F.No. 15-294/NMA/HBL-2024
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 Protected Monument "**Group of Baleswar Temples & Naula covered spring attached to the Baleswar temples, Champawat, Uttrakhand**" 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 **arch-section@nma.gov.in** latest by 1st June, 2024. 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. 1st June, 2024 in consultation with Competent Authority and other Stakeholders.

(Col. Savyasachi Marwaha)
Director, NMA
1st May, 2024

सत्यमेव जयते

भारत सरकार
संस्कृति मंत्रालय
राष्ट्रीय संस्मारक प्राधिकरण

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

Draft Heritage Bye-Laws for (i) Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat.

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 **"Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat"**, prepared by the Competent Authority, in consultation with the Amity School of Architecture and Planning, Amity University, Lucknow UP, as required by sub-rule (2) of Rule 18 of the National Monuments Authority (Conditions of Service of Chairman and Members of Authority and Conduct of Business) Rules, 2011, for inviting objections or suggestions from the public;

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

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

CHAPTER I

Preliminary

1.1 Short title, extent and commencements:

(i) These bye-laws may be called the National Monument Authority Heritage bye-laws, 2024 of Centrally Protected Monument - "(i) Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat Bye-laws 2024".

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

(iii) The provisions of these bye-laws shall have effect notwithstanding anything inconsistent therewith contained in any other bye-laws, whether made before or after the commencement of these bye-laws, or in any instrument having effect by virtue of any bye-laws. It shall not be obligatory to carry out amendments in these bye-laws to make them consistent with any other bye-laws.

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

1.2 Definitions:

1. In these bye-laws, unless the context otherwise requires, the definitions as given in the Act or the rules made thereunder have been reproduced hereunder for the sake of convenience: -

(a) "Ancient monument" means any structure, erection or monument, or any tumulus or place or interment, or any cave, rock sculpture, inscription or monolith, which is of historical, archaeological or artistic interest and which has been in existence for not less than one hundred years, and includes: -

(i) the remains of an ancient monument,

(ii) the site of an ancient monument,

(iii) such portion of land adjoining the site of an ancient monument as may be required for fencing or covering in or otherwise preserving such monument, and

(iv) the means of access to, and convenient inspection of an ancient monument;

(b) "Archaeological site and remains" means any area which contains or is reasonably believed to contain ruins or relics of historical or archaeological importance which have been in existence for not less than one hundred years, and includes:

(i) such portion of land adjoining the area as may be required for fencing or covering in or otherwise preserving it, and

(ii) the means of access to, and convenient inspection of the area;

(c) "Act" means the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

(d) "Archaeological officer" means an officer of the Department of Archaeology of the Government of India not lower in rank than Assistant Superintendent of Archaeology;

(e) "Authority" means the National Monuments Authority constituted under Section 20 F of the Act;

(f) "Competent authority" means an officer not below the rank of Director of archaeology or Commissioner of archaeology of the Central or State Government or equivalent rank, specified, by notification in the Official Gazette, as the competent authority by the Central Government to perform functions under this Act:

Provided that the Central Government may, by notification in the Official Gazette, specify different competent authorities for the purpose of section 20C, 20D and 20E;

(g) "construction" means any erection of a structure or a building, including any addition or extension thereto either vertically or horizontally, but does not include any re-construction, repair and renovation of an existing structure or building, or, construction, maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences, or the construction and maintenance of works meant for providing supply of water for public, or, the construction or maintenance, extension, management for supply and distribution of electricity to the public or provision for similar facilities for public;

(h) "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 a protected monument, and the doing of any act which may be necessary for the purpose of preserving a protected monument or of securing convenient access thereto;

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

(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 of this Act;

(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 or the rules made thereunder.

CHAPTER II
Background of the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958

2.1 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 three hundred meters area has been divided into two parts (i) the **Prohibited Area,** the area beginning at the limit of the Protected Area or the Protected Monument and extending to a distance of 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.

2.2 Provision of the Act related to Heritage Bye-laws:

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

2.3 Rights and Responsibilities of the Applicant:

Section 20C of AMASR Act, 1958 specifies details of application for repair and renovation in the Prohibited Area, or construction or re-construction or repair or renovation in the Regulated Area as described below:

a) Any person, who owns any building or structure, which existed in a Prohibited Area before 16th June, 1992, or, which had been subsequently constructed with the approval of the Director-General and desires to carry out any repair or renovation of such building or structure, may make an application to the Competent Authority for carrying out such repair and renovation as the case may be.

b) Any person, who owns or possesses any building or structure or land in any Regulated Area, and desires to carry out any construction or re-construction or repair or renovation of such building or structure on such land, as the case may be, may make an application to the Competent Authority for carrying out construction or re-construction or repair or renovation as the case may be.

c) It is the responsibility of the applicant to submit all relevant information and abide by the National Monuments Authority (Conditions of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011.

CHAPTER III

Location and Setting of Centrally Protected Monuments/ Sites/ Group of Monuments:

3.1 Location and Setting of the Monument:

The location of the Baleshwar temples lies in the city of Champawat that is 76km. away from Pithoragarh, Uttarakhand. The geographical co-ordinates are 29°20'11.70" North Latitude and 80°5'25.44" East Longitude.
Within the eastern Kumaon division of Uttarakhand lies Champawat, a town bordering the Nepal region to the east, Udham Singh Nagar district to the south, Nainital district to the west and Almora district to the northwest. The district Champawat is the dynasty of Chand rulers. They built temples and monuments in their ancient capital. The Baleshwar, Devidhura, Pancheshwar, Poornagiri temple are few such architectural building which built by the Chand dynasty.

The Champawat houses a significant temple dedicated to Lord Shiva. Baleshwar temple, known for its distinctive architectural style, the temple is adorned with exquisite stone carvings. The temple is located in a densely populated residential area with the main entrance conveniently located on the western side for easy access. The protected monument of Kotwali Chabutra and other monuments including Rajbunga fort complex and Nagnath temple can be seen in near proximity.

The area is also a home to a high density of forests, which serve as a natural habitat for wildlife. Champawat district, geographically divided into terai, shivalik and high mountain ranges is widely appreciated as the origin of culture and religion in Uttarakhand state. Champawat preserves its native culture in its language, customs, and architecture while also being home to historic temples.

The holy city is accessible by road following National Highway 09 from Delhi to Champawat, which is approximately 455 kms. The most direct route are in west direction of the centrally protected monument, through Haldwani (294 kms.) and Bhowali (132 kms.). Champawat Bus Station, located 500 in east direction, offers the nearest public transport connection. For air travel, Pant Nagar Airport is 170 kms. Away in south-west direction. Alternatively, rail access is available from Kathgodam station (173 kms. away) in west direction or Tanakpur station (about 75 kms. away) in south direction.
This bye-law is to be read in conjunction with the Heritage bye-law of ‘Kotwali Chabutra, Uttarakhand.

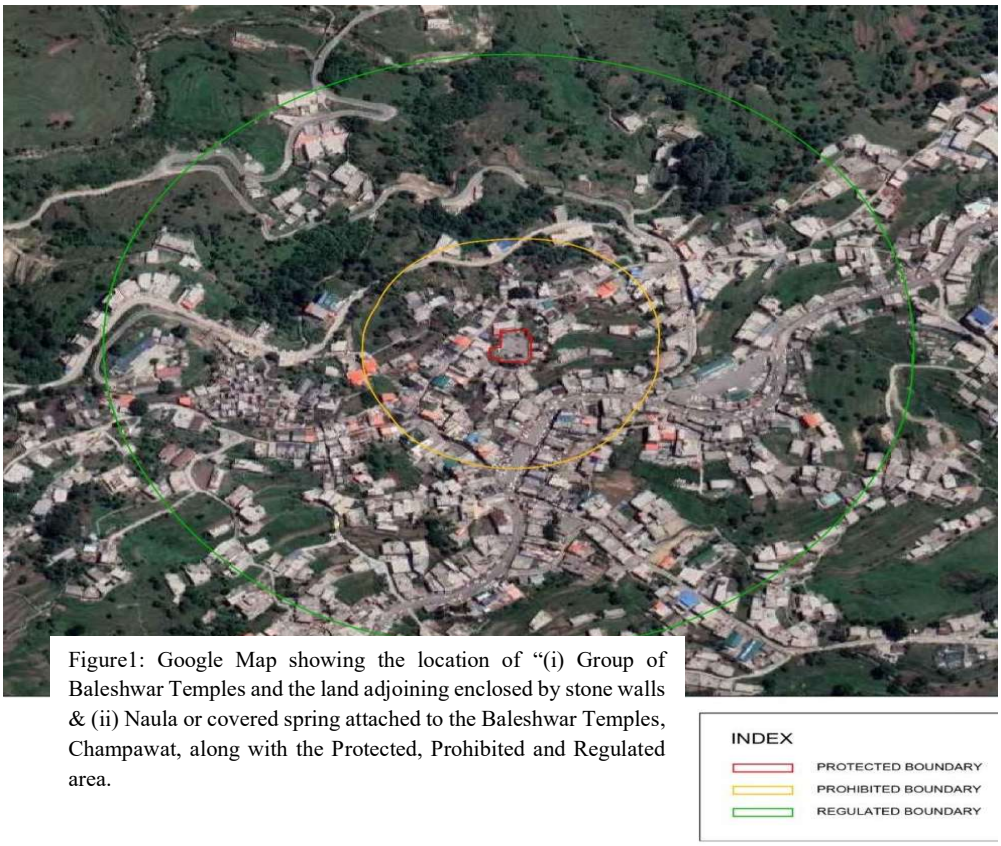


Figure1: Google Map showing the location of "(i) Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat, along with the Protected, Prohibited and Regulated area.

3.2 Protected boundary of the Monument:

The Protected Boundary Map of the Centrally Protected Monument – "(i) Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat" may be seen in **Annexure-1**.

3.2.1 Notification Map/ Plan as per ASI records:

The copy of Gazette Notification of the "(i) Group of Baleshwar Temples and the land adjoining enclosed by stone walls & (ii) Naula or covered spring attached to the Baleshwar Temples, Champawat may be seen in **Annexure-II (a)**.

3.3 History of the Monument:

This group of temples were constructed during 14 century CE by Chand rulers of the region. Historical records document numerous restoration efforts at Baleshwar Temple. Udyan Chand succeeded his father Harihar Chand in 1420, and impressed with the heinousness of his grandfather's crime, he spent the first part of his short reign in appearing the wrath of the gods by restoring the great temple of Baleshwar and inviting a Gujarati Brahman to consecrate it. Vikrama Chand succeeded his father Hari in 1423 CE and carried out the restoration of the Baleshwar temple commenced by the pious Udyan Chand. One of the earliest acts of the raja Rudra Chand [1565-1597 CE.] was to

re-establish the worship of Mahadeo at Baleshwar. Large number of the stone images are still present at the site.[1]

Naula or covered spring attached of the Baleshwar temple, Champawat is one among the important water structure in this region. Attached to the south of the temple premises, this rectangular structure is built below the ground level in which water oozing from the ground is collected. The inscription of Chand ruler Raja Kurmchand engraved on the inner wall of the naula proves that the said naula is the most ancient among the presently available Chand period naulas.

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

The temples comprise of both latina and shikara. However, their significance lies in the fact that the two main temple in the complex are composed of double mula-prasadas (sanctum sanctorum) each of which is preceded by a mandapa which in turn are joined in axial length.

There are two dual temples in the Baleshwar temple group: Baleshwar Sugriveshwar temple (built in Maru-Gurjara style), Champavati-Ratneshwar temple (North Indian Rekha Prasad) and Bhairav temple present in the compound. The Baleshwar-Sugriveshwar temple is said to have been a part of the same tradition as well. There is a "Naula" or covered spring near the Baleshwar Temple. The temples are independent but part of a single structure, arranged in a linear layout from east to west.[2]

The temples with their moderate heights and adjoining mandapas accentuated by pyramid towers crowning the main sanctum sanctorum (Garbha Graha). Both the outer and inner parts of these temples feature finely carved sculptures, adorned with frieze arts and charming motifs. Additionally, mandapas with pediments enhance the architectural allure of the sacred site.

Naula is present on the left side of the entrance of the temple complex near Baleshwar Temple Group-Champawat. It is located on the lower ground level of the Baleshwar temple group; the bedrock plan of the east-facing Baleshwar canal consists of a series of steps built in increasing order (from bottom to top) in a water reservoir with a base. A rectangular, two-pillared front pavilion (ardhamandap) is built in front of the water pond.

Refer Annexure-III

3.5 Current Status:

3.5.1 Condition of the Monument- condition assessment:

The maintenance and preservation of the Centrally Protected Monument (CPM) and its protected area is the exclusive domain of Archaeological Survey of India (ASI). The Photographs depicting the present condition of the protected monument is appended in **Annexure –III**.

[1] Almora: A Gazetteer, being Volume XXXV of the District Gazetteers of the United Provinces of Agra and Oudh

[2] Pant V. (2022). Pattharo me Dadhakti Kala- Kumaon Himachal Ka Chandrakalin Sthapatya.

3.5.2 Daily footfalls and occasional gathering numbers:

The data is based on the observations from the physical survey of the protected monument along with remarks from local visitors and caretaker. The daily footfall at the protected monument is limited to 10-20 persons while a slight surge can be on local festivals and New year i.e., 150- 200 persons. The festival of Shiv Ratri attracts a large number of people from the local and nearby areas. The number of visitors include mostly locals and few inter-national tourists.

CHAPTER IV

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

4.1 Existing zoning:

No zoning regulations or master plan has been prepared till date, by the local authorities.

4.2 Existing Guidelines of the local bodies:

Since, no land use plan/ master plan/ zoning regulations are prepared by the local authorities, therefore, this Heritage bye-law takes precedence over the local building bye-laws. Consequently, alterations to the existing land use are prohibited. When formulating land-use plans/ master plans/ zoning regulations, etc., it is imperative to consider and incorporate the provisions outlined in this bye-law. Provisions related to height and building construction can be referred in Chapter VI, Section 6.13 of this heritage bye-law.

Other on-site building construction related parameters, and other safety related provisions from earthquake, fire, etc., may be referred from 'The Building Construction and Development bye- laws/ regulations, 2011 (amendment 2015), as amended from time to time.

CHAPTER V

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

5.1 Survey plan of Baleshwar Temple, Champawat:

Survey Plan of the Baleshwar Temple, Champawat may be seen in **Annexure- I**.

The detailed information may be seen at **Annexure-II (b)**.

5.2 Analysis of surveyed data:

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

The prohibited area and regulated area for 'Baleshwar Temples' are listed below:

Protected Boundary:	890.3084 Sq. Mts. approx.
Prohibited Boundary:	44394.015 Sq. Mts. approx.
Regulated Boundary:	319539.78 Sq. Mts. approx.

Salient Features:

Champawat was formerly the capital of the Chand dynasty known for its natural beauty and temples. The main draw in Champawat is the Baleshwar temple. Another great example of Kumaon's architecture is the Nagnath temple near Baleshwar temple. The protected site holds significant historical, cultural, and religious characteristics, also renowned for its architectural beauty and intricate stone carvings. The prohibited and regulated area is punctuated with historical built forms of hill fort, temples along with a glimpse of traditional Kumauni architecture. The hilly terrain in enriched with dense vegetation and trees. Additionally, it provides an expansive view of the Trishul, Panchachuli, and Nanda Devi Mountain ranges.

.

5.2.2 Description of built-up area:

a) North: The residential settlement with G and G+2 construction lies in Prohibited Area. Regulated area covers a large agricultural open area and a few residences that ranges from G to G+2.
b) South: The dense residential settlement and commercial properties lies in Prohibited areas. Residential and Commercials are G and G+1 lies in Prohibited Area. The Regulated Area consists of G to G+2 category of residences and G to G+4 range of commercial properties. Uttarakhand Tourist centre, Tourist rest house KMVN, etc. also lies in Regulated area.
c) East: The residential settlement with G and G+1 construction lies in Prohibited Area. Residential buildings are G and G+1, while commercial and institutional buildings including Post office, Uttarakhand Parivahan Nigam in Regulated Area are G and G+2.

d) West: Residential development ranges from G to G+1 in Prohibited Area. G to G+4 lies as residential buildings with G to G+2 in Regulated area.
e) North-East: The residences range from G to G+1 in Prohibited Area with plotted open spaces. The residential setting are G and G+2 lies in Regulated Area. The commercial and institutional buildings are G and G+1 along the road.
f) South-East: The residential buildings are G and G+2 along with commercial buildings and row of hotels in first line of construction, ranges from G to G+3 construction lies in Prohibited Area. The built up comprises of residential development from G to G+3, commercial and institutional forms of G to G+2 levels in Regulated Area.
g) North-West: Prohibited Area covers G to G+3 buildings as residential and few G to G+2 residential settlement is in Regulated Areas and more of the area is covered by green and open spaces.
h) South -West: The residential region from G to G+1 can be seen in Prohibited area along with PNB, SBI Bank and other commercial buildings, ranges from G to G+2. Residential buildings are G to G+3 in Regulated Area.

5.2.3 Description of green/open spaces:

The agricultural open spaces along with plotted unbuilt land area can be seen.
Prohibited Area:

a) North: Few green spaces are observed.
b) South: Few green spaces are observed.
c) East: Open cultivated land and open areas are observed with green landscape.
d) West: open spaces in residences can be seen.

Regulated Area:

a) North: The dense green cover in patches can be seen.
b) South: Few open areas are observed.
c) East: Few open space and cultivated land along with building settings.
d) West: Large land is covered with dense green cover.

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

The protected monument is accessed via NH 09, near Champawat Bus Station at Tanakpur-Lohaghat road. It is around 500 meters away in south west direction of the centrally protected monument. The motorable streets adjoining the various levels across the prohibited and regulated areas and acts as a connection to NH 09. The internal areas with steep slopes are connected through paved streets preferably for walking across the residential and local markets.

5.2.5 Heights of buildings (Zone wise):

Prohibited Area:

a) North: The building height ranges from 3 m to 9 m.
b) South: The building height ranges from 3 m to 9 m.

c) East: The building height ranges from 3 m to 6 m.
d) West: The building height ranges from 3 m to 6 m.
e) North-East: The building height ranges from 3 m to 9 m.
f) South-East: The building height ranges from 3 m to 12 m.
g) North-West: The building height ranges from 3 m to 9 m.
h) South-West: The building height ranges from 3 m to 9 m.

Regulated Area:

a) North: The building height ranges from 3 m to 12 m.
b) South: The building height ranges from 3 m to 12 m.
c) East: The building height ranges from 3 m to 9 m.
d) West: The building height ranges from 3 m to 15 m.
e) North-East: The building height ranges from 3 m to 12 m.
f) South-East: The building height ranges from 3 m to 12 m.
g) North-West: The building height ranges from 3 m to 9 m.
h) South-West: The building height ranges from 3 m. to 12 m.

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

There is a no State protected monument available within Prohibited and regulated area. Kotwali Chabutra (Centrally Protected Monument), is approximately 700 m to the west of the monument. Apart from that, historical buildings namely Rajbunga fort (currently used as Tehsil office, Champawat) and Nagnath temple with traditional architectural style can be seen in west direction of regulated area.

5.2.7 Public amenities

The public amenities including toilets and drinking water facility are provided inside the Protected boundary. The signages are placed at the entrance. The public toilets can be seen in commercial development along the NH09.

5.2.8 Access to monument:

The protected monument is located in the moderately populated area. The monument can be accessed from NH 09 through the narrow-paved street leading to the upward slope. The surrounding road network is diverse, encompassing routes that extend from the west to the south and then meander towards the east. This intricate network is linked to Laluwapani Road, further connecting to NH9 in the southern direction.

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

The infrastructure services in the Prohibited and regulated areas are notably good. The streets and roads are kept clean, and there is a noticeable absence of open garbage disposal, maintaining a neat environment. The basic facilities such

as street lights, water drainage, waste management, and signboards are placed. The parking for tourists and visitors is not identified.

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

No development plan/ master plan is available with the local authorities; hence no zoning can be identified for the given area.

CHAPTER VI

Architectural, historical, and archaeological value of the monument

6.1 Architectural, historical, and archaeological value:

The Group of Baleshwar Temples, Champawat is admired for its historical importance, architectural splendor, and archaeological values, established by Chand Dynasty.

Historical Value: In the fourteenth century CE, small but ornate temples were built around Champawat city by the Chandra rulers. It is possible that the Baleshwar-Sugriveshwar temple may also have been a part of the same tradition. It is also believed that more temples would have been erected. Adjacent to the temple is a "Naula," a freshwater resource.

Architectural Value: The protected monument showcases distinct architectural style along with traditional construction material and techniques. The original floor plan might have included sanctums facing each other at the eastern and western ends, with attached mandaps (Rangamandap) and an intermediate mandapa connecting them. At present, the sanctum at the western end and the mandapa at the eastern end no longer exist in their original form. The temple is enclosed by a protective wall with multiple gateways. The outer and internal façade display various engraved deities of gods, goddesses, apsaras, and human figures.

Archaeological value: The protected monument and naula is said to be developed around 14^{th} century and certainly is one of the temples and naulas and other built structures constructed around the Champawat region. It can be seen in the form of ruins as we move around the prohibited and regulated areas and adds to its archaeological values.

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

The Baleshwar Temple in Champawat is located in a densely populated area. The urban environment presents a challenge as expanding residential settlements intrude on the designated boundaries of the Protected monument. The resulting loss of protected area and potential changes to the structure of the Protected monument can be seen. The vernacular character in prohibited and regulated areas is also consumed by growing demand of commercial development. It requires careful monitoring and efforts to further conserve the built and natural setting of the protected monument.

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

(i) Visibility from all the direction of Prohibited and Regulated Area to the monument.

It can be noted that the visibility of the protected monument from the regulated area is limited. This can be attributed to two factors: the difference in altitude and the construction of commercial buildings in the regulated zone.

(ii) Visibility from the Monument.

Although the monument is located at a higher altitude, the visibility from the protected monument is limited to residential development in prohibited area in all north, west and southern direction. While in eastern direction, living quarters of care takers, local temple with a cow shed can be seen.

Refer **Annexure-III**

6.4 Land-use to be identified:

The Master plan or development plan of the area is unavailable.

6.5 Archaeological heritage remains other than protected monument:

In the site survey, no such Archaeological heritage remains other than protected monuments were found. Visual surveys, while useful for identifying visible structures and features, may not reveal the full extent of historical artefacts or structures buried beneath the surface. In such cases, scientific techniques like Ground-penetrating radar (GPR) can be instrumental in uncovering hidden archaeological treasures.

6.6 Cultural landscapes:

The Baleshwar temple predates the founding of Champawat itself, signifying its deep historical significance. Champawat's cultural landscape is further enriched by the presence of diverse religious, historical, and traditional structures that coexist harmoniously with the natural environment. Although, no cultural activity can be seen in protected, prohibited and regulated area.

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

The agricultural open area in the north direction acts as a natural buffer, and improves the visibility from the protected monument. The terrain and dense vegetation in prohibited and regulated area of the protected monument contribute to the natural setting and affects the micro climate along with flora and fauna of the place.

6.8 Usage of open space and constructions:

As observed in Regulated area, north and west direction holds a large open spaces and green area and is mostly used for agricultural purposes. The open spaces in prohibited area are mostly unbuilt plotted land and open spaces in the residences.

6.9 Traditional, historical, and cultural activities:

The Group of Baleshwar Temples draw Hindu devotees from Champawat and nearby areas to offer sincere prayers to Lord Shiva during Maha-shivratri festival. Also, during other festivals related to Lord Shiva, devotees flock to the protected monument.

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

The prohibited area is dotted with residential along with that few temples and green open spaces. The South, East and West direction of regulated areas holds almost the same skyline with a view of mountain range and build structures. The northern part has larger area of green dense landscape.

Refer **Annexure-III**

6.11 Traditional Architecture:

Few traces of traditional Koti Banal architecture style can be seen in the old residences and market shops. They are designed for insulation and warmth, especially during the cold winters. The buildings were locally constructed by the skilled person of the community using conventional materials like stone, mud, timber slates etc.

One of the earliest styles of architecture is the Koti Banal, which is prevalent in Uttarakhand. It demonstrates a thorough comprehension of native materials. According to investigations, the stone and wood structures are also resistant to earthquakes. Stones, slates, and long, thick timber logs are among the locally accessible building materials used to construct the buildings. Stone is a brittle substance, whereas wood is ductile. The tensile property of stone masonry is enhanced by the use of wood reinforcement.
Refer **Annexure-III**

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

No zoning regulations or master plan/ development plan has been prepared till date, bythe local authorities.

6.13 Permissible Building related parameters:

6.13.1 Repair and Renovation (in Prohibited and Regulated area):

Internal changes and adaptive reuse may be generally permitted. However, external changes shall be subject to detailed scrutiny by the Competent Authority. Such changes which include retrofitting/renovation may be permitted when the building is structurally weak or unsafe or when it has been adversely impacted by any natural calamity and renovation is absolutely necessary. Original building vocabulary and layout along with built-open relationships are to be adhered to. General repair and upkeep of buildings will be permissible, subject to prior permission from the Competent Authority.

The repair and renovation in building/structures should be sympathetic and congruous with the heritage character of the protected monument and its surrounding areas. New cladding materials like Aluminum Composite Panels (ACP), High Pressure Laminates (HPL), laminates, tiling or glazing will not be permitted. Use of locally available building material should be encourage in carrying out repair and renovation works.

6.13.2 Reconstruction:

Reconstruction is defined in Section 2(k) of AMASR Act, 1958. Permission for reconstruction in Regulated Area is accorded as per Section 20 C (2) of the AMASR Act, 1958 and Rule 6(IV) and Rule 7 AMASR (Framing of heritage Bye-laws and other functions of the Competent Authority) Rules, 2011. In case of any type of building or structure located in the prohibited or Regulated area of the protected monument or protected area, collapsed or damaged and found beyond repair due to natural calamities, the permission for reconstruction is accorded as per Rule 16 AMASR (Framing of heritage Bye-laws and other functions of the Competent Authority) Rules, 2011. The new structure or building as a replacement to the older building in case of reconstruction shall follow the same horizontal and vertical limits as per the pre-existing structure. The use of incongruous materials in the façade such as glazing, metal cladding, Aluminum Composite Panels (ACP), High Pressure Laminates (HPL), tiles, laminates will not be permissible. The new structure should be sympathetic and congruous with the heritage character of the protected monuments and its surrounding area.

6.13.3 New Construction:

6.13.3.A Prohibited Area:

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

6.13.3.B Regulated Area:

1. **Height of the new construction on the site (including mumty, parapet, water storage tank, machine room, HVAC unit, solar panel, rain water harvesting system, penthouse structures of terrace garden etc.) or any other services on the roof:**

   The maximum height limit for new construction or additions/alteration to existing buildings shall not exceed **12 meters** (including mumty, parapet, water storage tank, machine room, generator room, HVAC unit, solar panel, rainwater harvesting system, penthouse structures of terrace garden etc.) or any other services on the roof.

   Construction of the basement may not be permitted to mitigate any adverse impact on the structural, safety of the monument

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

3. **Façade Design:** The architectural characteristics of monument are distinct; it has minimal effect on residential or small-scale constructions in prohibited and regulated areas. Although there are ample examples of traditional architectural style around the monument. Hence, the facade design of new construction must not

overpower the monument. It is recommended that no tile cladding or use of aluminum composite panels on the exterior facade is permitted. The plumbing and electrical services shall not be on the exterior of the building and use of glazing in façade should be avoided. The use traditional material such as wood and stone in façade to be encouraged.

Any proposed alterations or additions to the historic facade must be reviewed and approved by the ASI with advice from qualified a Conservation professional. The design should be sympathetic to the historic character of the monument.

4. **Roof Design:** The flat roof design to be followed.

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

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

CHAPTER VII
Site Specific Recommendations

7.1 Site specific Recommendations

i. Site may also have descriptive plaques based on authentic historical narrative.
ii. All signs within the historic precinct should be compatible and harmonious with the special character of the monument and its surroundings.
iii. The installation of signages should not damage the historic fabric, nor diminish the historic character of the monument.
iv. No advertisements in the form of hoardings, bills within the heritage zone will be permitted.
v. Regular upkeep and maintenance of the monument to protect it from any structural damage.
vi. Use of Eco-Friendly vehicles for movement in the vicinity of the monument is recommended.
vii. Construction of green buildings including best practices like rain water harvesting etc. recommended.
viii. Local administration may adopt mitigation measures to limit vehicular vibrations and emissions from the traffic on the nearby road including use of eco-friendly green vehicles.

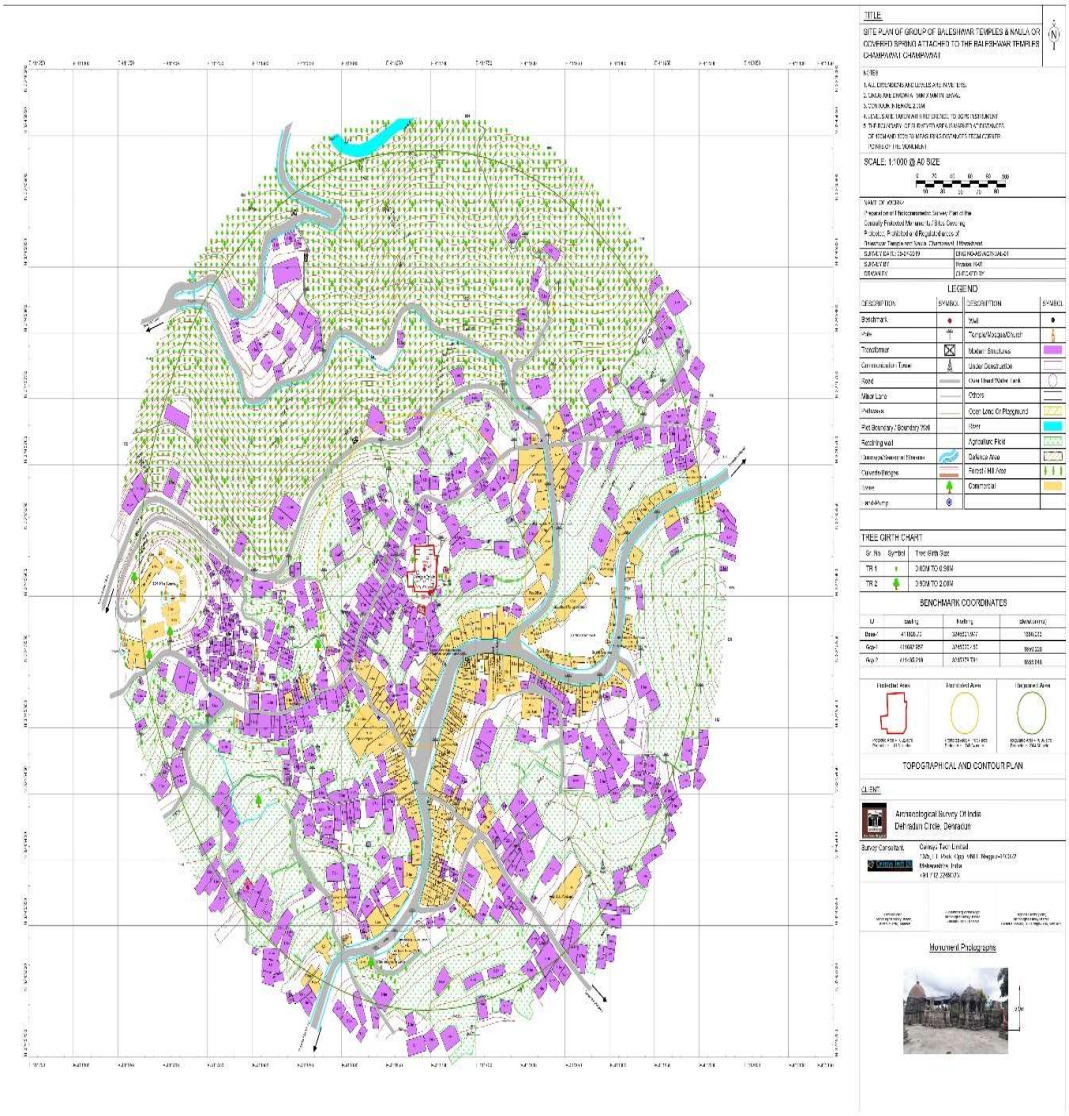
7.2 Other Recommendations

- Extensive public awareness programme may be conducted.
- Provisions for differently abled 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

ANNEXURES

ANNEXURE -1

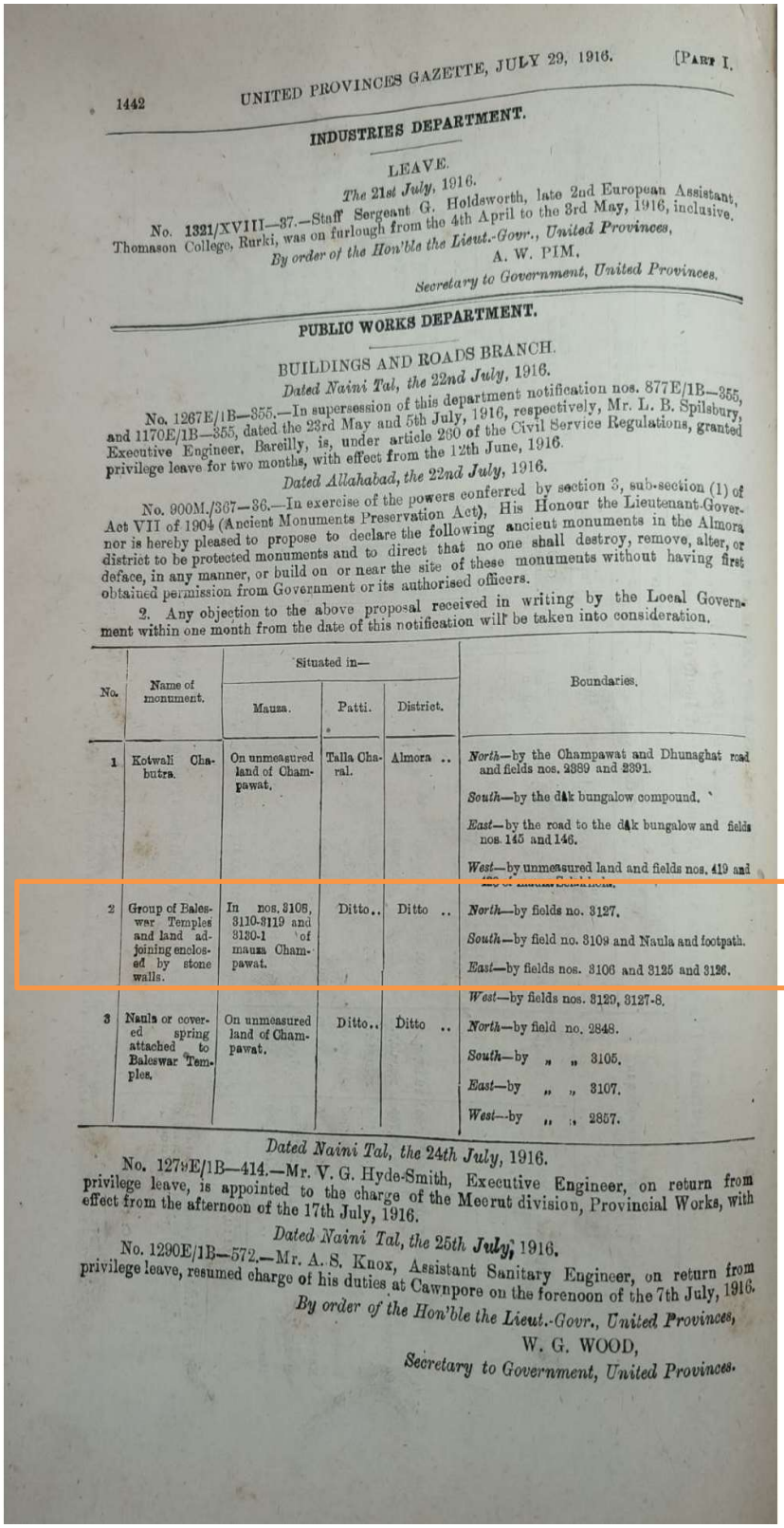
Site Plan/ Survey plan showing Protected, Prohibited and Regulated Area of Group of Baleshwar Temples and Naula or covered spring attached to the Baleshwar temples, Champawat



Map 1: Site Plan/ survey plan showing Protected, Prohibited and Regulated Area of Group of Baleshwar Temples and Naula or covered spring attached to the Baleshwar temples, Champawat

ANNEXURE -II (a)

Notification of the monument



1442 UNITED PROVINCES GAZETTE, JULY 29, 1916. [PART I.

INDUSTRIES DEPARTMENT.

LEAVE.

The 21st July, 1916.

No. 1321/XVIII—37.—Staff Sergeant G. Holdsworth, late 2nd European Assistant, Thomason College, Rurki, was on furlough from the 4th April to the 3rd May, 1916, inclusive.

By order of the Hon'ble the Lieut.-Govr., United Provinces,

A. W. PIM,

Secretary to Government, United Provinces.

PUBLIC WORKS DEPARTMENT.

BUILDINGS AND ROADS BRANCH.

Dated Naini Tal, the 22nd July, 1916.

No. 1267E/1B—855.—In supersession of this department notification nos. 877E/1B—355, and 1170E/1B—355, dated the 23rd May and 5th July, 1916, respectively, Mr. L. B. Spilsbury, Executive Engineer, Bareilly, is, under article 260 of the Civil Service Regulations, granted privilege leave for two months, with effect from the 12th June, 1916.

Dated Allahabad, the 22nd July, 1916.

No. 900M./367—36.—In exercise of the powers conferred by section 3, sub-section (1) of Act VII of 1904 (Ancient Monuments Preservation Act), His Honour the Lieutenant-Governor is hereby pleased to propose to declare the following ancient monuments in the Almora district to be protected monuments and to direct that no one shall destroy, remove, alter, or deface, in any manner, or build on or near the site of these monuments without having first obtained permission from Government or its authorised officers.

2. Any objection to the above proposal received in writing by the Local Government within one month from the date of this notification will be taken into consideration.

No.	Name of monument.	Situated in—			Boundaries.
		Mauza.	Patti.	District.	
1	Kotwali Chabutra.	On unmeasured land of Champawat.	Talla Charal.	Almora ..	*North*—by the Champawat and Dhunaghat road and fields nos. 2389 and 2391. *South*—by the dâk bungalow compound. *East*—by the road to the dâk bungalow and fields nos. 145 and 146. *West*—by unmeasured land and fields nos. 419 and
2	Group of Baleswar Temples and land adjoining enclosed by stone walls.	In nos. 3108, 3110-3119 and 3120-1 of mauza Champawat.	Ditto..	Ditto ..	*North*—by fields no. 3127. *South*—by field no. 3109 and Naula and footpath. *East*—by fields nos. 3106 and 3125 and 3126. *West*—by fields nos. 3129, 3127-8.
3	Naula or covered spring attached to Baleswar Temples.	On unmeasured land of Champawat.	Ditto..	Ditto ..	*North*—by field no. 2848. *South*—by „ „ 3105. *East*—by „ „ 3107. *West*—by „ „ 2857.

Dated Naini Tal, the 24th July, 1916.

No. 1279E/1B—414.—Mr. V. G. Hyde-Smith, Executive Engineer, on return from privilege leave, is appointed to the charge of the Meerut division, Provincial Works, with effect from the afternoon of the 17th July, 1916.

Dated Naini Tal, the 25th July, 1916.

No. 1290E/1B—572.—Mr. A. S. Knox, Assistant Sanitary Engineer, on return from privilege leave, resumed charge of his duties at Cawnpore on the forenoon of the 7th July, 1916.

By order of the Hon'ble the Lieut.-Govr., United Provinces,

W. G. WOOD,

Secretary to Government, United Provinces.

T

TYPED COPY OF NOTIFICATION

INDUSTRIES DEPARTMENT.

LEAVE

The 21st July, 1916.

No. 1321/XVIII-87.-Staff Sergeant G. Holdsworth late 2nd European Assistant, Thomason College, Rurki, was on furlough from the 4th April to the 3rd May, 1916, inclusive.

By order of the Hon'ble the Lieut. Govr., United Provinces,

A. W. PIM,

Secretary to Government, United Provinces,

PUBLIC WORKS DEPARTMENT.

BUILDINGS AND ROADS BRANCH.

Dated Naini Tal, the 22nd July, 1916.

No. 1267E/1B-355.-In supersession of this department notification nos. 877E/1B-355, and 1170E/1B-355 dated the 23rd May and 5th July, 1916, respectively, Mr. L. B. Spilsbury, Executive Engineer, Bareilly, is, under article 260 of the Civil Service Regulations, granted privilege leave for two months, with effect from the 12th June, 1916.

Dated Allahabad, the 22nd July, 1916.

No. 900M/367-36. In exercise of the powers conferred by section 3, sub-section (1) of Act VII of 1904 (Ancient Monuments Preservation Act), His Honour the Lieutenant Governor is hereby pleased to propose to declare the following ancient monuments in the Almora district to be protected monuments and to direct that no one shall destroy, remove, alter, or deface, in any manner, or build on or near the site of these monuments without having Bret obtained permission from Government or its authorised officers.

2. Any objection to the above proposal received in writing by the Local Government within one month from the date of this notification will be taken into consideration.

		Situated in-			
No.	Name of Monument	Mau	Patti.	District	Boundaries,
1	Kotwali Chabutra	On unmeasured land of Champawat	Talla Charal	Almora	North-by the Champawat and Dhunaghat road and fields nos,23389 and 2391. South-by the dik bungalow compound, East-by the road to the dek bungalow

					and folds nos 145 and 146. West-by unmeasured land and fields nos, 419 and 420 of matina Selakhola
2	Group of Baleswer Temples and land adjoining enclosed by stone walls	In nos.9108, 8110-8119 and 3130-1 of manu Champawat	Ditto.,	Ditto.	North- by fields no. 3127. South-by field no. 3109 and Naula and footpath East-by fields no. 3106 and 3125 and 3126 West-by fields no. 3129, 3127-8
3	Nauls or covered spring attached to Baleswar Temples	On unmeasured land of Champawat.	Ditto..	Ditto..	North-by field no. 2848 South-by field no. 3105 East- by field no. 3107 West-by field no. 2857

Dated Naini Tal, the 24th July, 1916.

No. 1279E/1B-414-Mr. V. G. Hyde-Smith, Executive Engineer, on return from privilege leave, is appointed to the charge of the Meerut division, Provincial Works, effect from the farm of the 17th July, 1916.

Dated Naini Tal, the 25th July, 1916.

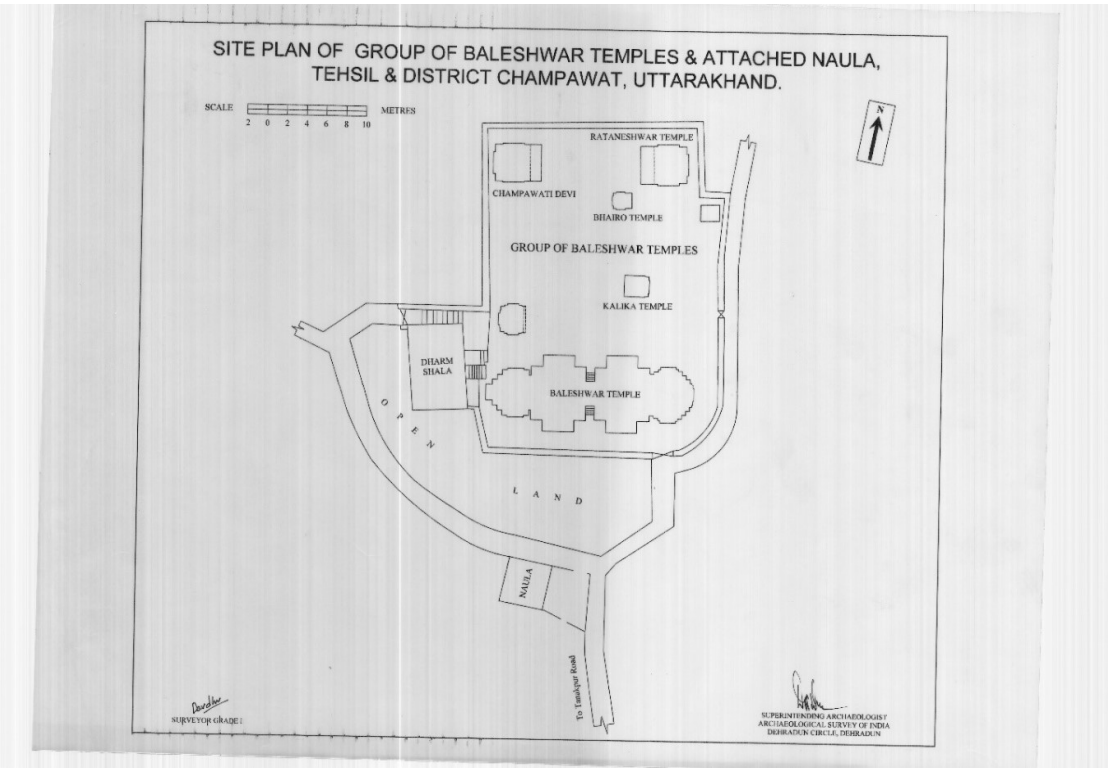
No 1290E/1B-572-Mr. A.S. Knox, Assistant Sanitary Engineer, on return from privilege leave, resumed charge of his duties at Cawnpore on the forenoon of the 7th July, 1916,

By order of the Hon'ble the Lieut. Goer, United Provinces,

W. G. WOOD,

Secretary to Government, United Province

ANNEXURE -II (b)



Map 2: The Archival map showing existing Protected Boundary of the Monument

ANNEXURE -III

The Group of Baleshwar Temples and its surroundings

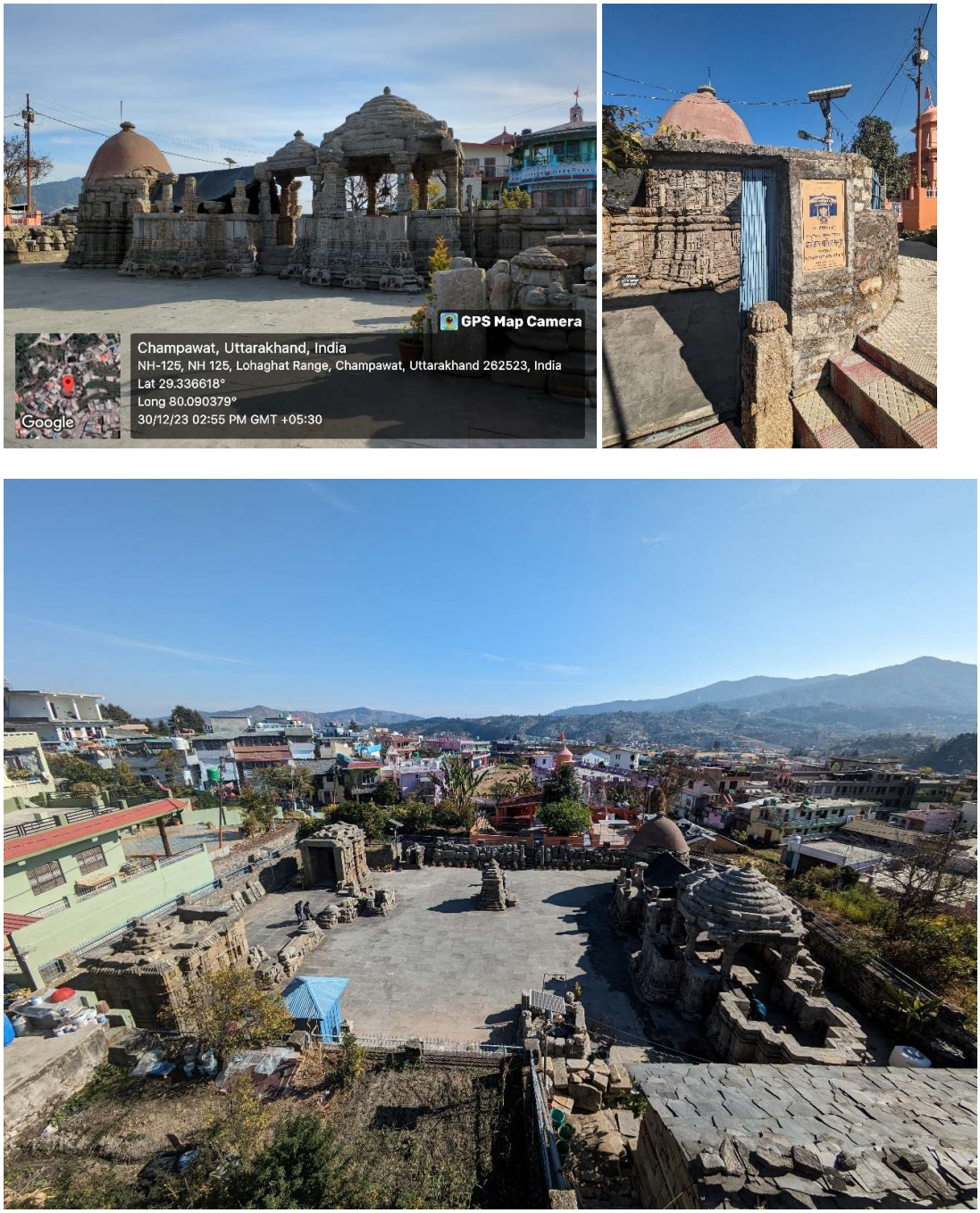


Fig 5.1 The Group of Baleshwar Temples with a view of North, East and South direction

Naula or covered spring

Fig 5.2 The External and internal façade of Naula or covered spring

Prohibited Area

Fig 5.3 The residential development in west and north direction

Fig 5.4 The open area and commercial development in east and south direction

Regulated Area

Fig 5.5 The commercial development and institutional building in east and south direction

Fig 5.6 The agricultural open area and bustling street in north and west direction

Condition of the Monument

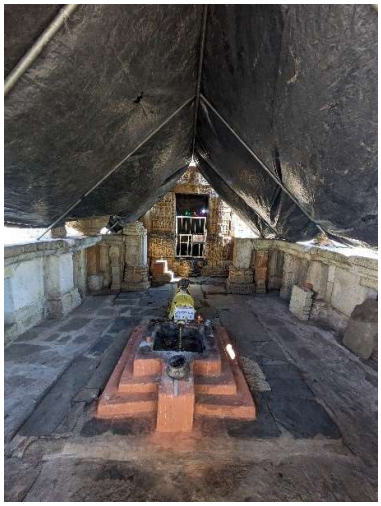


Fig 5.7 The chemical washing of stone masonry members is in process, at present.

Traditional Architecture

Fig 5.8 The traditional Kumauni architecture in timber and stone can be seen in both prohibited and regulated area.

Fig 5.9 The historic Nagnath temple and fort walls at regulated area

Visibility of Site from Prohibited and Regulated areas

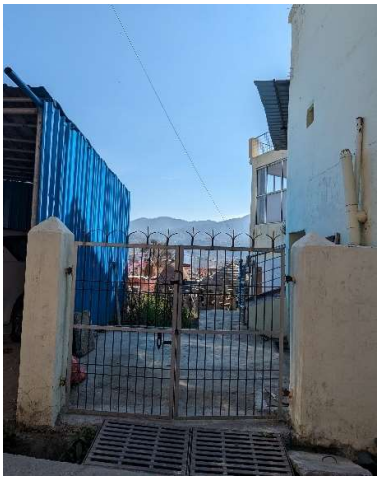


Fig 5.10 The visibility of protected monument from prohibited area.