फा.सं.न.15-398/एनएमए/एचबीएल-2026

भारत सरकार

संस्कृति मंत्रालय

राष्ट्रीय संस्मारक प्राधिकरण

सार्वजनिक नोटिस

जनसाधारण के ध्यान में यह लाया जाता है कि सक्षम प्राधिकारी द्वारा संरक्षित संस्मारक - **मल्लिकार्जुन का मंदिर, कर्जत, जिला - अहमदनगर (अब अहिल्यानगर के नाम से जाना जाता है), महाराष्ट्र** का धरोहर उप-विधि का मसौदा प्राचीन संस्मारक तथा पुरातात्विक स्थल और अवशेष अधिनियम, 1958 की धारा 20(ई) के अनुसार तैयार कर लिया गया है। राष्ट्रीय संस्मारक प्राधिकरण (प्राधिकरण के अध्यक्ष और सदस्यों की सेवा की शर्तें और कार्य संचालन) नियम, 2011 के नियम 18(2) के अनुसार, उपरोक्त प्रस्तावित धरोहर उप-विधि जनसाधारण से आक्षेप या सुझाव आमंत्रित करने के लिए निम्नलिखित वेबसाइटों पर अपलोड किए गए हैं:

क. राष्ट्रीय संस्मारक प्राधिकरण www.nma.gov.in

ख. भारतीय पुरातत्व सर्वेक्षण www.asi.nic.in

ग. भारतीय पुरातत्व सर्वेक्षण, औरंगाबाद सर्कल asiaurangabadcircle.com

2. किसी भी व्यक्ति को कोई आक्षेप या सुझाव हो तो वह सदस्य सचिव, राष्ट्रीय संस्मारक प्राधिकरण, 24, तिलक मार्ग, नई दिल्ली-110001 को लिखित में या ईमेल आईडी अर्थात् arch-section@nma.gov.in पर 8 **अप्रैल, 2026** तक भेज सकता है। आक्षेप या सुझाव देने वाले व्यक्ति को अपना नाम, पता और मोबाइल नंबर भी देना होगा।

3. प्राधिकरण, राष्ट्रीय संस्मारक प्राधिकरण (प्राधिकरण के अध्यक्ष एवं सदस्यों की सेवा की शर्तें तथा कार्य संचालन) नियम, 2011 के नियम 18(3) के अनुसार सक्षम प्राधिकारी एवं अन्य हितधारकों के परामर्श से 30 दिन अर्थात् 8 **अप्रैल, 2026** की अवधि समाप्त होने से पूर्व प्राप्त आपत्तियों अथवा सुझावों पर निर्णय लेगा।

सव्यसाची मारवाहा
10/03/26

(कर्नल सव्यसाची मारवाहा)

निदेशक, एनएमए

F.No. 15-398/NMA/HBL-2026
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 **Temple of Malikarjuna at Karjat, District - Ahmednagar (now known as – Ahilyanagar), Maharashtra** has 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-Law is uploaded on the following websites for inviting objections or suggestions from the Public:

a. National Monuments Authority **www.nma.gov.in**

b. Archaeological Survey of India **www.asi.nic.in**

c. Archaeological Survey of India, Aurangabad Circle **asiaurangabadcircle.com**

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 i.e. **arch-section@nma.gov.in** latest by 8th **April, 2026**. 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. 8th **April, 2026**, in consultation with Competent Authority and other Stakeholders.

Marwaha
10 Mar 26

(Col. Savyasachi Marwaha)
Director, NMA

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

Draft Heritage Bye-Laws for The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra

GOVERNMENT OF INDIA
MINISTRY OF CULTURE
NATIONAL MONUMENTS AUTHORITY

In exercise of the powers conferred by section 20E of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, as amended, 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 Protected Monument **"The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra"**, prepared by the Competent Authority, in consultation with the Shri G.C. Patel Institute of Architecture Interior design & Fine Arts, Veer Narmad South Gujarat University, Surat, Gujarat, 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-110001 or email at arch-section@nma.gov.in within thirty days of publication of the notification;

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

Draft Heritage Bye-Laws for "The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra"

CHAPTER - 1

PRELIMINARY

1.1 Short title, Extent and Commencements:

(i) This Heritage Bye-Laws may be called the National Monuments Authority Heritage Bye-Laws, 2026 of the Protected Monument **"The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra".**

(ii) They shall extend to the entire Prohibited and Regulated Area of the Protected 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 this Heritage Bye-Laws, unless the context otherwise requires, -

(a) "ancient monument" means any structure, erection or monument, or any tumulus or place of 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, as amended,

(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 20F 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) "Government" means The Government of India,

(i) "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,

(j) "owner" includes:

(i) A joint owner invested with powers of management on behalf of himself andother 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,

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

(l) "Prohibited Area" means any area specified or declared to be a Prohibited Area under section 20A,

(m) "Protected Area" means any archaeological site and remains which is declared to be of national importance by or under this Act,

(n) "Protected Monument" means any ancient monument which is declared to be of national importance by or under this Act,

(o) "Regulated Area" means any area specified or declared to be a Regulated Area under section 20B,

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

(q) "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 there under.

CHAPTER - 2

Background of the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958, as amended

2.1 Background of the AMASR Act:

The Heritage Bye-Laws are intended to guide physical, social and economic interventions within 300 metres in all directions of the Protected Monument. The 300 metres 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 100 metres in all directions and (ii) the **Regulated Area**, the area beginning at the limit of the Prohibited Area and extending to a distance of 200 metres 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 16th day of June, 1992, or which had been subsequently constructed with the approval of Director General (DG), Archaeological Survey of India (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 AMASR Act related to Heritage Bye-Laws:

Section 20E of the AMASR Act, 1958, as amended and Rule 22 of the 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 Protected Monuments. Ibid Rule provides parameters for the preparation of Heritage Bye-Laws. Rule 18 of the 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 Applicant:

Section 20C of the AMASR Act, 1958, as amended, specifies details of application for repair and renovation in the Prohibited Area, or construction or reconstruction 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 day of 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 maybe, make an application to the Competent Authority for carrying out constructionor 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 - 3

Location and Setting of the Protected Monument - The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra

3.1 Location and Setting of the Protected Monument:

The Protected Monument is located in Karjat, Ahmednagar (now known as Ahilyanagar), Maharashtra. The Protected Monument is historically significant for reflecting the religious practices and socio-economic context of the 13th–14th centuries CE. The Prohibited and Regulated Area comprises agricultural land, open spaces with vegetation, burial grounds, community-use areas, playgrounds, institutional buildings, and scattered residential structures which creates a semi-rural to peri-urban character. The Protected Monument is accessible by internal road from the South, which connects to the Mirajgaon road, 400 metres to the South-West of the Protected Monument. The nearest bus stand is Karjat Bus Stop, about 500 metres to the West of the Protected Monument. Ahmednagar Railway Station is about 72 kilometres to the North-West. Pune International Airport, is 146 kilometres, West to the Protected Monument. The Protected Monument is situated on the outer fringe of the settlement, indicating a relatively peripheral setting.

The geographical coordinates of the Protected Monument are as follows:

Latitude: 18°33'13.0" N, **Longitude:** 75°00'43.0" E.

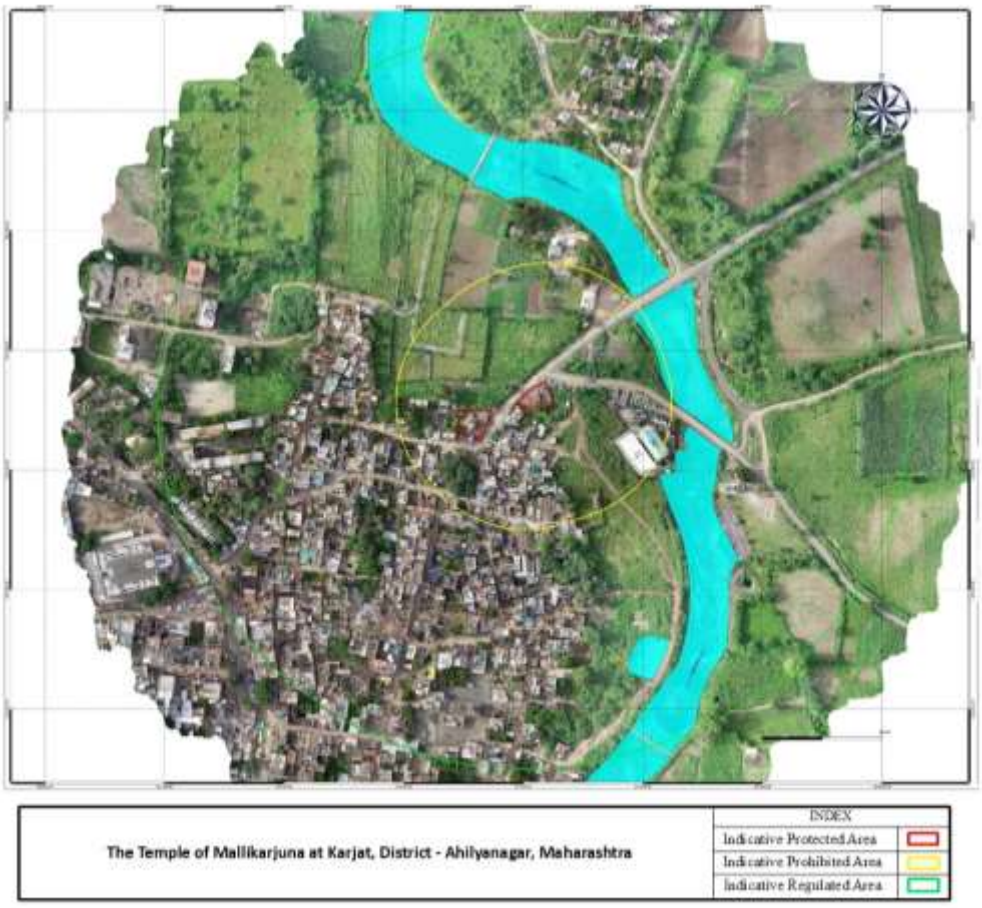


Figure 1: Satellite imagery showing the location of The temple of Malikarjuna at Karjat, District - Ahilyanagar, Maharashtra along with the indicative Protected, Prohibited and Regulated Areas.

"The temple of Malikarjuna at Karjat, District-Ahmednagar (now known as Ahilyanagar), Maharashtra." is located in close proximity to another Protected Monument, **"The Protected Monument- Temple of Shiva known as Naktichadeul at Karjat, District - Ahmednagar, Maharashtra, Maharashtra."** Therefore, this Heritage Bye-law should be read in conjunction with the Heritage Bye-laws of the **"The Protected Monument-Temple of Shiva known as Naktichadeul at Karjat, District - Ahmednagar, Maharashtra."** (Refer Figure 2).

Figure 2: Satellite imagery showing the indicative Protected, Prohibited and Regulated Boundary of the Protected Monument in close vicinity of Naktichadeul at Karjat, District - Ahilyanagar, Maharashtra.

3.2 Protected Boundary of the Protected Monument:

The boundary of Protected Monument The temple of Malikarjun at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra, may be seen at **Annexure-I** and **Annexure-I (a)**.

3.2.1 Gazette Notification as per ASI records:

Copy of the Gazette Notification of The temple of Malikarjun at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra, may be seen at **Annexure-II**.

3.3 History of the Protected Monument:

The Mallikarjuna Temple is situated approximately 50 metres North-East of Nakatichadeul, across the road. Based on stylistic features and construction techniques, the temple is assignable to the 13th –14th century CE. The monument is associated with Shaiva worship, as indicated by the presence of Nandi placed in front of the temple.[1]

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

The Mallikarjuna Temple is constructed of basalt stone and represents the Hemadpanthi style of temple architecture, which is characterized by the use of locally available black basalt and minimal ornamentation. The exterior of the temple is starkly plain and devoid of sculptural embellishments. In plan, the temple consists of a Garbhagriha, a front mandapa and a smaller subsidiary shrine located to the West of the mandapa. A sculpture of Nandi is positioned in front of the temple, facing the sanctum. The structure is notably devoid of a Sikhara, which may be due to either original design or subsequent loss. The overall architectural form reflects simplicity and functional design typical of Hemadpanthi temples. [1]

3.5 Current Status:

3.5.1 Condition of the Protected Monument – condition assessment:

The maintenance and preservation of the Protected Monument is the exclusive domain of the Archaeological Survey of India (ASI). The photographs depicting the present condition of the Protected Monument are appended at **Annexure-III**.

3.5.2 Daily footfalls and occasional gathering numbers:

The Protected Monument receives about 50 visitors/tourists daily. At the time of festival like Mahashivratri the number increases to 1200 visitors/tourists.

[1] Archaeological Survey of India, Aurangabad Circle.

CHAPTER - 4

Existing Zoning, if any, in the Local Area Development Plans

4.1 Existing Zoning:

The Protected Monument is situated within the area of the "Karjat Nagar Panchayat".

Zoning regulations or master plan has not 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 byelaw takes precedence over the local building byelaws. The existing guidelines (as amended from time to time) can be referred in Unified Development Control and Promotion Regulations (UDCPR) for Maharashtra State (As updated up to 30th January, 2024), attached in **Annexure-III**.

CHAPTER - 5

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

5.1 Survey Plan of the Protected Monument:

Survey Plan of The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra, may be seen at **Annexure-I** and **Annexure-I (a)**.

5.2 Analysis of surveyed data:

5.2.1 Prohibited Area and Regulated Area details:

a) Prohibited Area is approximately 39,503 square metres and 9.76 Acres.

b) Regulated Area is approximately 2,67,494 square metres and 66.09 Acres.

5.2.2 Description of built-up area:

Prohibited and Regulated Area:

i. **North:**

Few residential structures are present and the Protected Monument Temple of Shiva known as Naktichadeul is located in the North-East within the Prohibited Area, while scattered residential structures with few commercial buildings are present within the Regulated Area.

ii. **East:**

Few residential and commercial structures are present within the Prohibited Area, while the Regulated Area contains few residential and commercial structures.

iii. **South:**

Residential buildings are present in the South and South-West of the Prohibited Area. The Regulated Area to the South and South-West is defined by residential, commercial and public buildings. Religious structure, namely the Nageshwar Temple is located in the South-East.

iv. **West:**

Few residential and commercial structures are present within the Prohibited Area, while dense settlement with residential, commercial and institutional structures are present in the Regulated Area.

5.2.3 Description of green/open spaces:

Prohibited and Regulated Area:

i. **North:**

An agricultural land is located within the Prohibited Area. Open land with scrub vegetation and agricultural land observed within the Regulated Area.

ii. **East:**

The Prohibited Area consists of unused open land covered with scrub vegetation. The Regulated Area similarly comprises open cultivated land along with the Lendi River.

iii. **South:**

In the South and South-West, the Prohibited Area contains open land with scrub vegetation. The Regulated Area in the South and South-West is largely open land and the South-East contains open land with scrub vegetation.

iv. **West:**

The Prohibited Area contains scattered open land with scrub vegetation. The Regulated Area contains an open playground exists adjacent to a public-school building.

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

All surrounding roads, including the access road to the Protected Monument within both the Prohibited and Regulated Areas, are constructed in reinforced cement concrete (R.C.C.). The Protected Monument is approached by an internal road from the South, which connects to the Mirajgaon Road to the South-West of the Protected Monument.

5.2.5 Existing Heights of Buildings:

i. **North, South and West:**

Building heights range from 3.0 to 9.0 metres (G to G+2) within both the Prohibited and Regulated Area.

ii. **East:**

Building heights range from 3.0 to 6.0 metres (G to G+1) within the Prohibited Area meanwhile 3.0 to 9.0 metres (G to G+2) within the Regulated Area.

5.2.6 State Protected Monument and listed Heritage Buildings by Local Authorities, if available, within the Prohibited/Regulated Area:

There are no State Protected Monuments and listed Heritage Buildings by local Authorities reported as yet in the Prohibited Area and Regulated Area of the Protected Monument.

5.2.7 Public Amenities:

Well-connected Road/footpath, Toilets, drinking water and benches are present within the Prohibited and Regulated Area of the Protected Monument.

5.2.8 Access to the Protected Monument:

The Protected Monument is approached via the village internal road, which connects to the main R.C.C. thoroughfare, providing a well-established link to the broader road network. Internal movement within the Protected Monument precinct is facilitated through unpaved earthen paths, and the site does not have any formal entry gates, reflecting its peripheral location within the settlement.

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

Water supply, Storm water- surface drainage, sewage, village street lighting– are present within the Prohibited and Regulated areas of the Protected Monument.

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

No development plan prepared or available in public domain by local authorities, Hence zoning cannot be identified for the given area.

CHAPTER - 6

Architectural, Historical and Archaeological Value of the Protected Monument

6.1 Architectural, Historical and Archaeological Value:

Architectural Value:

The Protected Monument is constructed from basalt stone and is notable for its stark simplicity. Its exterior surfaces are entirely unadorned, lacking sculptural embellishments, which distinguishes it from the more ornate temple styles found elsewhere. The temple follows a straightforward architectural plan, comprising a Garbhagriha, a front Mandapa, and a smaller Shrine located to the West of the Mandapa. A Nandi sculpture is placed in front of the temple, a typical feature of Shiva temples. The absence of a Sikhara may indicate a regional architectural tradition or a later state of incompletion, highlighting the temple's unique design approach.[1]

Historical Value:

The temple provides insights into the religious and cultural practices of the 13th–14th centuries CE in the region. Its proximity to the Nakatichadeul suggests that it may have been part of a larger religious complex or shared pilgrimage site, reflecting the spiritual landscape of the period. The temple's simplicity may also reflect specific religious sects or economic conditions prevalent during its construction, offering a window into the societal and historical context of its time.[1]

Archaeological Value:

The Protected Monument offers evidence of construction techniques, material usage, and site planning from the 13th–14th centuries CE. The use of locally sourced basalt stone demonstrates the practical aspects of building in the region, while the temple's layout and placement provide clues about ritual practices, spatial organization, and settlement patterns. Even in its unembellished state, the structure contributes valuable information for the study of regional temple architecture, religious practices, and material culture of the period.[1]

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

The Protected Monument is situated at the urban fringe, it is vulnerable to developmental pressures arising from urban expansion, increasing population density, and commercial activities. The proximity of expanding settlements and infrastructure creates the potential for encroachment into the Prohibited Area.

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

Visibility from all directions of the prohibited and regulated Area to the Protected Monument:

From the Regulated Area, the Protected Monument is not visible due to residential buildings and large trees from West. However, it is partially visible from the North, East and South due to open farmlands. The Protected Monument's low height and the presence of trees and adjacent buildings reduce distinct visibility.

[1] Archaeological Survey of India, Aurangabad Circle.

Visibility from the Protected Monument:

From the Protected Monument, views toward the North and South are dominated by open land with scrub vegetation and large trees and East has a Lendi river along with open land and scrub vegetation. While, the South-West and West has view of residential buildings.

6.4 Land use:

The existing landuse in the Prohibited and Regulated Areas of the Protected Monument is used for mix and various land-uses such as residential, commercial, agricultural, government, religious, other purposes and river/water bodies.

6.5 Archaeological heritage remains other than the Protected Monument:

No State Protected Monuments or listed heritage buildings by Local Authorities are reported as yet in the Prohibited or Regulated Areas of the Protected Monument.

6.6 Cultural landscape:

The temple of Malikarjuna forms an integral part of the broader cultural landscape, located approximately 50 metres South-West of the Nakatichadeul. This spatial relationship reflects connection between the two Protected Monuments and their shared cultural context. The temple's construction from local basalt stone and its unadorned exterior reflect the material and aesthetic choices of the 13th–14th century CE. As a historic religious site, it provides insights into the religious practices and cultural traditions of the region during that period.

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

The Protected Monument is situated within a town settlement. A Lendi river flows from North to South, with agricultural land and scrub vegetation along its banks. This natural setting creates an environment with a blend of open spaces and built structures.

6.8 Usage of open space and constructions:

The open spaces within the Regulated Area primarily comprise agricultural land and open land with scrub vegetation in the North, East, and South-East. The western side includes a playground adjacent to a public school. Constructions in the Regulated Area include institutional buildings, such as the public school, along with associated residential structures.

6.9 Traditional, Historical and Cultural Activities:

Apart from the locals or visitors offering prayers at the temple, another traditional or cultural activity is "Maha-Shivratri", celebrated in the Prohibited and Regulated Area.

6.10 Skyline as visible from the Protected Monument and from the Regulated Areas:

Skyline as visible from the Protected Monument:

The North, East and South views are open, defined by agricultural land and large trees. In contrast, the west is dominated by a consistent skyline of G and G+1 structures.

Skyline as visible from the Regulated Areas:

Open farmlands with large trees are visible from the North, East, and South and residential buildings with large trees from the West.

6.11 Traditional architecture:

No traditional architectural character is observed in the buildings within the Prohibited and Regulated Areas of the Protected Area.

6.12 Developmental plan, as available by the local authorities:

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

6.13 Permissible building related parameters:

The Protected Monument – **"The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra.".** is located in close proximity to another Protected Monument, "**The Protected Monument- Temple of Shiva known as Naktichadeul at Karjat, District - Ahmednagar, Maharashtra, Maharashtra.".** Therefore, this Heritage Bye-law should be read in conjunction with the Heritage Bye-laws of the "**The Protected Monument- Temple of Shiva known as Naktichadeul at Karjat, District - Ahmednagar, Maharashtra."** Hence, the Regulated area of the **"The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra."** overlaps with the Regulated area of the above-mentioned nearby Protected Monuments. These bye-laws should therefore be read in conjunction with one another. In the event of a site of construction falls in the Regulated area of two separate monuments, the likely adverse impact on account of the proposed construction on the monument which is closer to the site of construction, shall be given precedence.

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 are to be discouraged as far as feasible. The use of locally available building materials should be encouraged in carrying out repair and renovation works.

6.13.2 Reconstruction:

Reconstruction is defined in Section 2(k) of Ancient Monuments and Archaeological Sites and Remains (AMASR) Act, 1958, as amended. Permission for reconstruction in Regulated Area is accorded as per Section 20 C(2) of the AMASR Act, 1958, as amended, 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 of AMASR (Framing of heritage Bye-Laws and other functions of the Competent Authority) Rules, 2011. Reconstruction of building or structure damaged due to natural calamity shall be permissible only to the extent it is damaged. 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 facade such as glazing, metal cladding, Aluminium 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:

In general terms, as per Section 20A(4) of the AMASR Act, 1958, as amended, 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:

All the development control norms and building regulations specified in the "Unified Development Control and Promotion Regulations (UDCPR) for Maharashtra State (As updated up to 30th January, 2024)", as and when amended shall be applicable. However, the height and other parameters specified in this Heritage Bye-Law shall be applicable in the Regulated Area of the Protected Monument.

However, in the agricultural fields, constructions that fall under specified exemptions may be permitted. These permissible constructions on the agricultural land include the construction of structures for dwellings and ancillary buildings for people engaged in farming or structures for storage of crops, fodder, manure, agricultural tools, and other similar facilities.

1. **Height of the new construction on the site (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):**

   i. The maximum height limit for new construction or additions/alteration to existing buildings shall not exceed **10.50 metres** (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).

   ii. Construction of the basement should be discouraged as far as feasible.

2. **Usage:**

   i. Since, no land use is specified for the area by the Local Authorities, therefore the present land use may be retained as existing.

   ii. The development pattern should be primarily low density and low rise, to retain the existing rural character.

   iii. The area covered by water bodies, situated in the Prohibited and Regulated Area of the Protected Monument must be preserved in its current state, and any alterations to its existing use should be discouraged.

   iv. Adequate provisions should be made to retain the existing fertile agricultural land.

   v. The conversion of land within the Prohibited Area and Regulated Area of a Protected Monument or Protected Area should be done after prior consultation with the National Monuments Authority (NMA).

3. **Façade design:**

   i. The façade design of new construction should be minimalistic in nature, so that it does not overpower the Protected Monuments and the overall heritage character of the surrounding area. The façade design should be subtle, plastered and painted in earthy colours.

   ii. Informal extensions of shops and residences are to be restricted for all the buildings located within the Regulated Area.

   iii. Plumbing and electrical services shall be concealed and not on the exterior of the building.

4. **Roof design:**

   i. Erection of structures, even of temporary nature, using materials such as aluminum, fiber glass, polycarbonate or similar materials should be discouraged on the roof of the building.

   ii. The only roofing material that may be used are - sloping roof with tiles, and flat roof design may be followed with low parapet walls along the edges.

   iii. All services such as large air conditioning units, rooftop water storage tanks or large generator set placed on the roof to be screened off using screen walls (brick/cements sheets, louvers, jaalis or other such design elements). All of these services should be included in the maximum permissible height.

5. **Building material:**

   The use of traditional local building materials should be encouraged. Consistency in building materials and color along all street façades of the Protected Monument may be maintained. Modern building materials such as aluminum cladding, glass bricks and any other synthetic tiles or materials should be discouraged for exterior finishes. Traditional building materials such as brick and stone should be used.

6. **Colour:**

The exterior colour should be of a neutral tone in harmony with the Protected Monument which does not create a harsh contrast with the Protected Monument and its immediate surroundings.

7. **Other Regulations:**

Proposals for the construction of any large-scale public infrastructure projects such as Mero Rail Systems (underground or elevated), rail or road over bridges, flyovers, multi-level parking facilities, or similar development projects and construction of institutional buildings in public interest or which are essential for public, shall be subject to a detailed Heritage Impact Assessment (HIA) report. Such projects may be considered only if it is clearly established that they will not cause any significant adverse impact on the preservation, safety, security, visual integrity or accessibility of the Protected Monument or its immediate surroundings.

6.14 Visitor facilities and amenities:

Visitor facilities may be considered in the vicinity of the Protected Monument, as per feasibility.

CHAPTER -7

Site Specific Recommendations

7.1 Site Specific Recommendations:

i. The local administration shall implement measures to regulate and monitor future development and prevent encroachment within the Regulated Area.

ii. No advertisements in the form of hoardings, billboards and posters should be permitted near the Protected Monument, especially on the boundaries of the Protected Monument.

iii. LED or digital signs, plastic fibre glass, or any other highly reflective synthetic material should not be used for signages in the vicinity of the Protected Monument or its immediate surrounding areas.

iv. Use of Eco-Friendly vehicles for movement in the vicinity of the Protected Monument may be encouraged to mitigate adverse impact on the Protected Monument due to vehicular emissions and vibrations.

v. Construction of green buildings including best practices like rainwater harvesting etc. should be encouraged.

7.2 Other Recommendations:

i. Whenever the Master Plan, Zonal Plan, or Development Plan is prepared or amended, it should clearly show all Protected Monument of national importance and their Prohibited and Regulated Areas.

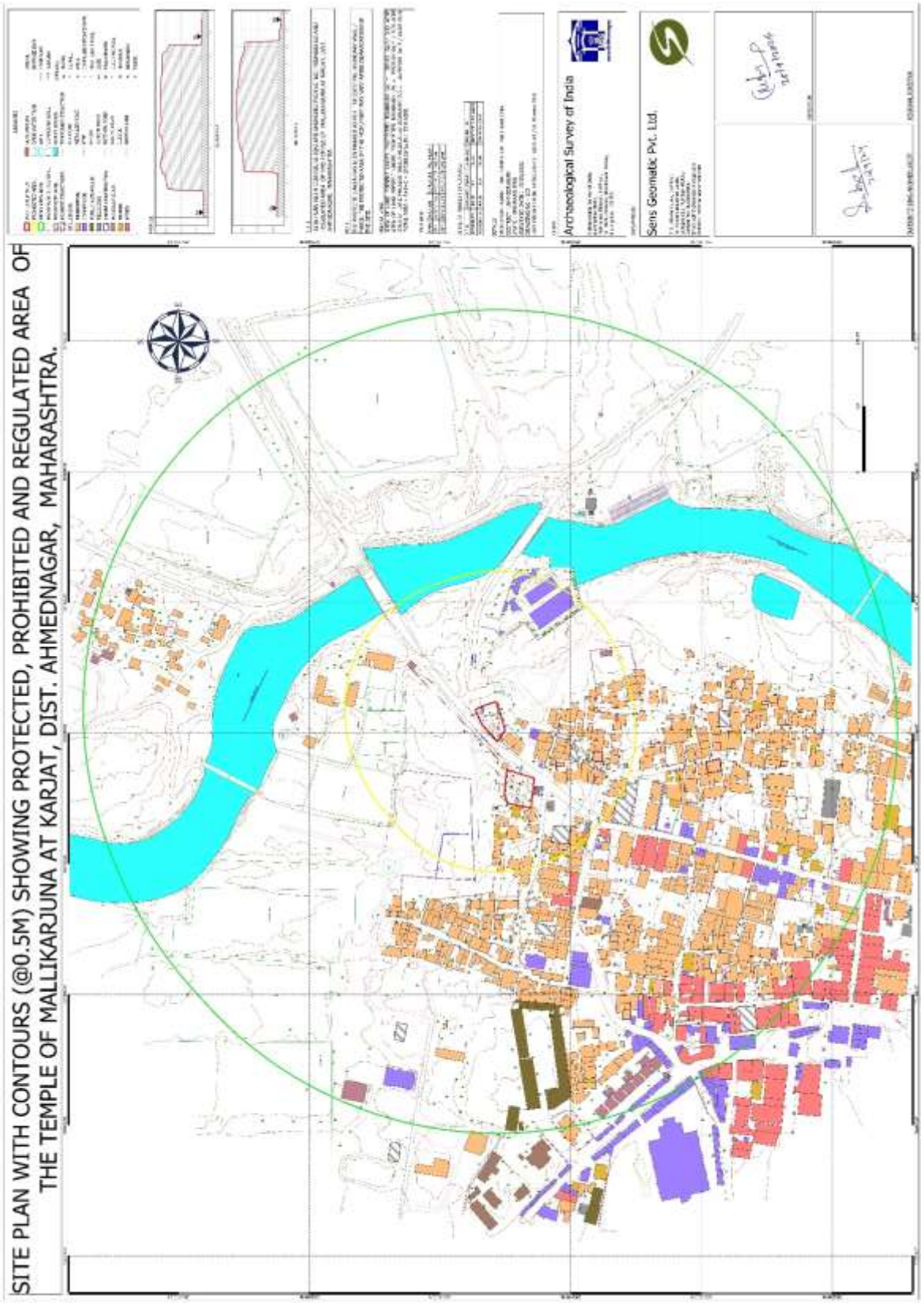
ii. The area may be declared as a plastic and polythene free zone.

iii. "National Disaster Management Guidelines" for Cultural Heritage Sites and Precincts may be referred at https://nidm.gov.in/PDF/pubs/NDMA/20.pdf.

ANNEXURES

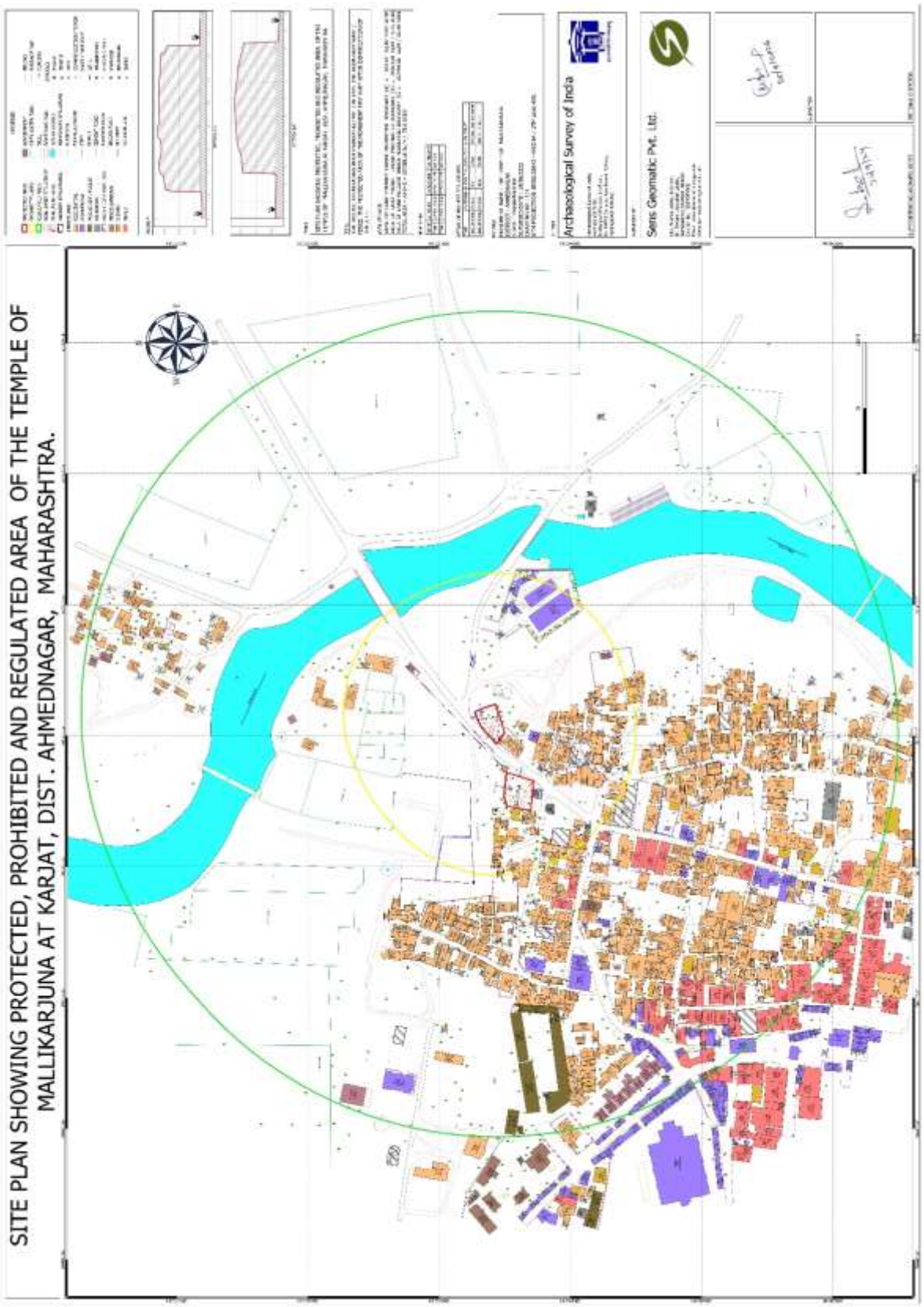
ANNEXURE–I

Survey Plan of The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra



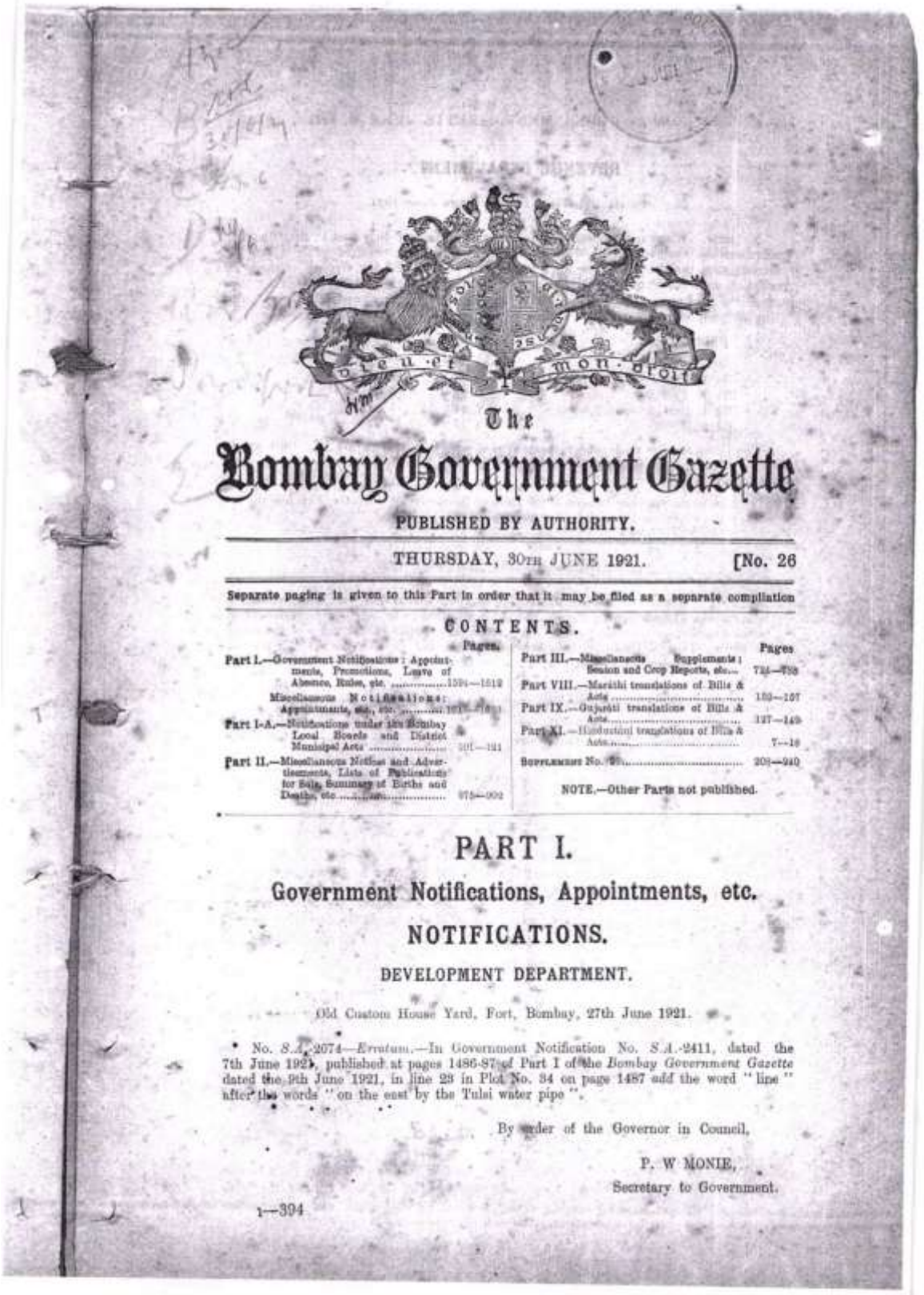
ANNEXURE–I (a)

Survey Plan of The temple of Malikarjuna at Karjat, District - Ahmednagar (now known as Ahilyanagar), Maharashtra



ANNEXURE-II

Gazette Notification of the Protected Monument



The

Bombay Government Gazette

PUBLISHED BY AUTHORITY.

THURSDAY, 30TH JUNE 1921. [No. 26

Separate paging is given to this Part in order that it may be filed as a separate compilation

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NOTE.—Other Parts not published.

PART I.

Government Notifications, Appointments, etc.

NOTIFICATIONS.

DEVELOPMENT DEPARTMENT.

Old Custom House Yard, Fort, Bombay, 27th June 1921.

No. S.A.-2074—*Erratum.*—In Government Notification No. S.A.-2411, dated the 7th June 1921, published at pages 1486-87 of Part I of the *Bombay Government Gazette* dated the 9th June 1921, in line 23 in Plot No. 34 on page 1487 *add* the word "line" after the words "on the east by the Tulsi water pipe".

By order of the Governor in Council,

P. W. MONIE,
Secretary to Government.

1—394

DIRECTORATE OF ARCHIVES, MAHARASHTRA STATE, MUMBAI

Dehrampur—61;

Village site of Sheikpur-Khanpur—1 to 11 (inclusive), 13, 14, 15, 235, 236, 37, 26 to 259 (inclusive), 271 to 280 (inclusive), 299, 326, 327;

Changiapur—6 to 15 (inclusive), 21 to 42 (inclusive), 75 to 129 (inclusive) 167;

Village site of Changiapur—1, 2, 3, 164, 168;

and the following additional survey numbers, which are in proximity of the Notified Area Committee's limits:—

Changiapur—44, 45;

Sheikpur-Khanpur—12, 16 to 28 (inclusive), 138, 139, 140, 141, 154 to 168 (inclusive), 198 to 234 (inclusive), 238 to 245 (inclusive), 260 to 270 (inclusive), 328, 329;

Ozarmanjur—1 to 33 (inclusive), 58 to 66 (inclusive), 70 to 110 (inclusive), 178;

Kashimb—67, 68, 69, 119, 120, 123, 124, 125;

Chhadawad—49, 59, 62, 64, 65, 66, 67;

such area being more particularly shown in the plan sent to the Government of Bombay and open to the inspection of the public at the office of the said Committee;

And whereas the said Committee has duly published at page 595 of Part II of the *Bombay Government Gazette*, dated the 28th April 1921, its declaration of intention of making the said scheme and has in accordance with sub-sections (2) and (3) of section 9 of the said Act, applied to the Government of Bombay for sanction to the making of the said scheme;

And whereas no objections or suggestions relating to such scheme have been communicated to the Government of Bombay by any person concerned;

Now, therefore, in exercise of the power conferred by sub-section (6) of section 9 of the said Act, the Government of Bombay are pleased to sanction the making of the said scheme.

By order of the Government of Bombay,

J. C. KEI
Secretary to Government

Secretariat, Fort, Bombay, 28th June 1921.

No. 7789.—In exercise of the powers conferred by sub-section 1 of section 3 of the Ancient Monuments Preservation Act (VII of 1904) the Governor in Council is pleased to declare the following monument in the Karjat Taluka, Ahmednagar District, to be a protected monument within the meaning of the said Act:—

CLASS I (a)*

1. The temple of Malikarjuna.

*To be preserved in permanent good repair at Government expense.

By order of the Governor in Council,

J. C. KEI,
Secretary to Government.

HOME DEPARTMENT.

Secretariat, Fort, Bombay, 28th June 1921.

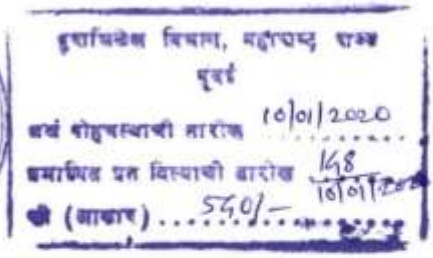
No. 6314.—The Honourable Mr. Justice A. B. Marten relinquished charge of his office of Puisne Judge of His Majesty's High Court of Judicature at Bombay on the 6th June 1921 in the forenoon.

No. 6315.—With reference to Government Notification No. 2837, dated 6th March 1921, it is hereby notified that the Honourable Mr. Justice N. W. Kemp assumed charge of the office of Acting Puisne Judge of His Majesty's High Court of Judicature at Bombay on the 6th of June 1921 in the forenoon.

No. 6316.—With reference to Government Notification No. 3734, dated the 12th April 1921, it is hereby notified that the Honourable Mr. C. A. Kincaid, C.V.O., assumed charge of his office as Acting Puisne Judge of His Majesty's High Court of Judicature at Bombay on Monday the 6th June 1921 in the forenoon.

By order of the Governor in Council,

J. CREERAR,
Secretary to Government.



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Assistant Director of Archives
Government of Maharashtra
Mumbai

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The

Bombay Government Gazette

PUBLISHED BY AUTHORITY.

THURSDAY, 6TH OCTOBER 1921. [No.

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NOTE.—Other Parts not published.

PART I.

Government Notifications, Appointments, etc.

NOTIFICATIONS.

FINANCIAL DEPARTMENT.

Secretariat, Fort, Bombay, 28th September 1921.

No. S.I.-20.—The following notification by the Government of India, Finance Department, is republished :—

"ACCOUNTS AND FINANCE—PUBLIC DEBT.

No. 700-A., dated Simla, the 20th September 1921.

In exercise of the power conferred by section 6, sub-section (1), of the Indian Securities Act, 1920 (X of 1920), the Governor General in Council is pleased to declare that the said sub-section shall apply to the office of the Chief Auditors of State Railways.

(Signed) E. M. COOK,
Secretary to the Government of India."

DIRECTORATE OF ARCHIVES, MAHARASHTRA STATE, MUMBAI
महाराष्ट्र शासन

Secretariat, Fort, Bombay, 29th September 1921.

No. 597.—In exercise of the powers conferred by sub-section (3) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to confirm Government Notification No. 6422, dated the 25th May 1921, declaring the following monuments situated in the Haveli Taluka of the Poona District to be protected monuments within the meaning of the said Act :—

Serial No.	Place where the monument is situated.		Name or description of the monument.	Classification.
	Taluka.	Village.		
2	Do.	Tulapur	Sangameshwar temple with its adjoining Ghat.	II (c)*
3	Do.	Fulgaon	Vallabheshwar temple with Mahadev's temple with its ing Ghat.	II (c)*

*To be preserved from further decay by the owners and Government jointly or by Government exclusively as the case may be.

Secretariat, Fort, Bombay, 1st October 1921.

No. 836.—In exercise of the powers conferred by section 3 (1) of the Ancient Monuments Preservation Act, 1904 (VII of 1904), His Excellency the Governor in Council is pleased to declare the undermentioned monuments situated in the Bijapur District to be protected monuments within the meaning of the said Act :—

Serial No.	Place where the monument is situated.		Name and description of the monument.	Classification.
	Taluka.	Village.		
1	Mahal Bagayat	Bijapur	Small Masjid near Afzul Khan's wives' tombs	II (3) †
2	Mahal Bagayat	Bijapur	Small tomb on a high mound to south of the Afzulkhan's wives' tombs	II (3) †

* To be preserved from further decay.

Secretariat, Fort, Bombay, 3rd October 1921.

No. 885.—In exercise of the powers conferred by sub-section (3) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to confirm Government Notification No. 7789, dated the 28th June 1921, declaring the following ancient monument in the Karjat Taluka, Ahmednagar District, to be a protected monument within the meaning of the said Act :—

Class I (c).

1. The temple of Mallikarjuna.

† To be preserved in permanent good repair at Government expense.

By order of the Governor in Council,

J. C. KER,
Secretary to Government.

TRUE EXTRACTS

Assistant Director of Archives
Government of Maharashtra
Mumbai

ANNEXURE–III

Local Bodies Guidelines - Unified Development Control and Promotion Regulations (UDCPR) for Maharashtra State

iii) For the areas depicted in red colour on CCZM, prior NOC from AAI shall be submitted.

Note-

a) The height permitted by CCZM is indicated Above Mean Sea Level i.e. AMSL.

b) Building height permitted i.e. Above Ground level (AGL) shall be calculated as CCZM height minus the site elevation of the plot.

Height of building (AGL) =CCZM height – site elevation.

c) In absence of aforesaid map, no objection certificate of Airport Authority of India shall be required.

Explanation

i) Irrespective of their distance from the aerodrome, even beyond the 20km. limit from the aerodrome reference point, no building, radio masts or similar installation exceeding 150 m. in height shall be erected without prior permission of the Civil Aviation Authorities.

ii) The location of a slaughter house/abattoir/butcher house or other areas for activities like depositing of garbage which may encourage the collection of high flying birds, like eagles and hawks, shall not be permitted within 10 km. from the aerodrome reference point.

3.1.10 Restrictions in the Vicinity of Ancient Monuments

1) The Restrictions for Development in the vicinity of the protected monuments of national importance as prescribed under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 shall be observed.

2) The Restrictions for Development in the vicinity of the protected monuments of state importance as prescribed under Ancient Monuments and Archaeological Sites and Remains Act, 1960 shall be observed.

3.1.11 Restriction under the Works of Defence Act, 1903

The restrictions imposed under the Work of Defense Act, 1903 shall be applicable and no development in contravention with the notification shall be permissible.

Whether the area affected by the notification under Works of Defense Act- 1903, is earmarked in Development Plan / Regional Plan or not, it shall be permissible to treat the area under such restrictive zone as marginal distance at the time of construction of any building proposed on contiguous unaffected area.

Provided that, it shall be permissible to utilise the FSI and also the receiving potential of the land under this zone, as otherwise permissible, on the remaining contiguous unaffected land of the same land owner.

3.1.12 Distance from Natural Lake and Dam.

In Regional Plan area, no construction shall be allowed within 100 m. from the high flood line of natural lake.

In Development Plan area, development around natural lake shall be governed by the provisions made in such plan. In absence of the provisions in such plan the distance as may be specified by Irrigation Department shall be followed.

The regulation regarding clear distances from the High flood line while carrying out any development of any land around dam and foothill areas as notified and the norms regarding distance as prescribed in Government of Maharashtra, Water Resources Department Marathi

ANNEXURE-IV

Images of the Protected Monument and its surrounding areas

Image 1: North Side of the Protected Monument.

Image 2: East Side of the Protected Monument.

Image 3: South Side of the Protected Monument.

Image 4: West Side of the Protected Monument.

Image 5: Gateway in the South-West of the Protected Monument within the Prohibited Area.

Image 6: Internal Street view in the West within the Prohibited Area.

Image 7: Built areas and farm lands in the North within the Regulated Area.