



Ministry of Culture

# Illegal Construction/Encroachment in the Vicinity of Heritage Sites

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The encroachments in the protected monuments and protected areas are removed as per the provisions contained in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and Rules, 1959 framed thereunder. Superintending Archaeologists are also authorised to issue show cause notices under the provisions of Ancient Monuments and Archaeological Sites and Remains Act 1958 and Rules 1959 followed by a direction to the District Collector/Magistrate by Central Government to remove such encroachment under section 19 (2) of the Act and Rule 38 (2). In order to contain the encroachments and removing them, the Superintending Archaeologist in charge of the Circles have been vested with the powers of an Estate Officer to issue eviction notices/orders to the encroachers under Public Premises (Eviction of Unauthorised Occupants) Act, 1971. Further, assistance in such cases is also sought from the respective State Government/police and where there are no fruitful results actions are initiated against the encroachers by filing cases in the court of law. Accordingly actions are taken on notice of illegal construction/ encroachment.

In addition to the regular watch and ward staff, private security personnel, State police guards and CISF have also been deployed for the safety and security of selected monuments.

There is no such proposal for using drones, to check construction, building or industrial activity in the vicinity of heritage sites and forts.

As per the statutory provisions the Archaeological Survey of India is bound to approach the District Magistrate/Collector for removal of encroachments from protected monuments/area and unauthorised constructions in the prohibited and regulated areas. In few cases, Archaeological Survey of India approaches even the Courts for legal action against the persons who have encroached upon the protected monument/area or have indulged in construction activities in prohibited and regulated areas in violation of the AMASR Act, 1958 or Rules, 1959

This information was given by Dr. Mahesh Sharma, Minister of State for Culture and Tourism (Independent Charge) in a written reply in Rajya Sabha today.

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Sanjay Kumar/jk/Parl. No. 1/29-03-2017

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