

**MINUTES OF THE 289<sup>th</sup> MEETING OF NMA**

Venue – Conference room of NMA  
Time & Date – 25<sup>th</sup> November, 2020 at 11am

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The meeting was attended by the following:

1. Shri Tarun Vijay, Chairman, NMA.
2. Prof. (Dr.) Ashvini Agarwal, Whole Time Member, NMA.
3. Smt. V. Vidyavathi Director General, ASI, Ex-officio Member, NMA
4. Smt. Sanjukta Mudgal, Joint Secretary, MoC and Member Secretary (I/C), NMA.

**Agenda no. 01**

The Minutes of 288<sup>th</sup> meeting were confirmed.

**Agenda no.02**

**(Personal Hearing of Mahindra Singh Rohatgi V. SDMC & Ors. Order by Hon'ble High Court at New Delhi, WP (C) no. 13145/2019 dated 17/11/2020)**

In Compliance of Order of Hon'ble Delhi High Court dated 10.11.2020 in its 289<sup>th</sup> Meeting held on 25.11.2020, the Petitioner was given a personal hearing by the Authority where Sh. Arun Kumar Mishra, Advocate for Petitioner, Sh. Sandeep Gupta the Petitioner, Sh. N K Pathak, Regional Director/Competent Authority, Delhi and Sh. Gunjan Srivastava, SA, ASI, Delhi Circle were present.

The Authority observed that the Petitioner started construction work without the prior approval of NMA. On 14.02.2019 the SA, ASI, Delhi Circle issued a stop notice for carrying out unauthorized construction. However, the applicant did not stop any construction and the same was done without the requisite permission of NMA. In this reference the SA, ASI, Delhi Circle has informed NMA that a police complaint was filed by Hauz Khas-I, Sub-circle Incharge in Safdurjung Police Station on 22.02.2019 against the Applicant for carrying out unauthorized construction. The SA, ASI, Delhi Circle also issued a show cause notice dated 11.03.2019 asking the Petitioner to stop the unauthorized construction and to give reason why action should not be taken against his unlawful conduct. The Applicant/Petitioner applied for Grant of NOC to Competent Authority through online mode after construction of basement, stilt & GF+1.

It has also been brought to the notice of the Authority that despite the issuance of the stop notice and show-cause notice and being made aware of the provisions of the AMASR Act, 1958 the Petitioner/Applicant, in complete disregard to the same continued construction work and completed the construction comprising of basement, stilt + GF +1+2 and now only the finishing works remains.

Since NMA does not have the power to grant ex-post facto approval to any unauthorized construction/reconstruction/repair/renovation without prior permission under AMASR, Act, 1958 after due consideration of the submission made by the Petitioner, documents and

available facts the authority reiterates its earlier decision and rejects the case of Sh. Mahindra Kumar Rohatgi on the ground that he has carried out unauthorized construction and has violated section 20C, 20D and 30B of the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

### **Agenda no.03**

#### **Online Cases**

##### **Delhi Case no. 472**

**(M/s C S Leasing Pvt Ltd Through its Director Sh Sanjay Gupta, 2, Cavalry Lane, Delhi University Malka Ganj, Delhi)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Basement+Stilt+GF+3 floors with the total height of 17.95mtrs (including mumty, parapet, water storage tank etc.) at Plot no. 2763, 2764, 2765 Kashmere Gate, Delhi; with floor area of Basement=549.24sqm with depth=3.45mtrs, Stilt=GF=FF=SF=TF=570.18sqm. The NOC is recommended to be granted with the terms and conditions mentioned in report of Competent Authority, Delhi. The applicant should follow the local building bye-laws while constructing the building.

##### **Delhi Case no. 473**

**(Mr. Kuldeep Sharma, Plot no. K-63, Green Park Main, New Delhi)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of Basement+Stilt+GF+3 floors with the total height of 17.53mtrs (including mumty, parapet, water storage tank etc.) at Plot no. K-63, Green Park Main, New Delhi; with floor area of Basement=187.47sqm with depth=3.05mtrs, Stilt=GF=FF=SF=TF=187.47sqm. The NOC is recommended to be granted with the terms and conditions mentioned in report of Competent Authority, Delhi. The applicant should follow the local building bye-laws while constructing the building.

#### **Non Single Window Cases**

##### **Case no. 01**

**(S.R.Investment, Prakashbhai A Shah S.R. Investment B/o, 54/P, Opp. BB Bazar, Near Raipur Gate, Ahmedabad.)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of GF+2 floors with the total height of 13.45 mtrs (including mumty, parapet, water storage tank etc.) at TP 2 Kankaria FP 54, Ahmedabad, Gujarat; with floor area GF=28.75 sqm and FF=SF=57.51 sqm/each.

##### **Case no. 02**

**(Shri Dhani Manishkumar Udhani and Manish RajKumar Udhani, 2, Shiv Park Society, Forest Offie, Hansal, Sardarnagar, Ahmedabad, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of GF+2 floors with the total height of 11.20 mtrs (including mumty, parapet, water storage tank etc.) at C.S.No. 1955, Kalupur-3, Sheet NO. 35 Ahmedabad, Gujarat; with floor area GF=FF=204.95 sqm/each and SF=186.45 sqm.

**Case no. 03**

**(Shri Krishnakumar Khemaram, 1316, Jadabhagar Ni Pol, Dariyapur, Ahmedabad)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for repair of Strengthening of building by putting T Girder only Repairing work of GF+2 Floors with the total height of 9.59 mtrs (including mumty, parapet, water storage tank etc.) at C.S.No. 1979, Sheet No. 29, Dariyapur-2, Ahmedabad, Gujarat; with floor area GF=FF=SF=42.49 sqm/each. Only Repair is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction as defined under section 2 (dc) of AMASR Act.

**Case no. 04**

**(Mahendraray Nanubhai Gajjar, 2219, Bauni Pole, Raipur, Ahmedabad)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for repair of Strengthening of building by putting T Girder of GF+2 Floors with the total height of 9.06 mtrs (including mumty, parapet, water storage tank etc.) at C.S.NO-3554, Gamtal Khadia-I, Sheet NO. 72, Ahmedabad, Gujarat; with floor area GF=FF= 41.68 sqm/each and SF=20.74 sqm. Only Repair is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction as defined under section 2 (dc) of AMASR Act.

**Case no. 05**

**(Smt. Varsha Champalal Solanki, 723/2, Chippa Pole, Swaminayaran Mandir Road, Ahmedabad, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for repair of Strengthening of building by putting T Girder of GF+3 Floors with the total height of 11.92 mtrs (including mumty, parapet, water storage tank etc.) at C.S.No. 1641, Kalupur-03, Sheet No. 28, Ahmedabad, Gujarat; with floor area GF=62.19 sqm, FF=SF=59.35 sqm/each and TF=36.04 sqm. Only Repair is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction as defined under section 2 (dc) of AMASR Act.

**Case no. 06**

**(Harishbhai Natvarlal, Chandrakant D Parmar, Ketanbhai Babubhai Parmar, Deepak Kumar Bhaveshkumar Somabhai Dabhi P Parmar, 1306, Jada Bhagat Ni Pole, Dariyapur, Ahmedabad, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for repair of Strengthening of building of GF+2 Floors with the total height of 9.65 mtrs (including mumty, parapet, water storage tank etc.) at C.S.No. 1969, Dariyapur, Dariyapur-02, Sheet No. 29, Ahmedabad, gujarat; with floor area GF=40.87 sqm, FF=32.78 sqm and

SF=34.80 sqm. Only Repair is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction as defined under section 2 (dc) of AMASR Act.

**Case no. 07**

**(Shri Harshvadan Dalwadi, 2097, Modhavada, Dolatkhana, Sarangpur, Ahmedabad, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for repair of Strengthening of building by putting T Girder of GF+2 Floors with the total height of 10.66 mtrs (including mumty, parapet, water storage tank etc.) at C.S.No. 3355, Gamtal, Khadia-1, Sheet No. 71, Taluka-Ahmedabad, Gujarat; with floor area GF=139.94 sqm and FF=SF=170.42 sqm/each. Only Repair is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction as defined under section 2 (dc) of AMASR Act.

**Public Project case**

**Case no. 01**

**(Executive Officer, Nagar Palika Parishad, Pihani, Hardoi, Mohalla-Nizampur, Katra Bazar, Po. & Town Pihani, Th. Sahabad, Distt.Hardoi-241406 U.P)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for Pakka Talab Renovation and 120x4 Mt. Interlocking Track Road construction work for public purpose with the total height 01 feet at Gata No. 1895, Pakka Talab, Mohalla-Nizampur, Katra Bazar, Po. & Town Pihani, Distt. Hardoi-241406 (U.P).

**Case no. 02**

**(The Estate Officer, Ahmedabad Municipal Corporation, C/o. Dholatiya Design (Jagdish Bhikhabhai Patel) C/17, 2nd Floor, padmavati Flat, Nr. Narannagar Bus Stop, Above Mukesh Bhaji Pav, Naroda, Ahmedabad-382330, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of institutional (Anganwadi/School) of GF with the total height of the building 5.00 mtrs (including parapet wall) at Survey No. 1083/part, F.P.No. 82/Part, T.P.S.No. 86 (Vatva-3), Vatva, Ahmedabad; with Built up area GF=79.53 sqm.

**Case no. 03**

**(The Senior Divisional Electrical Engineer, Ahmedabad Division, Western Railway, Electrical Department, 2nd Floor, Divisional Railway Manager Office, Opp. GCS Hospital, Kalupur-Naroda Road, Asarva, Ahmedabad-382345, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Escalator with the total height of 5.50 mtrs at C.S./R.S.No. Nil, Railway Premises at Kalupur Railway Station; with Area-154.56 sqm.

**Case no. 04**

**(The Senior Divisional Electrical Engineer, Ahmedabad Division, Western Railway, Electrical Department, 2nd Floor, Divisional Railway Manager Office, Opp. GCS Hospital, Kalupur-Naroda Road, Asarva, Ahmedabad-382345, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Escalator with the total height of 5.30 mtrs at C.S./R.S.No. Nil, Railway Premises at Kalupur Railway Station; with Area-150.46 sqm.

**Case no. 05**

**(The Senior Divisional Electrical Engineer, Ahmedabad Division, Western Railway, Electrical Department, 2nd Floor, Divisional Railway Manager Office, Opp. GCS Hospital, Kalupur-Naroda Road, Asarva, Ahmedabad-382345, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Escalator with the total height of 5.20 mtrs at C.S./R.S.No. Nil, Railway Premises at Kalupur Railway Station; with Area-150.46 sqm.

**Case no. 06**

**(The Senior Divisional Electrical Engineer, Ahmedabad Division, Western Railway, Electrical Department, 2nd Floor, Divisional Railway Manager Office, Opp. GCS Hospital, Kalupur-Naroda Road, Asarva, Ahmedabad-382345, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Escalator with the total height of 5.40 mtrs at C.S./R.S.No. Nil, Railway Premises at Kalupur Railway Station; with Area-154.56 sqm.

**Case no. 07**

**(The Senior Divisional Electrical Engineer, Ahmedabad Division, Western Railway, Electrical Department, 2nd Floor, Divisional Railway Manager Office, Opp. GCS Hospital, Kalupur-Naroda Road, Asarva, Ahmedabad-382345, Gujarat)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of Escalator with the total height of 6.20 mtrs at C.S./R.S.No. Nil, Railway Premises at Kalupur Railway Station; with Area-159.98 sqm.

**Case no. 08**

**(The Additional City Engineer (Water Project), Ahmedabad Municipal Corporation, 5th Floor, C-Block, Sardar Patel Bhavan, Danapith, Ahmedabad-380001, Gujarat)**

After perusal of the application, it was decided to **Reject** the case as the applicant has already started the construction without taking prior approval and SA, ASI has issued Show Cause Notice to the applicant. The SA, ASI may take action as per law.

**Case no. 09**

**(The Executive Officer, Government of Karnataka, Department of Endowment, Srikanteshwara Temple Nanjangudu, Mysore District, Karnataka-571301)**

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After perusal of the application, it was decided to **recommend** grant of NOC in this case for Construction of Arch for public purposes with the total height of 12.80 mtrs (including mumty, parapet, wxater storage tank etc.) at Temple Property (Government), Nanajangudu.

**Case no. 10**

**(The Assistant Executive Engineer, Public Works, Ports & Inland Water, Transportation Department, No,-03, Sub Division, PWP &IWTD, Karkala, Udupi District, Karnataka -574101)**

After perusal of the application, it was decided to **defer** the case and ask the Competent Authority to submit the status of the Show Cause Notice issued by SA, ASI.

**Case no. 11**

**(The Chief Officer, Town Municipal Council, Badami, Near PCARD Bank, Badami, Bangalkot District, Karnataka -587201)**

After perusal of the application, it was decided that as the proposed Renovation and construction is in Prohibited Area only Renovation is permitted with no vertical and horizontal extension. However, it may be ensured that there is no construction in the Prohibited Area.

**Deferred case**

**Case no. 01**

**(Shri R. Sakthivel, D. No. 23/2, N.G.G.O. Colony, D.D. Road, Srivilliputtur, Virudhunagar District- 626 125, Tamilnadu)**

After perusal of the application and information received by the applicant, it was decided to **recommend** grant of NOC in this case for re-construction of G+1 floor with the total height of 7.60 mtr (including mumty, parapet, water storage tank etc.) at Door. No. 88/147, 90/145 & 2/53, T.S. Ward No. 1, Block No. 22, T.S. Nos. 2871/1, 2871/2, 2872/1, 2872/2, North Car Street, Srivilliputtur Municipality, Virudhunagar District; with floor area of GF=FF= 27.91 sqm. The color scheme of the monument should be kept in view while constructing the building.

**Case no. 02**

**(Shri Abubkar Majeed Mujawar, C.S. No. 350, A/P, Panhala, Tal. Panhala, Dist – Kolhapur, Maharashtra-416201)**

After perusal of the application and revised building plan received from Competent Authority, Maharashtra, it was decided to **recommend** grant of NOC in this case for reconstruction of GF with the total height of 6.45 mtrs (including mumty, parapet, water storage tank etc.) at C.S. No. 350, At-Panhala, Tal-Panhala, Dist – Kolhapur; with floor area of GF= 18.66 sqm.

## **Fresh cases**

### **Case no. 01**

**(Sh. Mukesh Kumar Singla, #35/7, Bhawankund, Old GT Road, Palwal, Haryana)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of GF+Mumty with the total height of 6.76 mtrs (including mumty, parapet, water storage tank etc.) at Khasra No. 1239, 1240, 1241, Intkal 40608 Rasulpur road, Palwal; with floor area of GF= 33.06 sqm, Mumty = 6.40 sqm.

### **Case no. 02**

**(Sh. Manoj & Smt. Kiran Yadav, #4 Civil Line, Palwal, Distt. Palwal, Haryana)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of GF+Mumty with the total height of 6.76 mtrs (including mumty, parapet, water storage tank etc.) at Khasra No. 1239, 1240, 1241, Intkal 40607 Rasulpur road, Palwal; with floor area of GF= 43.71 sqm, Mumty = 10.34 sqm.

### **Case no. 03**

**(Smt Chandra Gaur W/o Sh Munshi Ram, #154 Sec-19, Faridabad, Haryana)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of GF+Mumty with the total height of 6.76 mtrs (including mumty, parapet, water storage tank etc.) at Khasra No. 1239, 1240, 1241, Intkal 21125 & 21395 Rasulpur road, Palwal; with floor area of GF= 17.95 sqm, Mumty = 6.20 sqm.

### **Case no. 04**

**(OP Jindal Global University Narela road, Sonipat, OP Jindal Global University Narela road, Sonipat, Haryana)**

After perusal of the application, it was decided to **defer** the case and ask the applicant to submit the Heritage Impact Assessment Report as the proposed built up area is more than 5000 sqm therefore, the requirement of Heritage Impact Assessment Report cannot be waived.

### **Case no. 05**

**(Association of Municipalities and Development Authority through its Director cum Secretary, 7/6, Siri Fort Institutional Area, August Kranit Marg, New Delhi)**

After perusal of the application, as the proposed construction of Underground rain water harvesting tank as per direction of Hon'ble High Court, installation of rain water harvesting is mandatory on plot size of 500sqm or more falls in the prohibited area it was decided to refer the case to ministry of Law for their opinion.

### **Case no. 06**

**(Dr. Savitha Vikram Chakote, D/o Fakeerappa Akki, H.no-9-1-602,KEB Road, Nandi Colony,Bidar District, Karnataka-585401)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for reconstruction of GF+2 floors with the total height of 12.15 mtrs (including mumty, parapet, water storage tank etc.) at Plot No.20, CMC No.8-11-283, PID No.21-3-544-156; with floor area of GF=217.59 sqm, FF=160.65 sqm and SF=201.32 sqm.

**Case no. 07**

**(Shri. Chandan Kumar Sarkar, Vill.- Danna, P.O & P.S- Patrasayer, Dist. Bankura (W.B), Pin-722206.)**

After perusal of the application, it was decided to **recommend** grant of NOC in this case for construction of Ground Floor with the total height of 5.98 mtrs (including mumty, parapet, water storage tank etc.) at Ramananda College Road (Near Choto Lal Bandh), Ward No. 3 Bishnupur Municipality, P.O & P.S-Bishnupur, Dist. Bankura (W.B) Pin-722122, Mouza-Bishnupur Municipality, J.L No. 101, L.R Khatian No. 24342, Plot Nos. 8260, 8262 and 8263.; with floor area of Ground Floor=96.41 sqm.

**Case no. 08**

**(Smt. Soma Sarkar, Vill.+ P.O.- Hetia, P.S.- Joypur, Dist Bankura (W.B), Pin-722138.)**

After perusal of the application, it was decided to **defer** the case and ask the applicant to submit revised building plan for 07.00 mtrs (inclusive all).

**Case no. 09 to 15**

**(Shri K. Pradeep (General Power of Attorney), D. No. 5/159, Perumal Koil Street, Medavakkam, Chennai- 600 100, Tamilnadu)**

**(Shri K. Pradeep (General Power of Attorney), D. No. 5/159, Perumal Koil Street, Medavakkam, Chennai- 600 100, Tamilnadu)**

**(Shri K. Pradeep (General Power of Attorney), D. No. 5/159, Perumal Koil Street, Medavakkam, Chennai- 600 100, Tamilnadu)**

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**(Shri K. Pradeep (General Power of Attorney), D. No. 5/159, Perumal Koil Street, Medavakkam, Chennai- 600 100, Tamilnadu)**

**(Shri K. Pradeep (General Power of Attorney), D. No. 5/159, Perumal Koil Street, Medavakkam, Chennai- 600 100, Tamilnadu)**

After perusal of the application, it was decided to **defer** the case and ask Competent Authority, Tamilnadu to clarify the reason for not asking for Heritage Impact Assessment Report as all the cases are having same survey nos. A single site plan for entire survey no. is also required to be submitted.



**Case no. 16**

**(Shri U. Murugan & Smt. M. Jayalakshmi, D.No.1, Thirukkula Street, Mamallapuram, Kancheepuram District - 603 104, Tamilnadu)**

After perusal of the application, it was decided to **defer** the case and ask the Competent Authority to submit the status of the Show Cause Notice issued by SA, ASI.

**Prohibited Case:**

**Case no 01**

**(Sri. N C Mallikarjunaiah, S/o Late, Chikka Mahadevaiah, No.277, Thammadageri Street, Nanjangud, Mysore District-571301)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 02**

**(Sri.Vishnudas S/o Krishnadas Varkar and Sri. Chandrakanth S/o Krishnadas Varkar, C.T.S NO-5822/1B2 & 5822/1B3, Tenginkai Bazar, at betgeri post, Gadag Taluk & District-582102)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 03**

**(Prof. B.K Wodeyar, Near Mangal Hospital, Dharwad District-580001, Karnataka)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 04**

**(Sri. H G Subbannaiah, 11/A, 97, Appachukavi Road, Pension Lane, Madikeri, Kodagu District-571201)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 05**

**(Sri. MD Abrar Khan S/o MD Arif Khan, H.no.5/2/301, Qilla Road, Bidar District-585401)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 06**

**(Sri. Siddalingappa Mallappa Kumbar, KSRTC Colony, Gyang Bawadi, Vijayapur District-586101)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

**Case no 07**

**(Sri. Goutamchand S/o Umalchand Jain, Paras Lok Lingad Guddi Road, Chalukya Nagar, Vijayapur District)**

Since the proposed construction falls in the prohibited area of the monument, it was decided to **reject** the case since it is outside the preview of NMA.

