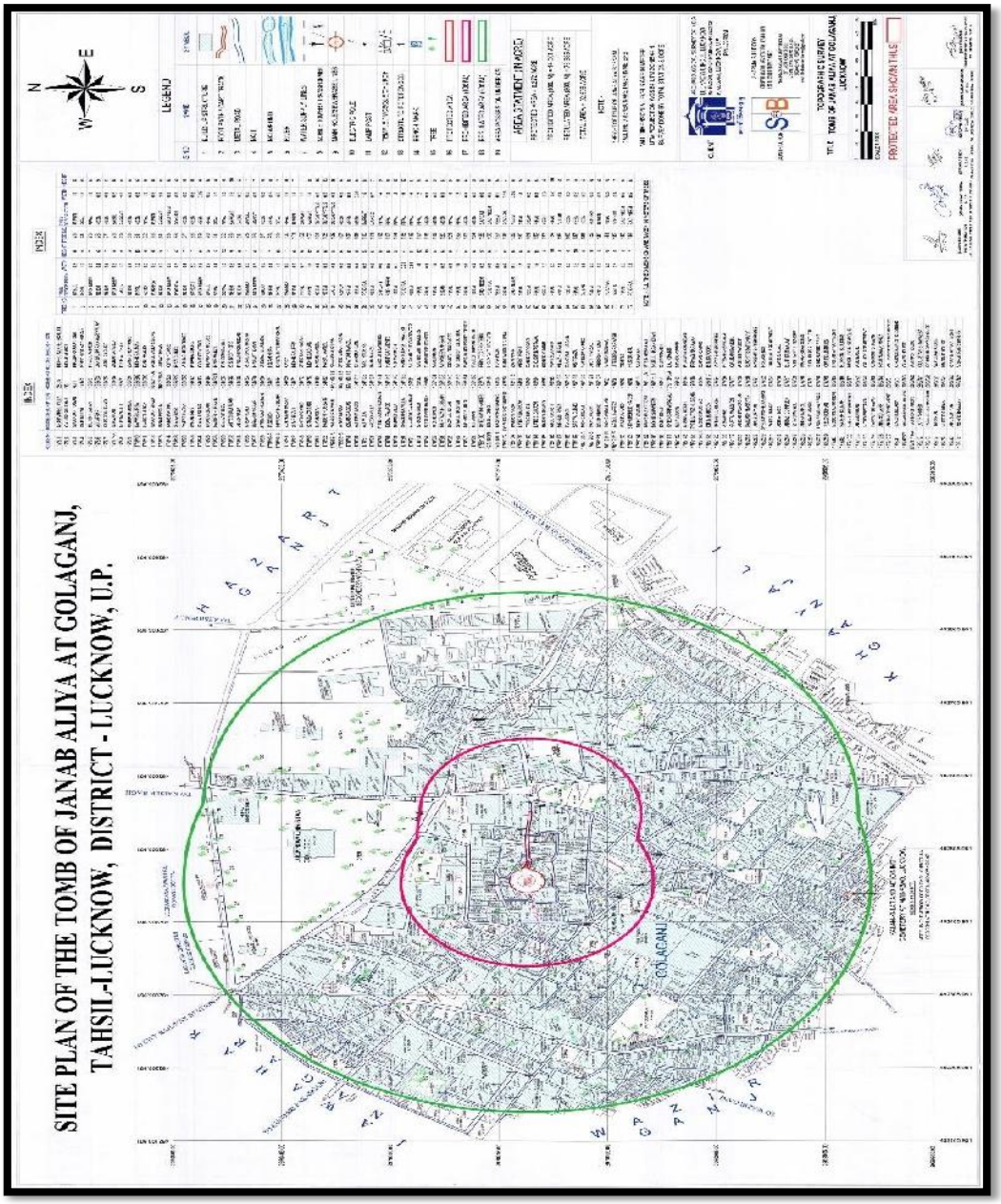
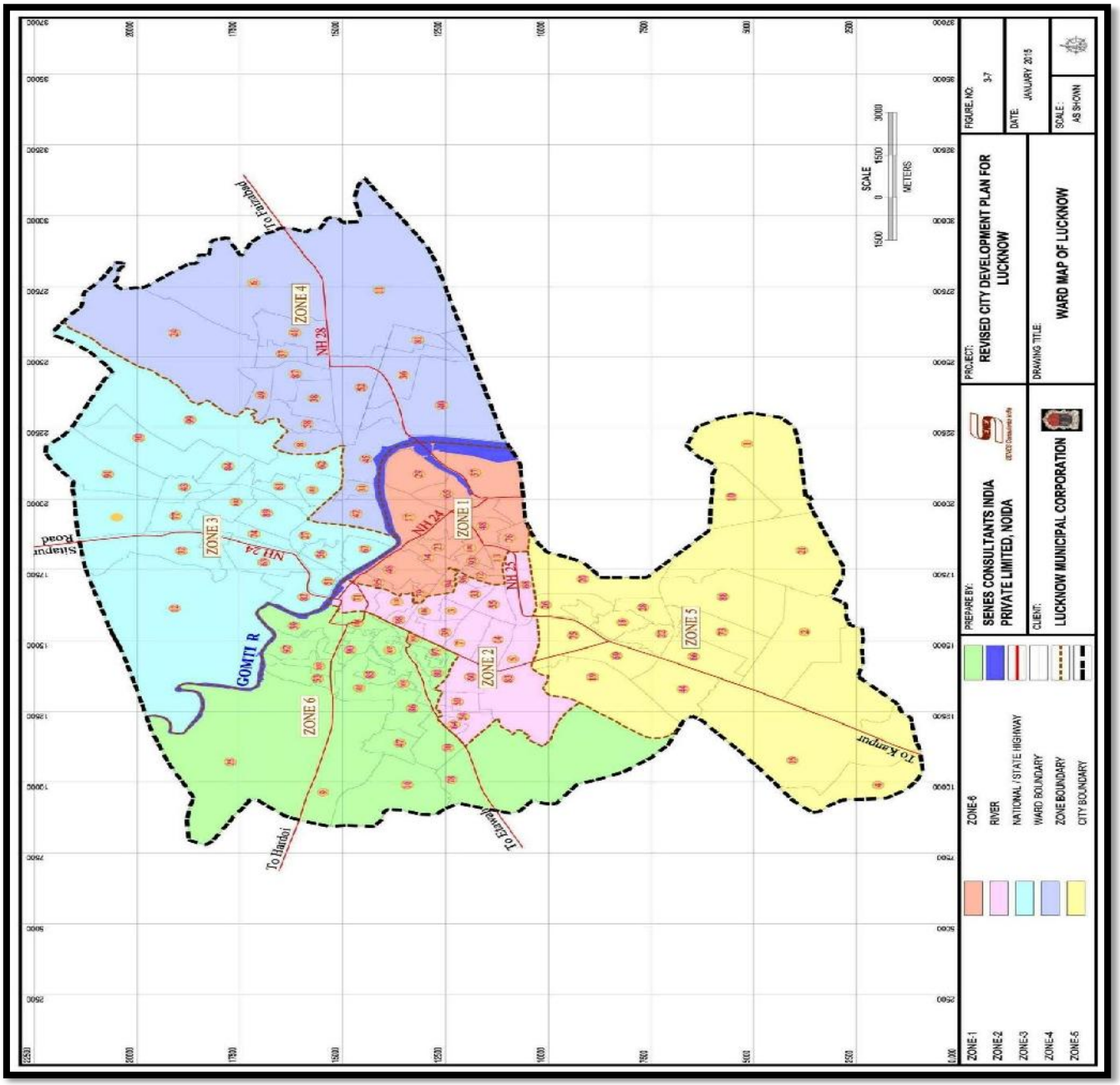


Figure 3, Survey plan showing Protected, Prohibited and Regulated boundaries for Tomb of Janab Aliya at Lucknow, District – Lucknow, Uttar Pradesh.

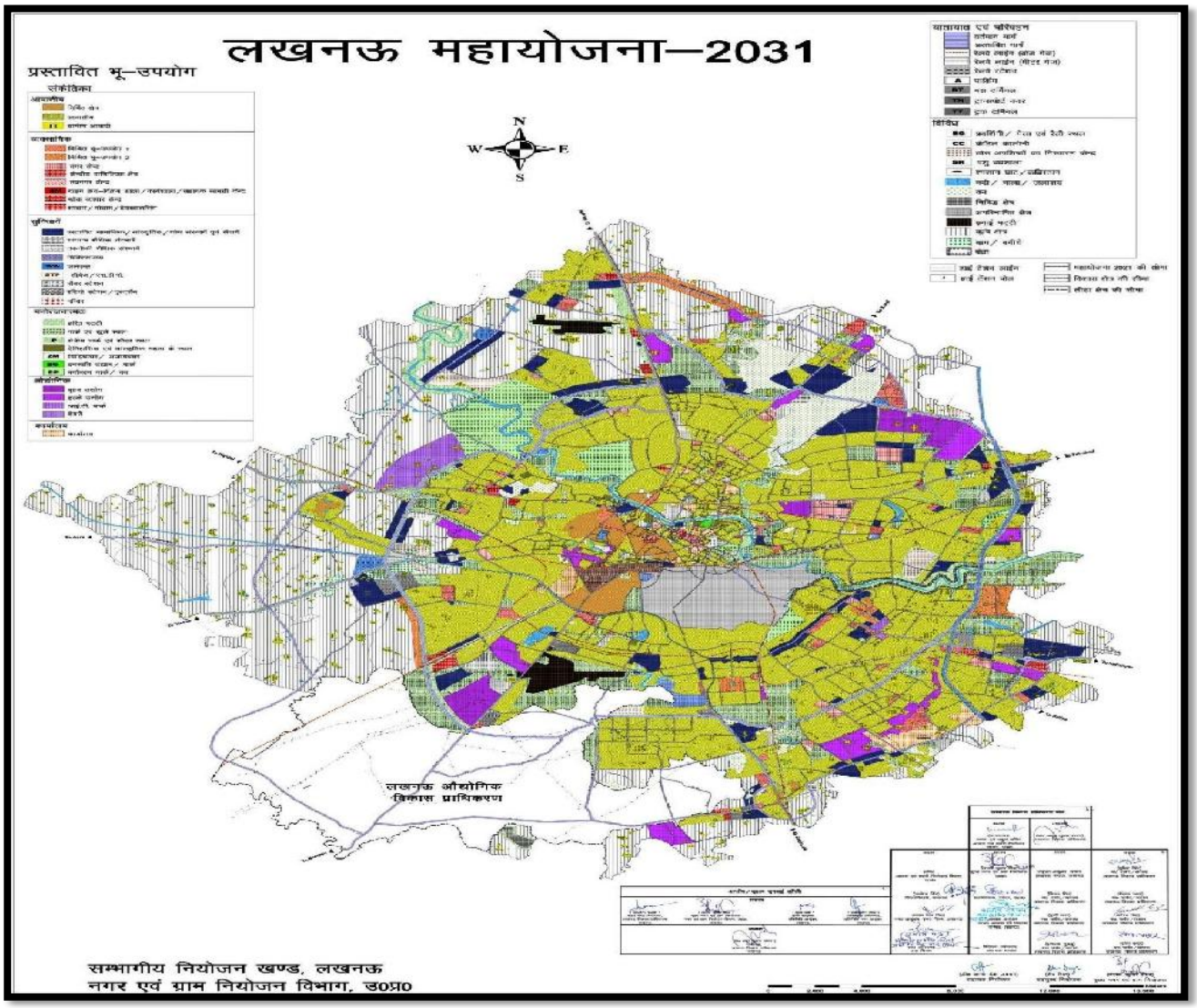
ANNEXURE-V

Development plan as available by the local authorities.

[6]



Revised City Development Plan , Lucknow City – 2040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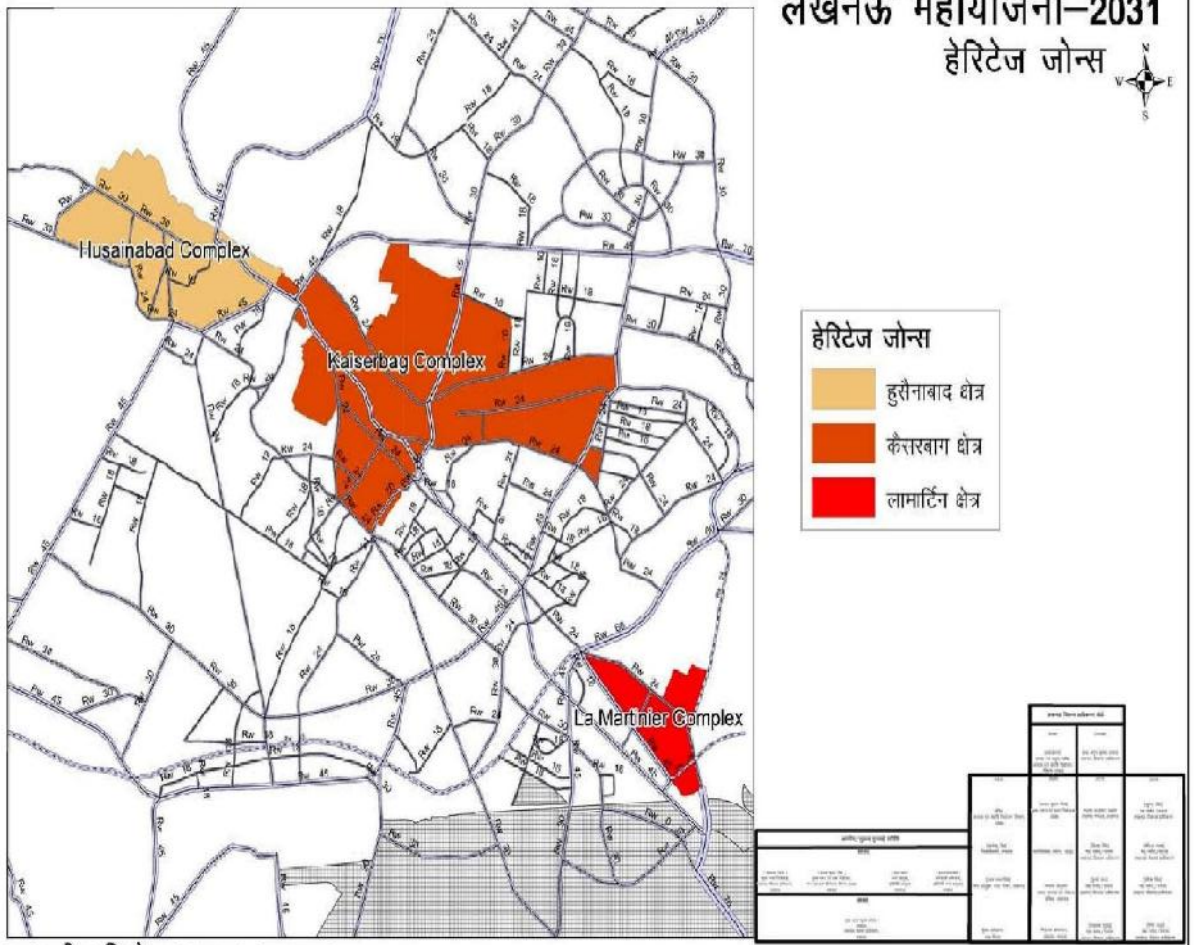

,Lucknow Maha Yojana – 2031 Heritage Zones

ANNEXURE-VI

Plate 1, View of the entrance door in front

Plate 2, View of gateway

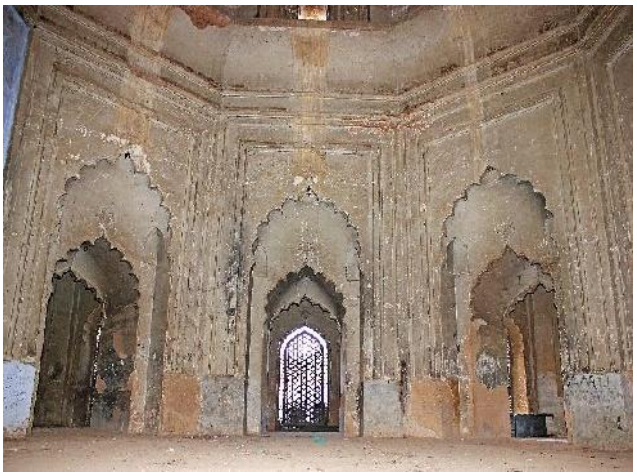

Plate 3, View of the interior of the tomb

Plate 4, View of skyline and the surrounding area.